
ZONING ANALYSIS

Planning Commission Public Hearing

April 4, 2017

Board of Commissioners' Public Hearing

April 18, 2017

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

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Bob Ott, District 2
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COBB COUNTY ZONING DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT

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



Cobb County... Expect the Best!

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**COBB COUNTY-
ZONING HEARING AGENDA
Planning Commission–April 4, 2017**

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-18^{'16}** **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. (*Continued by Staff from the March 1, 2016, April 1, 2016, May 3, 2016, June 7, 2016, July 7, 2016, August 2, 2016, September 8, 2016, October 4, 2016, November 1, 2016, December 6, 2016, February 7, 2017 and March 7, 2017 Planning Commission hearings until the April 4, 2017 Planning Commission hearing*)
- Z-97^{'16}** **ROYAL RESIDENTIAL, INC** (Wilma J. Layton, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Subdivision in Land Lot 962 of the 16th District. Located at the northwest intersection of Roswell Road and Vester Drive. (*Previously continued by the Planning Commission from their November 1, 2016, December 6, 2016 and February 7, 2017 hearings until the March 7, 2017 Planning Commission hearing and held until the April 4, 2017 Planning Commission hearing*)
- Z-111^{'16}** **RSDC1, LLC** (Brian Carter, Mildred R. Lampley, William E. Rolader and Mary L. Rolader, Jason E. Carter and William E. Rolader as Executor of the Estate of Annie I. Rolader, owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Residential Subdivision in Land Lot 400 of the 16th District. Located on the north side of Shallowford Road, east of Lassiter Road. (*Previously held by the Planning Commission from their December 6, 2016, February 7, 2017 and March 7, 2017 hearings until the April 4, 2017 Planning Commission hearing*)

- Z-112**^{'16} **DUNCAN LAND INVESTMENTS, LLC** (Duncan Land Investments, LLC, owner) requesting Rezoning from **R-20** to **R-15** for the purpose of a Residential Subdivision in Land Lot 308 of the 16th District. Located on the western side of Blackwell Road at Blackwell Place, and on the southern side of North Woods Drive. *(Previously continued by Staff from the December 6, 2016, February 7, 2017 and March 7, 2017 Planning Commission hearings until the April 4, 2017 Planning Commission hearing)*
- Z-113**^{'16} **HABITAT FOR HUMANITY OF NORTHWEST METRO ATLANTA, INC.** (Habitat for Humanity of Northwest Metro Atlanta, Inc., and Cobb County Habitat for Humanity, Inc., owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Residential Subdivision in Land Lots 494 and 495 of the 18th District. Located on the southwest side of Hillcrest Drive at Brumley Cove Drive, and on the east and south sides of Ridgefield Drive. *(Previously held by the Planning Commission from their December 6, 2016 and February 7, 2017 hearings until the March 7, 2017 Planning Commission hearing; continued by Staff until the May 2, 2017 Planning Commission hearing)*
- Z-7** **POLLACK SHORES REAL ESTATE GROUP, LLC** (Nancy Teem Benton; L.O. Benton, III, Trustee, 1019174 Trust; Lurner O. Benton, III, F&M Profit Sharing Plan; R. Linton Jordan; and J.S. Blackwell, Jr., owners) requesting Rezoning from **CRC** to **UC** for the purpose of a Multi-Family Residence in Land Lot 643 of the 16th District. Located on the south side of Ernest Barrett Parkway, east and west sides of Barrett Creek Boulevard; on the south side of Barrett Creek Parkway. *(Previously continued by the Planning Commission from their February 7, 2017 hearing until the March 7, 2017 Planning Commission hearing, and held by the Planning Commission until the April 4, 2017 Planning Commission hearing)*
- Z-9** **PARAN HOMES** (Glover Allen Smith and Shirley Moore Smith, owners) requesting Rezoning from **R-30** to **R-20 OSC** for the purpose of a Residential Subdivision in Land Lots 378 and 379 of the 19th District. Located on the east and west sides of Corner Road and south of Wright Road. *(Previously held by the Planning Commission from their March 7, 2017 hearing until the April 4, 2017 Planning Commission hearing)*

