

***COBB COUNTY BOARD OF COMMISSIONERS***

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***COBB COUNTY PLANNING COMMISSION***

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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 – June 3, 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-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 September 4, 2014 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-22**           **3700 ROSWELL ROAD, LLC** (Barry J. Shemaria, owner) requesting Rezoning from **LRO** to **O&I** for the purpose of a Climate Controlled Self-Service Storage Facility in Land Lot 967 of the 16<sup>th</sup> District. Located on the south side of Roswell Road, west of Robinson Road (3700 Roswell Road). *(Previously continued by Staff)*
- Z-28**           **MUNICIPAL COMMUNICATIONS, LLC** (Victoria A. Milam, owner) requesting Rezoning from **O&I With Stipulations** to **O&I With Stipulations** for the purpose of a Telecommunications Tower and Related Equipment in Land Lots 365 and 428 of the 16<sup>th</sup> District. Located on the south side of Chastain Road, east of I-575 (287 Chastain Road). *(Continued by Staff until the July 1, 2014 Planning Commission Hearing; therefore will not be considered at this hearing)*
- SLUP-6**        **3700 ROSWELL ROAD, LLC** (Barry J. Shemaria, owner) requesting a **Special Land Use Permit** for the purpose of a Climate Controlled Self-Service Storage Facility in Land Lot 967 of the 16<sup>th</sup> District. Located on the south side of Roswell Road, west of Robinson Road (3700 Roswell Road). *(Previously continued by Staff)*
- SLUP-8**        **COSMO VENTURES COBB, LLC** (owner) requesting a **Special Land Use Permit** for the purpose of a Suite Hotel in Land Lot 851 of the 17<sup>th</sup> District. Located on the southwest side of Corporate Plaza, south of Windy Hill Road. *(Previously continued by Staff)*

**SLUP-9**     **MUNICIPAL COMMUNICATIONS, LLC** (Victoria A. Milam, owner) requesting a **Special Land Use Permit** for the purpose of a Telecommunications Tower and Related Equipment in Land Lots 365 and 428 of the 16<sup>th</sup> District. Located on the south side of Chastain Road, east of I-575 (287 Chastain Road). *(Continued by Staff until the July 1, 2014 Planning Commission Hearing; therefore will not be considered at this hearing)*

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

### **Rezoning**

**Z-29**     **MIGUEL ALVAREZ** (Miguel Z. Alvarez, owner) requesting Rezoning from **NS** and **R-20** to **R-20** for the purpose of Single-Family Residential in Land Lot 351 of the 17<sup>th</sup> District. Located on the south side of Concord Drive, east of Old Concord Road (1741 Concord Drive).

**Z-30**     **EGBEL FAIBILLE** (owner) requesting Rezoning from **R-20** to **O&I** for the purpose of an Office in Land Lot 1067 of the 19<sup>th</sup> District. Located on the east side of Austell Road, south of Fairview Drive (4511 Austell Road).

**Z-31**     **DCG PEBBLEBROOK, LLC** (Richard Lee Black, Sam Y. Morris, Sandra G. Morris, Katherine S. Hillard (Executor for Samuel Sherman), and Marion Bledsoe, owners) requesting Rezoning from **R-20** to **R-15/OSC** for the purpose of Single-Family Residential in Land Lots 466 and 471 of the 17<sup>th</sup> District. Located on the south side of Pebblebrook Road, northwest of Highland Preserve Drive (1020, 1030, 1040 and 1075 Pebblebrook Road).

**Z-32**     **PATRICK MALLOY COMPANIES, LLC** (Dabney Partners, LLC; Cooper Lake Holdings, LLC; George M. Hardage; Rosemary N. Hardage; and the Estate of Inez Glass, owners) requesting Rezoning from **RA-5** and **R-20** to **RA-5** for the purpose of Single-Family Residential in Land Lots 696 and 745 of the 17<sup>th</sup> District. Located on the south side of Lee Road, and north side of Cooper Lake Drive, west of Atlanta Road.

