

**COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING SUMMARY AGENDA
MAY 16, 2017**

CONSENT CASES

- Z-112^{'16}** **DUNCAN LAND INVESTMENTS, LLC** *(Previously continued by Staff from the December 6, 2016, February 7, 2017, March 7, 2017 and April 4, 2017 Planning Commission hearings until the May 2, 2017 Planning Commission hearing)*
- Z-14^{'17}** **LOYD DEVELOPMENT SERVICES** *(Previously continued by the Planning Commission from their April 4, 2017 hearing)*
- Z-18^{'17}** **LONNIE D. COX**
- Z-20^{'17}** **TEACHING LITTLE CHILDREN, INC.**
- LUP-4^{'17}** **SANDY CLOUGH**
- LUP-6^{'17}** **STILL FAMILY FARM, LLC**
- LUP-8^{'17}** **JESSICAH JOYNER**
- OB-017^{'17}** **ADVENTUR LIVING** (Macland Road)
- OB-018^{'17}** **MT. BETHEL CHRISTIAN ACADEMY, LLC**

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

- Z-111^{'16}** **RSDC1, LLC** *(Previously held by the Planning Commission from their December 6, 2016, February 7, 2017, March 7, 2017 and April 4, 2017 hearings until the May 2, 2017 Planning Commission hearing)*

REGULAR CASES

- Z-21^{'17}** **CII HOLDINGS, LLC**
- LUP-5^{'17}** **NATALLIA VILCHENKO**
- LUP-7^{'17}** **RENEIKA ROGAN**

WITHDRAWN CASES

- Z-101^{'16}** **PROVINCE HOMES, LLC** *(Previously held by the Planning Commission from their November 1, 2016 hearing and continued by staff from the December 6, 2016 Planning Commission hearing; Held by the Board of Commissioners until the April 18, 2017 Board of Commissioners hearing; Continued by staff until the May 16, 2017 Board of Commissioners hearing) - WITHDRAWN WITHOUT PREJUDICE*
- Z-113^{'16}** **HABITAT FOR HUMANITY OF NORTHWEST METRO ATLANTA, INC. - WITHDRAWN WITHOUT PREJUDICE**

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

- Z-18^{'16}** **POPE & LAND ENTERPRISES, INC.** (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 and February 7, 2017 and April 4, 2017 and May 2, 2017 Planning Commission hearings until the June 6, 2017 Planning Commission hearing)
- Z-35^{'16}** **ADVENTUR LIVING LLC** (Continued by the Board of Commissioners until the lawsuit is settled; this item is on the Other Business agenda as item #015 as a settlement of Litigation)
- Z-9^{'17}** **PARAN HOMES** (Previously held by the Planning Commission from their March 7, 2017 hearing until the April 4, 2017 Planning Commission hearing; and continued by Staff from the May 2, 2017 Planning Commission hearing until the June 6, 2017 Planning Commission hearing)
- Z-12^{'17}** **SSP BLUE RIDGE, LLC** (Previously continued by Staff from the March 7, 2017, April 4, 2017 and May 2, 2017 Planning Commission hearings until the June 6, 2017 Planning Commission hearing)
- Z-15^{'17}** **KERLEY FAMILY HOMES, LLC** (Previously continued by Staff from the April 4, 2017 Planning Commission hearing until the May 2, 2017 Planning Commission hearing and held by the Planning Commission until their June 6, 2017 hearing)
- Z-19^{'17}** **CLARENCE CLAY** (Continued by the Planning Commission from their May 2, 2017 hearing until the June 6, 2017 Planning Commission hearing)
- OB-016^{'17}** **LIDL US OPERATIONS, LLC** (Continued by Staff until the June 20, 2017 hearing)

OTHER BUSINESS

ITEM OB-015

To consider a Settlement of Litigation for T.M. Denome a/k/a Toni Barnes regarding rezoning application Z-35 (Adventur Living, LLC) of 2016, for property located on the east side of Ebenezer Road and at the western terminus of Cedar Ridge Road in Land Lots 304 of the 16th District.

ITEM OB-016

To consider amending the site plan for Lidl US Operations, LLC regarding rezoning application Z-223 (Evelyn J. Gordy-Rankin & Larry Thompson) of 1988, for property located at the northwest intersection of Shallowford Road and Gordy Parkway in Land Lots 335 and 386 of the 16th District.
(Continued by Staff until the June 20, 2017 hearing)

ITEM OB-017

To consider a stipulation amendment for Adventur Living regarding rezoning case Z-51 (Adventur Living, LLC) of 2016. The property is located on the north side of Macland Road, east of McMurry Drive, in Land Lot 497 of the 19th District.

ITEM OB-018

To consider a site plan and stipulation amendment for Mt. Bethel Christian Academy, Inc. regarding case SLUP-11 (Mt. Bethel United Methodist Church, Inc.) of 2013. The property is located on the north side of Post Oak Tritt Road, west of Holly Springs Road, in Land Lots 599, 600, 625 and 626 of the 16th District.

COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING *CONSENT* AGENDA
MAY 16, 2017

Rezoning

Z-112 DUNCAN LAND INVESTMENTS, LLC (Duncan Land Investments, LLC and Brumby D. Hanson and Margaret M. Hanson, owners) 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 held by the Planning Commission from their December 6, 2016, February 7, 2017, March 7, 2017 and April 4, 2017 hearings until the May 2, 2017 Planning Commission hearing)*. The Planning Commission recommends **APPROVAL** to the **R-15** zoning district subject to:

1. Site plan dated received by the Zoning Division on April 6, 2017 with the District Commissioner approving minor modifications (on file in the Zoning Division)
2. Letter of agreeable conditions from Mr. Richard Duncan dated April 21, 2017 (on file in the Zoning Division)
3. Variance listed in the Zoning Division comments and recommendations
4. District Commissioner to approve final elevations
5. Water and Sewer Division comments and recommendations
6. Stormwater Management Division comments and recommendations
7. Department of Transportation comments and recommendations
8. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 16, 2017

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. *(Previously continued by the Planning Commission from their April 4, 2017 until the May 2, 2017 Planning Commission hearing)*. The Planning Commission recommends **APPROVAL** to the **R-15 OSC** zoning district subject to:

1. Site plan dated March 27, 2017, with the District Commissioner approving minor modifications (on file in the Zoning Division)
2. Letters of agreeable stipulations from Mr. Garvis L. Sams, Jr. dated April 20, 2017, April 21, 2017, and May 1, 2017 (on file in the Zoning Division), with the following changes to the April 20, 2017 letter and the May 1, 2017 letter:

(Z-14 continued)

- A. Item No. 15. d. – strike in its entirety and replace with: *“LDS agrees to verify that minimum intersection sight distance is available at Pebblebrook Road and Pebblebrook Lane and if it is not, then implement remedial measures subject to Cobb DOT for approval to achieve the minimum requirement of 335 feet.”*
3. District Commissioner to approve the final house architecture
4. Planning Division comments and recommendations
5. Fire department comments and recommendations
6. Water and Sewer Division comments and recommendations
7. Stormwater Management Division comments and recommendations
8. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing of May 16, 2017

Z-18 LONNIE D. COX (Cox Investments, LLC, owners) 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. Staff recommends **APPROVAL** to the **NRC** zoning district subject to:

1. Site plan received by the Zoning Division on February 13, 2017, with the District Commissioner approving minor modifications (on file on the Zoning Division)
2. Variance as listed in the Zoning Division comments and recommendations
3. No outdoor storage or display of merchandise
4. Adherence to the Canton Road Design Guidelines
5. All repair work to be done inside the building
6. Fire Department comments and recommendations
7. Water and Sewer Division comments and recommendations
8. Stormwater Management Division comments and recommendations
9. Department of Transportation comments and recommendations
10. 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
11. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing of May 16, 2017

Z-20 TEACHING LITTLE CHILDREN, INC. (Robinson Property Management, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of Neighborhood Retail Uses in Land Lot 85 of the 16th District. Located on the south side of Ecton Drive, west of Canton Road. Staff recommends **APPROVAL** to the **NRC** zoning district subject to:

1. *Revised* site plan received by the Zoning Division on March 6, 2017 and the attached traffic circulation and parking plan received April 5, 2017, with the District Commissioner approving minor modifications (on file in the Zoning Division)
2. Letter of agreeable conditions from Mr. James Balli dated April 26, 2017 (on file in the Zoning Division)
3. Variances in the Zoning Division comments and recommendations
4. Fire Department comments and recommendations
5. Stormwater Management Division comments and recommendations
6. Department of Transportation comments and recommendations
7. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 16, 2017

Temporary Land Use Permit Cases

LUP-4 SANDY CLOUGH (Sandra L. Clough and Richard C. Clough, owners) requesting a **Land Use Permit (Renewal)** for the purpose of an Artist's Studio in Land Lot 336 of the 20th District. Located on the west side of Trail Road, west of Midway Road. Staff recommends **APPROVAL** for 24 months subject to:

1. No signs
2. No on-street parking
3. No outdoor storage
4. Two seasonal employees
5. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 16, 2017

LUP-6 **STILL FAMILY FARM, LLC** (Multiple Titleholders Listed on file in the Zoning Division) requesting a **Land Use Permit (Renewal)** for the purpose of Agritourism and a Corn Maze in Land Lot 439 of the 19th District. Located on the north side of Macland Road, west of Florence Road. Staff recommends **APPROVAL** for 24 months subject to:

1. **Parking plan received by the Zoning Division on March 2, 2017 (on file in the Zoning Division)**
2. **Statement of Proposed Elements received by the Zoning Division on March 2, 2017 (on file in the Zoning Division)**
3. **For this applicant *only***
4. **For the months of September, October and November *only***
5. **Stormwater Management Division comments and recommendations**
6. **Department of Transportation comments and recommendations**
7. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 16, 2017**

LUP-8 **JESSICAH JOYNER** (Jessicah Hollis Joyner, owner) requesting a **Land Use Permit (Renewal)** for the purpose of an In-Home Salon in Land Lot 270 of the 20th District. Located on the northwest corner of Evian Drive and Hadaway Road. Staff recommends **APPROVAL** for 24 months subject to:

1. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 16, 2017**

Other Business Cases

ITEM OB-017

To consider a stipulation amendment for Adventur Living regarding rezoning case Z-51 (Adventur Living, LLC) of 2016. The property is located on the north side of Macland Road, east of McMurry Drive, in Land Lot 497 of the 19th District. Staff recommends approval subject to:

1. Cobb DOT comments.
2. All previous stipulations not in conflict with this amendment.

ITEM OB-018

To consider a site plan and stipulation amendment for Mt. Bethel Christian Academy, Inc. regarding case SLUP-11 (Mt. Bethel United Methodist Church, Inc.) of 2013. The property is located on the north side of Post Oak Tritt Road, west of Holly Springs Road, in Land Lots 599, 600, 625 and 626 of the 16th District. Staff recommends approval subject to:

1. Temporary classrooms be removed by June 1, 2020.
2. Stormwater Management comments.
3. All previous stipulations not in conflict with this amendment.

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 Board of Commissioners 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 Board of Commissioners 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.