- Z-11** **LOYD DEVELOPMENT SERVICES** (Kenneth E. Jenkins, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Single-Family Detached Subdivision in Land Lot 131 of the 16th District. Located on the southeast side of Lee Waters Road (at its terminus), south of Jamerson Road. *(Previously continued by staff until the April 4, 2017 Planning Commission hearing)*
- Z-12** **SSP BLUE RIDGE, LLC** (Multiple titleholders on file in the Zoning Division) requesting Rezoning from **GC, NS, R-20 & R-80** to **CRC** and **RM-12** for the purpose of a Mix of Retail, Commercial and Townhomes in Land Lots 923 and 924 of the 17th District. Located on the northwest side of Terrell Mill Road, west side of Powers Ferry Road. *(Previously continued by staff from the March 7, 2017 Planning Commission hearing until the May 2, 2017 Planning Commission hearing)*
- LUP-3** **CLAUDIA SISTO** (Claudia M. Sisto, owner) requesting a **Land Use Permit** for the purpose of Chickens on less than 2 acres in Land Lot 484 of the 19th District. Located on the northeast side of Greenridge Drive, north of Glynn Oaks Drive, abutting the south side of Windy Hill Road. *(Previously continued by Staff until the April 4, 2017 Planning Commission hearing)*
- SLUP-2** **STORAGE DEVELOPMENT GROUP** (J.C.-E.T.(MONROE), L.L.C., owner) requesting a **Special Land Use Permit** for the purpose of a Freestanding Climate Controlled Self-Storage Facility in Land Lots 211 and 212 of the 16th District. Located on the east side of Bells Ferry Road, north of I-575. *(Previously held by the Planning Commission from their March 7, 2017 hearing until the April 4, 2017 Planning Commission hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-13** **GREGORY E. & KIMBERLY S. LENZEN** (Gregory E. Lenzen and Kimberly S. Lenzen, owners) requesting Rezoning from **NS and R-20** to **LI** for the purpose of Transportation Parking and Light Auto Repair in Land Lot 44 of the 18th District. Located on the north side of Veterans Memorial Highway, across from Cooks Road.
- Z-14** **LOYD DEVELOPMENT SERVICES** (The Estate of Donald T. Allbright, Richard B. Wages and Billy E. Martin, owners) requesting Rezoning from **R-20** to **R-15 OSC** for the purpose of a Single-Family Residential Subdivision in Land Lot 394 of the 17th District. Located on the northern terminus of Pebblebrook Lane, on the northwest side of Pebblebrook Road.
- Z-15** **KERLEY FAMILY HOMES, LLC** (The Estate of Nellie Duncan England; Mary Nichols Miltiades, as Successor Trustee of the Evans John Nichols Revocable Trust, owner) requesting Rezoning from **R-30** to **R-20 OSC** for the purpose of Single-Family Residential in Land Lot 198 of the 20th District. Located on the east side of Acworth Due West Road, north of Stilesboro Road.
- Z-16** **MILLENIUUM TRUCKING, INC.** (Stephen R. Pendelton and Victoria B. Pendelton; Elizabeth Josephine Waddell, owners) requesting Rezoning from **GC, and R-20** to **LI** for the purpose of a Trucking Terminal in Land Lots 405 and 498 of the 18th District. Located on the north side of Mableton Parkway, southeast of Queen Mill Road.

- Z-17** **COBB COUNTY BOARD OF COMMISSIONERS** (Cobb County Board of Commissioners, owners) requesting Rezoning from **GC and CRC to CRC** for the purpose of Retail, Restaurant or Offices in Land Lot 923 of the 17th District. Located on the west side of Powers Ferry Road, and on the north side of Terrell Mill Road.
- Z-18** **LONNIE D. COX** (Cox Investments, LLC, owner) requesting Rezoning from **GC**, to **NRC** for the purpose of Automotive Repair in Land Lot 60 of the 16th District. Located on the west side of Canton Road, north of Jamerson 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–April 18, 2017