- Z-33**        **MEDICAL DEVELOPMENT, CORP.** (40-50 Hampton Street, LLC, owner) requesting Rezoning from **RSL With Stipulations** to **RSL With Stipulations** for the purpose of Assisted, Supportive, and Independent Residential Senior Living in Land Lots 148 and 149 of the 16<sup>th</sup> District. Located on the west side of Bells Ferry Road, south side of Shiloh Path, and on the east and west sides of Bartlett Circle.
- Z-34**        **HAMPTON INN CHASTAIN, LLC** (KLCK, Inc., owner) requesting Rezoning from **GC** to **OMR** for the purpose of a Hotel in Land Lot 432 of the 16<sup>th</sup> District. Located at the northwest intersection of Chastain Road and Busbee Drive, east of I-75 (3405 Busbee Drive).
- Z-35**        **O'DWYER PROPERTIES, LLC** (Killarney Investments, LLC, W. A. Jett, Steven Galpher, Waverly Thornton, and Earl D. Thornton, owners) requesting Rezoning from **R-30** to **R-15** for the purpose of Single-Family Residential in Land Lots 48 and 97 of the 16<sup>th</sup> District. Located on the northeast side of Jamerson Road, west of Wigley Road (2711, 2727 and 2750 Jamerson Road).
- Z-36**        **TANGLEWOOD DEVELOPMENT, INC.** (David R. Pearson and Elizabeth D. Pearson, owners) requesting Rezoning from **R-15** and **R-30** to **R-15** for the purpose of Single-Family Residential in Land Lots 24 and 49 of the 16<sup>th</sup> District. Located on the northeast side of Jamerson Road, west of Hawk Trail (2555 and 2625 Jamerson Road).
- Z-37**        **FIRST CENTER, INC.** (owner) requesting Rezoning from **R-20** and **R-15** to **FST** for the purpose of Fee Simple Townhomes in Land Lots 83 and 84 of the 16<sup>th</sup> District. Located at the southwest intersection of Shallowford Road and Jamerson Road (682, 780 and 792 Shallowford Road).
- Z-38**        **CHICKEN COUP IV RE, LLC** (Village at Old Trace, LLC, owner) requesting Rezoning from **NRC With Stipulations** to **NRC With Stipulations** for the purpose of a Restaurant with Drive-Thru in Land Lot 332 of the 20<sup>th</sup> District. Located on the south side of Dallas Highway, west of Kennesaw View Drive and east of Old Trace Road (3405 Dallas Highway).

**Z-39**      **READY MIX USA, LLC** (owner) requesting Rezoning from **GC** and **HI** to **HI** for the purpose of a Concrete Batch Plant in Land Lots 875, 876, 925 and 926 of the 16<sup>th</sup> District. Located on the northeast side of Owenby Drive, southeast of Canton Road, and at the south end of Canton Drive (1398 Owenby Drive).

**Z-40**      **FEED GOD'S CHILDREN MINISTRY** (Sheila Bynum, owner) requesting Rezoning from **RA-5** to **R-30** for the purpose of a Church in Land Lot 202 of the 17<sup>th</sup> District. Located on the east side of Sandtown Road, south of Windy Hill Road.

### Land Use Permits

**LUP-16**      **JEFFERY C. SMITH** (owner) requesting a **Land Use Permit (Renewal)** for the purpose of Produce Sales in Land Lot 1054 of the 19<sup>th</sup> District. Located on the northeast side of Austell Powder Springs Road, southeast of Furr Avenue (4509 Austell Powder Springs Road).

**LUP-17**      **MARLENE GRESHAM AND CLENTON DAYES** (owners) requesting a **Land Use Permit** for the purpose of a Group Home in Land Lot 561 of the 16<sup>th</sup> District. Located on the northeast side of Piedmont Road, west of Shaw Road (1371 Piedmont Road).

**LUP-18**      **WILLIE (WINDY) ABERNATHY** (Mildred Sharlene Mahaffey, Willie Gene Abernathy, and Donna Marie Jordan, owners) requesting a **Land Use Permit** for the purpose of Two Houses On One Parcel (Existing) in Land Lot 42 of the 18<sup>th</sup> District. Located on the north side of Lee Road, west of Veterans Memorial Highway (264 Lee Road).

