
ZONING ANALYSIS

Planning Commission Public Hearing

May 3, 2016

Board of Commissioners' Public Hearing

May 17, 2016

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

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COMMUNITY DEVELOPMENT DEPARTMENT

Dana Johnson, Director, Community Development
John Pederson, Manager, Zoning Division



Cobb County... Expect the Best!

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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–May 3, 2016

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-98¹⁵** **COLUMBIA PROPERTIES CAPITAL, LLC** (Herbert A. Collins, as Trustee of the Herbert A. Collins Revocable Living Trust, owner) requesting Rezoning from **R-20** to **RSL** and **NRC** for the purpose of Residential Senior Living (Non-Supportive) and Retail Shopping Center in Land Lots 330 and 331 of the 20th District. Located at the northwest intersection of Dallas Highway and Garrison Commons (2720, 2780 and 2782 Dallas Highway). *(Previously continued by Staff from the December 1, 2015, February 2, 2016, March 1, 2016 and April 1, 2016 Planning Commission hearings until May 3, 2016 Planning Commission hearing)*
- Z-106¹⁵** **CRP OAKMONT SKYLINE, II, L.L.C.** (Due to individual parcels, a complete list of titleholders is available in the Zoning Office) requesting Rezoning from **LI** and **R-20** to **LI** for the purpose of Office/Warehouse in Land Lots 609, 610, 683 and 684 of the 18th District. Located at the southeast intersection of Factory Shoals Road and Hartman Road. *(Previously continued by Staff from the December 1, 2015 Planning Commission hearing until the May 3, 2016 Planning Commission hearing)*
- Z-11** **MANOUCHEHR JAHANGARD** (Hilswepow, LLC, owner) requesting Rezoning from **PSC** and **R-20** to **NRC** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lot 34 of the 18th District. Located at the southeast corner of Veterans Memorial Highway and Powell Drive, and on the south side of Old Powder Springs Road (1391 Veterans Memorial Highway). *(Continued by the Planning Commission from their February 2, 2016 hearing, previously continued by Staff from the March 1, 2016 Planning Commission hearing, and Held by the Planning Commission until the June 7, 2016 hearing; therefore will not be considered in the May zoning cycle)*

- Z-16** **DOBBINS MILL, LLC** (East Brook Development, LLC, owner) requesting Rezoning from **R-20, MHP** and **GC** to **HI** for the purpose of Office/Warehouse in Land Lot 283 of the 17th District. Located at the terminus of Dunn Avenue, on the west side of West Atlanta Street. *(Previously continued by Staff from the February 2, 2016 and March 1, 2016 Planning Commission hearings, and continued by the Planning Commission from the April 1, 2016 hearing; until the May 3, 2016 Planning Commission hearing)*
- Z-18** **POPE & LAND ENTERPRISES, INC.** (John M. Struhar, Jr., Edward K. Murphy and Denise D. Murphy, owners) requesting Rezoning from **RM-8** to **RRC** for the purpose of a Mixed Use Development in Land Lot 977, of the 17th District. Located on the easterly side of River Oaks Drive, north of Stillhouse Lane. *(Previously continued by Staff from the March 1, 2016, and April 1, 2016 Planning Commission hearings, until the May 3, 2016 Planning Commission hearing)*
- Z-31** **PHOENIX GRP, LLC** (owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of Three Single-Family Residences in Land Lot 10 of the 1st District. Located on the west side of Cagle Road, north of its intersection with Lower Roswell Road. *(Previously continued by Staff from the April 1, 2016 Planning Commission hearing until the May 3, 2016 Planning Commission Hearing)*
- SLUP-4** **MANOUCHEHR JAHANGARD** (Hilswepow, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lot 34 of the 18th District. Located at the southeast corner of Veterans Memorial Highway and Powell Drive, and on the south side of Old Powder Springs Road (1391 Veterans Memorial Highway). *(Continued by the Planning Commission from their February 2, 2016 hearing, previously continued by Staff from the March 1, 2016 Planning Commission hearing, and Held by the Planning Commission until the June 7, 2016 hearing; therefore will not be considered in the May zoning cycle)*
- SLUP-5** **VERIZON WIRELESS (VAW) LLC** (William Pappert, owner) requesting a **Special Land Use Permit** for the purpose of a Telecommunications Facility in Land Lot 1179 of the 19th District. Located on the east side of Hill Road, west of Brownsville Road (4980 Brownsville Road). *(Previously continued by Staff from the April 1, 2016 and May 3, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-33** **OWF INVESTMENT CORP** (Thomas Neal Smith as Guardian for Henry Thomas Smith and as Executor for the Estate of Virginia H. Smith, Rickey W. Gasaway, Debbie L. Scragg, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of a Residential Subdivision in Land Lots 987 and 988 of the 16th District. Located on the southwest corner of Sewell Mill Road and Braswell Road, south of Meadow Wood Court (2289 Sewell Mill Road, 1065 and 1093 Braswell Road).
- Z-34** **E-ROCK DEVELOPMENT** (Brenda A. Edwards; Donna Goss, Guardian and Conservator for Blaine L. Cordell and Ruby Stanley Cordell, owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of Single Family Residential in Land Lots 54 and 55 of the 20th District. Located on the northeast side of Hickory Grove Road, west of Hickory Grove Place, across from Sawnee Trl (1648 & 1700 Hickory Grove Road).
- Z-35** **ADVENTUR LIVING LLC** (T.M. Denome, William Harry Nelson and Glenna S. Nelson, and Harold R. Burtz, owners) requesting Rezoning from **R-20** and **R-80** to **RSL(Non-Supportive)** for the purpose of Senior Living in Land Lots 304 and 345 of the 16th District. Located on the east side of Ebenezer Road, north of Blackwell Road, and the western terminus of Cedar Ridge Road (3750, 3860, and 3862 Ebenezer Road).
- Z-36** **BLAKE PROPERTIES, INC.** (Anthony E. Bentley and Susan P. Bentley; Robert J. Van Dyke and R. Lynne Van Dyke; and Peggy Nixon, owners) requesting Rezoning from **R-20** to **R-15/OSC** for the purpose of a Subdivision in Land Lots 342, 343 and 379 of the 16th District. Located on the east side of Knight Road, south of Blackwell Road (3592, 3610 and 3640 Knight Road).
- Z-37** **ROYAL RESIDENTIAL LLC** (Wilma J. Layton, owner) requesting Rezoning from **R-20** to **RM-8** for the purpose of Townhomes in Land Lot 962 of the 16th District. Located on the northwest corner of Roswell Road and Vester Drive (1189 Vester Drive and 2931 Roswell Road). *(Continued by Staff until the June 7, 2016 Planning Commission hearing; therefore will not be considered at this hearing)*

