
ZONING ANALYSIS

Planning Commission Public Hearing

September 4, 2018

Board of Commissioners' Public Hearing

September 18, 2018

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

**Mike Boyce, Chairman
Bob Weatherford, District 1
Bob Ott, District 2
JoAnn Birrell, District 3
Lisa Cupid, District 4**

COUNTY MANAGER

Rob Hosack

COBB COUNTY PLANNING COMMISSION

**Galt Porter
Skip Gunther
Andy Smith
Judy Williams**

***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.

**A
G
E
N
D
A
S**

**COBB COUNTY-
ZONING HEARING AGENDA
Planning Commission–September 04, 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-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. *(Previously continued by Staff from the May 1, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing; continued by Planning Commission until their September 4, 2018 hearing)*
- Z-37** **WINCHESTER PARKWAY, LLC** (Winchester Partners, L.P, owner) requesting Rezoning from **O&I** to **UVC** for the purpose of Mixed-Use/Retail and Residential in Land Lot 765 of the 17th District. Located on the east side of Winchester Parkway, north of Atlanta Road, and on the west side of I-285. *(Previously held by the Planning Commission hearing until their July 3, 2018 hearing until the August 7, 2018 Planning Commission hearing; continued by Staff until the September 4, 2018 Planning Commission hearing)*
- Z-40** **JIM CHAPMAN COMMUNITIES** (Multiple Titleholders on file in the Zoning Division) requesting Rezoning from **R-20** to **RSL** (Non-Supportive) for the purpose of an Age Restricted/Independent Senior Living in Land Lots 284 and 285 of the 16th District. Located on the north side of North Booth Road, the west side of Bells Ferry Road, and the southeasterly side of I-575. *(Previously continued by Staff from the July 3, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)*

- 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 (Non-Supportive)** for the purpose of Residential Senior Living Subdivision in Land Lots 195 and 196 of the 20th 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)*
- Z-49** **KO MANAGEMENT, INC.** (KO Management, Inc., owner) requesting Rezoning from **NRC to RA-5** for the purpose of a Single-Family Residential Community in Land Lot 37 of the 17th District Land Lot 39 of the 18th District. Located at the northwest intersection of Mableton Parkway and Wood Valley Road. *(Previously continued by Staff from the August 7, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)*
- 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 19th District. Located on the northeast side of Floyd Road, southeast of Floyd Drive. *(Previously continued by Planning Commission from their August 7, 2018 hearing until the September 4, 2018 Planning Commission hearing)*
- LUP-9** **CECILE FERGUSON** (Cecile E. Ferguson, owner) requesting a **Land Use Permit** for the purpose of Backyard Chickens/Poultry in Land Lot 344 of the 16th District. Located on the south side of Blackwell Road, west of Knight Road. *(Previously continued by Staff from the August 7, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

- 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 17th District. Located on the west side of Timberland Drive, south of Hallmark Drive.
- Z-53** **ELVIA BENITEZ** (Elvia Benitez, owner) requesting rezoning from **LRO to R-20** for the purpose of a Single-Family House in Land Lot 59 of the 17th District. Located on the north side of Michael Drive, east of Brackett Street.
- Z-54** **GREGORY A. KING** (Greg King, owner) requesting rezoning from **GC to NRC** for the purpose of Retail in Land Lot 47 of the 18th District. Located on the south side of Veterans Memorial Highway, across from Pebblebrook Road.
- Z-55** **SHIV AGGARWAL** (Vishal Hawthorne Plaza, LLC, owner) requesting rezoning from **PSC to GC** for the purpose of an Assembly Hall for Suites 29 & 30 in Land Lot 35 of the 18th District and Land Lot 1298 of the 19th District. Located on the south side of Veterans Memorial Highway, north side of Old Powder Springs Road, on the west side of Old Powder Springs Road Connector and on the northwest side of Old Bankhead Highway.
- Z-56** **WRIGHT-OAKDALE, LLC** (Wright-Oakdale, LLC., owner) requesting rezoning from **GC and R-20 to RM-8** for the purpose of Townhouses in Land Lots 691 and 750 of the 17th District. Located on the southwest intersection of Oakdale Road and Wright Road.

