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# ZONING ANALYSIS

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## Planning Commission Public Hearing

March 6, 2018

## Board of Commissioners' Public Hearing

March 20, 2018

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

***COBB COUNTY BOARD OF COMMISSIONERS***

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**Bob Weatherford, District 1**  
**Bob Ott, District 2**  
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**Lisa Cupid, District 4**

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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!*

**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–March 6, 2018**

**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-56<sup>17</sup>**      **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, 27, 46 and 47 of the 16<sup>th</sup> 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, December 5, 2017, and February 6, 2018 Planning Commission hearings until the March 6, 2018 Planning Commission hearing)*
- Z-81<sup>17</sup>**      **TODD LAVELLE** (Mutt Planet, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of Retail in Land Lot 556 of the 19<sup>th</sup> District. Located on the northeast corner of Austell Road and Dorothy Drive. *(Previously continued by the Planning Commission from their December 5, 2017 and February 6, 2018 hearings until the March 6, 2018 Planning Commission hearing)*
- Z-84<sup>17</sup>**      **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 18<sup>th</sup> District. Located on the north side of Hillcrest Drive, east of South Gordon Road. *(Previously continued by the Planning Commission from their December 5, 2017 hearing until the February 6, 2018 Planning Commission hearing; Held by the Planning Commission until the March 6, 2018 Planning Commission hearing)*

- Z-3**<sup>'18</sup>      **PUNKY POOH, LLC** (The Estate of Lewis E. Lee, owner) requesting Rezoning from **R-20** to **FST** for the purpose of Fee-Simple Townhouses in Land Lot 37 of the 17<sup>th</sup> District. Located on the west side of Mableton Parkway, south of Glore Circle, and on the east side of Glore Circle. *(Previously continued by the Planning Commission from their February 6, 2018 hearing until the March 6, 2018 Planning Commission hearing)*

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

### **Rezoning**

- Z-5**      **PULTE HOME COMPANY, LLC** (CP Old Towne, LLC, owner) requesting Rezoning from **PSC** to **RM-12** for the purpose of Townhouses in Land Lot 86 of the 1<sup>st</sup> District. Located on the southwest corner of Olde Towne Parkway and Olde Towne Lane.
- Z-6**      **CHASTAIN SELF STORAGE** (Chastain Gates, LLC, owner) requesting Rezoning from **GC with stipulations** to **GC with stipulations** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lot 364 of the 16<sup>th</sup> District. Located on the south side of Chastain Road, east of the I-575 ramp.
- Z-7**      **3103 ND, LLC** (John Douglas Howser and Robert David Howser, III, owners) requesting Rezoning from **R-20** to **NRC** for the purpose of a Climate-Controlled Self-Service Storage Facility, Office and Retail in Land Lots 690, 691, 750 and 751 of the 17<sup>th</sup> District. Located on the west side of Oakdale Road, on the east side of South Cobb Drive.
- Z-8**      **LOYD DEVELOPMENT SERVICES** (Item Six Residuary Trust, owner) requesting Rezoning from **SC** to **RA-5 (detached)** for the purpose of a Residential Subdivision in Land Lots 339 and 402 of the 19<sup>th</sup> District. Located off a private easement on the east side of John Ward Road, west of Powder Springs Road, and on the north side of Macland Road.

