

**COBB COUNTY BOARD OF COMMISSIONERS  
ZONING HEARING SUMMARY AGENDA  
NOVEMBER 17, 2015**

**CONSENT CASES**

- Z-93** RE AND GE PROPERTY MANAGEMENT, LLC  
**Z-94** MIKE DILLON  
**Z-96** KEVIN OBARSKI  
**SLUP-10** ALM KENNESAW, LLC

**CONTINUED CASE**

- Z-90** DAVID PEARSON COMMUNITIES, INC. (Continued by the Board of Commissioners from their October 20, 2015)

**REGULAR CASE**

- LUP-34** TAMMY ATKINSON

**WITHDRAWN CASES**

- LUP-28** SCOTT ROBICHAU (Continued by the Board of Commissioners from their October 20, 2015 zoning hearing to their November 17, 2015 zoning hearing) (**WITHDRAWN WITHOUT PREJUDICE**)
- OB-051** LEON MONTGOMERY (**WITHDRAWN WITHOUT PREJUDICE**)

**CONTINUED OR HELD CASES BY PLANNING COMMISSION OR STAFF**

- Z-80** THE CHURCH OF PENTECOST U.S.A., INC. (Continued by the Planning Commission until their December 1, 2015 zoning hearing; therefore, will not be considered at this hearing.)
- Z-87** FUQUA ACQUISITIONS II, LLC (Continued by Staff until the February 2, 2016 Planning Commissioners' zoning hearing; therefore, will not be considered at this hearing.)
- Z-88** DUNCAN LAND INVESTMENTS, LLC (Continued by Board of Commissioners until their December 15, 2015 zoning hearing; therefore, will not be considered at this hearing.)
- Z-95** RACETRAC PETROLEUM, INC. (Continued by the Planning Commission until their December 1, 2015 zoning hearing; therefore, will not be considered at this hearing.)

**CONTINUED OR HELD CASES BY PLANNING COMMISSION OR STAFF (CONTINUED)**

**LUP-30 JOHN S. HYLE** (*Continued by Board of Commissioners until their March 15, 2016 zoning hearing; therefore, will not be considered at this hearing.*)

**SLUP-9 SOUTHERNLINC WIRELESS** (Continued by Staff until the December 1, 2015 Planning Commission zoning hearing; therefore, will not be considered.)

**OTHER BUSINESS CASES**

**ITEM OB-047**

To consider granting a Special Exception for backyard chickens as recommended by the Board of Zoning Appeals from their October 1, 2015 Variance Hearing regarding Variance Application:

V-148 Elizabeth and Christopher Wyatt

**ITEM OB-048**

To consider amending the site plan and stipulations for Alliance Realty Partners, LLC regarding rezoning application Z-27 (Lynwood Development Group, LLC) of 2015, for property located at the southwest intersection of Powers Ferry Road and Windy Ridge Parkway in Land Lots 985 and 1008 of the 17<sup>th</sup> District.

**ITEM OB-049**

To consider amending the site plan and stipulations for JLB Realty LLC regarding rezoning application Z-40 (D & A Investment Group LLC and Pereira Management LLC) of 2008, for property located on the north side of Paces Ferry Road, west of Overlook Parkway and on the south side of Bert Adams Road in Land Lot 885 of the 17<sup>th</sup> District.

**OTHER BUSINESS CASES (Continued)**

**ITEM OB-050**

To consider amending the site plan and stipulations for Walton Riverbend, LLC regarding rezoning application Z-8 (Julian LeCraw and Co.) of 1999, for property located on the southeast side of Akers Mill Road and Powers Ferry Road, west of Riverbend Club Drive in Land Lots 1031, 1032, 1057, 1058, 1066 and 1067 of the 17<sup>th</sup> District.