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-18¹⁶** **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, April 1, 2016, May 3, 2016, June 7, 2016, July 7, 2016, August 2, 2016, September 8, 2016, October 4, 2016, November 1, 2016, December 6, 2016, February 7, 2017 and March 21, 2017 Planning Commission hearings until the April 4, 2017 Planning Commission hearing)*
- Z-93¹⁶** **KAPLAN MORGAN VININGS DEVELOPMENT, LLC** (ADIC, Inc., successor by merger to XEBO Corporation, owner) requesting Rezoning from **CRC** to **RRC** for the purpose of Mixed Use Development in Land Lots 816, 817, 839 and 840 of the 17th District. Located at the southeast intersection of Cumberland Parkway and Paces Walk. *(Previously continued by Staff from the December 6, 2016 Planning Commission hearing until the February 7, 2017 Planning Commission hearing, and continued by staff from the March 21, 2017 Board of Commissioners hearing until the April 18, 2017 Board of Commissioners hearing)*
- Z-97¹⁶** **ROYAL RESIDENTIAL, INC** (Wilma J. Layton, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Subdivision in Land Lot 962 of the 16th District. Located at the northwest intersection of Roswell Road and Vester Drive. *(Previously continued by the Planning Commission from their November 1, 2016 hearing; held from the December 6, 2016 Planning Commission hearing until the February 7, 2017 hearing; continued by staff until the March 7, 2017 Planning Commission hearing and held by the Planning Commission from the March 7, 2017 hearing until the April 4, 2017 Planning Commission hearing)*

- Z-101**^{'16} **PROVINCE HOMES, LLC** (The Estate of Clyde H. Kemp, JR. and The Estate of Carolyn L. Ellis Kemp, owners) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of Single-family Residential in Land Lots 273 and 274 of the 20th District. Located on the southwest side of Burnt Hickory Road, west of Acworth-Due West Road. *(Previously held by the Planning Commission from their November 1, 2016 hearing and continued by staff from the December 6, 2016 Planning Commission and February 21, 2017 Board of Commissioners hearing until the April 18, 2017 Board of Commissioners hearing)*
- Z-111**^{'16} **RSDC1, LLC** (Brian Carter, Mildred Lampley, Mary L. Rolader, and William Rolader, owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Residential subdivision in Land Lot 400 of the 16th District. Located on the north side of Shallowford Road, east of Lassiter Road. *(Previously held by the Planning Commission until the February 7, 2017 hearing, continued until the March 7, 2017 hearing and held by the Planning Commission until their April 4, 2017 Planning Commission hearing)*
- Z-114**^{'16} **CAPKEY REAL ESTATE ADVISORS** (See file for list of titleholders, owners) requesting Rezoning from **R-30** to **R-20 OSC** for the purpose of a Residential subdivision in Land Lot 335 of the 20th District. Located on the north side of Dallas Highway, on the east side of County Road, and on the west side of Bob Fleming Road. *(Previously continued by Staff from the November 1, 2016 and December 6, 2016 Planning Commission hearings; Held by the Planning Commission until the March 7, 2016 hearing and held by the Board of Commissioners until their April 18, 2017 hearing)*
- Z-117**^{'16} **HICKS BUSINESS ENTERPRISES, LLC** (The Estate of Freeman Alexander Moon, owner) requesting Rezoning from **R-20** to **RM-8** for the purpose of Single-Family Residential in Land Lots 784 and 785 of the 19th District. Located on the south side of Hurt Road, east of Tramore Park. *(Previously continued by the Planning Commission until the February 7, 2017 Planning Commission hearing; continued by the Board of Commissioners until their March 21, 2017 hearing and continued by Staff until the April 18, 2017 Board of Commissioners hearing)*

