

**COBB COUNTY BOARD OF COMMISSIONERS  
ZONING HEARING SUMMARY AGENDA  
September 19, 2017**

**CONSENT CASES**

- Z-47            HERNÁN G. GUERRERO**  
**Z-48            SHINE AND DRIVE, LLC**  
**Z-50            STORAGE DEVELOPMENT GROUP**  
**LUP-18        BURNT HICKORY CHURCH OF CHRIST, INC.**  
**SLUP-10      STORAGE DEVELOPMENT GROUP**  
**OB-038        BOBBY L. TERRELL**  
**OB-039        AMOR DESIGN STUDIOS FOR FORK U CONCEPTS**  
**OB-041        J. BLAIR WALDRON**  
**OB-043        RUSSELL A. MULLINS**

**CONTINUED OR HELD CASES BY THE BOARD OF COMMISSIONERS (TO BE HEARD)**

- Z-37            3757 FLOYD RD PROPERTY, LLC** *(Previously continued by Staff from the July 6, 2017 Planning Commission hearing until the August 1, 2017 Planning Commission hearing; continued by the Board of Commissioners from the August 15, 2017 hearing until the September 19, 2017 hearing)*
- Z-43            3757 FLOYD RD PROPERTY, LLC** *(Continued by the Board of Commissioners from the August 15, 2017 hearing until the September 19, 2017 hearing)*
- SLUP-7        3757 FLOYD RD PROPERTY, LLC** *(Previously continued by Staff from the July 6, 2017 Planning Commission hearing until the August 1, 2017 Planning Commission hearing; continued by the Board of Commissioners from the August 15, 2017 hearing until the September 19, 2017 hearing)*

**REGULAR CASES**

- Z-51            PRADERA GROUP, LLC**  
**Z-55            COOK OUT RESTAURANTS**  
**LUP-16        MARSHALL E. DRINKARD**  
**LUP-17        FAMILY CHOICES, INC., TASHA KENNEDY**

**WITHDRAWN CASE**

- OB-042        WALTON RIVERBEND, LLC**

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

- Z-12** **SSP BLUE RIDGE, LLC** (Previously continued by Staff from the April 4, 2017, May 2, 2017, June 6, 2017, July 6, 2017, August 1, 2017 and September 7, 2017 Planning Commission hearings until the November 7, 2017 Planning Commission hearing)
- Z-27** **AMRETECK, LLC** (Previously continued by Staff from the June 6, 2017, July 6, 2017 and August 1, 2017 Planning Commission hearings until the October 3, 2017 Planning Commission hearing)
- Z-34** **JOSH THOMPSON** (Previously continued by Staff from the July 6, 2017 Planning Commission hearing; and held by the Planning Commission from their August 1, 2017 hearing until the September 7, 2017 Planning Commission hearing; continued by Staff until the October 3, 2017 Planning Commission hearing)
- Z-44** **MERITAGE HOMES OF GEORGIA, LLC** (Previously continued by the Planning Commission from their August 1, 2017 hearing until the October 3, 2017 Planning Commission hearing)
- Z-45** **TRATON HOMES, LLC** (Continued by the Board of Commissioners until the October 17, 2017 hearing)
- Z-49** **WASTE INDUSTRIES, ATLANTA, LLC** (Continued by Staff until the November 7, 2017 Planning Commission hearing)
- Z-52** **CENTURY COMMUNITIES OF GEORGIA, LLC** (Continued by the Planning Commission until the October 3, 2017 Planning Commission hearing)
- Z-53** **BROOKS CHADWICK CAPITAL, LLC** (Continued by Staff until the October 3, 2017 Planning Commission hearing)
- Z-54** **KENNESAW CORNER MF, LP** (Continued by the Planning Commission until the October 3, 2017 Planning Commission hearing)
- Z-56** **OAK HALL COMPANIES, LLC** (Continued by Staff until the October 3, 2017 Planning Commission hearing)
- SLUP-8** **SSP BLUE RIDGE, LLC** (Continued by Staff until the November 7, 2017 Planning Commission hearing)
- SLUP-9** **WASTE INDUSTRIES, ATLANTA, LLC** (Continued by Staff until the November 7, 2017 Planning Commission hearing)
- OB-028** **S & B INVESTMENTS, INC.** (Previously continued by staff from the July 18, 2017, August 15, 2017 and September 19, 2017 hearings until the October 17, 2017 hearing)
- OB-040** **PULTE HOME COMPANY, LLC** (Continued by staff until the October 17, 2017 Board of Commissioners Zoning Hearing; therefore will not be heard in September)