- Z-9**            **GREEN PARK PCH, INCORPORATED** (Edward Infanzon and Julie Infanzon, owners) requesting Rezoning from **LRO** to **O&I** for the purpose of Residential Senior Living (Supportive) in Land Lot 525 of the 16<sup>th</sup> District. Located on the northwest side of Sandy Plains Road, north of Ebenezer Road.
- Z-10**           **ATLANTA ROAD PROPERTY, LLC** (Atlanta Road Property, LLC, owner) requesting Rezoning from **GC** to **LI** for the purpose of a Specialized Contractors Office in Land Lot 352 of the 17<sup>th</sup> District. Located on the southwest side of Atlanta Road, south of Miller Avenue.
- Z-11**           **AZIZ FARISTA** (Aziz Farista, owner) requesting Rezoning from **R-20** to **CRC** for the purpose of Retail or Office in Land Lot 1296 of the 19<sup>th</sup> District. Located on the southwest corner of Veterans Memorial Highway and Old Bankhead Highway. *(Continued by Staff from the March 6, 2018 Planning Commission hearing until the April 3, 2018 Planning Commission hearing)*
- Z-12**           **LOYD DEVELOPMENT SERVICES** (Linda J. Medlin, Troy Edward Glass, Jr. and Kelly Renee Anderson Glass, owners) requesting Rezoning from **R-30** to **RA-5** for the purpose of a Residential Subdivision in Land Lots 66 and 67 of the 16<sup>th</sup> District. Located on the northwest side of Shallowford Road, north of Shallow Ridge Road.
- Z-13**           **DUNCAN LAND INVESTMENTS, LLC** (Duncan Land Investments, LLC, owner) requesting Rezoning from **R-20** to **RA-4** for the purpose of a Residential Subdivision in Land Lot 586 of the 16<sup>th</sup> District. Located on the southeast side of Piedmont Road, west of Cajun Drive.
- Z-14**           **EAH ACQUISITIONS, L.L.C.** (Fellowship Christian Center, Inc. and Noble Realty, Inc., owners) requesting Rezoning from **R-20 and LRO** to **RM-12** for the purpose of Townhomes in Land Lot 820 of the 17<sup>th</sup> District. Located on the east side of Beech Haven Trail.

- Z-16**      **VININGS STORAGE, LLC** (Spring Land, LLC, Mid-America Apartments, L.P., owners) requesting Rezoning from **RMR and CRC** to **RRC** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lot 844 of the 17<sup>th</sup> District. Located on the north side of Mount Wilkinson Parkway, on the east side of Spring Hill Parkway, and on the west side of I-285.

### **LAND USE PERMIT**

- LUP-2**      **RICARDO AND ROBIN DE LA LLAMA** (Ricardo de la Llama and Robin E. de la Llama, owners) requesting a **Land Use Permit** for the purpose of allowing more unrelated adults than permitted by code in Land Lot 22 of the 20<sup>th</sup> District. Located on the northwest side of Hickory Grove Court, west of Hickory Grove Trail.

### **SPECIAL LAND USE PERMITS**

- SLUP-1**      **CHASTAIN SELF STORAGE** (Chastain Gates, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a Climate Controlled Self-Storage Facility in Land Lot 364 of the 16<sup>th</sup> District. Located on the southeast corner of Chastain Road and the ramp from I-575.
- SLUP-2**      **3103 ND, LLC** (John Douglas Howser and Robert David Howser, III, owners) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Service Storage Facility and Office/Retail in Land Lots 690, 691, 750 and 751 of the 17<sup>th</sup> District. Located on the west side of Oakdale Road, and on the east side of South Cobb Drive.



**SLUP-4 VININGS STORAGE, LLC** (Spring Land, LLC, Mid-America Apartments, L.P., owners) requesting a **Special Land Use Permit** for the purpose of a Climate Controlled Self-Service Storage Facility in Land Lot 844 of the 17<sup>th</sup> District. Located on the north side of Mount Wilkinson Parkway, on the east side of Spring Hill Parkway, and on the west side of I-285.

