

**COBB COUNTY BOARD OF COMMISSIONERS  
ZONING HEARING SUMMARY AGENDA  
DECEMBER 15, 2015**

**CONSENT CASES**

- Z-99**            **RANDY P. WOLPIN**  
**Z-101**          **KNOWLEDGE UNIVERSE EDUCATION, LLC**  
**Z-103**          **MARC SIMMONS**  
**Z-104**          **TYLER CHANDLER HOMES, INC**  
**Z-107**          **ZENAS COLLETT**  
**LUP-35**        **JESSICA MOORE**  
**LUP-36**        **MARLENE GRAHAM AND CLENTON DAYES**  
**SLUP-11**      **BRILLIANT AUTOMOTIVE**  
**SLUP-12**      **J.D.H. DEVELOPERS**

**CONTINUED CASES**

- Z-80**            **THE CHURCH OF PENTECOST U.S.A., INC.** *(Previously continued by the Planning Commission from their September 1, 2015, October 6, 2015 and November 3, 2015 hearings)*  
**Z-88**            **DUNCAN LAND INVESTMENTS, LLC** *(Previously continued by the Board of Commissioners from their October 20, 2015 hearing)*  
**Z-95**            **RACETRAC PETROLEUM, INC.** *(Previously continued by Staff until the December 1, 2015 Planning Commission hearing.)*

**REGULAR CASES**

- Z-97**            **SUNSPRING LAND INVESTORS**  
**Z-100**          **JOSHUA AND LAUREN POWELL**

**WITHDRAWN CASE**

- SLUP-13**      **CHRISTA THOMAS** *(Withdrawn without prejudice)*

**CONTINUED OR HELD CASES BY PLANNING COMMISSION,  
BOARD OF COMMISSIONERS OR STAFF**

- Z-87**      **FUQUA ACQUISITIONS II, LLC** *(Continued by Staff from the October 6, 2015 Planning Commission hearing until the February 2, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-98**      **COLUMBIA PROPERTIES CAPITAL, LLC** *(Continued by Staff until the February 2, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-102**     **GRIFFIN REAL ESTATE MANAGEMENT LLC** *(Continued by Staff until the February 2, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-105**     **EAH ACQUISITIONS, L.L.C.** *(Continued by Staff until the February 2, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-106**     **CRP OAKMONT SKYLINE II, L.L.C.** *(Continued by Staff until the February 2, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*
- LUP-30**    **JOHN S. HYLE** *(Held by the Board of Commissioners until their March 15, 2016 hearing; therefore will not be considered at this hearing)*
- SLUP-9**    **SOUTHERN LINC WIRELESS** *(Continued by Staff until the February 2, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*

**OTHER BUISNESS CASES**

**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. *(Previously continued by Staff from the November 17, 2015 Board of Commissioners hearing)*

**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. *(Previously continued by Staff from the November 17, 2015 Board of Commissioners hearing)*

**ITEM OB-052**

To consider a Settlement of Litigation for Cumberland Mall regarding Variance application V-105 (Jones Sign, LLC) of 2014, for property located on the easterly side of I-285, the southwesterly side of Cobb Parkway, the west side of Akers Mill Road, and the north side of Cumberland Boulevard in Land Lots 881, 882, 912, 913, 948 and 949 of the 17<sup>th</sup> District.

**ITEM OB-053**

To consider amending the stipulations for Cuellar Auto Repair regarding rezoning application Z-65 (Cuellar Auto Repair) of 2014, for property located on the southeast side of Atlanta Road, south of Darwin Road, in Land Lot 370 of the 17<sup>th</sup> District.

**ITEM OB-054**

To consider amending the site plan and stipulations for Brand Properties regarding rezoning application Z-45 (MCP-Ackerman Corporate Forum, LLC) of 2014, for property located on the southwest side of Circle 75 Parkway, south of Windy Hill Road, in Land Lots 850, 851, 876 and 877 of the 17<sup>th</sup> District. **WITHDRAWN WITHOUT PREJUDICE**

**ITEM OB-055**

To consider amending the site plan and stipulations for Home Depot USA, Inc. regarding rezoning application Z-1 (Prentiss Properties Limited, Inc.) of 1990, for property located on the west side of Cumberland Parkway, on the west side of Mount Wilkinson Parkway and Cumberland Club Parkway, and on the north side of Bert Adams Road in Land Lots 842, 843, 884 and 885 of the 17<sup>th</sup> District.

**ITEM OB-056**

To consider amending the stipulations for Quiktrip Corporation regarding rezoning application Z-73 (Quiktrip Corporation) of 2015, for property located at the southeast intersection of Roswell Road and Old Canton Road, in Land Lot 963 of the 16<sup>th</sup> District.

**ITEM OB-057**

To consider amending the stipulations for Elite Auto Collision & Sales regarding rezoning application Z-175 of 1999 (Furniture World, Inc.), for property located on the south side of Veterans Memorial Highway, in Land Lots 46 and 71 of the 18<sup>th</sup> District.

