

COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING SUMMARY AGENDA
JULY 21, 2015

CONSENT CASES

- Z-49** **PULTE HOME CORPORATION** *(Previously continued by Staff until the July 7, 2015 Planning Commission hearing)*
- Z-58** **GARY TILLMAN AND ALLEN KENNEDY** *(Previously continued by the Planning Commission until their July 7, 2015 hearing)*
- Z-63** **MACALLAN CAPITAL, LLC**
- Z-64** **MICHAEL HAMBY**
- Z-68** **TOWN SQUARE MB ONE, LLC**
- LUP-19** **KCMA CORPORATION**
- LUP-20** **GARFIELD MCCOOK**
- LUP-21** **BURNT HICKORY CHURCH OF CHRIST, INC.**
- SLUP-7** **DAVID C. KIRK, ON BEHALF OF VERIZON WIRELESS**

CONTINUED CASES

- Z-47** **ROBERT NEAL CASTLEBERRY** *(Previously continued by Staff until the July 21, 2015 Board of Commissioners hearing)*

REGULAR CASES

- Z-17** **E-ROCK DEVELOPMENT, LLC** *(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 and June 2, 2015 hearings)*
- Z-44** **621 PROPERTY INVESTMENTS, LLC** *(Previously continued by Staff until the July 7, 2015 Planning Commission hearing)*
- Z-61** **BLAIRS BRIDGE STORAGE, LLC** *(Previously held by the Planning Commission from their June 2, 2015 hearing)*
- Z-65** **FRANK D'ARIES**
- Z-69** **TAKE 5 OIL CHANGE**
- SLUP-6** **BLAIRS BRIDGE STORAGE, LLC** *(Previously held by the Planning Commission from their June 2, 2015 hearing)*

HELD CASE

- Z-56** **KENNY HOLZER, AS RECEIVER ON BEHALF OF SKYLINE SEVEN REAL ESTATE, LLC** *(Previously held by the Board of Commissioners until their July 21, 2015 hearing)*

WITHDRAWN CASES

- Z-33** **JOHN HILLIS** *(Previously continued by Staff until the June 2, 2015 Planning Commission hearing and previously continued by the Board of Commissioners until their July 21, 2015 hearing)–WITHDRAWN WITHOUT PREJUDICE*
- Z-53** **VENKAT SAI TATITURI AND PRIYA HARSHINI BANDARU** *(Previously continued by the Planning Commission until their July 7, 2015 hearing) – WITHDRAWN WITHOUT PREJUDICE*

CONTINUED OR HELD CASES BY PLANNING COMMISSION OR STAFF

- Z-86**¹⁴ **ZERO ONE, LLC** *(Continued by the Planning Commission from their December 2, 2014 and February 3, 2015 hearings, continued by Staff until the July 7, 2015 Planning Commission hearing, and continued by the Planning Commission from 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 August 4, 2015 hearing; therefore will not be considered at this hearing)*
- Z-59** **ART FRAME, LLC** *(Continued by the Planning Commission until their August 4, 2015 hearing; therefore will not be considered at this hearing)*
- Z-66** **825 MARS HILLS LLC** *(Continued by Staff until the August 4, 2015 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-67** **BLACK BUILDERS, LLC** *(Continued by the Planning Commission until their August 4, 2015 hearing; therefore will not be considered at this hearing)*

OTHER BUSINESS

ITEM OB-027

To consider amending the site plan and zoning stipulations for Barnes Mill VDL, LLC regarding rezoning application Z-44 (Yancey Development Company, Inc.) of 2002, for property located on the eastern side of Wright Road and on the southern side of Poplar Springs Road in Land Lots 227 and 292 of the 19th District.

ITEM OB-028

To consider amending the zoning stipulations for Del Taco, LLC regarding rezoning application #52 (Alterman Real Estate LTD.) of 1988, for property located on the northern side of Roswell Road, east of Johnson Ferry Road in Land Lots 829, 830, 899 and 900 of the 16th District.

ITEM OB-029

To consider amending the zoning stipulations for Palladian, Inc. regarding rezoning application Z-51 (Palladian, Inc.) of 2007, for property located on the north side of Sandy Plains Road, west of Scufflegrit Road in Land Lot 778 of the 16th District.

COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING *CONSENT* AGENDA
JULY 21, 2015

Rezoning

Z-49 **PULTE HOME CORPORATION** (JH Holdings Inc, owner) requesting Rezoning from **O&I** and **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, on the south side of Cumberland Parkway, and on the east side of I-285. (*Previously continued by Staff until the July 7, 2015 Planning Commission hearing*) The Planning Commission recommended **approval** of Z-49 to the **RM-8** zoning district, subject to:

- Letter of agreeable conditions from Mr. James Balli dated June 23, 2015, including the attached site plan (on file in the Zoning Division), with the following changes:
 - Item No. 1 – second sentence replace: “... *three-sided brick homes...*” with “...*four-sided brick homes...*”
 - Item No. 6 – add to end: “*Location, type, and size of Stormwater Detention Facility to be finalized at plan review. All above ground detentions must be screened on all sides by evergreens, shrubs, and trees and have a five foot tall black clad chain-linked fencing installed for security.*”
 - Item No. 13, subset f. – add to end: “*Any above ground detention areas must be landscaped and be approved by the County Arborist and District Commissioner.*”
 - Item No. 15 – add to end: “... *including the location and number of required guest parking spaces.*”
- Fire Department comments and recommendations
- Water and Sewer Department comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations
- Owner/developer to enter into a Development Agreement pursuant to §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 July 21, 2015

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). (*Previously continued by the Planning Commission until their July 7, 2015 hearing*) The Planning Commission recommended recommend **deletion** of Z-58 to the **NRC** zoning district, subject to:

- **Site plan received by the Zoning Division on April 2, 2015, with minor modifications stated herein and final approval by the District Commissioner (on file in the Zoning Division)**
- **Letter of agreeable conditions from Mr. Parks Huff dated June 24, 2015 (on file in the Zoning Division), *not otherwise in conflict*, with the following changes:**
 - **Item No. 2 – revise second sentence to read: “*All equipment to be stored indoors.*”**
 - **Item No. 3 – add to end: “*...Exhibit ‘A’ as shown where the blue line is located at the front of the building.*”**
 - **Item No. 4 – add to end: “*...Exhibit ‘A’ as indicated by the two blue circles, the trees, and green line located at the front of the building for the additional shrubbery. Landscape plan to be approved by the County Arborist and District Commissioner.*”**
 - **Item No. 9 – revise second sentence to read: “*...and approved by the County Arborist and District Commissioner. The buffer is indicated by the blue lines at the rear of the building in Exhibit A.*”**
 - **Item No. 10 – add to end: “*Incidental storage to be screened from street and neighboring properties.*”**
- **Contractor, office, and equipment maintenance use allowed for Applicant's business *only***
- **The following NCR uses shall be prohibited: billiards and pool halls, and designated recycling collection locations**
- **Hours of operation restricted to 7:00 a.m. to 9:00 p.m.**
- **Water and Sewer Department 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***
- **Owner/developer to enter into a Development Agreement pursuant to §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 July 21, 2015**

Z-63 **MACALLAN CAPITAL, LLC** (Emerson Unitarian Universalist Congregation, Inc., owner) requesting Rezoning from **R-20** to **R-15** for the purpose of a Single-Family Subdivision in Land Lot 552 of the 16th District. Located on the west side of Holly Springs Road, south of Frankie Lane (2715 Holly Springs Road). The Planning Commission recommended **approval** of Z-63 to the **R-15** zoning district, subject to:

- **Site plan received by the Zoning Division on April 20, 2015, with the District Commissioner approving minor modifications (on file in the Zoning Division)**
- **Letters of agreeable conditions from Mr. Parks F. Huff dated June 29, 2015 and July 6, 2015 (on file in the Zoning Division)**
- **Variances permitted as described in the Zoning comments and recommendations**
- **Cemetery Preservation comments with the District Commissioner approving the final cemetery preservation plan**
- **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 July 21, 2015**

Z-64 **MICHAEL HAMBY** (Meilyn Marino, owner) requesting Rezoning from **R-20** to **LI** for the purpose of a HVAC Office in Land Lot 824 of the 17th District. Located at the southwest corner of Church Road and Holland Road (2400 Church Road). The Planning Commission recommended **approval** of Z-64 to the **LI** zoning district subject to:

- **Final site plan to be approved by District Commissioner**
- **Approval of 20 foot front setback from Church Road for existing building**
- **Waiver of 50 foot landscaped screening buffer adjacent to residential property to the west**
- **For this contractor use *only***
- **Appropriately paved and striped parking to be installed with a minimum of five parking spaces**
- **Allowance of variances contained in the Zoning comments**
- **No outside storage of materials; this does not apply to deliveries**
- **Any proposed signage must comply with Cobb County Standards and Ordinances**
- **No access to Holland Drive; access will be on Church Road *only* with the design, style and width of the driveway to meet Cobb County standards**
- **Perimeter of the property needs to be appropriately fenced with a six foot high chain link fence**

Z-64 MICHAEL HAMBY (CONT.)