- Z-57** **JOHN GASKIN** (Ballantry PMC Kyle, LLP, owner) requesting rezoning from **CS to CS** for the purpose of Modifying the current zoning stipulations in Land Lots 84, 137, 138, 139 and 159 of the 19th District. Located on the east side of Lost Mountain Road, south of Dallas Highway, across from Corner Road. *(Continued by Staff from the September 4, 2018 Planning Commission hearing until the October 2, 2018 Planning Commission hearing)*
- Z-58** **BOBBY L. TERRELL** (Kaimari, LLC, owner) requesting rezoning from **R-20 to NRC** for the purpose of Retail in Land Lot 364 of the 16th District. Located on the northeast corner of Chastain Road and I-575 Ramp.
- 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 18th District. Located on the southeast corner of Veterans Memorial Highway and Cooks Road.

LAND USE PERMIT

- LUP-10** **ERIN O'DRISCOLL** (Erin L. Driscoll Hunt, owner) requesting a **Land Use Permit** for the purpose of Childcare in Land Lot 258 of the 20th District. Located on the northeast side of Wyntuck Circle, north of Wyntuck Drive. **WITHDRAWN WITHOUT PREJUDICE.**

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 School in Land Lots 717, 718 and 764 of the 19th District. Located on the north side of Macedonia Road, west of Ernest Barrett Parkway.

SLUP-10 **BUCKNER CROSSROADS, LLC** (Buckner Crossroads, LLC., owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 68 and 165 of the 18th District. Located on the northwest corner of Veterans Memorial Highway and Buckner 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–September 18, 2018

NOTE: *Some of these petitions may not be heard by the Board of Commissioners. The Planning Commission or Staff 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-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. *(Previously continued by Staff from the May 1, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing; continued by Planning Commission until their September 4, 2018 hearing)*
- 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 19th District. Located on the east side of Old Lost Mountain Road, on the north side of Meek Road, and south of Gaydon Meadows Drive. *(Previously continued by Staff from the June 19, 2018 and the July 3, 2018 Planning Commission hearings 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)*
- Z-37** **WINCHESTER PARKWAY, LLC** (Winchester Partners, L.P, owner) requesting Rezoning from **O&I and UVC** for the purpose of Mixed-Use/Retail and Residential in Land Lot 765 of the 17th District. Located on the east side of Winchester Parkway, north of Atlanta Road, and on the west side of I-285. *(Previously held by the Planning Commission hearing from their July 3, 2018 hearing until the August 7, 2018 Planning Commission hearing; continued by Staff until the September 4, 2018 Planning Commission hearing)*

- Z-40** **JIM CHAPMAN COMMUNITIES** (Multiple Titleholders on file in the Zoning Division) requesting Rezoning from **R-20** to **RSL** (Non-Supportive) for the purpose of Age Restricted/Independent Senior Living in Land Lots 284 and 285 of the 16th District. Located on the north side of North Booth Road, the west side of Bells Ferry Road, and the southeasterly side of I-575. *(Previously continued by Staff from the July 3, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)*
- 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 17th 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)*
- 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 Residential Senior Living Subdivision in Land Lots 195 and 196 of the 20th 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)*
- Z-49** **KO MANAGEMENT, INC.** (KO Management, Inc., owner) requesting rezoning from **NRC** to **RA-5** for the purpose of a Residential Community in Land Lot 37 of the 17th District and Land Lot 39 of the 18th District. Located at the northwest intersection of Mableton Parkway and Wood Valley Road. *(Continued by Staff from the August 7, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)*

Z-51 **THE SILVER MANOR, LLC** (Silver Comet Enterprises, LLC, owner) requesting Rezoning from **NRC to CRC** for the purpose of Community Retail Commercial in Land Lots 1000 and 1001 of the 19th 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)*

LUP-9 **CECILE FERGUSON** (Cecile E. Ferguson, owner) requesting a **Land Use Permit** for the purpose of Backyard Chickens/Poultry in Land Lot 344 of the 16th District. Located on the south side of Blackwell Road, west of Knight Road. *(Continued by Staff from the August 7, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)*

CONTINUED OR HELD CASES BY PLANNING COMMISSION, BOARD OF COMMISSIONERS OR STAFF (NOT TO BE HEARD)

Z-57 **JOHN GASKIN** (Ballantry PMC Kyle, LLP, owner) requesting rezoning from **CS to CS** for the purpose of Modifying the current zoning stipulations in Land Lots 84, 137, 138, 139 and 159 of the 19th District. Located on the east side of Lost Mountain Road, south of Dallas Highway, across from Corner Road. *(Continued by Staff from the September 4, 2018 Planning Commission hearing until the October 2, 2018 Planning Commission hearing)*

REGULAR CASES --- NEW BUSINESS

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 17th District. Located on the west side of Timberland Drive, south of Hallmark Drive.

