
ZONING ANALYSIS

Planning Commission Public Hearing

June 2, 2015

Board of Commissioners' Public Hearing

June 16, 2015

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

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

Rob Hosack, Director, Community Development
John Pederson, Manager, Zoning Division

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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 2, 2015

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-86**¹⁴ **ZERO ONE, LLC** (owner) requesting Rezoning from **R-15** to **R-15/OSC** for the purpose of a Single-Family Subdivision in Land Lots 82 and 151 of the 18th District. Located on the south side of Old Alabama Road, west of South Glenn Forest Street, and at the western end of Angelia Drive. *(Previously continued by the Planning Commission from their December 2, 2014 and February 3, 2015 hearings and previously continued by Staff until the June 2, 2015 Planning Commission hearing)*
- Z-33** **JOHN HILLIS** (Hillis Enterprises, LLC, owner) requesting Rezoning from **R-15, GC** and **CRC** to **CRC** for the purpose of Commercial and Contractor in Land Lots 708 and 709 of the 16th District. Located on the east side of Canton Road, and the north side of Powell Wright Road (2218 Canton Road). *(Previously continued by Staff until the June 2, 2015 Planning Commission hearing)*
- 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)*
- Z-44** **621 PROPERTY INVESTMENTS, LLC** (Equity Trust Company Custodian FBO 85034 IRA, owner) requesting Rezoning from **R-20** to **LRO** for the purpose of Offices in Land Lot 332 of the 20th District. Located on the north side of Dallas Highway, east of Bob Cox Road. *(Continued by Staff until the July 7, 2015 Planning Commission hearing; therefore will not be considered at this hearing)*

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)*

REGULAR CASES --- NEW BUSINESS

Rezoning

Z-49 **PULTE HOME CORPORATION** (JH Holdings Inc, owner) requesting Rezoning from **O&I, RM-12** to **RM-8** for the purpose of Attached Residential in Land Lots 765, 766, 819 and 820 of the 17th District. Located at the northwest intersection of Gilmore Road and Beech Haven Trail, south side of Cumberland Parkway, east side of I-285.

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).

Z-51 **VENTURE HOMES, INC.** (Matthew W. Hadaway, owner) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of Single-Family Residential in Land Lot 270 of the 20th District. Located on the south side of Hadaway Road, east of Mars Hill Road (5405 Hadaway Road).

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.

Z-53 **VENKAT SAI TATITURI AND PRIYA HARSHINI BANDARU** (owners) requesting Rezoning from **R-20** to **RM-8** for the purpose of Townhomes in Land Lot 10 of the 1st District. Located on the east side of Cagle Road, north of Lower Roswell Road (691 Cagle Road).

- Z-54** **WILLIE A. POLSTON, JR.** (owner) requesting Rezoning from **PSC** and **R-20** to **CRC** for the purpose of an Automotive Paint and Body Shop in Land Lot 34 of the 18th District. Located on the east side of Powell Drive, south of Veterans Memorial Highway (5751 Powell Drive).
- 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.
- Z-56** **KENNY HOLZER, AS RECEIVER ON BEHALF OF SKYLINE SEVEN REAL ESTATE, LLC** (Austell-Cobb, LLC, owner) requesting Rezoning from **PSC** to **GC** for the purpose of Commercial Uses and an Assembly Hall For Special Events in Land Lots 1154, 1155, 1214 and 1215 of the 19th District. Located on the east side of Austell Road, north of Leila Street (5075 Austell Road).
- Z-57** **WHALE VENTURES, LLC** (Northwest Christian Church, Inc., owner) requesting Rezoning from **R-20** to **RSL** for the purpose of Residential Senior Living (Nonsupportive) in Land Lots 390 and 391 of the 16th District. Located at the north intersection of Shallowford Road and Wesley Chapel Road, and on the south side of Fricks Road (3535 Shallowford Road).
- Z-58** **GARY TILLMAN AND ALLEN KENNEDY** (owners) requesting Rezoning from **NRC** to **LI** for the purpose of a Contractor's Office in Land Lot 299 of the 17th District. Located on the west side of Old Concord Road, south of Warner Street, and on the southeast side of Clay Drive (1868 Old Concord Road).
- Z-59** **ART FRAME, LLC** (RA Mableton Holdings, LLC, owner) requesting Rezoning from **NRC** to **LI** for the purpose of a Wholesale/Retail/Assembly For Picture Frame And Art Business in Land Lot 47 of the 18th District. Located on the southwest side of Veterans Memorial Highway, east of Pebblebrook Road.

