



Cobb County...Expect the Best!

## COBB COUNTY BOARD OF COMMISSIONERS

### ZONING HEARING SUMMARY AGENDA

September 18, 2018 (Revised 9-17-18)

Withdrawn Cases			
District	Case	Applicant	Pages
4	Z-55-2018	<b>SHIV AGGARWAL-Withdrawn With Prejudice</b>	249-272
1	LUP-10-2018	<b>ERIN O'DRISCOLL-Withdrawn Without Prejudice by Staff</b>	339-341

Continued or Held cases by Planning or Staff- not to be heard			
District	Case	Applicant	Pages
4	Z-26-2018	<b>AUSTELL COSMETIC DENTISTRY</b> (Previously continued by Staff from the May 1, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing; continued by Staff from the September 4, 2018 Planning Commission hearing until their November 6, 2018 hearing)	19-36
2	Z-37-2018	<b>WINCHESTER PARKWAY, LLC</b> (Previously held by the Planning Commission hearing from their July 3, 2018 hearing until the August 7, 2018 Planning Commission hearing; continued by Staff from the August 7, 2018 and September 4, 2018 Planning Commission hearings until their October 2, 2018 hearing)	57-75
4	Z-49-2018	<b>KO MANAGEMENT, INC.</b> (Continued by Staff from the August 7, 2018 Planning Commission hearing until the September 4, 2018 Planning hearing; held by the Planning Commission from the September 4, 2018 Planning Commission hearing until their October 2, 2018 hearing)	137-155
4	Z-53-2018	<b>ELVIA BENITEZ</b> (Continued by the Planning Commission from the September 4, 2018 Planning Commission hearing until their October 2, 2018 hearing)	211-225
2	Z-56-2018	<b>WRIGHT-OAKDALE, LLC</b> (Continued by Staff from the September 4, 2018 Planning Commission hearing until the October 2, 2018 Planning Commission hearing)	273-289
1	Z-57-2018	<b>JOHN GASKIN</b> (Continued by Staff from the September 4, 2018 Planning Commission hearing until the October 2, 2018 Planning Commission hearing)	291-293
3	Z-58-2018	<b>BOBBY L. TERRELL</b> (Continued by the Planning Commission from the September 4, 2018 Planning Commission hearing until their October 2, 2018 hearing)	295-314

Consent Agenda cases				
District	Case	Applicant	Oppose/ Support	Pages
2	Z-42-2018	<b>CHANCE POWERS FERRY, LLC</b> <i>(Previously held by the Planning Commission hearing from their July 3, 2018 hearing until the August 7, 2018 Planning Commission hearing; Continued by the Board of Commissioners from their August 21, 2018 hearing)</i>		247-262
1	Z-44-2018	<b>TRATON HOMES, LLC</b> <i>(Previously continued by Staff from the July 3, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing; held by the Planning Commission until their September 4, 2018 hearing)</i>		115-135
4	Z-51-2018	<b>THE SILVER MANOR, LLC</b> <i>(Continued by Planning Commission from their August 7, 2018 hearing until the September 4, 2018 Planning Commission hearing)</i>		157-175
2	Z-52-2018	<b>JOSEPH W. CARTUS, II AND CAROL M. CARTUS</b>		193-210
4	Z-59-2018	<b>OBURIEN, INC.</b>		315-335
4	SLUP-9-2018	<b>JUBILEE CHRISTIAN CHURCH INTERNATIONAL, INC.</b>		345-361
3	OB-44-2018	<b>RADIAL PROPERTY GROUP</b>		N/A
2	OB-45-2018	<b>ALEXIS KINSEY</b>		N/A
2	OB-46-2018	<b>KJT PROPERTIES, LLC</b>		N/A
1	OB-47-2018	<b>BROADLANDS HOMEOWNERS ASSOCIATION, INC.</b>		N/A