**OTHER BUSINESS**

**ITEM OB-016**

To consider amending the site plan for Lidl US Operations, LLC regarding rezoning application Z-223 (Evelyn J. Gordy-Rankin) of 1988 and rezoning application Z-95 (Evelyn J. Gordy-Rankin) of 1990, for property located at the northwest intersection of Shallowford Road and Gordy Parkway in Land Lots 335 and 386 of the 16<sup>th</sup> District. *(Previously continued by Staff from the May 16, 2017, June 20, 2017, July 18, 2017 and August 15, 2017 hearings until the September 19, 2017 hearing)*

**ITEM OB-028**

To consider a site plan and stipulation amendment for S & B Investments, Inc. regarding property located at the northwest intersection of Johnson Ferry Road and Paper Mill Road, in Land Lots 73 and 81 of the 1<sup>st</sup> District. *(Previously continued by staff from the July 18, 2017 hearing until the August 15, 2017 hearing; continued by the Board of Commissioners until the September 19, 2017 hearing; continued by Staff until the October 17, 2017 Board of Commissioners hearing)*

**ITEM OB-038**

To consider a stipulation amendment for Bobby L. Terrell regarding rezoning application Z-24 (Monica T. Madden) of 2012 for property located on the north side of Hawkins Store Road, east of Bells Ferry Road in Land Lot 149 of the 16<sup>th</sup> District (222 Hawkins Store Road).

**ITEM OB-039**

To consider amending the site plan for Amor Design Studios for Fork U Concepts regarding rezoning application #19 (H. Stanley Windham) of 1978, for property located on the south side of Johnson Ferry Road, east of East Cobb Drive in Land Lot 901 of the 16<sup>th</sup> District (1275 Johnson Ferry Road).

**ITEM OB-040**

To consider amending the site plan and stipulations for Pulte Home Company, LLC regarding rezoning applications Z-111 of 2001, Z-65 of 2003, Z-135 of 2005 and Z-31 of 2007, for property located at the northern terminus of Trumbul Oaks Court, the east side of Providence Club Drive, the southeasterly side of Providence Gate Lane, south of Veterans Memorial Highway in Land Lot 180 of the 18<sup>th</sup> District. *(Continued by staff until the October 17, 2017 Board of Commissioners hearing; therefore, will not be heard today)*

**ITEM OB-041**

To consider approving the site plan for J. Blair Waldron regarding rezoning application Z-149 (Piedmont partners, L.P.) of 1998, for property located on the north side of Roswell Road, west of East Piedmont Road in Land Lot 986 of the 16<sup>th</sup> District.

**ITEM OB-042**

To consider amending the 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, south of Riverbend Club Drive in Land Lots 1031, 1032, 1057, 1058, 1066 and 1067 of the 17<sup>th</sup> District. – **Withdrawn Without Prejudice**

**ITEM OB-043**

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 August 9, 2017 Variance Hearing regarding Variance Application V-79 Russell A. Mullins.

