

**COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING SUMMARY AGENDA
AUGUST 18, 2015**

CONSENT CASES

- Z-54** **WILLIE A. POLSTON, JR.** *(Previously continued by the Planning Commission until their August 4, 2015 hearing)*
- Z-70** **KW, LLC**
- Z-74** **PAUL EDJUA (POPOL, LLC)**
- Z-75** **MARICEL G. VARGAS**
- Z-76** **GOFF 10, LLC**
- Z-78** **FRANK WARD**
- Z-79** **SANFORD C. BENNETT**
- LUP-22** **KATHLEEN E. TAYLOR**

CONTINUED CASES

- Z-44** **621 PROPERTY INVESTMENTS, LLC** *(Previously continued by the Board of Commissioners until the August 18, 2015 hearing)*
- Z-47** **CLARIT REALTY, LTD** formerly **ROBERT NEAL CASTLEBERRY** *(Previously continued by the Board of Commissioners until the August 18, 2015 hearing)*

REGULAR CASES

- Z-71** **PULTE HOME CORPORATION**
- Z-73** **QUIKTRIP CORPORATION**

WITHDRAWN CASES

- Z-67** **BLACK BUILDERS, LLC** *(Previously continued by the Planning Commission until their August 4, 2015 hearing) – WITHDRAWN WITHOUT PREJUDICE*
- LUP-23** **LEGACY CHRISTIAN SCHOOL, INC.** – *WITHDRAWN WITHOUT PREJUDICE*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, continued by Staff until the July 7, 2015 Planning Commission hearing, continued by the Planning Commission until their August 4, 2015 hearing and held by the Planning Commission until their September 1, 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 and continued by Staff until the September 1, 2015 Planning Commission 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 and held by the Planning Commission until their September 1, 2015 hearing; therefore will not be considered at this hearing))*
- Z-72** **GREENHOUSE PROPERTIES OF ATLANTA** *(Continued by Staff until the September 1, 2015 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-77** **SEVEN SPRINGS DEVELOPMENT CO, INC.** *(Continued by Staff until the September 1, 2015 Planning Commission hearing; therefore will not be considered at this hearing)*

OTHER BUSINESS

ITEM OB-030

To consider amending the site plan and zoning stipulations for certain residents of Lost Mountain Trails regarding rezoning application Z-59 (SIR Properties, Inc.) of 2004, for property located on the western side of Lost Mountain Road, north of Macland Road in Land Lots 429 and 430 of the 19th District.

ITEM OB-031

To consider amending the site plan for John Saunders regarding rezoning application #66 (Wayne A. Sturgis) of 1984, for property located at the northeast intersection of Wooten Lake Road and Wade Green Road in Land Lot 55 of the 20th District.

ITEM OB-032

To consider amending the site plan for John Saunders regarding rezoning application #167 (The Oxford Group, Inc.) of 1987, for property located on the north side of the East West Connector between Hospital South Drive and Brookwood Drive, and on the south side of Mulkey Road in Land Lot 920 of the 19th District.

ITEM OB-033

To consider amending the site plan and zoning stipulations for Lemay McCray regarding rezoning application Z-141 (McCray Properties, Inc.) of 2003, for property located on the east side of Cobb Parkway (U.S. Highway 41), south of Third Army Road in Land Lots 2 and 37 of the 20th District.

ITEM OB-034

To consider amending the zoning stipulations for Traton Homes, LLC regarding rezoning application Z-4 (Traton Homes, LLC Inc.) of 2013, for property located on the eastern side of Mars Hill Church Road, at Stilesboro Lane in Land Lot 146 of the 20th District.

ITEM OB-035

To consider granting a Special Exception for backyard chickens as recommended by the Board of Zoning Appeals from their July 15, 2015 Variance Hearing regarding Variance Application:

V-77 Hugh Stith

ITEM OB-036

To consider amending the site plan and zoning stipulations for Paradise Concepts Inc. d/b/a Nature Supply Centre regarding rezoning application Z-80 (Paradise Concepts, Inc. d/b/a Nature Supply Centre) of 2014, for property located on the northeast side of Floyd Road, north of Concord Road in Land Lots 1000 and 1001 of the 19th District.