- Z-119**^{'16} **MAYWEATHER ENTERPRISE** (Winston Property Ventures, LLC, owner) requesting Rezoning from **GC and R-20** to **NRC** for the purpose of a Convenience Store with a Fuel Station in Land Lot 85 of the 17th District. Located on the southwest intersection of Pat Mell Road and Lorene Drive. *(Previously continued by staff from the February 7, 2017 Planning Commission hearing until the April 18, 2017 Board of Commissioners hearing)*
- Z-1**^{'17} **JACKI PAYNE** (Jackie Payne, owner) requesting Rezoning from **R-30** to **LI** for the purpose of A Warehouse with an Office in Land Lot 1051 of the 19th District. Located on the south side of Oglesby Road, east of Lewis Road. *(Previously continued by the Board of Commissioners from the February 21, 2017 hearing until the March 21, 2017 hearing, and continued by Staff until the April 18, 2017 Board of Commissioners hearing)*
- Z-7**^{'17} **POLLACK SHORES REAL ESTATE GROUP, LLC** (Nancy Teem Benton; L.O. Benton, III, Trustee, 1019174 Trust; Lurner O. Benton, III, F&M Profit Sharing Plan; R. Linton Jordan; and J.S. Blackwell, Jr., owner) requesting Rezoning from **CRC** to **UC** for the purpose of a Multi-Family Residence in Land Lot 643 of the 16th District. Located on the south side of Ernest Barrett Parkway, east and west sides of Barrett Creek Boulevard; on the south side of Barrett Creek Parkway. *(Previously held by the Planning Commission until the March 7, 2017 Planning Commission hearing and continued until the April 4, 2017 Planning Commission hearing)*
- Z-9** **PARAN HOMES** (Glover Allen Smith and Shirley Moore Smith, owners) requesting Rezoning from **R-30** to **R-20** for the purpose of a Residential Subdivision in Land Lots 378 and 379 of the 19th District. Located on the east and west sides of Corner Road and south of Wright Road. *(Previously held by the Planning Commission until the April 4, 2017 Planning Commission hearing)*
- Z-11** **LOYD DEVELOPMENT SERVICES** (Kenneth E. Jenkins, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Single-Family Detached Subdivision in Land Lot 131 of the 16th District. Located on the southeast side of Lee Waters Road (at its terminus), south of Jamerson Road. *(Previously continued by Staff until the April 4, 2017 Planning Commission hearing)*

LUP-3 **CLAUDIA SISTO** (Claudia M. Sisto, owner) requesting a **Land Use Permit** for the purpose of having chickens in Land Lot 484 of the 19th District. Located on the northeast side of Greenridge Drive, north of Glynn Oak Drive, abutting the south side of Windy Hill Road. *(Previously continued by Staff until the April 4, 2017 Planning Commission hearing)*

SLUP-2 **STORAGE DEVELOPMENT GROUP** (J.C.-E.T. (MONROE) L.L.C., owner) requesting a **Special Land Use Permit** for the purpose of a Climate Controlled Self-Storage Facility in Land Lots 211 and 212 of the 16th District. Located on the east side of Bells Ferry Road, north of I-575 *(Previously held by the Planning Commission from their March 7, 2017 hearing until the April 4, 2017 Planning Commission hearing)*

CONTINUED OR HELD CASES BY PLANNING COMMISSION, BOARD OF COMMISSIONERS OR STAFF (NOT TO BE HEARD)

Z-35^{'16} **ADVENTUR LIVING LLC** (T.M. Denome, William Harry Nelson and Glenna S. Nelson, owners) requesting Rezoning from **R-20** 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 (3860, and 3862 Ebenezer Road). *(Continued by the Board of Commissioners)*

Z-112^{'16} **DUNCAN LAND INVESTMENTS, LLC** (Duncan Land Investments, LLC, owner) requesting Rezoning from **R-20** to **R-15** for the purpose of a Residential Subdivision in Land Lot 308 of the 16th District. Located on the western side of Blackwell Road at Blackwell Place, and on the southern side of North Woods Drive. *(Previously continued by Staff from the December 6, 2016 and February 7, 2017 and March 7, 2017 Planning Commission hearings until the May 2, 2017 Planning Commission hearing)*

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REGULAR CASES --- NEW BUSINESS