**COBB COUNTY BOARD OF COMMISSIONERS**  
**ZONING HEARING *CONSENT* AGENDA**  
**September 19, 2017**

**Rezoning**

**Z-47 HERNÁN G. GUERRERO** (Allison H. Price and Jeanette S. Price, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of a Single-Family Subdivision in Land Lot 91 of the 17<sup>th</sup> District. Located on the west side of Harris Road, south of Smyrna Powder Springs Road. The Planning Commission recommends **APPROVAL** to the **R-15** zoning district subject to:

1. Site plan received by the Zoning Division on June 30, 2017, with the District Commissioner approving minor modifications (on file in the Zoning Division)
2. Letters of agreeable stipulations from Mr. Garvis Sams Jr. dated August 15, 2017, August 28, 2017 and September 11, 2017 (on file in the Zoning Division)
3. Applicant's Representative shall submit an addendum letter to the Zoning Division Manager, with a copy to Ms. Walsh and Mr. Porter, by Tuesday, September 12, 2017, stating agreed upon conditions related to fencing around the detention pond and trees to be saved (*September 11, 2017 letter mentioned above*)
4. Sidewalk to be located on the house side of the road
5. Water and Sewer Division comments and recommendations
6. Stormwater Management comments and recommendations
7. Department of Transportation comments and recommendations
8. 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
9. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of September 19, 2017

**Z-48 SHINE AND DRIVE, LLC** (Shine and Drive, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of a Convenience Store with Fuel Sales in Land Lots 29 and 328 of the 19<sup>th</sup> and 20<sup>th</sup> Districts. Located on the north side of Dallas Highway, east of Martin Ridge Drive. The Planning Commission recommends **APPROVAL** to the NRC zoning district subject to:

1. *Revised* letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated August 31, 2017, including the site plan (on file in the Zoning Division), with the following change:
  - A. Item No. 10. – delete in its entirety

(Z-48 continued on the next page)

**Z-48 SHINE AND DRIVE, LLC** *(Continued from previous page)*

2. Staff comments and recommendations, with the following modifications:
  - A. For a convenience store with self-service fuel sales and car wash use *only*; the car wash will adhere to all county and state ordinances, standards, and regulations
  - B. No on-site automotive repairs
3. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of September 19, 2017

**Z-50 STORAGE DEVELOPMENT GROUP** (AGWC Holdings, Inc., owner) requesting Rezoning from **OS** to **NRC** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lot 709 of the 16<sup>th</sup> District. Located on the west side of Canton Road, north of Sylvan Drive. The Planning Commission recommends **APPROVAL** to the **NRC** zoning district subject to:

1. Site plan received by the Zoning Division July 19, 2017, with the District Commissioner approving minor modifications (on file in the Zoning Division)
2. Letter of agreeable conditions from Mr. David Buckel dated August 13, 2017 (on file in the Zoning Division), with the following changes:
  - A. Item No. 23 – add to end: *“Developer to install deceleration lanes at both entrances.”*
  - B. Item No. 27 - add subset d.: *“Would be in direct conflict with these stipulations or County Code.”*
3. Applicant to meet the Canton Road Design Guidelines
4. District Commissioner to approve landscape plan and architectural plan
5. Fire Department comments and recommendations
6. Water and Sewer Division comments and recommendations
7. Stormwater Management Division comments and recommendations
8. Department of Transportation comments and recommendations
9. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of September 19, 2017

**Temporary Land Use Permit**

**LUP-18 BURNT HICKORY CHURCH OF CHRIST, INC.** (Burnt Hickory Church of Christ, Inc., owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Daycare Facility in Land Lot 291 of the 20<sup>th</sup> District. Located on the north side of Burnt Hickory Road, west of New Salem Road. Staff recommends **APPROVAL** for 24 months.

(LUP-18 continued on the next page)

**LUP-18 BURNT HICKORY CHURCH OF CHRIST, INC.** (Continued)

1. Site plan received by Zoning Division on July 6, 2017, with District Commissioner approving minor modifications (on file in the Zoning Division).
2. Daycare related banner sign to be no larger than 3 feet by 5 feet.
3. Cobb DOT comments and recommendations and to approve traffic circulation plan.