- All exterior lighting must be environmentally sensitive; lighting cannot go outside the property boundary onto the neighbor's property
- Fire Department comments and recommendations
- Water and Sewer Department comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations, *with the exception of the requirement of installation of curb, gutter, and sidewalks on Holland Drive and Church Road until further development occurs*
- Owner/developer to enter into a Development Agreement pursuant to §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 July 21, 2015

Z-68 TOWN SQUARE MB ONE, LLC (owner) requesting Rezoning from **LRC** to **NRC** for the purpose of Retail, Office and Restaurant in Land Lots 275 and 296 of the 20th District. Located at the southeast intersection of Kennesaw Due West Road and Due West Road. The Planning Commission recommended **approval** of Z-68 to the **NRC** zoning district, subject to:

- Site plan received by the Zoning Division on May 7, 2015 (on file in the Zoning Division)
- Letter of agreeable conditions from Mr. Kevin Moore dated July 2, 2015 (on file in the Zoning Division), with the following changes:
 - Item No. 2 – add to list: “(q) grocery store”
- Fire Department comments and recommendations
- Water and Sewer Department comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations
- Owner/developer to enter into a Development Agreement pursuant to §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 July 21, 2015

Land Use Permits

LUP-19 KCMA CORPORATION (LIT/Hodges Industrial Trust, owner) requesting a **Land Use Permit (Renewal)** for the purpose of Two Temporary Storage Tents in Land Lot 174 of the 20th District. Located at the southwest intersection of Airport Road and Barrett Park Drive (2140 Barrett Park Drive. The Planning Commission recommended **approval** of LUP-19 for **24 months** subject to:

- Site plan received by the Zoning Division on April 28, 2015, indicating location of the two proposed tents, with the District Commissioner approving minor modifications (on file in the Zoning Division)
- Fire Department comments and recommendations
- Cobb DOT comments and recommendations
- Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of July 21, 2015

LUP-20 GARFIELD MCCOOK (owner) requesting a **Land Use Permit (renewal)** for the purpose of a Group Home in Land Lot 222 of the 20th District. Located on the south side of Stilesboro Road, west of Allatoona Lane (4549 Stilesboro Road). The Planning Commission recommended **approval** of LUP-20 for **24 months** subject to:

- Maximum of six (6) residents
- Maintain turn around capabilities of driveway so that vehicles can exit the property frontwards
- No exterior signs
- Maintain all State and County required permits
- Maintain size of the lot as it exists currently
- Fire Department comments and recommendations and
- Cobb DOT comments and recommendations
- Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of July 21, 2015

LUP-21 BURNT HICKORY CHURCH OF CHRIST, INC. (owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Daycare Facility in Land Lot 291 of 20th District. Located on the north side of Burnt Hickory Road, west of New Salem Road (2330 Burnt Hickory Road). The Planning Commission recommended **approval** of LUP-21 for **24 months** subject to:

- **Site plan received by Zoning Division on May 7, 2015, with District Commissioner approving minor modifications (on file in the Zoning Division)**
- **Daycare related sign to be no larger than 3 feet by 5 feet**
- **Cobb DOT comments and recommendations and to approve traffic circulation plan**
- **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of July 21, 2015**

Special Land Use Permits

SLUP-7 DAVID C. KIRK, ON BEHALF OF VERIZON WIRELESS (Jefferson Lakeside LP, owner) requesting a **Special Land Use Permit** for the purpose of Expansion of Lease Area and Collocation of Antennas in Land Lot 1061 of the 16th District. Located on the west side of Roswell Road, south of Summit Village Drive (2085 Roswell Road). The Planning Commission recommended **approval** of SLUP-7 subject to:

- **Site plan received by the Zoning Division on May 6, 2015, with the District Commissioner approving minor modifications (on file in the Zoning Division)**
- **Landscape plan to be approved by the County Arborist**
- **Cobb DOT comments and recommendations**
- **Inclusion on the Consent Agenda for the Board of Commissioners'**