

**COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING SUMMARY AGENDA
APRIL 15, 2014**

CONSENT CASES

- Z-7** **RL MABLETON, LLC** *(Previously continued by Staff)*
Z-13 **JAMES LASKARIS**
Z-17 **CRP EAH MD, L.L.C.**
LUP-14 **EARLY EDUCATION, LLC**
SLUP-4 **NEW CINGULAR WIRELESS PCS, LLC**

CONTINUED CASES

- Z-4** **NORTHLAKE STORAGE, LLC** *(Previously continued by Staff from the February 18, 2014 and March 18, 2014 Board of Commissioners hearings)*
SLUP-1 **NORTHLAKE STORAGE, LLC** *(Previously continued by Staff from the February 18, 2014 and March 18, 2014 Board of Commissioners hearings)*
SLUP-2 **AMERICAN AUTO SALES, LLC** *(Previously held by the Planning Commission from their February 4, 2014 hearing and previously continued by Staff from the March 18, 2014 Board of Commissioners hearing)*

REGULAR CASES

- Z-14** **CAN NGUYEN**
LUP-13 **DESERVING PEACE INTERNATIONAL**
SLUP-13^{'13} **PEGASUS TOWER COMPANY, LLC** *(Previously continued by Staff)*

WITHDRAWN CASES

- Z-72^{'13}** **THE RYLAND GROUP, LLC** (*Previously continued by the Planning Commission until their April 1, 2014 hearing*) – **WITHDRAWN WITHOUT PREJUDICE**
- Z-15** **ERNIE GREEN INDUSTRIES, INC.** – **WITHDRAWN WITHOUT PREJUDICE**

OTHER BUSINESS ITEM#8 CHICKEN COUP IV RE, LLC-WITHDRAWN WITHOUT PREJUDICE

HELD OR CONTINUED CASES BY STAFF OR THE PLANNING COMMISSION

- Z-2** **ISAKSON LIVING COMMUNITIES, LLC** (*Continued by Staff until the May 6, 2014 Planning Commission hearing; therefore will not be considered at this hearing*)
- Z-9** **QUIK TRIP CORPORATION** (*Held by the Planning Commission from their March 4, 2014 and April 1, 2014 hearings; therefore will not be considered at this hearing*)
- Z-16** **CRP OAKMONT HARTMAN ROAD, L.L.C.** (*Continued by Staff; therefore will not be considered at this hearing*)
- Z-18** **PRIME INTEREST, INC.** (*Continued by Staff; therefore will not be considered at this hearing*)

OTHER BUSINESS

ITEM #1

To consider a stipulation amendment for Maribel Gonzalez regarding rezoning application Z-151 of 2004 (Ransom Development Corporation), for property located on the west side of Powder Springs Road, north of Green Drive in Land Lots 475 and 488 of the 19th District.

ITEM #2

To consider a stipulation amendment for Acadia Homes and Neighborhoods, LLC regarding rezoning application Z-157 of 2006 (Johnson/Willis, LLC), for property located on the west side of Spring Hill Parkway, north of Mount Wilkinson Parkway in Land Lot 882 of the 17th District.

ITEM #3

To consider a site plan amendment for Centennial Commons Home Owners Association regarding rezoning application Z-135 of 2000 (Old Woodstock, LLC), for property located at the southwesterly intersection of Woodstock Road and Centennial Commons Drive Land Lot 1270 of the 21st District.

ITEM #4

To consider a site plan amendment for A'Zoe Enterprises, Inc. regarding rezoning application Z-36 of 2011 (A'Zoe Enterprises, Inc.), for property located at the southeast intersection of South Gordon Road and Factory Shoals Road Land Lot 413 of the 18th District.

ITEM #5

To consider amending the site plan for The Charles Agency, Inc. regarding rezoning application Z-149 (O'Neil Developments, Inc) of 1989, for property located in Land Lot 413 of the 19th District, on the west side of Powder Springs Road, south of Macland Road.

ITEM #6

To consider a site plan and stipulation amendment for TV Holdings, LLC regarding rezoning application Z-73 of 2013 and Z-26 of 2007(TV Holdings, LLC and Town Center Associates, LLC), for property located on the south side of Big Shanty Road, on the east side of George Busbee Parkway and on the south and east sides of Hidden Forest Court in Land Lots 501 and 508 of the 16th District.

ITEM #7

To consider a stipulation amendment for Bryan Sodel regarding rezoning application Z-41 of 2010 (Health Care Capital Consolidated, Inc.), for property located on the south side of Lower Roswell Road, east of Cove Drive in Land Lots 1114 and 1115 of the 16th District.

ITEM #8 WITHDRAWN WITHOUT PREJUDICE

To consider a stipulation amendment for Chicken Coup IV RE, LLC regarding rezoning application Z-162 of 2003 and Z-112 of 2004 (Olympia Development Group, Inc. and Progressive Development Services, LLC), for property located on the south side of Dallas Highway, between Old Trace Road and Kennesaw View Road Land Lot 332 of the 20th District.