**Special Land Use Permit**

**SLUP-10 STORAGE DEVELOPMENT GROUP** (AGWC Holdings, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lot 709 of the 16<sup>th</sup> District. Located on the west side of Canton Road, north of Sylvan Drive. Staff recommends **APPROVAL** subject to:

1. Site plan received by the Zoning Division July 19, 2017, with the District Commissioner approving minor modifications (on file in the Zoning Division)
2. Letter of agreeable conditions from Mr. David Buckel dated August 13, 2017 (on file in the Zoning Division), with the following changes:
  - A. Item No. 23 – add to end: *“Developer to install deceleration lanes at both entrances.”*
  - B. Item No. 27 - add subset d.: *“Would be in direct conflict with these stipulations or County Code.”*
3. Applicant to meet the Canton Road Design Guidelines
4. District Commissioner to approve landscape plan and architectural plan
5. Fire Department comments and recommendations
6. Water and Sewer Division comments and recommendations
7. Stormwater Management Division comments and recommendations
8. Department of Transportation comments and recommendations
9. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing of September 19, 2017

**Other Business cases**

**ITEM OB-038**

To consider a stipulation amendment for Bobby L. Terrell regarding rezoning application Z-24 (Monica T. Madden) of 2012 for property located on the north side of Hawkins Store Road, east of Bells Ferry Road in Land Lot 149 of the 16th District (222 Hawkins Store Road). Staff recommends **APPROVAL** subject to:

1. Retail sales and/or bakery use only.
2. Prohibited uses are: pawn shops, title pawn, check cashing establishments, convenience food stores with self-service fuel sales, automotive repair or car sales, parking for vehicles as a primary use, laundromats, massage parlors and tattoo parlors.
3. All previous stipulations not in conflict with this amendment.

**ITEM OB-039**

To consider amending the site plan for Amor Design Studios for Fork U Concepts regarding rezoning application #19 (H. Stanley Windham) of 1978, for property located on the south side of Johnson Ferry Road, east of East Cobb Drive in Land Lot 901 of the 16<sup>th</sup> District (1275 Johnson Ferry Road). Staff recommends **APPROVAL** subject to:

1. Site plan received by the Zoning Division August 15, 2017, with the District Commissioner approving minor modifications.
2. Rendering subject to the approval by the District Commissioner.
3. Landscaping to be similar to the properties on either side of the property with final approval by the District Commissioner.
4. If a monument based sign is to be used, the rendering will be subject to the approval of the District Commissioner. If no monument based sign is used than the old sign will be removed.
5. Applicant/owner to join a pedestrian lighting district when one is formed according to the Johnson Ferry Urban Design Guideline.
6. Cobb DOT to review and approve increasing the turn radius at the entrance and exit, if possible.
7. All previous stipulations not in conflict with this amendment.

### **ITEM OB-041**

To consider approving the site plan for J. Blair Waldron regarding rezoning application Z-149 (Piedmont partners, L.P.) of 1998, for property located on the north side of Roswell Road, west of East Piedmont Road in Land Lot 986 of the 16<sup>th</sup> District. Staff recommends **APPROVAL** subject to:

1. **Site plan received by the Zoning Division August 15, 2017, with the District Commissioner approving minor modifications.**
2. **Rendering subject to the approval by the District Commissioner.**
3. **Detention Pond will be fenced with a six foot vinyl coated (black or green) chain link fence with addition evergreen plantings provided for screening. The final landscape plan to be approved by the District Commissioner. If any concrete structure is visible from Roswell Road, it will be covered in brick or stacked stone.**
4. **If a monument based sign is to be used, the rendering will be subject to the approval of the District Commissioner.**
5. **Right-in/right-out design and signage for Roswell Road entrance be determined during Plan Review, subject to Cobb DOT approval.**
6. **All GDOT recommendations concerning the entrance. Recommend Georgia DOT permits for all work that encroaches upon State right-of-way.**
7. **All previous stipulations not in conflict with this amendment.**

### **ITEM OB-043**

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 August 9, 2017 Variance Hearing regarding Variance Application V-79 Russell A. Mullins. Staff recommends **APPROVAL** subject to:

1. **Minutes from the Board of Zoning Appeals Hearing for V-79 of 2017.**

**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.