
ZONING ANALYSIS

Planning Commission Public Hearing

December 5, 2017

Board of Commissioners' Public Hearing

December 19, 2017

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

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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–December 5, 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 17th 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, July 6, 2017, August 1, 2017, September 7, 2017 and October 3, 2017 Planning Commission hearings until the November 7, 2017 Planning Commission hearing; continued by Staff until the December 5, 2017 Planning Commission hearing)*
- 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-20/OSC** for the purpose of a Single-family Subdivision in Land Lots 26 and 47 of the 16th District. Located on the east and west sides of Wigley Road, north of Summitop Road. *(Previously continued by Staff from the September 7, 2017, October 3, 2017 and November 7, 2017 Planning Commission hearings until the December 5, 2017 Planning Commission hearing)*

- Z-64** **BRANCH ACQUISITION COMPANY, LLC** (Branch/Highlands Vinings West, LLC and West Village Associates, LLC, owners) requesting Rezoning from **R-15, R-20 and PVC** to **PVC** for the purpose of Adding property to a Mixed Use Development (West Village) in Land Lots 692, 693, 748 and 749 of the 17th District. Located on the east side of Oakdale Road, the north side of West Village Crossing, on the west side of Pine Street, on the southwesterly side of Atlanta Road and on the north and south sides of West Village Way. *(Previously continued by Staff from the October 3, 2017 and November 7, 2017 Planning Commission hearings until the December 5, 2017 Planning Commission hearing)*
- Z-65** **VICTOR NWALA** (Victor Nwala Ngon, owner) requesting Rezoning from **LRO** to **NRC** for the purpose of a Beauty Salon in Land Lot 702 of the 19th District. Located on the east side of Austell Road, north of Byers Drive. *(Previously continued by Staff from the, September 7, 2017 and October 3, 2017 Planning Commission hearings until the November 7, 2017 Planning Commission hearing; continued by Staff until the December 5, 2017 Planning Commission hearing) – WITHDRAWN WITHOUT PREJUDICE BY STAFF*
- Z-70** **JOE A. MCHARG** (B&M Equities, LLC, owner) requesting Rezoning from **RM-8** to **RD** for the purpose of Townhomes in Land Lot 273 of the 17th District. Located on the southwest corner of Smyrna-Powder Springs Road and Vineyard Way. *(Previously continued by Staff from the November 7, 2017 Planning Commission hearing until the December 5, 2017 Planning Commission hearing)*

- Z-71** **LOYD DEVELOPMENT SERVICES** (Early Wendell Wood and Maudina J. Wood (a/k/a M. Ashley Wood), owners) requesting Rezoning from **O&I and R-20** to **RA-5** for the purpose of a Single-Family Subdivision in Land Lots 443 and 494 of the 16th District. Located on the east, west, south and north sides of Hilltop Drive and Hilltop Circle, southeast of Kelly Drive, and on the south side of Suholdon Circle. *(Previously continued by Staff from the November 7, 2017 Planning Commission hearing until the December 5, 2017 Planning Commission hearing)*
- Z-75** **PROVINCE HOMES, LLC** (Estate of Louise Chumley Maloney and Estate of Fred Marvin Maloney, Sr., and Testamentary Trust Under the Will of Fred Marvin Maloney, Sr.; Peter L. Tarter and James O. Tarter, owners) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Single-Family Residential Subdivision in Land Lots 115, 151 and 152 of the 20th District. Located on the north side of Old Stilesboro Road, on the west side of Cheatham Road. *(Previously held by the Planning Commission from their November 7, 2017 Planning Commission hearing until the December 5, 2017 Planning Commission hearing)*
- 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 17th District. Located on the northwest side of Terrell Mill Road, west of Powers Ferry Road. *(Previously continued by Staff from the, September 7, 2017 Planning Commission hearing until the November 7, 2017 Planning Commission hearing; continued by Staff until the December 5, 2017 Planning Commission hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-76** **QIN ZHANG** (Qin Zhang, owner) requesting Rezoning from **R-20** to **O&I** for the purpose of an Office in Land Lot 1140 of the 19th District. Located on the southwest corner of Austell Road and Evergreen Drive.
- Z-77** **ASHTON ATLANTA, LLC** (Wildwood Associates, owner) requesting Rezoning from **O&I** to **RM-12** for the purpose of Townhomes in Land Lots 987 and 988 of the 17th District. Located on the northeast corner of Windy Hill Road and Wildwood Parkway.
- Z-78** **TIFANY B. VASQUEZ AND NAYELI CASTILLO DIAZ** (Tifany Vasquez; Nayeli Cedillo Diaz, owners) requesting Rezoning from **RA-5** to **R-20** for the purpose of a Single-Family House (Existing) in Land Lots 386 and 412 of the 18th District. Located on the north side of South Gordon Road, west of Mitchell Lane.
- Z-79** **DANIEL MOSTELLER AND OLIVIA MOSTELLER** (Cole Mosteller, owner) requesting Rezoning from **LRO** to **R-20** for the purpose of a Single-Family House in Land Lot 37 of the 16th District. Located on the southeast side of Old Mountain Road, east of Alabama Road.
- Z-80** **SOFIA JUAREZ** (Sofia Juarez and Carlos A. Linares, owners) requesting Rezoning from **NS** to **R-12** for the purpose of a Single-Family House in Land Lot 147 of the 18th District. Located on the east side of South Gordon Road, north of Old Alabama Road.
- Z-81** **TODD LAVELLE** (Mutt Planet, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of Retail in Land Lot 556 of the 19th District. Located on the northeast corner of Austell Road and Dorothy Drive.

