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# ZONING ANALYSIS

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## Planning Commission Public Hearing

April 1, 2014

## Board of Commissioners' Public Hearing

April 15, 2014

Prepared by:  
**COBB COUNTY**  
**PLANNING AND ZONING DIVISIONS**

***COBB COUNTY BOARD OF COMMISSIONERS***

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***COBB COUNTY ZONING DIVISION***  
***COMMUNITY DEVELOPMENT DEPARTMENT***

**Robert Hosack, Director, Community Development**  
**John Pederson, Manager, Zoning Division**



*Cobb County... Expect the Best!*

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**Every application for rezoning involving a request for a non-residential zoning district shall include a complete written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:**

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent property or nearby property;
- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; and
- (d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- (e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and
- (f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

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**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Planning Commission – April 1, 2014**

**NOTE:** *The applicant/property owner(s), prior to hearing date, may withdraw petitions contained in this agenda; therefore, the Planning Commission will not consider those cases.*

**CONTINUED CASES**

- Z-72<sup>13</sup>**      **THE RYLAND GROUP, LLC** (Willoughby & Sewell Development, Ltd.; A. Lee Brand, Jr.; Janella S. Brand; and Jennifer B. Gruber, owners) requesting Rezoning from **R-30** and **R-20** to **R-20** for the purpose of Single-Family Residential in Land Lots 39, 40 and 76 of the 20<sup>th</sup> District. Located on the southeast side of Cedarcrest Road, and the west side of Old Dallas Acworth Road. *(Previously continued by the Planning Commission until their April 1, 2014 hearing)*
- Z-2**            **ISAKSON LIVING COMMUNITIES, LLC** (Wylene S. Tritt, owner) requesting Rezoning from **R-20** to **CCRC** for the purpose of a Continuing Care Retirement Facility in Land Lots 965 and 966 of the 16<sup>th</sup> District. Located on the south side of Roswell Road, across from Providence Road, and west of Robinson Road (3540 Roswell Road). *(Continued by Staff until the May 6, 2014 Planning Commission hearing; therefore will not be considered at this hearing)*
- 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 18<sup>th</sup> District. Located on the northeast side of Mableton Parkway, between Hunnicut Road and Discovery Boulevard (7013 and 7015 Mableton Parkway). *(Previously continued by Staff)*
- SLUP-13<sup>13</sup>**    **PEGASUS TOWER COMPANY, LLC** (Carter T. Samples, Jr. and Mildred B. Samples, owners) requesting a **Special Land Use Permit** for the purpose of a New 130 Foot Monopole Telecommunications Tower in Land Lots 406 and 497 of the 18<sup>th</sup> District. Located at the northwest intersection of Mableton Parkway and Queen Mill Road. *(Previously continued by Staff)*

## **REGULAR CASES --- NEW BUSINESS**

### **Rezoning**

- 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 16<sup>th</sup> District. Located on the southwest side of Woodstock Road, northwest of Mabry Road, southeast of Sandy Plains Road (4661 Woodstock Road).
- Z-14**      **CAN NGUYEN** (Can Van Nguyen, owner) requesting Rezoning from **RA-5** to **R-20** for the purpose of a Meditation Center in Land Lots 386 and 412 of the 18<sup>th</sup> District. Located on the north side of South Gordon Road, east of Starling Drive, west of Mitchell Lane (540 South Gordon Road).
- Z-15**      **ERNIE GREEN INDUSTRIES, INC.** (Silver Creek Properties, Inc., owner) requesting Rezoning from **R-20** to **LI** for the purpose of a Tier 1 Plastic Manufacturing Facility in Land Lot 258 of the 18<sup>th</sup> District. Located on the east side of Maxham Road, south of Old Alabama Road. **WITHDRAWN WITHOUT PREJUDICE**
- Z-16**      **CRP OAKMONT HARTMAN ROAD, L.L.C.** (J&E Bob White Associates, LLC; Savta & Saba, LLC; and The Minor's Trust for the Benefit of Frederick Michael Lansky dated July 29, 1993, owners) requesting Rezoning from **HI** and **R-20** to **HI** for the purpose of Office/Warehouse in Land Lots 684 and 702 of the 18<sup>th</sup> District. Located on the northeast side of White Road, south of Factory Shoals Road. *(Continued by Staff; therefore will not be considered at this hearing)*
- 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 16<sup>th</sup> District. Located on the west side of Murdock Road, across from Bunker Hill Road (2001 Murdock Road).

