
ZONING ANALYSIS

Planning Commission Public Hearing

August 4, 2015

Board of Commissioners' Public Hearing

August 18, 2015

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

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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 – August 4, 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-86¹⁴** **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 August 4, 2015 Planning Commission hearing)*
- 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)*
- 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. *(Previously continued by the Planning Commission until their August 4, 2015 hearing)*
- Z-66** **825 MARS HILLS LLC** (825 Mars Hill LLC, Harold Richard Mintz, and Mary Mintz, Trustees of the Harold Richard Mintz Trust, owners) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Single-Family Subdivision in Land Lots 264 and 269 of the 20th District. Located on the north and south sides of Hadaway Road, on the west side of Mars Hill Road, on the easterly side of Due West Road, on the east side of Carter Road, and on the southeasterly side of Brown Store Road. *(Previously continued by the Planning Commission until their August 4, 2015 hearing)*

Z-67 **BLACK BUILDERS, LLC** (owner) requesting Rezoning from **R-30** to **R-15** for the purpose of a Single-Family Subdivision in Land Lot 184 of the 16th District. Located on the west side of Wesley Chapel Road, across from Chapel Grove Drive, and at the eastern terminus of Running Fox Drive. *(Previously continued by Staff until the August 4, 2015 Planning Commission hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

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).

Z-71 **PULTE HOME CORPORATION** (CMS EDU Marietta, L.P. owner) requesting Rezoning from **O&I, R-20, NS** to **RM-8** for the purpose of Attached Residential in Land Lot 924 and 937 of the 17th District. Located on the west side of Terrell Mill Road, across from Brookview Road.

Z-72 **GREENHOUSE PROPERTIES OF ATLANTA** (Greenhouse Properties of Atlanta, LLC, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Single Family Home in Land Lot 694 of the 17th District. Located on the west side of Maner Street, north of Cooper Lake Road (4250 Maner Street).

Z-73 **QUIKTRIP CORPORATION** (Multiple Owners on File in the Zoning Division, owners) requesting Rezoning from **NRC** and **R-20** to **NRC** for the purpose of a Convenience Store with Self-Service Fuel Sales in Land Lot 963 of the 16th District. Located at the southeast intersection of Roswell Road and Old Canton Road (3110 Roswell Road and 1148 Old Canton Road).

- 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).
- 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).
- 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 17th District. Located on the southeast side of Powder Springs Street, northeast of Cunningham Road (1225 Powder Springs Street).
- Z-77** **SEVEN SPRINGS DEVELOPMENT CO, INC.** (Charles C. Tinsley, Sr., owner) requesting Rezoning from **R-20** to **RSL** for the purpose of Residential Senior Living (Nonsupportive) in Land Lots 694, 695 and 713 of the 19th District. Located on the southeast side of Powder Springs Road, south of Pair Road.
- 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).
- 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).

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).

LUP-23 **LEGACY CHRISTIAN SCHOOL, INC.** (Elim Church of Korean Presbyterian Church in America, Inc., owners) requesting a **Land Use Permit** for the purpose of a Preschool in Land Lot 479 of the 16th District. Located on the east side of Holly Springs Road (3090 Holly Springs Road). **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 – August 18, 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 CASES

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. *(Previously continued by the Board of Commissioners until the August 18, 2015 hearing)*

Z-47 **CLARIT REALTY, LTD** (owner, formerly ROBERT NEAL CASTLEBERRY) 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 the Board of Commissioners until the August 18, 2015 hearing)*

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Rezoning

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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.

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.”**