- Z-60** **MCRT INVESTMENTS LLC** (River Oaks Associates, LP; Cumberland Center Associates; Cumberland Stillhouse, LP; CCI Associates (Georgia), LLC; owners) requesting Rezoning from **O&I** to **RRC** for the purpose of a Mixed-Use Development in Land Lots 949 and 978 of the 17th District. Located on the north side of Cumberland Boulevard, east of Akers Mill Road.
- Z-61** **BLAIRS BRIDGE STORAGE, LLC** (Teague Investments, LP, owner) requesting Rezoning from **PVC** to **LI** for the purpose of a Self-Storage Facility in Land Lots 518 and 519 of the 18th District. Located on the northerly side of Blair Bridge Road, north of I-20.
- 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.

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).
- 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).
- LUP-18** **HIS HOUSE RECOVERY RESIDENCE, INC.** (F. Michelle Anderson Metcalf, Deborah E. Anderson Casteel, and Joyce D. Anderson, owners) requesting a **Land Use Permit** for the purpose of a Faith Based Recovery Residence in Land Lots 558, 559, and 595 of the 16th District. Located on the northeast side of Miller Drive, north of Piedmont Road (1793 Miller Drive).

Special Land Use Permits

SLUP-5 GREEN PARK PCH, INCORPORATED (Bighorn Properties, LLC, owner) requesting a **Special Land Use Permit** 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.
WITHDRAWN WITHOUT PREJUDICE

SLUP-6 BLAIRS BRIDGE STORAGE, LLC (Teague Investments, LP, owner) requesting a **Special Land Use Permit** for the purpose of a Self-Storage Facility in Land Lots 518 and 519 of the 18th District. Located on the northerly side of Blair Bridge Road, north of I-20.

HELD CASES

Z-17 E-ROCK DEVELOPMENT, LLC (Melonee Bates and Petrelia Lawhorn, owners) requesting Rezoning from **R-30** to **R-15** for the purpose of Single-Family Residential in Land Lot 28 of the 1st District. Located on the northwesterly side of Childers Road, south of Monet Drive (3383 Childers Road). *(Previously continued by Staff until the March 3, 2015 Planning Commission hearing, previously continued by the Planning Commission from their March 3, 2015 and April 7, 2015 hearings and previously held by the Planning Commission from their May 5, 2015 hearing)*

LUP-15 LOST MOUNTAIN DOG TRAINING, LLC (Gayle Lee Richards, owner) requesting a **Land Use Permit** for the purpose of Dog Training in Land Lot 154 of the 19th District. Located on the north side of Pickens Road, west of Davenport Circle (5676 Pickens Road). *(Previously held by the Planning Commission from their May 5, 2015 hearing)*
WITHDRAWN WITHOUT PREJUDICE

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 – June 16, 2015

***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 CASE

Z-28 **JOSE VALENCIA** (Silver Creek Properties, owner) requesting Rezoning from **R-20** to **LI** for the purpose of Truck Parking in Land Lot 258 of the 18th District. Located on the east side of Maxham Road, south of Old Alabama Road (160 Maxham Road). *(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)*

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HELD CASES

Z-27 **LYNWOOD DEVELOPMENT GROUP, LLC** (BSD Power II, LLC and Park Point Land, LLC, owners) requesting Rezoning from **OHR** to **UVC** for the purpose of Mixed Use in Land Lots 985 and 1008 of the 17th District. Located at the southwest intersection of Powers Ferry Road and Windy Ridge Parkway. *(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)*

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.

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.”**