- Z-13** **GREGORY E. & KIMBERLY S. LENZEN** (Gregory E. Lenzen and Kimberly S. Lenzen, owners) requesting Rezoning from **NS** and **R-20** to **LI** for the purpose of Transportation Parking and Light Auto Repair in Land Lot 44 of the 18th District. Located on the north side of Veterans Memorial Highway, across from Cooks Road.
- Z-14** **LOYD DEVELOPMENT SERVICES** (The Estate of Donald T. Allbright, Richard B. Wages and Billy E Martin, owner) requesting Rezoning from **R-20** to **R-15/OSC** for the purpose of a Single-Family Residential Subdivision in Land Lot 394 of the 17th District. Located at the northern terminus of Pebblebrook Lane, on the northwest side of Pebblebrook Road.
- Z-15** **KERLEY FAMILY HOMES, LLC** (The Estate of Nellie Duncan England; Mary Nichols Miltiades, as Successor Trustee of the Evans John Nichols Rev Trust, owner) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of Single-Family Residential in Land Lot 198 of the 20th District. Located on the east side of Acworth Due West Road, north of Stilesboro Road.

REGULAR CASES --- NEW BUSINESS (cont)

- Z-16** **MILLENNIUM TRUCKING, INC.** (Stephen R. Pendelton and Victoria B. Pendelton; Elizabeth Josephine Waddell, owners) requesting Rezoning from **GC AND R-20** to **LI** for the purpose of a Trucking Terminal in Land Lots 405 and 498 of the 18th District. Located on the north side of Mableton Parkway, southeast of Queen Mill Road, and on the south side of Cardell Circle.
- Z-17** **COBB COUNTY BOARD OF COMMISSIONERS** (Cobb County Board of Commissioners, owners) requesting Rezoning from **GC and CRC** to **CRC** for the purpose of Retail, Restaurant or Offices in Land Lot 923 of the 17th District. Located on the west side of Powers Ferry Road, and on the north side of Terrell Mill Road.
- Z-18** **LONNIE D. COX** (Cox Investments, LLC, owner) requesting Rezoning from **GC**, to **NRC** for the purpose of Automotive Repair in Land Lot 60 of the 16th District. Located on the west side of Canton Road, north of Jamerson Road.

OTHER BUSINESS CASES

ITEM OB-006

To consider granting a Special Exception for a reduction of lot size and public road frontage as recommended by the Board of Zoning Appeals from their February 15, 2017 Variance Hearing regarding Variance Application V-17 BEB INVESTMENTS, LLC. *(Continued by Staff from the March 21, 2017 hearing date)*

ITEM OB-007

To consider amending the site plan and stipulations for SHAMS (Sky 2000 Food, Inc.) regarding rezoning application Z-8 (Holbrook Properties, LP/MCL Properties, LLC) of 2014, for property located at the southwest intersection of Austell Road and Floyd Road in Land Lot 848 of the 19th District. *(Continued by Staff from the March 21, 2017 hearing date)*

ITEM OB-010

To consider a site plan and stipulation amendment for Habitat for Humanity of Northwest Metro Atlanta, Inc. regarding rezoning case Z-9 (Decoteau Homes) of 2006. The property is located at the southeasterly intersection of Old Bankhead Highway and Cliff Drive, and the southeasterly intersection of Old Bankhead Highway and Ricky Lane, in Land Lot 36 of the 18th District. *(Continued by Staff from the March 21, 2017 hearing date)*

ITEM OB-012

To consider a site plan and stipulation amendment for Hampton Communities, LLC regarding rezoning case Z-197 (Springhill Properties, LLC) of 2005. The property is located on the west side of Barrett Parkway, north of Dallas Highway, in Land Lot 329 of the 20th District.

ITEM OB-013

To consider a site plan amendment for Premier Auto Xpress, Inc. regarding rezoning case Z-41 (Shelby Workman Estate) of 2016. The property is located on the east side of Ridgewood Drive south of Crestview Drive, and on the west side of I-285, in Land Lot 816 of the 17th District.

ITEM OB-014

To consider a site plan and stipulation amendment for Ballantry PMC Kyle, LLC regarding rezoning case Z-167 (Cousins Real Estate Corporation) of 2005. The property is located on the east side of Lost Mountain Road, south of Dallas Highway, in Land Lots 84, 137, 138, 139 and 159 of the 19th District.

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