- Z-38** **ATHENA ASSOCIATES INC.** (David M. Drawdy and Cheryl A. Drawdy, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of a Subdivision in Land Lot 962 of the 16th District. Located on the south side of Octavia Circle, west of Vester Drive (2964 Octavia Circle).
- Z-39** **BEVERLY J. SEARLES FOUNDATION, INC.** (Bel Air Car Wash LLC, owner) requesting Rezoning from **PSC** and **NRC** to **RSL (Supportive)** for the purpose of Senior Living-Supportive in Land Lots 1000 and 1001 of the 19th District. Located on the northwest corner of Floyd Road and Wisteria Drive, and on the east side of Floyd Drive (4426 and 4436 Floyd Road).
- Z-40** **ELITE AUTO COLLISION & SALES** (2K Consulting Group LLC, owner) requesting Rezoning from **LI** to **CRC** for the purpose of Collision and Service Center in Land Lot 46 of the 18th District. Located on the south side of Veterans Memorial Highway, east of Lakeshore Drive (380 Veterans Memorial Highway). (*Continued by Staff until the June 7, 2016 Planning Commission hearing; therefore will not be considered at this hearing*)
- Z-41** **SHELBY WORKMAN ESTATE** (Lori Freeman Fowler as Executor of the Estate of Shelby Jean Workman, owners) requesting Rezoning from **O&I** and **R-20** to **R-15** for the purpose of a Single Family Residential in Land Lot 816 of the 17th District. Located on the east side of Ridgewood Drive, west side of I-285, south of Crestview Drive (no address given).
- Z-44** **SAYRE REALTY INVESTMENTS LLLP** (Sayre Realty Investments, LLLP, owner) requesting Rezoning from **NS** to **CRC** for the purpose of an Urgent Care Facility in Land Lot 470 of the 16th District. Located on the east side of Johnson Ferry Road, at Waterfront Drive (3120 Johnson Ferry Rd).

Land Use Permits

- LUP-7 MOST REVEREND WILTON D. GREGORY, S.L.D., AS ARCHBISHOP OF THE ROMAN CATHOLIC ARCHDIOCESE OF ATLANTA AND/OR HIS SUCCESSORS IN OFFICE** (Most Reverend John F. Donoghue, D.D., as Archbishop of the Roman Catholic Archdiocese of Atlanta, and/or his Successors in Office, owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Catholic Campus Ministry in Land Lots 97 of the 20th District. Located on the west side of Campus Loop Road, across from Paulding Avenue (3487 Campus Loop Road).
- LUP-8 RENATO BESSA** (Renato Bessa, owner) requesting a **Land Use Permit** for the purpose of a Hair Salon in Land Lots 872 of the 17th District. Located on the west side of Terrell Mill Road, and on the north side of Forest Lane (1520 Terrell Mill Road).
- LUP-9 JESSICAH HOLLIS JOYNER** (Jessicah Hollis Joyner, owner) requesting a **Land Use Permit** for the purpose of a In Home Hair Salon in Land Lots 270 of the 20th District. Located on the northwest corner of Evian Drive and Hadaway Road (901 Evian Drive).