**ITEM OB-058**

To consider amending the stipulations for St. Benedicts Episcopal Church, LLC regarding rezoning case Z-21 of 2008, Z-29 of 2012 and SLUP-9 of 2008 (St. Benedicts Episcopal Church, LLC) located in Land Lots 694 & 695 of the 17<sup>th</sup> District.

**ITEM OB-059**

To consider revising existing site plan for DRIFTEASTCOBB, Inc regarding rezoning case Z-118 of 1997 (Cousins Marketcenters, Inc.) located on the north side of Roswell Road, the north and east sides of Marwell Drive, and east of Johnson Ferry Road in Land Lot 16 of the 1<sup>st</sup> District and Land Lot 829 of the 16<sup>th</sup> District

**ITEM OB-060**

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their November 11, 2015 Variance Hearing regarding Variance Application:

V-136 Michael and Loriann Thibodeaux

**ITEM OB-061**

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their November 11, 2015 Variance Hearing regarding Variance Application:

V-150 AJAY North America, LLC

**ITEM OB-062**

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their November 11, 2015 Variance Hearing regarding Variance Application:

V-159 J.D.H. DEVELOPERS

**ITEM OB-063**

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, east of Austell Road in Land Lots 920 and 921 of the 19<sup>th</sup> District.

**ITEM OB-064**

To consider amending the stipulations for 2671 Roswell Road, LLC regarding rezoning application Z-51 (Arrowhead Real Estate Partners, LLC) of 2012, for property located on the north side of Roswell Road, west of Robert Lane, in Land Lots 961, 984 and 985 of the 16<sup>th</sup> District.

**COBB COUNTY BOARD OF COMMISSIONERS  
ZONING HEARING *CONSENT* AGENDA  
DECEMBER 15, 2015**

**Z-99**            **RANDY P. WOLPIN** (Randy Wolpin, owner) requesting rezoning from **RSL** to **R-20** for the purpose of Single Family Residential in Land Lots 621 and 638 of the 19<sup>th</sup> District. Located on the southwest side of Bankstone Drive, north side of Horseshoe Bend Road (2790 Bankstone Drive, SW). The Planning Commission recommends **approval** of Z-99 to the **R-20** zoning district, subject to:

- **Site plan received by the Zoning Division on September 28, 2015 (on file in the Zoning Division)**
- **Any improvements to the property must be approved by the Historic Preservation Commission prior to issuance of any permits**
- **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 December 15, 2015**

**Z-101**            **KNOWLEDGE UNIVERSE EDUCATION, LLC** (KC Propco, LLC, owner ) requesting Rezoning from **NS** to **NRC** for the purpose of a Daycare Facility in Land Lot 694 of the 19<sup>th</sup> District. Located on the northwest side of Powder Springs Road, northeast of Horseshoe Bend Road (2380 Powder Springs Road). The Planning Commission recommends **approval** of Z-101 to the **NRC** zoning district, subject to:

- **Site plan received by the Zoning Division on September 30, 2015 (on file in the Zoning Division)**
- **Signage to comply with current code including freestanding sign to be made ground based monument style**

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**Z-101 KNOWLEDGE UNIVERSE EDUCATION, LLC  
(continued)**

- **Fire Department comments and recommendations**
- **Water and Sewer Department 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 December 15, 2015**

**Z-103** **MARC SIMMONS** (Kennesaw Mountain Business Park, LLC, owner) requesting Rezoning from **HI** to **HI with Stipulations** for the purpose of allowing an additional use of Commercial Indoor Recreation in Land Lot 940 of the 16<sup>th</sup> District. Located on the south side of Old 41 Highway, west side of Torras Drive, north side of Marble Mill Road (1349 Old 41 Highway, NW). The Planning Commission recommends approval of Z-103 to the **HI with Stipulations** zoning district, subject to:

- **Allowance of “commercial indoor recreation use” as a permitted use within the HI heavy industrial district**
- **Fire Department comments and recommendations**
- **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 December 15, 2015**

**Z-104 TYLER CHANDLER HOMES, LLC** (Estate of Thomas Eugene Holbrook, owner) requesting Rezoning from **R-20** to **RM-8** for the purpose of Attached Residential in Land Lot 209 of the 17<sup>th</sup> District. Located at the northeast corner of Sandtown Road and Osborne Road, and at the western terminus of Pair Street. The Planning Commission recommends deletion of Z-104 to the **RA-6** zoning district, subject to:

