
ZONING ANALYSIS

Planning Commission Public Hearing

May 1, 2018

Board of Commissioners' Public Hearing

May 15, 2018

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!

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–May 1, 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^{'17}** **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 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, December 5, 2017, and February 6, 2018 Planning Commission hearings until the May 1, 2018 Planning Commission hearing)*
- Z-3** **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 17th 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 May 1, 2018 Planning Commission hearing)*
- 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 19th 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. *(Previously continued by Staff from the March 6, 2018 hearing until the May 1, 2018 Planning Commission hearing)*

- 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 19th District. Located on the southwest corner of Veterans Memorial Highway and Old Bankhead Highway. *(Previously continued by Staff from the March 6, 2018 Planning Commission hearing until the April 3, 2018 Planning Commission hearing; continued by the Planning Commission from their April 3, 2018 hearing until the May 1, 2018 Planning Commission hearing)*
- Z-20** **ELEVATION DEVELOPMENT GROUP, LLC** (Overlook Partners, LLC, owner) requesting Rezoning from **O&I** to **RRC** for the purpose of a Mixed-Use Development in Land Lots 782 and 783 of the 17th District. Located on the southeast side of Terrell Mill Road, across from Waterfall Village Drive, and the west side and west terminus of Water Place. *(Previously continued by Staff from the April 3, 2018 hearing until the May 1, 2018 Planning Commission hearing)*
- Z-21** **W. REED KONIGSMARK** (Jaynie B. Pickens, owner) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Single-Family Subdivision in Land Lots 80, 143 and 144 of the 19th District. Located on the southeast side of Dallas Highway, and on the northwest side of Poplar Springs Road. *(Previously continued by Staff from the April 3, 2018 hearing until the May 1, 2018 Planning Commission hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-23** **BOBBY D. MCCLURE, ON BEHALF OF COLUMBUS J. MCCLURE** (C.J. McClure, owner) requesting Rezoning from **R-20** to **R-12 and RD** for the purpose of a Single Family House and a Duplex in Land Lot 220 of the 17th District. Located on the west side of Carnes Drive, on the east side of Lakewood Road.
- Z-24** **CK MULTIFAMILY CHARLOTTE, LLC** (Institute of Nuclear Power Operations, Inc., owner) requesting Rezoning from **GC** to **RRC** for the purpose of a Multifamily Residential Community in Land Lots 947 and 948 of the 17th District. Located on the northwest side of Akers Mill Road, on the north side of Galleria Lane, on the south side of Galleria Parkway.
- Z-25** **GREENHOUSE PROPERTIES OF ATLANTA, LLC** (Evelyn H. Dinkins II, owner) requesting Rezoning from **R-20** to **R-12** for the purpose of Single Family Detached Homes in Land Lot 696 of the 17th District. Located on the north side of Lee Road, east of Pineridge Road.
- Z-26** **AUSTELL COSMETIC DENTISTRY** (Austell Cosmetic Dentistry, owner) requesting Rezoning from **NRC and LRO** to **RSL** for the purpose of Senior Independent Living in Land Lots 993 and 1006 of the 19th District. Located on the east side of Austell Road, south of Anderson Mill Road.
- Z-27** **WALTON COMMUNITIES, LLC** (Paradise Group Kennesaw, Inc, owner) requesting Rezoning from **OMR** to **RSL** for the purpose of an Expansion of an Existing Attached Residential Senior Living Community in Land Lot 581 of the 16th District. Located easterly of Interstate 575, westerly of Chastain Meadows Parkway and northerly of Roberts Trail.

- Z-28 TYLER CHANDLER HOMES, LLC** (Richard J. Schuster PHD Psychologist PC and Charles C. Tinsley Sr., owners) requesting Rezoning from **NS and R-20** to **RSL** for the purpose of a Non-Supportive, Detached Residential Senior Living Community in Land Lots 693 and 694 of the 19th District. Located on the Northwesterly side of Powder Springs Road, northeasterly of Horseshoe Bend Road, and on the north side of Applewood Drive and Cider Mill Court.

