

**COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING SUMMARY AGENDA
AUGUST 20, 2013**

CONSENT CASES

- Z-32** **WAFFLE HOUSE, INC.** *(Previously continued by the Planning Commission from their July 8, 2013 hearing)*
- Z-44** **CENTURY PARTNERS, LLC**
- Z-46** **QUALITY CARS, INC.**
- Z-47** **CHUKWUMA GWUDE**
- LUP-20** **BURNT HICKORY CHURCH OF CHRIST, INC.**
- LUP-21** **WORD OF FAITH FAMILY WORSHIP CENTER, INC.**
- SLUP-7** **QUALITY CARS, INC.**

REGULAR CASES

- Z-33** **BLAKE PROPERTIES, INC.** *(Previously continued by Staff from the July 8, 2013 Planning Commission hearing)*
- Z-40** **A. J. REHMANI** *(Previously held by the Planning Commission from their July 8, 2013 hearing)*
- Z-48** **LOT ONE HOMES, INC.**
- Z-50** **CAMPUS CREST DEVELOPMENT, LLC**

HELD CASES

- Z-28** **RICHARD DUNCAN** *(Previously continued by the Planning Commission from their June 4, 2013 hearing and previously held by the Board of Commissioners from their July 16, 2013 hearing)*
- Z-35** **RICHARD DUNCAN** *(Previously held by the Board of Commissioners from their July 16, 2013 hearing)*

HELD OR CONTINUED CASES BY STAFF, THE PLANNING COMMISSION OR THE BOARD OF COMMISSIONERS

- Z-27** **RICHARD DUNCAN** *(Continued by the Planning Commission until their October 1, 2013 hearing; therefore will not be considered at this hearing)*
- Z-43** **ISAKSON LIVING COMMUNITIES, LLC** *(Continued by Staff until the October 1, 2013 Planning Commission hearing; therefore will not be considered at this hearing)*

HELD OR CONTINUED CASES BY STAFF, THE PLANNING COMMISSION OR THE BOARD OF COMMISSIONERS (Continued)

- Z-45** **R. DAVID CLARK AND M. KAY CLARK** *(Continued by Staff; therefore will not be considered at this hearing)*
- Z-49** **PULL-A-PART OF NORTHWEST ATLANTA, LLC** *(Continued by the Planning Commission from their August 6, 2013 hearing; therefore will not be considered at this hearing)*
- SLUP-8** **BRILLIANT AUTOMOTIVE, INC.** *(Continued by the Planning Commission from their August 6, 2013 hearing; therefore will not be considered at this hearing)*
- SLUP-9** **PULL-A-PART OF NORTHWEST ATLANTA, LLC** *(Continued by the Planning Commission from their August 6, 2013 hearing; therefore will not be considered at this hearing)*

OTHER BUSINESS

ITEM #1

To consider a site plan amendment for the Arylessence, Inc. regarding rezoning application Z-155 of 2004 (Arylessence, Inc.), for property located on the north and west sides of Lake Drive, south of Jamerson Road in Land Lot 86 of the 16th District.

ITEM #2

To consider amending the zoning stipulations and approving a hardship sign variance for Timothy Pilgrim regarding rezoning application Z-21 of 2010 (Timothy F. Pilgrim), for property located on the east side of Atlanta Road, south of Paces Ferry Road in Land Lot 743 of the 17th District.

ITEM #3

To consider a stipulation amendment for Steve Phillips regarding rezoning application Z-21 of 2007 (WW Georgia Properties, LLC), for property located on the north side of New McEver Road, east of McEver Industrial Drive in Land Lot 67 of the 20th District.

ITEM #4

To consider amending the zoning stipulations relating to Z-19 of 2011 (Angelyn Clay Walker), for property located at the northeast corner of Clay Road and Austell Road in Land Lots 1140 and 1141 of the 19th District.

ITEM #5

To consider granting a Special Exception for reducing the required lot size as recommended by the Board of Zoning Appeals from their July 10, 2013 Variance Hearing regarding Variance Application:

V-89 Mt Zion Baptist

ITEM #6 WITHDRAWN BY STAFF

To consider clarifying and amending zoning stipulations relating to Z-28 of 2010 (Greenstreet Properties/ Marthasville Development/ Jamestown Properties), for property located on the easterly and westerly sides of Riverview Road, on the south side of Dickerson Drive, on the north, south and east sides of Nichols Drive, and on the southerly and easterly sides of Armstrong Place in Land Lots 58, 171, 172, 174, 175 and 284 of the 18th District.