- **Site plan received by Zoning Division on October 1, 2015, with the District Commissioner approving the final site plan (on file in the Zoning Division)**
- **Letter of agreeable conditions from Mr. Kevin Moore dated November 24, 2015 (on file in the Zoning Division)**
- **Architecture to be substantially similar to the rendering in the Zoning Analysis which was received by the Zoning Division October 21, 2015 (on file in the Zoning Division)**
- **Maximum six units per acre**
- **Maximum 10% rental**
- **Installation of a six foot wooden privacy fence along the adjoining properties that terminate along Pair Street**
- **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 December 15, 2015**

**Z-107 ZENAS COLLETT** (owner) requesting Rezoning from **IF** to **R-20** for the purpose of Single-Family Residence (Existing) in Land Lot 14 of the 16<sup>th</sup> District. Located at the southern terminus of Woodhaven Drive, south of Oakwoods Drive (701 Woodhaven Drive). The Planning Commission recommends approval of Z-107 to the **R-20** zoning district, subject to:

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**Z-107 ZENAS COLLETT (continued)**

- **Site plan received by the Zoning Division on October 1, 2015 showing the existing structures; all future improvements to meet R-20 standards, noting that any exceptions will require a variance (on file in the Zoning Division)**
- **Property to meet all the R-20 requirements, including no business, no employees, no commercial activity on the site unless otherwise granted in some other Application**
- **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 December 15, 2015**

**LUP-35 JESSICA MOORE** (Julia Frost, owner) requesting a **Land Use Permit** for the purpose of a Daycare in Land Lot 411 of the 18<sup>th</sup> District. Located on the west side of Shenandoah Trail, south of Landmark Trail (7002 Shenandoah Trail). The Planning Commission recommends recommend **approval** of LUP-35 for **12 months**, subject to:

- **Maximum of nine children**
- **One additional employee**
- **No signs**
- **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of December 15, 2015**

**LUP-36 MARLENE GRAHAM AND CLENTON DAYES** (owners) requesting a **Land Use Permit** for the purpose of Increasing the Capacity From Six Residents To Ten Residents in Land Lot 561 of the 16<sup>th</sup> District. Located on the northeast side of Piedmont Road, northwest of Shaw Road (1371 Piedmont Road). The Planning Commission recommends **approval** of LUP-36 for **24 months**, subject to:

- **Maximum of 10 residents**
- **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 December 15, 2015**

**SLUP-11 BRILLIANT AUTOMOTIVE** (Nicolle Balsas and Sabrina Balsas, owners) requesting a **Special Land Use Permit** for the purpose of a Used Car Dealer in Land Lots 37 and 38 of the 17<sup>th</sup> District. Located at the northwest intersection of Veterans Memorial Highway and Lyons Club Drive; and at the southwesterly intersection of Moss Drive and Lyons Club Drive (700 Veterans Memorial Highway). The Planning Commission recommends **approval** of SLUP-11 for **24 months**, subject to:

- **Site plan received by the Zoning Division on October 1, 2015, with the District Commissioner approving minor modifications (on file in the Zoning Division)**
- **Applicant to place a wrought iron fence along the remaining frontage from the existing wrought iron fence to the corner of Lyons Club Drive along Veterans' Memorial and along the frontage of Lyons Club Drive; fence to be installed within 12 months of final approval by the Board of Commissioners**

**SLUP-11 BRILLIANT AUTOMOTIVE (CONT.)**

- Applicant to provide landscaping in front of fence along Lyons Club Drive and the corner of Veterans Memorial with a variety of scrubs and bushes, no less than a quantity of 20
- All vehicle parking to conform to the parking plan approved by the Zoning Division as part of SLUP-8 of 2013 (on file in the Zoning Division)
- Used vehicle sales and automotive repair which include general repairs and auto body, *for this Applicant only*; any other use to be approved by the Board of Commissioners
- All automobiles must be parked in a legal parking space
- No junk or inoperative vehicles kept on site
- No outdoor storage (except for used vehicles)
- No parking or unloading vehicles in right-of-way
- All vehicle repairs to be done inside building
- No outdoor speakers or pagers
- All exterior lighting designed to eliminate any stray light onto adjacent properties
- Applicant shall maintain all landscaping and replace any dead plants or trees within 30 days
- Applicant can renew or extend permit via an Other Business Item provided no Code Enforcement action during the time period the permit is in effect and provided the permit is still active at the time of application
- Water and Sewer Division 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*
- Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of December 15, 2015

**SLUP-12 J.D.H. DEVELOPERS** (Akash Investment Group, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Suite Hotel in Land Lots 651 and 718 of the 16<sup>th</sup> District. Located at the southeastern terminus of Cobb Place Boulevard, on the northwest side of Greers Chapel Road, and on the west side of I-75 (750 and 760 Cobb Place Boulevard). The Planning Commission recommends **approval** of SLUP-12, subject to:

- **Site plan received by the Zoning Division on October 1, 2015, with the District Commissioner approving minor modifications (on file in the Zoning Division)**
- **Letter of agreeable conditions from Mr. Parks Huff dated November 23, 2015 (on file in the Zoning 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 December 15, 2015**