LAND USE PERMITS

- LUP-3 AMANDA STOCKTON** (Amanda Stockton, owner) requesting a **Land Use Permit** for the purpose of Allowing Poultry on less than two acres in Land Lot 1126 of the 16th District. Located on the west side of Greenfield Court.
- LUP-4 MARIA CLAUDIA ORTEGA** (Maria Claudia Ortega, owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Daycare in Land Lot 949 of the 16th District. Located on the east side of Allgood Road.
- LUP-5 DATHAN JOHNSON AND MARIE JOHNSON** (Dathan J. Johnson and Marie L. Johnson, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Pet Dealer in Land Lots 769 and 770 of the 19th District. Located on the east side of Shadyside Road, north of Hurt Road.

SPECIAL LAND USE PERMIT

- SLUP-5 3103ND, LLC C/O BATTLE LAW, PC.C.** (John S. Thombly, James E Leake, M.D. and Goergianna Jean K. Vakentino, owners) requesting a **Special Land Use Permit** for the purpose of a Freestanding Climate Controlled Self-Service Storage Facility in Land Lot 364 of the 16th District. Located on the west end of Barrett Corners Drive, west of Vaughn Road.

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—May 15, 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-56¹⁷** **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 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, December 5, 2017, and February 6, 2018 Planning Commission hearings until the May 1, 2018 Planning Commission hearing)*
- Z-84¹⁷** **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. *(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; held by the Board of Commissioners from their March 20, 2018 hearing until the April 17, 2018 Board of Commissioners hearing; continued by the Board of Commissioners until their May 15, 2018 hearing)*
- Z-3** **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 17th 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 May 1, 2018 Planning Commission hearing)*

- 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 17th District. Located on the west side of Oakdale Road, on the east side of South Cobb Drive. *(Previously continued by Staff from the March 6, 2018 hearing until the April 3, 2018 Planning Commission hearing; continued by Staff from until the May 15, 2018 Board of Commissioners hearing)*
- 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 19th 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. *(Previously continued by Staff from the March 6, 2018 hearing until the May 1, 2018 Planning Commission hearing)*
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- 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 17th District. Located on the west side of Oakdale Road, and on the east side of South Cobb Drive. *(Previously continued by Staff from the March 6, 2018 hearing until the April 3, 2018 Planning Commission hearing; continued by Staff from until the May 15, 2018 Board of Commissioners hearing)*

REGULAR CASES --- NEW BUSINESS

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- LUP-5** **DATHAN JOHNSON AND MARIE JOHNSON** (Dathan J. Johnson and Marie L. Johnson, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Pet Dealer in Land Lots 769 and 770 of the 19th District. Located on the east side of Shadyside Road, north of Hurt Road.

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OTHER BUSINESS CASES

ITEM OB-014

To consider a site plan and stipulation amendment for Edison Chastain Office, LLC regarding rezoning application Z-20 of 2015 for property located on the west side of Bells Ferry Road and on the east side of Chastain Meadows Parkway, in Land Lots 498, 499, 510 and 511 of the 16th District. *(Previously held by the Board of Commissioners from their April 17, 2018 hearing until the May 15, 2018 Board of Commissioners hearing)*

ITEM OB-019

To consider a reduction of public road frontage and lot size for Steve Jordan for property located on the west side of Powder Springs Road, north of Green Drive, in Land Lot 475 of the 19th District (1822 Powder Springs Road).

ITEM OB-020

To consider a reduction of public road frontage for Brandon Hagins for property located on the south side of Octavia Circle, west of Vester Drive, in Land Lots 911 and 962 of the 16th District (2930 Octavia Circle).

ITEM OB-021

To consider a reduction of public road frontage and amending the site plan for Cobb Futbul Holdings, LLC regarding SLUP-3 of 2004, for property located on the south side of Marathon Circle, south of the East- West Connector, in Land Lots 840, 841 and 862 of the 19th District (3598 Marathon Circle).

ITEM OB-022

To consider a site plan approval for Venture Homes, Inc. regarding rezoning case Z-37 of 2015 located on the west side of Austell Road, north of Cunningham Road in Land Lots 134 and 155 of the 17th District.

ITEM OB-023

To consider a stipulation amendment for Meridian Restoration, Inc. regarding rezoning application Z-42 of 2014 for property located on the north side of Liberty Hill Road and on the south of Hiawassee Drive in Land Lot 660 of the 16th District (837 Liberty Hill Road).

ITEM OB-024

To consider a site plan and stipulation amendment for GD Kennesaw, LLC regarding rezoning application Z-54 of 2017 for property located at the northwest corner of Big Shanty Road and George Busbee Parkway in Land Lots 502 and 503 of the 16th District.

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.”

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