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ZONING HEARING *CONSENT* AGENDA
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Rezoning

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). (*Previously continued by the Planning Commission until their August 4, 2015 hearing*) The Planning Commission recommended **deletion** of Z-54 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. Parks Huff dated August 4, 2015 (on file in the Zoning Division), with the following changes:
 - Item No. 7 – add to end: *“Evergreen shrubbery to be used for landscaping.”*
 - Item No. 10 – revise to read: *“The NRC zoning shall be limited to Light Automotive Repair...”*
- Parking lot to be striped and paved to county standards
- District Commissioner approve paint colors on the exterior of the building
- 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 August 18, 2015

Z-70 **KW, LLC** (Georgia 5, LLC, owner) requesting Rezoning from **GC** to **LI** for the purpose of an Auto Repair Shop in Land Lot 295 of the 17th District. Located on the west side of Atlanta Road, south of Austell Road (1336 Atlanta Road). The Planning Commission recommended **approval** to the **LI** zoning category subject to:

Z-70 continued on next page

Z-70 KW, LLC (Continued)

- **Revised site plan received by the Zoning Division on June 25, 2015 with District Commissioner approving minor modifications (on file in the Zoning Division)**
- **Letters of agreeable stipulations from Mr. Garvis L. Sams, Jr. dated June 25, 2015 and July 31, 2015 (on file in the Zoning Division)**
- **Spill/Pollution Prevention Plan and Protocol to be approved by Stormwater Management 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 August 18, 2015**

Z-74 PAUL EDJUA (POPOL, LLC) (Popol, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of a Medical Office in Land Lot 1140 of the 19th District. Located on the west side of Austell Road, south of Warren Drive (4898 Austell Road). The Planning Commission recommended **approval** to the **NRC** zoning category subject to:

- **Site plan received by the Zoning Division on June 4, 2015 with District Commissioner approving minor modifications (on file in the Zoning Division)**
- **Landscape screening buffer measuring 20 feet in depth to be planted adjacent to the residential neighbor to the north located within Warren Subdivision, buffer plan to be approved by County Arborist**
- **Any changes to the building architecture façade and/or color to be approved by the District Commissioner**
- **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 August 18, 2015**

Z-75 **MARICEL G. VARGAS** (Nester Ariel Valeri and Maricel Gladys Vargas, owners) requesting Rezoning from **PSC** and **R-15** to **R-15** for the purpose of a Single Family Home in Land Lots 695 and 696 of the 19th District. Located on the northwest side of Redbud Court, northeast of Pair Road (2100 Redbud Court). The Planning Commission recommended **approval** to the **R-15** zoning category subject to:

- **Apply for permit for carport**
- **Variances approved for existing buildings only, any new variances will go to the Board of Zoning Appeals**
- **Development and Inspections 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 August 18, 2015**

Z-76 **GOFF 10, LLC** (Emory-Adventist, Inc. f/k/a Smyrna Hospital, Inc, owner) requesting Rezoning from O&I to NRC for the purpose of a Restaurant with Drive-Thru in Land Lot 7 of the 17th District. Located on the southeast side of Powder Springs Street, northeast of Cunningham Road (1225 Powder Springs Street). The Planning Commission recommended **approval** to the **NRC** zoning category subject to:

- **Site plan received by the Zoning Division on June 4, 2015, with the District Commissioner approving minor modifications (on file in the Zoning Division)**
- **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 August 18, 2015**

Z-78 **FRANK WARD** (Franklin B. Ward and Brenda K. Ward, owners) requesting Rezoning from **R-80** to **R-30** for the purpose of a Single Family House in Land Lots 365 and 376 of the 19th District. Located on the southwest side of Wright Road, east of Poplar Springs Road (5555 Wright Road). The Planning Commission recommended **approval** to the **R-30** zoning category subject to:

- **Site plan received by the Zoning Division on June 4, 2015 (on file in the Zoning Division)**
- **Allow additional 35,247 square-foot lot off private easement from Wright Road**
- **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 August 18, 2015**

Z-79 **SANFORD C. BENNETT** (owner) requesting Rezoning from **GC** to **LRO** for the purpose of Professional Offices in Land Lots 30 and 31 of the 19th District, and Land Lot 328 of the 20th District. Located on the northwest corner of Dallas Highway and Mount Calvary Road (1940 Dallas Highway). The Planning Commission recommended **approval** to the **LRO** zoning category subject to:

- **Site plan to be approved by the District Commissioner**
- **Applicant or developer to meet all LRO zoning criteria**
- **No outdoor storage or displays**
- **All buildings to be demolished within 90 days of the final Board of Commissioners' decision**
- **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 August 18, 2015**

Land Use Permits

LUP-22 **KATHLEEN E. TAYLOR** (owner) requesting a **Land Use Permit (Renewal)** for the purpose of Allowing More Unrelated Adults than the County Code Permits in Land Lot 186 of the 20th District. Located on the northeast side of Sunbrook Way, east of Sunbrook Drive (5020 Sunbrook Way). The Planning Commission recommended **approval** of LUP-22 for **24 months** subject to:

- **No on street parking**
- **Approval for 2 unrelated adults *only***
- **Applicant shall not cause any nuisances to the neighborhood**
- **Outside of the house to be painted and maintained where there is rotten wood over the next 24 month period**
- **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of August 18, 2015**