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# ZONING ANALYSIS

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## Planning Commission Public Hearing

June 5, 2018

## Board of Commissioners' Public Hearing

June 19, 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  
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!***

**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–June 5, 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, November 7, 2017, December 5, 2017, February 6, 2018, March 6, 2018, April 3, 2018 Planning Commission hearings until the May 1, 2018 Planning Commission hearing; held by the Planning Commission until the July 3, 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 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 through the May 1, 2018 Planning Commission hearing; held by the Planning Commission until the July 3, 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 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. *(Previously continued by Staff from the March 6, 2018 through the May 1, 2018 Planning Commission hearings until the June 5, 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 17<sup>th</sup> 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 and May 1, 2018 Planning Commission hearings until the June 5, 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 19<sup>th</sup> 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 and May 1, 2018 Planning Commission hearings until the June 5, 2018 Planning Commission hearing)*
- 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 19<sup>th</sup> District. Located on the east side of Austell Road, south of Anderson Mill Road. *(Previously continued by Staff from the May 1, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing)*

**REGULAR CASES --- NEW BUSINESS**

**Rezoning**

- Z-29**      **ANE INVESTMENTS, LLC** (ANE Investments, LLC, owner) requesting Rezoning from **GC** to **CRC** for the purpose of an Auto Repair, Auto Restoration and Motorcycle Repair Shop in Land Lots 60, 61 and 84 of the 16<sup>th</sup> District. Located on the south side of Jamerson Road, west of Canton Road.
- Z-30**      **THE KEY AUTO COLLISION** (Jimmy R. Harrison, owner) requesting Rezoning from **GC and R-20** to **HI** for the purpose of an Auto Body Collision Shop in Land Lot 34 of the 18<sup>th</sup> District. Located on the west side of Powell Drive, south of Sydney Ann Boulevard.
- Z-31**      **JOYCE HOLLETT AND SCOTT HOLLETT** (Carolina Child Care Properties, LLC, owner) requesting Rezoning from **NS** to **O&I** for the purpose of a Personal Care Facility in Land Lot 160 of the 20<sup>th</sup> District. Located on the north side of Mars Hill Church Road, west of Acworth Due West Road.
- Z-32**      **INLINE COMMUNITIES, LLC** (Barbara Brickley Taylor, owner) requesting Rezoning from **R-20** to **RSL** for the purpose of Residential Senior Living (Non-Supportive) in Land Lots 579, 605 and 606 of the 19<sup>th</sup> District. Located on the east side of Old Lost Mountain Road, on the north side of Meek Road, and south of Gaydon Meadows Drive.
- Z-33**      **DUNCAN LAND INVESTMENTS, LLC** (Duncan Land Investments, LLC, owner) requesting Rezoning from **R-30** to **R-15** for the purpose of a Single-Family Subdivision in Land Lot 249 of the 16<sup>th</sup> District. Located on the west side of Wesley Chapel Road, across from Loch Highland Parkway.

- Z-34**      **MAVERICK SOUTHEAST, LLC** (Argyle Realty Co., owner) requesting Rezoning from **NRC and O&I** to **RM-12** for the purpose of Residential Townhomes in Land Lots 775, 810, 811 and 774 of the 17<sup>th</sup> District. Located on the south side of Spring Road, on the southeast side of Campbell Road, and on the north side of CSX Railroad.
- Z-35**      **THE KROGER CO.** (Brixmor East Lake Pavillions, LLC, owner) requesting Rezoning from **NS** to **CRC** for the purpose of a Fueling Center in Land Lots 1029 and 1060 of the 16<sup>th</sup> District. Located on the east side of Roswell Road, and on the south side of Robinson Road.

**LAND USE PERMITS**

- LUP-6**      **EARLY EDUCATION, LLC** (Early Education, LLC, owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Daycare in Land Lots 50, 51, 94 and 95 of the 17<sup>th</sup> District. Located on the west side of Hurt Road, north of Plantation Road.
- LUP-7**      **MOST REVEREND WILTON D. GREGORY, S.L.D., AS ARCHBISHOP OF THE ROMAN CATHOLIC ARCHDIOCESE OF ATLANTA AND/OR HIS SUCCESSORS IN OFFICE** (Most Reverend Wilton D. Gregory S.L.D., as Archbishop of the Roman Catholic Archdiocese of Atlanta and/or His Successors in Office, owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Catholic Campus Ministry in Land Lot 97 of the 20<sup>th</sup> District. Located on the west side of Campus Loop Road, across from Paulding Avenue.



**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–June 19, 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-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. *(Previously continued by Staff from the March 6, 2018 through the May 1, 2018 Planning Commission hearings until the June 5, 2018 Planning Commission hearing)*
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## **OTHER BUSINESS CASES**

### **ITEM OB-025**

To consider a site plan approval for GM Acworth, LLC regarding rezoning application Z-5 of 2018 for property located on the East side of Acworth-Dallas Road, the south side of Cedarcrest Road, and on the west side of North Cobb Parkway in Land Lot 40 of the 20<sup>th</sup> District.

### **ITEM OB-026**

To consider a stipulation amendment for Meritage Homes of Georgia, Inc. regarding Z-117 of 2016, for property located on the south side of Hurt Road, east of Tramore Park in Land Lots 784 and 785 the 19<sup>th</sup> District.

### **ITEM OB-027**

To consider a site plan amendment for CII Holdings, LLC regarding rezoning application Z-118 of 2016 and Z-21 of 2017 for property located on the south side of White Circle, east of Noonday Church Road in Land Lot 794 of the 16<sup>th</sup> District.

### **ITEM OB-028**

To consider a stipulation amendment for Reyes Morales regarding rezoning application #59 of 1981 for property located on the west side of Clearwater Drive and on the north side of Hamilton Place in Land Lot 720 of the 17<sup>th</sup> District (1977 Hamilton Place). – **Continued By Staff Until the July 17, 2018 Board of Commissioners Hearing**

### **ITEM OB-029**

To consider a stipulation amendment for Carl Bledsoe for New Horizon Homes Incorporated regarding rezoning application Z-181 of 2006 for property located on the west side of West Sandtown Road, south of Carnegie Way in Land Lots 394 and 395 of the 19<sup>th</sup> District.

**ITEM OB-030**

To consider a request from Nathanael Tyson regarding an electronic billboard placement located at 2184 Cobb Parkway NW. The property is located on the west side of Old Highway 41 and on the east side of Cobb Parkway in Land Lot 175 of the 20<sup>th</sup> District.

**ITEM OB-031**

To consider a stipulation and a site plan amendment for Broadstone Windy Ridge, LLC regarding rezoning application Z-27 of 2015 for property located at the southwest intersection of Powers Ferry Road and Windy Ridge Parkway, in Land Lots 985 and 1008 of the 17<sup>th</sup> District (2020 Powers Ferry 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.”**

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