- Z-82** **INTERPLAN LLC C/O CHICK-FIL-A, INC.** (Woodlawn Square Limited Partnership, owner) requesting Rezoning from **NS and CRC** to **CRC** for the purpose of a Restaurant (Site Expansion) in Land Lots 13 and 14 of the 1st District. Located on the southwest corner of Johnson Ferry Road and Woodlawn Parkway.
- Z-83** **LOYD DEVELOPMENT SERVICES** (Anna Prance Hunter as the Executrix of The Estate of Marie Foster Prance, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Single-Family Residential Subdivision in Land Lot 227 of the 16th District. Located on the southwest side of Hawkins Store Road, west of Canton Road.
- Z-84** **RANDY E. PIMSLER** (James E. Jackson, owner) requesting Rezoning from **R-20** to **FST** for the purpose of Townhomes in Land Lot 410 of the 18th District. Located on the north side of Hillcrest Drive, east of South Gordon Road.
- Z-85** **RAHIM JASANI** (Holbrook Investment Company, LP, owner) requesting Rezoning from **GC and NRC** to **NRC** for the purpose of a Convenience Store with Fuel Sales in Land Lot 549 of the 19th District. Located on the southern corner of Powder Springs Road and Milford Church Road.
- Z-86** **WALTON RIVERBEND, LLC** (Walton Riverbend, LLC, owner) requesting Rezoning from **RM-12** to **RRC** for the purpose of a Mixed-Use Development in Land Lots 1031, 1032, 1057, 1058, 1066 and 1067 of the 17th District. Located on the southeast side of Akers Mill Road and Powers Ferry Road; west and south of Riverbend Club Drive.
- Z-87** **PETROPLEX JOINT VENTURE** (Petroplex Joint Venture LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of a Kitchen and Cabinet Showroom in Land Lot 708 of the 16th District. Located on the east side of Canton Road, south of Powell Wright Road.

LAND USE PERMITS

- LUP-25** **MARLENE GRAHAM** (Marlene Graham and Clenton Dayes, owners) requesting a **Land Use Permit** for the purpose of a Personal Care Home for Ten Residents in Land Lot 561 of the 16th District. Located on the northeast side of Piedmont Road, northwest of Shaw Road.
- LUP-26** **BERTILIA MALDONADO** (Tony A. Maldonado and Bertilia A. Maldonado, owners) requesting a **Land Use Permit** for the purpose of Poultry and Livestock in Land Lot 713 of the 19th District. Located on the west end of Perch Drive, south of Perch Court.
- LUP-27** **KOSTA AT SMYRNA** (Stephen Mark Daleas, owner) requesting a **Land Use Permit** for the purpose of a Personal Care Home in Land Lot 50 of the 17th District. Located on the north side of Hurt Road, east of Fred Walker Road.
- LUP-28** **OPEN ARMS GROUP HOME** (James B. Barnes and Terri L. Barnes, owners) requesting a **Land Use Permit** for the purpose of a Group Home for up to Six Residents in Land Lot 1272 of the 19th District. Located on the west side of Lindsey Drive, north of Jamestowne Court.