ITEM #9

To consider house moving application HM-1-14 for M.J. Loudermilk regarding a house to be moved to 4631 Todd Court, in Land Lots 132 and 133 of the 16th District, which is currently located at 4565 Sandy Plains Road in Land Lot 112 of the 16th District.

ITEM #10

To consider a stipulation amendment for Mr. Rex Horney regarding rezoning application Z-32 (Rex Horney) of 2009, for property located at the northwesterly intersection of Canton Road and Hawkins Store Road in Land Lots 228, 277 and 278 of the 16th District.

**COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING *CONSENT* AGENDA
APRIL 15, 2014**

Rezoning

Z-7 **RL MABLETON, LLC** (Ken A. Harbaugh, owner) requesting Rezoning from **GC** and **LI** to **LI** for the purpose of Landscape Contractor Offices with Repair Shop and Vehicle Repair in Land Lots 498 and 499 of the 18th District. Located on the northeast side of Mableton Parkway, between Hunnicut Road and Discovery Boulevard (7013 and 7015 Mableton Parkway). (*Previously continued by Staff*) The Planning Commission recommended **approval** of Rezoning to the **LI** zoning district **subject to:**

- **Site plan received by the Zoning Division March 17, 2014 (on file in the Zoning Division)**
- **Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated March 28, 2014 (on file in the Zoning Division), *not otherwise in conflict***
- **Landscaping, architectural, and fence plans subject to final approval by the District Commissioner**
- **Landscape buffer to be installed along eastern boundary of the property**
- **Existing barn to be removed within 90 days of final approval by the Board of Commissioners**
- **Fire Departments comments and recommendations, *not otherwise in conflict***
- **Water and Sewer Division comments and recommendations, *not otherwise in conflict***
- **Stormwater Management Division 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 April 15, 2104**

VOTE: ADOPTED 4-0, Trombetti absent

Z-13 **JAMES LASKARIS** (DDR Southeast SP Outlot 1, LLC, owner) requesting Rezoning from **NS** to **NRC** for the purpose of a Restaurant With Drive-Thru in Land Lots 108 and 109 of the 16th District. Located on the southwest side of Woodstock Road, northwest of Mabry Road, southeast of Sandy Plains Road (4661 Woodstock Road). The Planning Commission recommended **approval** of the Rezoning to the **NRC** zoning district **subject to:**

- **Site plan received by the Zoning Division February 6, 2014, with District Commissioner approving minor modifications (on file in the Zoning Division)**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations**
- **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of April 15, 2014**

Z-17 **CRP EAH MD, L.L.C.** (owner) requesting Rezoning from **R-20** to **R-15** for the purpose of a Single-Family Subdivision in Land Lot 746 of the 16th District. Located on the west side of Murdock Road, across from Bunker Hill Road (2001 Murdock Road). The Planning Commission recommended **approval** of the Rezoning to the **R-15** zoning district **subject to:**

- ***Revised site plan received by the Zoning Division March 6, 2014, with the District Commissioner approving minor modifications (on file in the Zoning Division)***
- **Letter of agreeable conditions from Mr. John Moore dated March 26, 2014 (on file in the Zoning Division) with the following changes:**
- **Item No. 9, subset b. – revise to read: “*Rear Setback: Forty feet (40)*”**
- **Add Item No. 31 - “*Revised site plan showing variance for 10 foot bump out (for a keeping room or deck) to be submitted prior to the Board of Commissioners Zoning Hearing.*”**

Z-17 CRP EAH MD, L.L.C. (Continued)

- **Add Item No. 32 – “No lot to have buildable area larger than allowed by underlying zoning.”**
- **Applicant to amend stipulation letter to include changes prior to Board of Commissioners Zoning Hearing**
- **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 April 15, 2014**

Land Use Permits

LUP-14 EARLY EDUCATION, LLC (owner) requesting a **Land Use Permit** for the purpose of a Daycare Center in Land Lots 50, 51, 94 and 95 of the 17th District. Located on the west side of Hurt Road, north of Plantation Road (488 Hurt Road). The Planning Commission recommended **approval** of the Land Use Permit for **24 months** subject to:

- **Maximum 25 children**
- **Fire Department comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations**
- **Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing of April 15, 2014**

Special Land Use Permits

SLUP-4 NEW CINGULAR WIRELESS PCS, LLC (1965 Vaughn, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a Wireless Communications Tower in Land Lots 173 and 174 of the 20th District. Located on the northwest side of Vaughn Road, north of Roberts Boulevard (1965 Vaughn Road). The Planning Commission recommended **approval** of the Special Land Use Permit **subject to:**

- **Site plan received by the Zoning Division on February 6, 2014 (on file in the Zoning Division)**
- **Cobb County's consultant's report *not otherwise in conflict* with the Board of Commissioners' decision**
- **Height of the tower not to exceed 100 feet**
- **Approval from the FAA and/or the McCollum Air Field Manager that the proposed tower is not an object affecting navigable airspace**
- **Cobb DOT comments and recommendations**
- **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of April 15, 2014**