- Z-18**      **PRIME INTEREST, INC.** (4730 Floyd Road LLC and Elizabeth Barnes Skelton, owners) requesting Rezoning from **R-20** to **R-15/OSC** and **RA-5** for the purpose of a Single-Family Subdivision in Land Lot 1074 of the 19<sup>th</sup> District. Located on the south side of Glore Road, west of Floyd Road, and at the northern terminus of Green Valley Road. *(Continued by Staff; therefore will not be considered at this hearing)*

### Land Use Permits

- LUP-13**      **DESERVING PEACE INTERNATIONAL** (Rachel D. Naddor, owner) requesting a **Land Use Permit** for the purpose of a Group Home in Land Lot 721 of the 17<sup>th</sup> District. Located on the southeast side of Clearwater Drive, southwest of Freydale Road (2150 Clearwater Drive).
- 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 17<sup>th</sup> District. Located on the west side of Hurt Road, north of Plantation Road (488 Hurt Road).

### 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 20<sup>th</sup> District. Located on the northwest side of Vaughn Road, north of Roberts Boulevard (1965 Vaughn Road). *(Previously continued by Staff)*

## **HELD CASES**

**Z-9**            **QUIK TRIP CORPORATION** (GEC Atlanta, LLC; Tu Phat Chau; Irene Chan; and Scoggins LP, owners) requesting Rezoning from **GC, NRC** and **R-20** to **CRC** for the purpose of a Convenience Store with Fuel Sales in Land Lot 55 of the 20<sup>th</sup> District. Located at the northwest intersection of Wade Green Road and Hickory Grove Road, and southeast side of Hickory Grove Place (4443 and 4455 Wade Green Road; and 1521, 1531 and 1541 Hickory Grove Place). *(Previously held by the Planning Commission from their March 4, 2014 hearing)*

**NOTE:**            “Pursuant to the Official Code of Cobb County, Zoning – Section 134-124(b) the Cobb County Board of Commissioners is authorized to consider and may consider all constitutionally permissible zoning classification(s), including, but not limited to, intervening classification(s) and/or the classification(s) sought by the applicant.”

**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Board of Commissioners – April 15, 2014**

*NOTE: Some of these petitions may not be heard by the Board of Commissioners. The Planning Commission may hold or continue some cases at their public hearing, and some cases may be withdrawn by the applicant/owner*

**REGULAR CASES --- NEW BUSINESS**

**Rezoning**

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- Z-4**            **NORTHLAKE STORAGE, LLC** (San-Har, Inc., owner) requesting Rezoning from **OMR** to **O&I with Stipulations** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 919 and 920 of the 17<sup>th</sup> District. Located at the northwest intersection of Windy Hill Road and Spectrum Circle. *(Previously continued by Staff from the February 18, 2014 and March 18, 2014 Board of Commissioners hearings)*
- 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 18<sup>th</sup> District. Located on the northeast side of Mableton Parkway, between Hunnicut Road and Discovery Boulevard (7013 and 7015 Mableton Parkway). *(Previously continued by Staff)*

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**SLUP-2**     **AMERICAN AUTO SALES, LLC** (Hector Recinos, owner) requesting a **Special Land Use Permit** for the purpose of Used Car Sales in Land Lot 34 of the 18<sup>th</sup> District. Located on the south side of Veterans Memorial Highway; west of Powell Drive (1415 Veterans Memorial Highway). *(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)*

**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 20<sup>th</sup> District. Located on the northwest side of Vaughn Road, north of Roberts Boulevard (1965 Vaughn Road). *(Previously continued by Staff)*

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