- Z-53** **ELVIA BENITEZ** (Elvia Benitez, owner) requesting rezoning from **LRO to R-20** for the purpose of a Single-Family House in Land Lot 59 of the 17th District. Located on the north side of Michael Drive, east of Brackett Street.
- Z-54** **GREGORY A. KING** (Greg King, owner) requesting rezoning from **GC to NRC** for the purpose of Retail in Land Lot 47 of the 18th District. Located on the south side of Veterans Memorial Highway, across from Pebblebrook Road.
- Z-55** **SHIV AGGARWAL** (Vishal Hawthorne Plaza, LLC, owner) requesting rezoning from **PSC to GC** for the purpose of an Assembly Hall for Suites 29 & 30 in Land Lot 35 of the 18th District and Land Lot 1298 of the 19th District. Located on the south side of Veterans Memorial Highway, north side of Old Powder Springs Road, on the west side of Old Powder Springs Road Connector and on the northwest side of Old Bankhead Highway.
- Z-56** **WRIGHT-OAKDALE, LLC** (Wright-Oakdale, LLC., owner) requesting rezoning from **GC and R-20 to RM-8** for the purpose of Townhouses in Land Lots 691 and 750 of the 17th District. Located on the southwest intersection of Oakdale Road and Wright Road.
- Z-58** **BOBBY L. TERRELL** (Kaimari, LLC, owner) requesting rezoning from **R-20 to NRC** for the purpose of Retail in Land Lot 364 of the 16th District. Located on the northeast corner of Chastain Road and I-575 Ramp.
- 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 18th District. Located on the southeast corner of Veterans Memorial Highway and Cooks Road.

LAND USE PERMIT

LUP-10 **ERIN O'DRISCOLL** (Erin L. Driscoll Hunt, owner) requesting a **Land Use Permit** for the purpose of Childcare in Land Lot 258 of the 20th District. Located on the northeast side of Wyntuck Circle, north of Wyntuck Drive. **WITHDRAWN WITHOUT PREJUDICE.**

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 School in Land Lots 717, 718 and 764 of the 19th District. Located on the north side of Macedonia Road, west of Ernest Barrett Parkway.

SLUP-10 **BUCKNER CROSSROADS, LLC** (Buckner Crossroads, LLC., owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 68 and 165 of the 18th District. Located on the northwest corner of Veterans Memorial Highway and Buckner Road.

OTHER BUSINESS CASES

ITEM OB-035

To consider a site plan and stipulation amendment for Buckner Crossroads, LLC regarding rezoning application Z-24 of 2009 for property located at the northwesterly intersection of Veterans Memorial Highway and Buckner Road in Land Lots 68 and 165 of the 18th District. **(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)**

ITEM OB-038

To consider a reduction of required lot size for livestock from two-acres to 0.762-acres for Cecile Ferguson for property located on the south side of Blackwell Road, east of Mountain Ridge Drive, in Land Lot 344 of the 16th District (1632 Blackwell Road). **(Continued by Staff from the August 21, 2018 hearing until the September 18, 2018 hearing date)**

ITEM OB-040

To consider a reduction of public road frontage for proposed lots 1-3 from 75' to 7' per lot for John and Mona Loyd for property located on the south side of Hadaway Road, east of Oak Mountain Road, in Land Lots 270 and 271 of the 20th District (5257 Hadaway Road). **(Continued by Staff from the August 21, 2018 hearing until the September 18, 2018 hearing date)**

ITEM OB-044

To consider a stipulation amendment for Radical 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 16th District (1000 Piedmont Road).

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 16th District (1275 Johnson Ferry Road).

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 1st District (Childers Road).

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 19th District (In between 750 and 752 White Blossom Court).

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 Board of Commissioners 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 Board of Commissioners 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.