**ITEM OB-051**

To consider amending the stipulations for Leon Montgomery regarding rezoning application Z-24(Austell Investments, Inc) of 1990, for property located on the northwesterly side of Austell Road, north of Cunningham Road in Land Lot 155 of the 17<sup>th</sup> District. **WITHDRAWN WITHOUT PREJUDICE.**

**COBB COUNTY BOARD OF COMMISSIONERS  
ZONING HEARING *CONSENT* AGENDA  
NOVEMBER 17, 2015**

**Z-93**            **RE AND GE PROPERTY MANAGEMENT, LLC** (Roberto Espinosa, owner) requesting Rezoning from **R-20** to **LRC** for the purpose of Offices in Land Lot 277, of the 17<sup>th</sup> District. Located on the north side of Pat Mell Road, east of Dink Lane (277 Pat Mell Road).

The Planning Commission recommends **DELETION** of Z-93 to **LRO** zoning category subject to:

- **Site plan received by the Zoning Division on August 10, 2015 (on file in the Zoning Division)**
- **Professional office use only;**
- **Allowance of variances as stated in zoning comments;**
- **No more than two (2) suites/tenants can occupy the building at the same time;**
- **Cobb DOT comments and recommendations and**
- **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 November 17, 2015**

**Z-94**            **MIKE DILLON** (Estate of Carmen T. Cobb, owner) requesting Rezoning from **R-80** to **LRO** for the purpose of a Professional Office in Land Lot 428 of the 19<sup>th</sup> District. Located at the northwest intersection of Macland Road and Villa Rica Road (2080 Villa Rica Road).

The Planning Commission recommends **DELETION** of Z-94 to the **LRO** and **R-80** zoning categories subject to:

- ***Revised* site plan to be submitted that delineates the 100 foot strip to the north that is to remain R-80 (on file in the Zoning Division)**
- **Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated October 19, 2015 (on file in the Zoning Division), with the following changes:**

(Continued on the next page)

**Z-94 MIKE DILLON (Continued)**

- Item No. 10, first sentence – revise to read: “The architectural design and composition of the existing building and any future additions and/or buildings shall retain the existing residential appearance...”
- Item No. 15, add subset f.: “Allow for any uses other than Mr. Dillon’s insurance agency.”
- Item No. 15, add subset g.: “Require a change in the zoning of this parcel either more less restrictive.”
- For this use *only*, noting that any change in use will be subject to rezoning
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations, *with installation of sidewalk, curb and gutter upon redevelopment*
- Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing November 17, 2015

**Z-96 KEVIN OBARSKI**, owner , requesting Rezoning from **R-30** and **GC** to **R-30** for the purpose Single-Family Houses in Land Lots 1019 and 1020 of the 17<sup>th</sup> District. Located on the east side of Cochise Drive, north of Paces Ferry Road (3753 Cochise Drive).

The Planning Commission recommends **APPROVAL** of Z-96 to the **R-30** zoning category subject to:

- Site plan received by the Zoning Division on September 22, 2015 (on file in the Zoning Division), with District Commissioner approving minor modifications;
- For single-family residential use only as per Cobb County Code;
- Both lots to be combined into one lot prior to permitting;
- Fire Department comments and recommendation;
- 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 November 17, 2015

**SLUP-10 ALM KENNESAW, LLC** (Tidwell Barrett Lakes, LLC, owner) requesting a **Special Land Use Permit** for the purpose of Previously Owned Car Sales in Land Lot 172 and of the 20<sup>th</sup> District. Located on the west side of Barrett Lakes Boulevard, south of Cobb Place Boulevard (2255 Barrett Lakes Boulevard).

The Planning Commission recommends **APPROVAL** subject to:

- **Site plan received by the Zoning Division on September 3, 2015 (on file in the Zoning Division), with District Commissioner approving minor modifications**
- **Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated October 21, 2015 (on file in the Zoning Division)**
- **No vehicle repairs or inoperable vehicles outside of enclosed spaces**
- **Stormwater Management Division comments and recommendations;**
- **Cobb DOT comments and recommendations**
- **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of November 17, 2015**