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# ZONING ANALYSIS

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## Planning Commission Public Hearing

September 7, 2017

## Board of Commissioners' Public Hearing

September 19, 2017

Prepared by:  
**COBB COUNTY**  
**PLANNING AND ZONING DIVISIONS**

***COBB COUNTY BOARD OF COMMISSIONERS***

**Mike Boyce, Chairman**  
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**Bob Ott, District 2**  
**JoAnn Birrell, District 3**  
**Lisa Cupid, District 4**

***COUNTY MANAGER***

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***COBB COUNTY PLANNING COMMISSION***

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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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**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–September 7, 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-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 **UC** for the purpose of Commercial and Residential in Land Lots 923 and 924 of the 17<sup>th</sup> District. Located on the northwest side of Terrell Mill Road, and on the west side of Powers Ferry Road. *(Previously continued by Staff from the April 4, 2017, May 2, 2017, June 6, 2017 and September 7, 2017 Planning Commission hearings until the October 3, 2017 Planning Commission hearing)*
- Z-27**      **AMRETECK, LLC** (Amreteck, LLC, owner) requesting Rezoning from **GC** to **RM-12** for the purpose of Townhomes in Land Lot 422 of the 17<sup>th</sup> District. Located on the south side of Ledford Street, west of Atlanta Road. *(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** (Barnes Land and Investments, LLC, owner) requesting Rezoning from **R-15 and R-20** to **RA-5** for the purpose of a Single-family Subdivision in Land Lots 1226 and 1291 of the 19<sup>th</sup> District. Located at the northern terminus of Burrus Lane, at the northwestern terminus of Milton Place, the northern terminus of Lakeview Drive, the eastern end of Mark Lee Drive, and northeast of Veterans Memorial Highway. *(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)*

- Z-44**      **MERITAGE HOMES OF GEORGIA, LLC** (Multiple title holders in Zoning file) requesting Rezoning from **R-20** to **RA-5, RA-6 and RM-8** for the purpose of a Residential Community in Land Lots 29, 30, 1073, 1074 and 1147 of the 17<sup>th</sup> and 19<sup>th</sup> Districts. Located at the southwest intersection of Floyd Road and Glore Road, at the northern terminus of Green Valley Road. *(Previously continued by the Planning Commission from their August 1, 2017 hearing until the September 7, 2017 Planning Commission hearing)*

## **REGULAR CASES --- NEW BUSINESS**

### **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 Residential 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.
- 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.
- Z-49**      **WASTE INDUSTRIES, ATLANTA, LLC** (C.W. Matthews Contracting Co., Inc., owner) requesting Rezoning from **CF and R-20** to **HI** for the purpose of a Transfer Station in Land Lots 134 and 135 of the 20<sup>th</sup> District. Located on the north side and south side of Duncan Road, west of Barrett Lakes Boulevard. *(Continued by Staff until the October 3, 2017 Planning Commission hearing; therefore will not be heard in September)*



- 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.
- Z-51**      **PRADERA GROUP, LLC** (Margaret Kimmons Wix, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Single-family Subdivision in Land Lot 694 of the 17<sup>th</sup> District. Located on the west side of Weaver Street, and on the east side of Maner Street.
- Z-52**      **CENTURY COMMUNITIES OF GEORGIA, LLC** (Webb-Wootten Enterprises, LLP; Cassandra B. Wootten; Thomas D. Wootten; Bonnie E. Webb; and Paul Yarbrough, owners) requesting Rezoning from **R-30** to **R-20** for the purpose of a Single-family Residential Subdivision in Land Lot 229 of the 20<sup>th</sup> District. Located on the west side of County Line Road, south of Burnt Hickory Road.
- Z-53**      **BROOKS CHADWICK CAPITAL, LLC** (Cobb County Board of Education, owner) requesting Rezoning from **R-20** to **CRC** for the purpose of Retail, Restaurants, Bank, and Grocery in Land Lots 386, 387, 406 and 407 of the 16<sup>th</sup> District. Located on the east side of Sandy Plains Road, south of Shallowford Road, and at the northern terminus of Hunters Lodge Road.
- Z-54**      **KENNESAW CORNER MF, LP** (Recreation Resources at Town Center, Inc., owner) requesting Rezoning from **GC** to **RRC** for the purpose of Student Housing and retail in Land Lots 502 and 503 of the 16<sup>th</sup> District. Located on the northwest corner of Big Shanty Road and George Busbee Parkway.

- Z-55**      **COOK OUT RESTAURANTS** (Aspen Hills Associates, LLC, owner) requesting Rezoning from **CRC with Stipulations** to **CRC with Stipulations** for the purpose of a Restaurant with a drive-thru on South Cobb Drive; Retail on Church Road in Land Lots 752 and 753 of the 17<sup>th</sup> District. Located on the south side of Church Road, east of South Cobb Drive; and on the east side of South Cobb Drive, across from Highlands Parkway.
- Z-56**      **OAK HALL COMPANIES, LLC** (Audrey Mae Wigley, By Gloria Wigley as Administrator for the Estate of Audrey Wigley, owner) requesting Rezoning from **R-30** to **R-15** for the purpose of a Single-family Subdivision in Land Lots 26 and 47 of the 16<sup>th</sup> District. Located on the east and west sides of Wigley Road, north of Summitop Road.

