

COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING SUMMARY AGENDA
JUNE 16, 2015

CONSENT CASES

- Z-36** **HERLINDA M. BOTELLO** *(Previously continued by the Planning Commission from their April 7, 2015 hearing and previously continued by Staff until the June, 2, 2015 Planning Commission hearing)*
- Z-47** **ROBERT NEAL CASTLEBERRY** *(Previously continued by Staff from the May 5, 2015 Planning Commission hearing)*
- Z-50** **GLEN ROBINSON/PETE BILSON**
- Z-52** **VRE MABLETON, LLC**
- Z-55** **GREEN PARK PCH, INCORPORATED**
- Z-62** **E-ROCK DEVELOPMENT, LLC**
- LUP-16** **SANDY CLOUGH**
- LUP-17** **ALMA ROBINSON**

CONTINUED CASES

- Z-28** **JOSE VALENCIA** *(Previously continued by the Board of Commissioners from their April 21, 2015 hearing and previously continued by Staff until the June 16, 2015 Board of Commissioners hearing)*

REGULAR CASES

- Z-33** **JOHN HILLIS** *(Previously continued by Staff until the June 2, 2015 Planning Commission hearing)*
- Z-51** **VENTURE HOMES, INC.**
- Z-56** **KENNY HOLZER, AS RECEIVER ON BEHALF OF SKYLINE SEVEN REAL ESTATE**
- Z-57** **WHALE VENTURES, LLC**
- Z-60** **MCRT INVESTMENTS LLC**
- LUP-18** **HIS HOUSE RECOVERY RESIDENCE, INC.**

HELD CASE

- Z-27** **LYNWOOD DEVELOPMENT GROUP, LLC** *(Previously continued by the Board of Commissioners from their March 17, 2015, previously continued by Staff from the April 21, 2015 Board of Commissioners' hearing and previously held by the Board of Commissioners from their May 19, 2015 hearing)*

WITHDRAWN CASES

- LUP-15** **LOST MOUNTAIN DOG TRAINING, LLC – WITHDRAWN WITHOUT PREJUDICE**
- SLUP-5** **GREEN PARK PCH, INCORPORATED – WITHDRAWN WITHOUT PREJUDICE**

CONTINUED OR HELD CASES BY PLANNING COMMISSION OR STAFF

- Z-86¹⁴** **ZERO ONE, LLC** *(Continued by the Planning Commission from their December 2, 2014 and February 3, 2015 hearings and continued by Staff until the July 7, 2015 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-17** **E-ROCK DEVELOPMENT, LLC** *(Continued by Staff until the March 3, 2015 Planning Commission hearing, continued by the Planning Commission from their March 3, 2015 and April 7, 2015 hearings and held by the Planning Commission from their May 5, 2015 and June 2, 2015 hearings; therefore will not be considered at this hearing)*
- Z-44** **621 PROPERTY INVESTMENTS, LLC** *(Continued by Staff until the July 7, 2015 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-49** **PULTE HOME CORPORATION** *(Continued by Staff until the July 7, 2015 Planning Commission hearing; therefore, was not considered at this hearing)*
- Z-53** **VENKAT SAI TATITURI AND PRIYA HARSHINI BANDARU** *(Continued by the Planning Commission until their July 7, 2015 hearing; therefore will not be considered at this hearing)*
- Z-54** **WILLIE A. POLSTON, JR.** *(Continued by the Planning Commission until their July 7, 2015 hearing; therefore will not be considered at this hearing)*
- Z-58** **GARY TILLMAN AND ALLEN KENNEDY** *(Continued by the Planning Commission from their June 2, 2015 hearing; therefore will not be considered at this hearing)*
- Z-59** **ART FRAME, LLC** *(Continued by the Planning Commission from their June 2, 2015 hearing; therefore will not be considered at this hearing)*
- Z-61** **BLAIRS BRIDGE STORAGE, LLC** *(Held by the Planning Commission from their June 2, 2015 hearing; therefore will not be considered at this hearing)*
- SLUP-6** **BLAIRS BRIDGE STORAGE, LLC** *(Held by the Planning Commission from their June 2, 2015 hearing; therefore will not be considered at this hearing)*