OTHER BUSINESS

- OB-05** To adopt the dates and time of the Planning Commission Zoning Hearings for the Calendar Year 2018.

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–December 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-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 17th 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, July 6, 2017, August 1, 2017, September 7, 2017 and November 7, 2017 Planning Commission hearings until the December 5, 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 17th and 19th 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 and October 3, 2017 Planning Commission hearings until the November 7, 2017 Planning Commission hearing; held by the Board of Commissioners from their November 21, 2017 hearing until the December 19, 2017 Board of Commissioners hearing)*
- 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 16th District. Located on the east and west sides of Wigley Road, north of Summitop Road. *(Previously continued by Staff from the September 7, 2017 and October 3, 2017 and November 7, 2017 Planning Commission hearings until the December 5, 2017 Planning Commission hearing)*

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- Z-73** **VENTURE HOMES, INC.** (Bill Jones Holding, LLC, owner) requesting Rezoning from **GC** to **FST** for the purpose of Townhomes in Land Lots 55 and 56 of the 20th District. Located on the southwest side of Wooten Lake Road, and on the east side of Wade Green Road. *(Previously held by the Board of Commissioners from their November 21, 2017 hearing until the December 19, 2017 Board of Commissioners hearing)*
- Z-75** **PROVINCE HOMES, LLC** (Estate of Louise Chumley Maloney and Estate of Fred Marvin Maloney, Sr., and Testamentary Trust Under the Will of Fred Marvin Maloney, Sr.; Peter L. Tarter and James O. Tarter, owners) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Single-Family Residential Subdivision in Land Lots 115, 151 and 152 of the 20th District. Located on the north side of Old Stilesboro Road, on the west side of Cheatham Road. *(Previously held by the Planning Commission from their November 7, 2017 hearing until the December 5, 2017 Planning Commission hearing)*
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LAND USE PERMITS (cont)

LUP-28 OPEN ARMS GROUP HOME (James B. Barnes and Terri L. Barnes, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Group Home for up to six Residents in Land Lot 1272 of the 19th District. Located on the west side of Lindsey Drive, north of Jamestowne Court.

OTHER BUSINESS CASES

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 18th District. *(Previously continued by staff from the September 19, 2017, October 17, 2017 and November 21, 2017 Board of Commissioners hearings until the December 19, 2017 Board of Commissioners hearing)*

ITEM OB-061

To consider a site plan amendment for Loyd Development Services, LLC regarding rezoning application Z-11 of 2017 for property located on the southeast side of Lee Waters Road, south of Jamerson Road, in Land Lot 131 of the 16th District.

ITEM OB-062

To consider a site plan amendment for Petinos, LLC regarding rezoning application Z-104 of 1997 for property located on the north side of the East West Connector, in Land Lots 787 and 788 of the 19th District. **WITHDRAWN WITHOUT PREJUDICE BY STAFF**

ITEM OB-063

To consider a stipulation and a site plan amendment for Jim Chapman Communities, Inc. regarding rezoning application Z-22 of 2016 for property located on the north side of Cooper Lake Road, west of Atlanta Road, in Land Lot 696 of the 17th District.

ITEM OB-064

To consider a site plan and stipulation amendment for Griffin Fine Living, LLC regarding rezoning application Z-102 of 2015 for property located on the northwest side of Mars Hill Road, northeast of Brookstone Drive, in Land Lot 195 of the 20th District.

ITEM OB-065

To consider granting a Special Exception for a reduction of road frontage as recommended by the Board of Zoning Appeals from their November 15, 2017 Variance Hearing regarding Variance Application V-119 Wilbur and Andrea Radford.

ITEM OB-066

To consider granting a Special Exception for a reduction of minimum lot size as recommended by the Board of Zoning Appeals from their November 15, 2017 Variance Hearing regarding Variance Application V-121 Hurt Road Baptist Church.

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