**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–March 20, 2018**

**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-56**<sup>17</sup> **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, 27, 46 and 47 of the 16<sup>th</sup> 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, November 7, 2017, December 5, 2017, and February 6, 2018 Planning Commission hearings until the March 6, 2018 Planning Commission hearing)*
- Z-77**<sup>17</sup> **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 17<sup>th</sup> District. Located on the northeast corner of Windy Hill Road and Wildwood Parkway. *(Previously continued by the Planning Commission from their December 5, 2017 hearing until the February 6, 2018 Planning Commission hearing; Held by the Board of Commissioners from their February 20, 2018 hearing until the March 20, 2018 Board of Commissioners hearing)*
- Z-81**<sup>17</sup> **TODD LAVELLE** (Mutt Planet, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of Retail in Land Lot 556 of the 19<sup>th</sup> District. Located on the northeast corner of Austell Road and Dorothy Drive. *(Previously continued by the Planning Commission from their December 5, 2017 and February 6, 2018 hearings until the March 6, 2018 Planning Commission hearing)*

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- Z-85<sup>'17</sup>**      **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 19<sup>th</sup> District. Located on the southern corner of Powder Springs Road and Milford Church Road. *(Previously continued by Staff from the December 19, 2017 and February 20, 2018 Board of Commissioners hearings until the March 20, 2018 Board of Commissioners hearing)*
- Z-87<sup>'17</sup>**      **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 16<sup>th</sup> District. Located on the east side of Canton Road, south of Powell Wright Road. *(Previously continued by the Board of Commissioners from their December 19, 2017 and February 20, 2018 Board of hearings until the March 20, 2018 Board of Commissioners hearing)*
- Z-3<sup>'18</sup>**      **PUNKY POOH, LLC** (The Estate of Lewis E. Lee, owner) requesting Rezoning from **R-20** to **FST** for the purpose of Fee-Simple Townhouses in Land Lot 37 of the 17<sup>th</sup> District. Located on the west side of Mableton Parkway, south of Glore Circle, and on the east side of Glore Circle. *(Previously continued by the Planning Commission from their February 6, 2018 hearing until the March 6, 2018 Planning Commission hearing)*

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## **SPECIAL LAND USE PERMITS**

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**SLUP-4 VININGS STORAGE, LLC** (Spring Land, LLC, Mid-America Apartments, L.P., owners) requesting a **Special Land Use Permit** for the purpose of a Climate Controlled Self-Service Storage Facility in Land Lots 69 and 70 of the 17<sup>th</sup> District. Located on the north side of Mount Wilkinson Parkway, on the east side of Spring Hill Parkway, and on the west side of I-285.

## **OTHER BUSINESS CASES**

### **ITEM OB-003**

To consider a stipulation amendment for Joseph Josey regarding rezoning application Z-44 of 2016 for property located on the east side of Johnson Ferry Road, at Waterfront Drive, in Land Lot 470 of the 16<sup>th</sup> District (3120 Johnson Ferry Road). *(Previously continued by the Board of Commissioners from their February 20, 2018 hearing until the March 20, 2018 Board of Commissioners hearing)*

### **ITEM OB-010**

To consider a stipulation amendment for Duncan Land Investments, LLC regarding rezoning application Z-112 of 2016 for property located on the western side of Blackwell Road at Blackwell Place, and on the southern side of North Woods Drive in Land Lot 308 of the 16<sup>th</sup> District (2035 and 2027 Blackwell Road).

### **ITEM OB-011**

To consider amending the zoning stipulations for Nick and Anna Letsos regarding application SLUP-4 of 2010, for property located at the northwesterly intersection of Canton Road and Westerly Way in Land Lot 660 of the 16<sup>th</sup> District (2377 Canton Road).

### **ITEM OB-012**

To consider amending the zoning stipulations for United Sign Adv., LLC regarding rezoning application Z-104 of 1997, for property located on the north side of the East West Connector, east of Powder Springs Road in Land Lot 788 of the 19<sup>th</sup> District (2760 East West Connector).

### **ITEM OB-013**

To consider a site plan and stipulation amendment for Bass Development Corp regarding rezoning application Z-14 of 2013 for property located at the southeastern intersection of Wesley Chapel Road and Chapel Heights Drive in Land Lots 256 and 321 of the 16<sup>th</sup> District (3902 Chapel Heights 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.

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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.

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