Special Land Use Permits

- SLUP-6 PRAISE TABERNACLE CHURCH** (Praise Tabernacle Church Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Private School in Land Lots 956 and 957 of the 19th District. Located on the west side of Hiram Lithia Springs Road, north of Defoors Farm Drive (4052 Hiram Lithia Springs Road).
- SLUP-7 GRACEPOINT SCHOOL** (Piedmont Baptist Church, owner) requesting a **Special Land Use Permit** for the purpose of a Private School in Land Lots 566, 567, 586, and 587 of the 16th District. Located on the south side of Piedmont Road, west of Beverly Road, at the western terminus of Tamaqua Drive, at the western terminus of Yakuta Drive, and at the north end of Chicapoo Drive (570 Piedmont Road).

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.”

The exact description of the property sought to be rezoned is on file in the office of the Cobb County Community Development, Zoning Division, 1150 Powder Springs Street, Suite 400, Marietta, Georgia 30064 and available for inspection by interested citizens between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.

Hearing on said petitions will be heard by the Cobb County Planning Commission at 9:00 a.m. on the prescribed hearing date. The public hearing will be held in the Second Floor Commissioners’ Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia, 30090.

Anyone wishing to attend this public hearing may do so and be heard relative thereto. Any person wishing to speak before the Planning Commission must file a contribution disclosure statement if, and only if, the monetary contribution was made within two (2) years immediately preceding the filing of the rezoning request and the contribution aggregates to a sum total of \$250.00 or more.

This disclosure statement must be submitted to the Zoning Division Office by mail to P. O. Box 649, Marietta, Georgia 30061 or in person at 1150 Powder Springs Street, Suite 400, Marietta, Georgia 30064 within five (5) days before the public hearing.

Additionally, if you believe you need any special accommodations in order to attend these public hearings, please contact the County Clerk’s Office at 770-528-3307 no later than 48 hours before the date of the above meeting.

COBB COUNTY
ZONING HEARING AGENDA
Board of Commissioners–May 17, 2016

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 OR HELD CASES BY PLANNING COMMISSION, BOARD OF COMMISSIONERS OR STAFF (TO BE HEARD)

Rezoning

- Z-98¹⁵** **COLUMBIA PROPERTIES CAPITAL, LLC** (Herbert A. Collins, as Trustee of the Herbert A. Collins Revocable Living Trust, owner) requesting Rezoning from **R-20** to **RSL** and **NRC** for the purpose of Residential Senior Living (non-supportive) and Retail Shopping Center in Land Lots 330 and 331 of the 20th District. Located at the northwest intersection of Dallas Highway and Garrison Commons (2720, 2780 and 2782 Dallas Highway). *(Continued by Staff from the December 1, 2015, February 2, 2016, March 1, 2016 and April 1, 2016 Planning Commission hearings until May 3, 2016 Planning Commission hearing)*
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- Z-24** **BOOS DEVELOPMENT GROUP, INC.** (Mason Wayne Miller and Mary K. Miller, owners) requesting Rezoning from **NRC** and **R-20** to **NRC with Stipulations** for the purpose of Retail in Land Lot 1263 of the 19th District. Located at the intersection of the northwesterly side of Brownsville Road and the easterly side of Pine Valley Road. *(Held by the Board of Commissioners until the May 17, 2016 hearing)*
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OTHER BUSINESS CASES

ITEM OB-022

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-023

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their April 13, 2016 Variance Hearing regarding Variance Application V-45 JONATHAN MOORE.

ITEM OB-024

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their April 13, 2016 Variance Hearing regarding Variance Application V-52 SHIRLEY CARTER.

ITEM OB-025

To consider a stipulation amendment for Janice A. Shomo regarding rezoning application Z-24 of 2012 (Monica T. Madden), for property located on the north side of Hawkins Store Road, east of Bells Ferry Road, in Land Lot 149 of the 16th District.

ITEM OB-026

To consider amending the site plan and zoning stipulations for Kyle Salone and Deborah M. White regarding rezoning application Z-20 (Yancey Development) of 2003, for property located at 1945 Heatherbrooke Lane and 1952 Heatherbrooke Way in Land Lots 193 and 194 of the 20th District.

ITEM OB-027

To consider amending the zoning stipulations and site plan relating to Z-61 and Z-62 of 2005 (TI Riverwood, LLC and Regent Riverwood, LLC), for property located on the northerly side of Cumberland Boulevard, between Riverwood Parkway and Cobb Parkway in Land Lots 977, 978, 1015 and 1016 of the 17th District.

ITEM OB-028

To consider a stipulation amendment and site plan approval for NorSouth Development Company of Georgia, LLC regarding rezoning applications #248 of 1979 (River Properties, Inc.) and #12 of 1980 (Lenox Peachtree, Inc), for property located on the east side of Windy Hill Road, and on the north side of Wildwood Parkway, in Land Lots 987 and 988 of the 17th District.

ITEM OB-029

To consider a site plan and stipulation amendment for Meritage Homes regarding rezoning applications Z-199 of 2005 (Oakley Development Company) and Z-121 of 2006 (Priority Oakley, LLC), for property located at the northwest intersection of Wisteria Road and Floyd Drive, in Land Lot 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.”

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