Continued and Held cases - To be Heard				
District	Case	Applicant		Pages
4	Z-32-2018	<b>INLINE COMMUNITIES, LLC</b> (Previously continued by Staff from the June 5, 2018 and the July 3, 2018 Planning Commission hearings until the August 7, 2018 Planning Commission hearing; continued by the Board of Commissioners from the August 21, 2018 hearing until their September 18, 2018 hearing)		37-56
3	Z-40-2018	<b>JIM CHAPMAN COMMUNITIES</b> (Continued by Staff from the July 3, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)		77-97
3	LUP-9-2018	<b>CECILE FERGUSON</b> (Continued by Staff from the August 7, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)		177-189

Regular cases				
District	Case	Applicant	Oppose/ Support	Pages
4	Z-54-2018	<b>GREGORY A. KING</b>		227-247
4	SLUP-10-2018	<b>BUCKNER CROSSROADS, LLC</b>		364-378

Other Business cases				
District	Case	Applicant	Oppose/ Support	Pages
4	OB-35-2018	<b>BUCKNER CROSSROADS, LLC</b> (Previously continued by Staff from the July 17, 2018 hearing until the August 21, 2018 hearing; continued by the Board of Commissioners from the August 21, 2018 hearing until their September 18, 2018 hearing)		N/A
3	OB-38-2018	<b>CECILE FERGUSON</b> (Continued by Staff from the August 21, 2018 Board of Commissioners hearing until the September 18, 2018)		N/A
1	OB-40-2018	<b>JOHN AND MONA LOYD</b> (Continued by Staff from the August 21, 2018 hearing until the September 18, 2018 hearing)		N/A



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## COBB COUNTY BOARD OF COMMISSIONERS

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### ZONING HEARING CONSENT AGENDA

September 18, 2018 *(Revised 9-17-18)*

#### Zoning Cases

**Z-42**      **CHANCE POWERS FERRY, LLC** (Powers Ferry Woods Office Limited Partnership, J. Houston Lennard and Celeste Coggin Lennard, owners) requesting Rezoning from **O&I** to **RRC** for the purpose of a Mixed-Use Development in Land Lots 1008 and 1009 of the 17<sup>th</sup> District. Located on the west side of Shadowood Parkway, south of Powers Ferry Road. *(Previously held by the Planning Commission from their July 3, 2018 hearing until the August 7, 2018 Planning Commission hearing; continued by the Board of Commissioners from their August 21, 2018 hearing until the September 18, 2018 hearing)*. The Planning Commission recommends approval subject to:

1. Letters of agreeable conditions from Mr. Kevin Moore dated June 27, 2018, and August 6, 2018 (on file in the Zoning Division), *not otherwise in conflict*
2. The office component be limited in use to office *only*; office size limited to 20,000 net square feet
3. The lighting be shielded and hooded with particular attention to any lighting escaping vertically from the project
4. The architectural treatment consistent with the exterior elevations of the apartment component be applied to the parking deck in a manner determined by the developer and approved by the District Commissioner
5. Staff comments and recommendations, *not otherwise in conflict*

**Z-44**      **TRATON HOMES, LLC** (Estate of Leone Hall Price, a/k/a Leone Hall Johnson, owner) requesting Rezoning from **R-20/OSC** and **R-30/OSC** to **RSL** for the purpose of a Residential Senior Living Subdivision in Land Lots 195 and 196 of the 20<sup>th</sup> District. Located on the east side of Mars Hill Road, north of Stilesboro Road. *(Previously continued by Staff from the July 3, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing; held by the Planning Commission until their September 4, 2018 hearing)*. The Planning Commission recommends approval subject to:

(Continued on the next page)