### **LAND USE PERMITS**

- LUP-16**      **MARSHALL E. DRINKARD** (JCBL, LLC, owner) requesting a **Land Use Permit** for the purpose of Auto Body Repair in Land Lot 504 of the 18<sup>th</sup> District. Located on the south side of Six Flags Parkway, west of Queens Ferry Drive, and on the west side of Old Howells Ferry Road.
- LUP-17**      **FAMILY CHOICES, INC., TASHA KENNEDY** (Pamela Hopkins, owner) requesting a **Land Use Permit** for the purpose of a Group Home for 6 Residents in Land Lot 381 of the 18<sup>th</sup> District. Located on the west side of Crossing Creek Point, south of South Gordon Road.
- 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.

## **SPECIAL LAND USE PERMITS**

- SLUP-8**     **SSP BLUE RIDGE, LLC** (Betty Jean King Living Trust, owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lot 923 of the 17<sup>th</sup> District. Located on the northwest side of Terrell Mill Road, west of Powers Ferry Road. *(Continued by Staff until the October 3, 2017 Planning Commission hearing)*
- SLUP-9**     **WASTE INDUSTRIES, ATLANTA, LLC** (C.W. Matthews Co. Inc, owner) requesting a **Special Land Use Permit** for the purpose of a Transfer Station in Land Lots 134 and 135 of the 20<sup>th</sup> District. Located on the north side and south side of Duncan Road, west of Barrett Lakes Boulevard. *(Continued by Staff until the October 3, 2017 Planning Commission hearing; therefore will not be heard in September)*
- 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.

**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–September 19, 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)**

- Z-34**      **JOSH THOMPSON** (Barnes Land and Investments, LLC, owner) requesting Rezoning from **R-15 and R-20** to **RA-5** for the purpose of a Single-family Subdivision in Land Lots 1226 and 1291 of the 19<sup>th</sup> District. Located at the northern terminus of Burrus Lane, at the northwestern terminus of Milton Place and the northern terminus of Lakeview Drive, at the eastern end of Mark Lee Drive, and northeast of Veterans Memorial Highway. *(Previously continued by Staff from the July 6, 2017 Planning Commission hearing until the August 1, 2017 Planning Commission hearing; held by the Planning Commission until their September 7, 2017 hearing)*
- Z-37**      **3757 FLOYD RD PROPERTY, LLC** (3757 Floyd Rd Property, LLC, owner) requesting Rezoning from **PSC** to **O&I** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 848 and 849 of the 19<sup>th</sup> District. Located on the north side of Hurt Road, and on the east side of Floyd Road. *(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 until their September 19, 2017 hearing)*
- Z-43**      **3757 FLOYD RD PROPERTY, LLC** (3757 Floyd Rd Property, LLC, owner) requesting Rezoning from **PSC and GC** to **RM-8** for the purpose of a Townhome Community in Land Lots 848 and 849 of the 19<sup>th</sup> District. Located on the north side of Hurt Road, and on the east side of Floyd Road. *(Previously continued by the Board of Commissioners from their August 15, 2017 hearing until the September 19, 2017 Board of Commissioners hearing)*

- Z-44**      **MERITAGE HOMES OF GEORGIA, LLC** (Multiple title holders in Zoning file) requesting Rezoning from **R-20** to **RA-5, RA-6 and RM-8** for the purpose of a Residential Community in Land Lots 29, 30, 1073, 1074 and 1147 of the 17<sup>th</sup> and 19<sup>th</sup> Districts. Located at the southwestern intersection of Floyd Road and Glore Road, and at the northern terminus of Green Valley Road. *(Previously continued by the Planning Commission from their August 1, 2017 hearing until the September 7, 2017 Planning Commission hearing)*
- SLUP-7**      **3757 FLOYD RD PROPERTY, LLC** (3757 Floyd Rd Property, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 848 and 849 of the 19<sup>th</sup> District. Located on the north side of Hurt Road, and on the east side of Floyd Road. *(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 until their September 19, 2017 hearing)*

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

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**Z-45**      **TRATON HOMES, LLC** (Estate of Elsie Ewton Kirk, owner) requesting Rezoning from **R-30 and R-20** to **RSL (Non-Supportive)** for the purpose of Non-Supportive Residential Senior Living in Land Lots 292 and 293 of the 20<sup>th</sup> District. Located at the southwest intersection of Burnt Hickory Road and Bob Cox Road. *(Previously continued by the Board of Commissioners from their August 15, 2017 hearing until the October 17, 2017 Board of Commissioners hearing)*

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## **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.

## **OTHER BUSINESS CASES**

### **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)*

### **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.

**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.

**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.

**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 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.

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