Application for "Other Business"
Cobb County, Georgia

OB-054-2016

(Cobb County Zoning Division – 770-528-2035) **BOC Hearing Date Requested:** 9-20-2016

Applicant: Five K INC **Phone #:** 706-767-2800
(applicant's name printed)

Address: P.O.Box 8 Rome, GA 30162 **E-Mail:** charlie91111@yahoo.com

Charles D Keown **Address:** 1392 Crown Ter Marietta Ga 30062
(representative's name, printed)

Charles D Keown **Phone #:** 770-971-5727 **E-Mail:** charlie91111@yahoo.com
(representative's signature)

Signed, sealed and delivered in presence of:

Amy L Duke **My commission expires:** Feb 20, 2018
Notary Public

Titleholder(s): See attached **Phone #:**
(property owner's name printed)

Address: **E-Mail:**

RECEIVED
AUG 16 2016
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

(Property owner's signature)

Signed, sealed and delivered in presence of:

My commission expires:
Notary Public

Commission District: 3 **Zoning Case:** Z-46

Size of property in acres: 1.43 **Original Date of Hearing:** June 21, 2016

Location: 2568 Canton Rd Marietta, GA 30066
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 588 **District(s):** 16

State specifically the need or reason(s) for Other Business: To amend hours of operation to:

Monday - Thursday 10AM-7pm.
Friday and Saturday 9AM-9pm.
Sunday 10AM-7pm

(List or attach additional information if needed)

AUG 1 6 2016

REGULAR AGENDA (CONT.)

Z-46 **FIVE-K, INC.** (Five-K, Inc, owner) requesting Rezoning from NS to **NRC** for the purpose of Neighborhood Retail in Land Lot 588 of the 16th District. Located on the east side of Canton Road, south of Rosedale Drive (2568 Canton Road).

The public hearing was opened and Mr. Charles Keown and Ms. Carol Brown addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Ott, to **approve** Z-46 to the **NRC** zoning category, subject to:

1. **Site plan received by the Zoning Division on April 12, 2016, with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
2. **For the existing use *only*, any other NRC use to be approved by the District Commissioner**
3. **No special exception uses allowed under Chapter 134, Section 213 of the *Official Code of Cobb County***
4. **No automotive repair or automotive uses**
5. **No outdoor display of merchandise**
6. **Retail hours of operation to be Monday through Saturday from 8:00 a.m. until 5:00 p.m.; Sunday hours to be 12:00 p.m. until 5:00 p.m.**
7. **Delivery hours to be Monday through Friday from 9:00 a.m. until 5:00 p.m.**
8. **No idling of trucks**
9. **No overnight parking of commercial vehicles, except for minivans or cars**
10. **Garbage and recycling locations to be contained in completely enclosed facilities**
11. **Buffer to be maintained per NRC standards**
12. **Building to be repainted with colors approved by the District Commissioner within six months of this decision**
13. **Upon redevelopment or any remodeling that exceeds the 50% threshold as defined by Code, then property to comply with Canton Road Design Guidelines**
14. **Applicant to work with neighbor adjacent to the rear property line regarding maintenance of the existing landscape buffer, with final plan to be approved by District Commissioner and County Arborist**

REGULAR AGENDA (CONT.)

Z-46 FIVE-K, INC. (CONT.)

15. **Water and Sewer Division comments and recommendations**
16. **Stormwater Management Division comments and recommendations**
17. **Department of Transportation comments and recommendations**
18. **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**

VOTE: **ADOPTED** 5-0

Chairman Lee called for a recess at 11:20 a.m.; the hearing reconvened at 11:29 a.m.

~~**Z-48 FORMATION DEVELOPMENT GROUP (The Homer Trust under Trust dated**~~ October 8, 1996 and the Item IV Trust under the last Will and Testament of Harry F. Homer Sr., owner) requesting Rezoning from **RSL** to **RSL-SUPPORTIVE** for the purpose of Residential Senior Living- Supportive in Land Lot 66 and 67 of the 1st District. Located on the northern corner of Johnson Ferry Road and Little Willeo Road (no address given).

The public hearing was opened and Mr. James Balli, Ms. Trish Steiner, Mr. Andrew Naples, and Ms. Heidi Bozzelli addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Ott, second by Birrell, to **approve** Z-48 to the **RSL-Supportive** zoning category, subject to:

1. **Site plan/landscape plan dated April 6, 2016 (attached and made a part of these minutes)**
2. **Letter of agreeable conditions from Mr. James Balli dated June 17, 2016 (attached and made a part of these minutes); *noting that any reference to "July 17, 2016" be amended to read "June 17, 2016,"* with the following change:**
   A. **Item No. 3 – add to end: *"Final elevations to be approved by the District Commissioner."***