### Special Land Use Permits

**SLUP-10**      **RIVERSTONE MONTESSORI ACADEMY, LLC** (Korinne Akridge and Bernie Akridge, owners) requesting a **Special Land Use Permit** for the purpose of Expansion of Riverstone Montessori School in Land Lots 56 and 93 of the 19<sup>th</sup> District. Located on the north side of Friendship Church Road, east of Castell Road (627 Friendship Church Road).

**SLUP-11** **READY MIX USA, LLC** (owner) requesting a **Special Land Use Permit** for the purpose of a Concrete Batch Plant in Land Lots 875, 876, 925 and 926 of the 16<sup>th</sup> District. Located on the northeast side of Owenby Drive, southeast of Canton Road, and at the southern end of Canton Drive (1398 Owenby Drive).

### **HELD CASES**

**Z-26** **TANGLEWOOD DEVELOPMENT, INC.** (owner) requesting Rezoning from **R-20/OSC** to **R-15** for the purpose of a Single-Family Residential Subdivision in Land Lots 48 and 49 of the 16<sup>th</sup> District. Located on the northeast side of Jamerson Road, southeast of Hawk Trail. *(Previously held by the Planning Commission from their May 6, 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.”

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**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Board of Commissioners – June 17, 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*

**CONTINUED CASES**

- 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, March 18, 2014, April 15, 2014 and May 20, 2014 Board of Commissioners hearings)*
- Z-27**        **BROOKS CHADWICK, LLC** (Tennis Academy of Georgia, Inc., owner) requesting Rezoning from **RR** to **RM-8** for the purpose of Single-Family Attached Residential Units in Land Lot 976 of the 16<sup>th</sup> District. Located on the southeast side of Audubon Drive, south of Fairfield Drive (900 Audubon Drive). *(Previously continued by Staff from the May 20, 2014 Board of Commissioners hearing)*
- SLUP-1**      **NORTHLAKE STORAGE, LLC** (San-Har, Inc., owner) requesting a **Special Land Use Permit** 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, March 18, 2014, April 15, 2014 and May 20, 2014 Board of Commissioners hearings)*

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**OTHER BUSINESS**

**ITEM OB-26**

To consider a site plan amendment for Primrose Schools regarding rezoning application Z-110 of 1984 (Marett Properties, Inc.), for property located on the east side of Johnson Ferry Road, south of Little Willeo Road in Land Lot 67 of the 1st District. *(Previously continued by Staff from the May 20, 2014 Board of Commissioners hearing)*

**ITEM OB-31**

To consider a request from Whiteway Neon-AD, Inc. regarding a billboard placement located on the easterly side of I-285 and the north side of Church Road. The property is located Land Lot 761 of the 17<sup>th</sup> District. *(Previously continued by Staff from the May 20, 2014 Board of Commissioners hearing)*

**ITEM OB-32**

To consider a site plan amendment for Mountain Park Station, LLC regarding rezoning application Z-158 of 2000 (RRC Property Advisors), for property located at the southeast intersection of Georgia Highway 92 (Alabama Road) and Mountain Park Road in Land Lots 37, 38, 107 and 108 of the 16<sup>th</sup> District.

**ITEM OB-33**

To consider a stipulation amendment for Lennar Georgia, Inc. regarding application OSC 13-02 (The Pacific Group, Inc.), for property located on the southwesterly side of Stilesboro Road, and on the easterly side of Kennesaw Due West Road in Land Lot 241 of the 20<sup>th</sup> District.

**ITEM OB-34**

To consider house moving application HM-2-14 for Roy Bishop Housemover, LLC regarding a house to be moved to 5552 Moon Road, in Land Lot 587 of the 19<sup>th</sup> District, which is currently located at 3880 May Breeze Road in Land Lot 304 of the 16<sup>th</sup> District.

**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.”