**Z-44 TRATON HOMES, LLC (Continued)**

1. Site plan received by the Zoning Division on August 28, 2018 (on file in the Zoning Division)
2. Letter of agreeable conditions from Mr. Kevin Moore received by the Zoning Division on August 28, 2018 (on file in the Zoning Division), with the following changes:
  - A. Item No. 8, subset (a) - modify to read: "... leased or rented..."
  - B. Item No. 8, subset (b) – modify to read: "...space areas, detention ponds,..."
3. Construction hours to be Monday through Friday, 7:00 a.m. until 6:00 p.m., Saturday, 8:00 a.m. until 4:00 p.m., and no work on Sundays or holidays
4. Staff comments and recommendations, *not otherwise in conflict*
5. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 18, 2018

**Z-51 THE SILVER MANOR, LLC** (Silver Comet Enterprises, LLC, owner) requesting Rezoning from **NRC** to **CRC** for the purpose of an Assembly Hall for Special Events with Ancillary Offices in Land Lots 1000 and 1001 of the 19<sup>th</sup> District. Located on the northeast side of Floyd Road, southeast of Floyd Drive. *(Continued by the Planning Commission from their August 7, 2018 hearing until the September 4, 2018 Planning Commission hearing)*. The Planning Commission recommends deletion to **NRC** subject to:

1. Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated August 24, 2018 (on file in the Zoning Division)
2. Special Exception use for an Assembly Hall for Special Events
3. Hours of operation Monday through Thursday 9:00 a.m. until 9:00 p.m.; Friday through Sunday 8:00 a.m. until midnight
4. The Architectural/Landscape Review Committee shall review any gates to be installed
5. The District Commissioner shall have final approval of all items under the purview of the Architectural/Landscape Review Committee

**Z-51 THE SILVER MANOR, LLC (continued)**

6. Should the adjacent property owner not place a fence on the common property line, excluding the 49.94 feet in the southeast corner, or at any time remove the fence, there shall be a privacy fence installed along the common property line by the owner of this property; fence changes shall occur within 90 days of the Board of Commissioners' final decision
7. When the existing fence is relocated, additional fencing will be required; the additional fencing shall be consistent with the existing fencing; as an alternative, new fencing can be used to replace the existing fence; fence changes shall occur within 90 days of the Board of Commissioners' final decision
8. Fire Department comments and recommendations
9. Water and Sewer Division comments and recommendations
10. Stormwater Management Division comments and recommendations
11. Department of Transportation comments and recommendations
12. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 18, 2018

**Z-52 JOSEPH W. CARTUS, II AND CAROL M. CARTUS** (Carol M. Cartus and Joseph W. Cartus, II, owners) requesting rezoning from **R-80** to **R-40** for the purpose of a Single-Family House in Land Lot 1002 of the 17<sup>th</sup> District. Located on the west side of Timberland Drive, south of Hallmark Drive. The Planning Commission recommends approval subject to:

1. Proposed garage to be architecturally compatible with existing home and to be approved by the District Commissioner
2. Size of the proposed garage be limited to 832 square feet; location to be as shown on the site plan received by the Zoning Division on May 11, 2018 (on file in the Zoning Division)
3. The setback of an accessory building be reduced from 100' to ~~15'~~ 11' from the north property line for this structure *only*, with final placement plan to be approved by the District Commissioner *(Note: stipulation #3 amended by Staff based communications with the applicant regarding the correct placement of the proposed detached garage.)*
4. Fire Department comments and recommendations
5. Water and Sewer Division comments and recommendations
6. Stormwater Management Division comments and recommendations
7. Department of Transportation comments and recommendations
8. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 18, 2018

**Z-59**      **OBURIEN, INC.** (HWA Yong McBride, owner) requesting rezoning from **LI** to **LRO** for the purpose of a Daycare Facility in Land Lot 44 of the 18<sup>th</sup> District. Located on the southeast corner of Veterans Memorial Highway and Cooks Road. The Planning Commission recommends approval subject to:

1. **Site plan received by the Zoning Division on July 24, 2018, with final approval by the District Commissioner (on file in the Zoning Division)**
2. **Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated July 24, 2018 (on file in the Zoning Division)**
3. **Landscape plan to be approved by the District Commissioner**
4. **There shall be an Architectural/Landscape Review Committee which shall be charged with the review of any proposed landscaping, signage, fencing and building architecture; the committee shall consist of a representative of the Mableton Improvement Coalition, a representative of the Applicant, and a representative from the Cobb County Community Development Agency; the District Commissioner shall have final approval of all items**
5. **Compliance with Veterans Memorial Highway Guidelines**
6. **Planning Division comments and recommendations**
7. **Fire Department comments and recommendations**
8. **Sewer and Water Division comments and recommendations**
9. **Stormwater Management Division comments and recommendations**
10. **Department of Transportation comments and recommendations**
11. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 18, 2018**

## **SPECIAL LAND USE PERMIT**

**SLUP-9 JUBILEE CHRISTIAN CHURCH INTERNATIONAL, INC.** (Jubilee Christian International [Glory Tabernacle], Inc., owner) requesting a **Special Land Use Permit** for the purpose of an Expansion of a Church and a School in Land Lots 717, 718 and 764 of the 19<sup>th</sup> District. Located on the north side of Macedonia Road, west of Ernest Barrett Parkway. The Planning Commission recommends approval subject to:

1. **Letter of agreeable conditions from Mr. Parks F. Huff dated August 29, 2018 (on file in the Zoning Division), with the following changes:**
  - A. **Item No. 8, subset (b) – delete in its entirety**
  - B. **Item No. 8, subset (c) – delete in its entirety**
2. **District Commissioner to approve the final landscape plan**
3. **District Commissioner to approve the building elevations**
4. **Fire Department comments and recommendations**
5. **Water and Sewer Division comments and recommendations**
6. **Stormwater Management Division comments and recommendations**
7. **Department of Transportation comments and recommendations**
8. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 18, 2018**

## **OTHER BUSINESS CASES**

### **ITEM OB-044**

To consider a stipulation amendment for Radial Property Group regarding rezoning application Z-173 of 1999 for property located on the south side of Piedmont Road, west of New South Drive in Land Lots 517 and 564 of the 16<sup>th</sup> District (1000 Piedmont Road). Staff recommends approval subject to:

1. **Deletion of stipulation #2 from Garvis L. Sams, Jr. letter dated November 8, 1999.**
2. **Property to be used for a Bank or Financial Institution, a group home, a nursery school, a child day care, or a professional office only.**
3. **All previous stipulations not in conflict with this amendment to remain in effect.**

### **ITEM OB-045**

To consider a stipulation amendment for Alexis Kinsey regarding rezoning application #191 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). Staff recommends approval subject to:

- 1. Stipulation #4 from Other Business 39 from September 19, 2017 be deleted.**
- 2. Letter from the East Cobb Civic Association attached to Jill Flamm's email dated September 16, 2018.**
- 3. All previous stipulations not in conflict with this amendment to remain in effect.**

### **ITEM OB-046**

To consider a site plan amendment for KJT Properties, LLC regarding rezoning application Z-92 of 2015 for property located on the northwesterly side of Childers Road, south of Monet Drive in Land Lot 28 of the 1<sup>st</sup> District (Childers Road). Staff recommends approval subject to:

- 1. Front setbacks to be 25', with the rear setbacks to be 40' for lots 2-7.**
- 2. All previous stipulations not in conflict with this amendment to remain in effect.**

### **ITEM OB-047**

To consider a site plan amendment for Broadlands Homeowners Association, Inc. regarding rezoning application Z-89 of 1993 for property located on the north side of White Blossom Court, north of Willow Oak Trail in Land Lots 86 and 137 of the 19<sup>th</sup> District (In between 750 and 752 White Blossom Court). Staff recommends approval subject to:

- 1. Letter from Rick Miller dated September 4, 2018.**
- 2. Site Plan received September 4, 2018.**
- 3. All previous stipulations not in conflict with this amendment to remain in effect.**