OTHER BUSINESS

ITEM OB-024

To consider amending the zoning stipulations for John Gaskin regarding rezoning application Z-54 (Ballantry Homes WestCobb, Inc.) of 2012, for property located at the southeast intersection of Macland Road and Bankstone Drive in Land Lots 471, 472, 491 and 492 of the 19th District. *(Previously continued from the May 19, 2015 Board of Commissioners hearing)*

ITEM OB-025

To consider amending the site plan and zoning stipulations for JW Homes, LLC regarding rezoning application Z-135 (John Wieland Homes and Neighborhoods, Inc.) of 2005, for property located at the northern terminus of Sunrise Boulevard and on the east side of Acacia Lane (private road) in Land Lots 289, 290, 695, 396 and 403 of the 18th District.

ITEM OB-026

To consider amending the site plan and zoning stipulations for M&J Wilkow, Ltd. regarding rezoning application Z-12 (The Kroger Company) of 2008, for property located at the northwest intersection of Macland Road and Lost Mountain Road in Land Lot 429 of the 19th District.

COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING *CONSENT* AGENDA
JUNE 16, 2015

Rezoning

Z-36 **HERLINDA M. BOTELLO** (owner) requesting Rezoning from **GC** to **LRO** for the purpose of an Office in Land Lot 767 of the 19th District. Located on the north side of Hurt Road, east of Powder Springs Road (2400 Hurt Road). (*Previously continued by the Planning Commission from their April 7, 2015 hearing and previously continued by Staff until the June, 2, 2015 Planning Commission hearing*) The Planning Commission recommended **approval** of Z-36 to the **LRO** zoning category, subject to:

- **Site plan received by the Zoning Division on February 6, 2015 (on file in the Zoning Division)**
- **Professional office use *only***
- **No outdoor storage**
- **Applicant to install a 10 foot landscape buffer adjacent to the north, west, and east property lines to be approved by the County Arborist**
- **Applicant to install an eight foot landscape strip adjacent to the Hurt Road right-of- way**
- **Applicant to submit a landscape plan to the County Arborist and District Commissioner for approval**
- **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 June 16, 2015**

Z-47 **ROBERT NEAL CASTLEBERRY** (Clarit Realty, LTD, owner) requesting Rezoning from **CF** to **GC** for the purpose of Business Retail in Land Lot 300 of the 17th District. Located at the southwest intersection of South Cobb Drive and Dink Lane (2022 South Cobb Drive). (*Previously continued by Staff from the May 5, 2015 Planning Commission hearing*) The Planning Commission recommended **deletion** of Z-47 to the **NRC** zoning category, subject to:

Z-47 continued on next page

Z-47 ROBERT NEAL CASTLEBERRY (Continued)

- Site plan to be approved by the Board of Commissioners, with District Commissioner approving minor modifications
- Retail and office use *only* (no pawnshops or auto repair uses)
- Hours of operation limited to 7:00 a.m. until 11:00 p.m., including deliveries and trash pickup
- Businesses that can meet the parking space requirements on this property as determined by the Zoning Division Manager
- District Commissioner to approve final building architecture
- Graffiti to be painted over with white or color approved by the District Commissioner within 60 days of Board of Commissioners approval of this application
- Access to paving to the rear of the building to be closed and not to be used for storage of any kind or any activity outside
- All dumpsters to be contained within a dumpster enclosure that meet county development standards
- No outdoor storage or outdoor display of merchandise
- 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 June 16, 2015

Z-50 GLEN ROBINSON/PETE BILSON (Glen Robinson Construction, LLC, owner) requesting Rezoning from **R-20** to **LI** for the purpose of a Retail Softball Supply in Land Lot 221 of the 17th District. Located at the northeast intersection of South Cobb Drive and Carruth Drive (152 Carruth Drive). The Planning Commission recommended **deletion** of Z-15 to the **TS** zoning category, subject to:

- Site plan received by the Zoning Division April 23 2015, with District Commissioner approving minor modifications (on file in the Zoning Division)
- Building architecture to be similar to Better Baseball
- No outdoor display of merchandise
- County Arborist and District Commission to approve landscape plans along both road frontages
- All parking to be paved and striped
- 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 June 16, 2015

Z-52 **VRE MABLETON, LLC** (4730 Floyd Road, LLC, and Betty James Barnes, owners) requesting Rezoning from **R-20** to **NRC** for the purpose of a Restaurant in Land Lot 31 of the 17th District. Located at the northwest corner of Floyd Road and White Boulevard. The Planning Commission recommended **approval** of Z-52 to the **NRC** zoning category, subject to:

- Site plan received by the Zoning Division on May 14, 2015, with District Commissioner approving minor modifications (on file in the Zoning Division)
- Letters of agreeable stipulations from Mr. Garvis L. Sams, Jr. dated May 14, 2015 and May 26, 2015 (on file in the Zoning Division), with the following change to the May 14, 2015 letter:
 - Item No. 7, first sentence – strike: “*wooden*”
- Fire Department comments and recommendations
- 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 June 16, 2015

Z-55 **GREEN PARK PCH, INCORPORATED** (Bighom Properties, LLC, owner) requesting Rezoning from **LI** and **GC** to **NRC** for the purpose of Assisted Living in Land Lot 132 of the 16th District. Located on the west side of Canton Road, south of Shallowford Road. The Planning Commission recommended **approval** of Z-55 to the **NRC** zoning category, subject to:

- Site plan received by the Zoning Division on April 2, 2015, with District Commissioner approving minor modifications (on file in the Zoning Division)
- Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated May 13, 2015 (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
- Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing of June 16, 2015

Z-62 **E-ROCK DEVELOPMENT, LLC** (Estate of Frances M. Cottrell, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of Single-Family Residential in Land Lot 24 of the 20th District. Located on the north side of Hickory Grove Road, east of I-75, west of Hamby Road. The Planning Commission recommended **approval** of Z-62 to the **RA-5** zoning category, subject to:

- **Site plan dated May 21, 2015 which was presented at this hearing (on file in the Zoning Division)**
- **Architecture of the proposed homes to be substantially similar in terms of materials to the photograph presented at this hearing (on file in the Zoning Division)**
- **Garages to be maintained as unfinished space; not converted to living area and so stipulated in the neighborhood covenants**
- **Fire Department comments and recommendations**
- **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 June 16, 2015**

Land Use Permits

LUP-16 **SANDY CLOUGH** (Sandra L. Clough and Richard C. Clough, owners) requesting a **Land Use Permit (Renewal)** for the purpose of an Artist's Studio in Land Lot 336 of the 20th District. Located on the west side of Trail Road, west of Midway Road (25 Trail Road). The Planning Commission recommended **approval** of LUP-16 for **24 months**, subject to:

- **No signs**
- **No on-street parking**
- **No outdoor storage**
- **Two seasonal employees**
- **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of June 16, 2015**

LUP-17 ALMA ROBINSON (Alma Mae Robinson, owner) requesting a **Land Use Permit** for the purpose of Allowing More Vehicles And Adults Than County Code Permits in Land Lot 425 of the 16th District. Located on the west side of Lowe Drive, north of Kathryn Drive (3309 Lowe Drive). The Planning Commission recommended **approval** of Land Use Permit for **12 months**, subject to:

- **Maximum of five related adults *only***
- **Applicant to allow for at least one car to be parked in the garage and no more than three cars to be parked outside (on a hardened surface)**

Following the vote on LUP-17, by general consensus, the motion was amended to have a stipulation added which allowed for this case to be added to the Consent Agenda for the Board of Commissioners' Zoning Hearing.

Motion To Amend

MOTION TO AMEND: Motion by Trombetti, second by Williams, to **amend** the original motion to include the following addition:

- **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of June 16, 2015**