COBB COUNTY BOARD OF COMMISSIONERS
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Rezoning

Z-32 **WAFFLE HOUSE, INC.** (owner) requesting Rezoning from **GC** to **CRC** for the purpose of a Restaurant in Land Lot 175 of the 20th District. Located on the northeast side of Cobb Parkway; and on the southwest side of Old 41 Highway, north of North Roberts Road (2165 Cobb Parkway). (*Previously continued by the Planning Commission from their July 8, 2013 hearing*) The Planning Commission recommended **deletion** of Rezoning to the **TS** zoning district **subject to:**

- **Site plan received by the Zoning Division May 1, 2013 for reference only subject to Plan Review (on file in the Zoning Division)**
- **Elevations to be in general conformity to those contained in the Zoning Analysis**
- **Retention of the existing sign on Cobb Parkway with new facing; sign facing Old 41 Highway (dry cleaners sign) to be removed prior to issuance of Certificate of Occupancy and may be replaced with monument sign in compliance with Sign Ordinance**
- **Cobb County Marietta Water Authority comments and recommendations not otherwise in conflict**
- **Fire Department comments and recommendations not otherwise in conflict**
- **Stormwater Management Division comments and recommendations not otherwise in conflict**
- **Water and Sewer Division comments and recommendations on otherwise in conflict**
- **Cobb DOT comments and recommendations not otherwise in conflict and with the exception of the requirement to install sidewalks on Cobb Parkway**
- **owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns**
- **inclusion on the Consent Agenda for the Board of Commissioners' zoning hearing of August 20, 2013**

Z-44 **CENTURY PARTNERS, LLC** (owner) requesting Rezoning from **R-20, RA-4, RA-5** and **LRO** to **RA-5** for the purpose of a Residential Subdivision in Land Lot 967 of the 16th District. Located at the northeasterly intersection of Robinson Road and Sadlers Walk (3711 and 3731 Robinson Road). The Planning Commission recommended **approval** of Rezoning to the **RA-5** zoning district **subject to:**

- Revised site plan received by the Zoning Division July 31, 2013 with District Commissioner approving minor modifications (on file in the Zoning Division)
- Letter of agreeable conditions from Mr. Chris Weathers dated July 31, 2013 (on file in the Zoning Division) *with the following changes:*
 - Item No. 2 – delete last sentence in its entirety and replace with: *“Each driveway will accommodate four cars and additional parking on street for four additional cars as approved by the Fire Marshall.”*
 - Item No. 8 – revise first sentence to read: *“The storm water management facility, detention pond,*”
 - Item No. 9 – add to end of first sentence: *“, said lots being identified as one through six.”*
 - Item No. 14 – delete in its entirety and replace with: *“The District Commissioner to review and approve minor modifications to the site plan, house placement, elevations, and these stipulations as needed.”*
 - Add Item No. 17: *“Applicant agrees to clean and repair the drainage ditch found on the adjacent property in the northeastern quadrant behind lot three.”*
 - Add Item No. 18: *“Sidewalks on Robinson Road will remain open during demolition and construction and will be repaired as necessary.”*
- Entry plan received by the Zoning Division (on file in the Zoning Division)
- Fire Department comments and recommendations
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations
- owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns
- inclusion on the Consent Agenda for the Board of Commissioners’ zoning hearing of August 20, 2013

Z-46 **QUALITY CARS, INC.** (Dennis Brophy, David L. Kuniansky, Amy Kuniansky Clark and Douglas S. Kuniansky, owners) requesting Rezoning from **GC** and **LI** to **LI** for the purpose of a Previously Owned Automobile Sales Facility in Land Lots 931 and 942 of the 16th District. Located at the northwest intersection of US Highway 41 a/k/a Cobb Parkway, and Kennestone Circle. The Planning Commission recommended **approval** of Rezoning to the **LI** zoning district **subject to:**

- **Site plan received by the Zoning Division June 6, 2013, *not otherwise in conflict with recommendations made at Plan Review* (on file in the Zoning Division)**
- **Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated July 1, 2013 (on file in the Zoning Division)**
- **For this use *only*, future LI uses to be approved by the Board of Commissioners as an Other Business item**
- **No outside storage**
- **No vehicles parked for advertising purposes**
- **Parking only in designated striped parking spaces**
- **No vehicular repair or maintenance on site**
- **Planning Division comments and recommendations**
- **Fire Department comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Water and Sewer Division comments and recommendations**
- **Cobb DOT comments and recommendations**
- **inclusion on the Consent Agenda for the Board of Commissioners' zoning hearing of August 20, 2013**

Z-47 **CHUKWUMA GWUDE** (Bennett Drew – Powder Springs, LLC, owner) requesting Rezoning from **LI** to **NRC** for the purpose of a Childcare Center in Land Lots 789 and 840 of the 19th District. Located on the east side of Old Anderson Farm Road, south of Powder Springs Road, between Powder Springs Road and Anderson Farm Road (3595 Anderson Farm Road). The Planning Commission recommended **deletion** of Rezoning request to **CRC** zoning district subject to:

Z-47 continued on next page

Z-47 CHUKWUMA GWUDE (Continued)

- Specific to the site plan submitted June 6, 2013 (on file in the Zoning Division)
- Play area to be fenced
- Landscape plan to be submitted to and approved by the County Arborist; to include substantial bushes and trees for beautification along Anderson Farm Road and the access road without adversely impacting sight distance; and County Arborist to issue a certificate of compliance prior issuance of Certificate of Occupancy
- No parking, drop off or pickup allowed on access road or Anderson Farm Road
- Parking allowed in paved and striped spaces only; paving and striping shown on site plan must be maintained as long as buildings are occupied
- No outdoor storage
- Banners and signs to meet Sign Ordinance and only with proper permits
- Capacity for large public assembly uses to be restricted to a maximum of 236 people as defined in Zoning Ordinance based upon available parking; Fire Marshall can restrict the capacity further; and District Commissioner may approve a higher capacity if a written parking agreement for off- site parking and a parking plan are provided
- Fire Department comments and recommendations, *not otherwise in conflict*
- Water and Sewer Division comments and recommendations, *not otherwise in conflict*
- Stormwater Management comments and recommendations, *not otherwise in conflict*
- Cobb DOT comments and recommendations, *not otherwise in conflict*
- inclusion on the Consent Agenda for the Board of Commissioners' zoning hearing of August 20, 2013

Land Use Permits

LUP-20 BURNT HICKORY CHURCH OF CHRIST, INC. (owner) requesting a **Land Use Permit** for the purpose of a Daycare Facility in Land Lot 291 of the 20th District. Located on the north side of Burnt Hickory Road, west of New Salem Road (2330 Burnt Hickory Road). The Planning Commission recommended **approval** of Land Use Permit for **24 months subject to:**

LUP-20 continued on next page

LUP-20 BURNT HICKORY CHURCH OF CHRIST, INC. (Continued)

- Site plan received by the Zoning Division June 6, 2013 with District Commissioner approving minor modifications (on file in the Zoning Division)
- Daycare related temporary sign to be no larger than 3 feet by 5 feet
- Cobb DOT to approve traffic circulation plan
- Cobb DOT comments and recommendations
- inclusion on the Consent Agenda for the Board of Commissioners' zoning hearing of August 20, 2013

LUP-21 WORD OF FAITH FAMILY WORSHIP CENTER, INC. (owner) requesting a **Land Use Permit** for the purpose of a Daycare Facility in Land Lots 697 and 698 of the 18th District. Located at the northwest intersection of The Bluffs and Riverside Parkway, across from Six Flags Parkway and northeast of Hartman Road (7680 The Bluffs). The Planning Commission recommended **approval** of Land Use Permit for **24 months subject to:**

- Site plan received June 6, 2013 with District Commissioner approving minor modifications (on file in the Zoning Division)
- Cobb DOT to approve traffic circulation plan
- Cobb DOT comments and recommendations
- inclusion on the Consent Agenda for the Board of Commissioners' zoning hearing of August 20, 2013

Special Land Use Permit

SLUP-7 QUALITY CARS, INC. (Dennis Brophy, David L. Kuniansky, Amy Kuniansky Clark and Douglas S. Kuniansky, owners) requesting a **Special Land Use Permit** for the purpose of a Previously Owned Automobile Sales Facility in Land Lots 931 and 942 of the 16th District. Located at the northwest intersection of US Highway 41 a/k/a Cobb Parkway, and Kennestone Circle. The Planning Commission recommended **approval** of Special Land Use Permit **subject to:**

SLUP-7 QUALITY CARS, INC. (Continued)

- **Site plan received by the Zoning Division June 6, 2013, *not otherwise in conflict with recommendations made at Plan Review* (on file in the Zoning Division)**
- **Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated July 1, 2013 (on file in the Zoning Division)**
- **For this use *only*, future LI uses to be approved by the Board of Commissioners as an Other Business item**
- **No outside storage**
- **No vehicles parked for advertising purposes**
- **Parking only in designated striped parking spaces**
- **No vehicular repair or maintenance on site**
- **Planning Division comments and recommendations**
- **Fire Department comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Water and Sewer Division comments and recommendations**
- **Cobb DOT comments and recommendations**
- **inclusion on the Consent Agenda for the Board of Commissioners' zoning hearing of August 20, 2013**