

---

---

# ZONING ANALYSIS

---

---

## Planning Commission Public Hearing

December 1, 2010

## Board of Commissioners' Public Hearing

December 14, 2010

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

***COBB COUNTY BOARD OF COMMISSIONERS***

**Tim Lee, Chairman**  
**Helen Goreham, District 1**  
**Bob Ott, District 2**  
**Thea Powell, District 3**  
**Woody Thompson, District 4**

***COUNTY MANAGER***

**David Hankerson**

***COBB COUNTY PLANNING COMMISSION***

**Murray Homan, Chairman**  
**Bob Hovey**  
**Mike Terry**  
**Christi Trombetti**  
**Judy Williams**

***COBB COUNTY ZONING DIVISION***  
***COMMUNITY DEVELOPMENT DEPARTMENT***

**Robert Hosack, Director, Community Development**  
**John Pederson, Manager, Zoning Division**



*Cobb County... Expect the Best!*

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

**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.

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

# **A G E N D A S**

THIS

PAGE

INTENTIONALLY

LEFT

BLANK

**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Planning Commission – December 1, 2010**

**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-28 GREEN STREET PROPERTIES/MARTHASVILLE DEVELOPMENT/JAMESTOWN PROPERTIES** (Riverview Industries, L.P., owner) requesting Rezoning from **HI** and **R-20** to **PVC** for the purpose of a Mixed Use Development in Land Lots 58, 171, 172, 174, 175, and 284 of the 18th District. Located on the southeasterly side of River View Road, between I-285 and the Southern Railway Railroad tracks; on the southeasterly side of River View Road, south of I-285; on the northwesterly side of River View Road, between Dickerson Drive and Nichols Drive; and on the southerly side of Nichols Drive, between River View Road and Armstrong Place. *(Continued by Staff; therefore will not be considered at this hearing)*

**Z-33 JEFFREY H. WEARING** (owner) requesting Rezoning from **GC** to **CRC** for the purpose of a Furniture Store/Retail Store in Land Lot 189 of the 18<sup>th</sup> District. Located at the southeasterly intersection of Mableton Parkway and Community Drive. *(Previously continued by the Planning Commission from their November 2, 2010 hearing)*

**REGULAR CASES --- NEW BUSINESS**

**Rezoning**

**Z-38 J & H PROPERTY LEASING, LLC** (Merchant Investment Group, Inc., Teena Hubbard, H. Lamar Hardin, Thomas Lee Pharr and Joseph Stephen Pharr, owners) requesting Rezoning from **GC** to **CRC** for the purpose of a Carwash, Light Auto Servicing And A Billboard in Land Lot 925 of the 17<sup>th</sup> District. Located at the southwest intersection of Delk Road and Powers Ferry Road.



- Z-39**      **CINDY B. CORNELLY** (owner) requesting Rezoning from **NS** to **CRC** for the purpose of Dog Boarding in Land Lot 69 of the 1<sup>st</sup> District. Located at the northeast intersection of Lower Roswell Road and Woodlawn Drive.
- Z-40**      **GARREN LUONG** (owner) requesting Rezoning from **NS** to **LRO** for the purpose of a Professional Office in Land Lots 787 and 788 of the 19<sup>th</sup> District. Located on the south side of Hurt Road, east of Powder Springs Road and west of Skyline Terrace.
- Z-41**      **HEALTH CARE CAPITAL CONSOLIDATED, INC.** (Charles E. James, owner) requesting Rezoning from **R-20** to **RSL** for the purpose of Residential Units For Senior Citizens in Land Lots 1114 and 1115 of the 16<sup>th</sup> District. Located on the south side of Lower Roswell Road, east of Cove Drive.

**Land Use Permits**

- LUP-29**      **RICKY J. WHITE** (owner) requesting a **Land Use Permit** for the purpose of Parking Of A Vehicle Weighing In Excess Of 12,500 Pounds in Land Lot 5 of the 20<sup>th</sup> District. Located at the southwesterly intersection of George Washington Avenue and McLain Drive (5127 George Washington Avenue).
- LUP-30**      **DESTINY BARNES** (Dank A. Barnes, owner) requesting a **Land Use Permit** for the purpose of Additional Vehicles in Land Lot 270 of the 17<sup>th</sup> District. Located at the northeasterly intersection of Church Road and Biggern Avenue (255 Church 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.”

**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Board of Commissioners – December 14, 2010**

*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.*

**REGULAR CASES --- NEW BUSINESS**

**Rezoning**

- Z-28 GREEN STREET PROPERTIES/MARTHASVILLE DEVELOPMENT/JAMESTOWN PROPERTIES** (Riverview Industries, L.P., owner) requesting Rezoning from **HI** and **R-20** to **PVC** for the purpose of a Mixed Use Development in Land Lots 58, 171, 172, 174, 175, and 284 of the 18th District. Located on the southeasterly side of River View Road, between I-285 and the Southern Railway Railroad tracks; on the southeasterly side of River View Road, south of I-285; on the northwesterly side of River View Road, between Dickerson Drive and Nichols Drive; and on the southerly side of Nichols Drive, between River View Road and Armstrong Place. *(Continued by Staff; therefore will not be considered at this hearing)*
- Z-33 JEFFREY H. WEARING** (owner) requesting Rezoning from **GC** to **CRC** for the purpose of a Furniture Store/Retail Store in Land Lot 189 of the 18<sup>th</sup> District. Located at the southeasterly intersection of Mableton Parkway and Community Drive. *(Previously continued by the Planning Commission from their November 2, 2010 hearing)*
- Z-38 J & H PROPERTY LEASING, LLC** (Merchant Investment Group, Inc., Teena Hubbard, H. Lamar Hardin, Thomas Lee Pharr and Joseph Stephen Pharr, owners) requesting Rezoning from **GC** to **CRC** for the purpose of a Carwash, Light Auto Servicing And A Billboard in Land Lot 925 of the 17<sup>th</sup> District. Located at the southwest intersection of Delk Road and Powers Ferry Road.

- Z-39**      **CINDY B. CORNELLY** (owner) requesting Rezoning from **NS** to **CRC** for the purpose of Dog Boarding in Land Lot 69 of the 1<sup>st</sup> District. Located at the northeast intersection of Lower Roswell Road and Woodlawn Drive.
- Z-40**      **GARREN LUONG** (owner) requesting Rezoning from **NS** to **LRO** for the purpose of a Professional Office in Land Lots 787 and 788 of the 19<sup>th</sup> District. Located on the south side of Hurt Road, east of Powder Springs Road and west of Skyline Terrace.
- Z-41**      **HEALTH CARE CAPITAL CONSOLIDATED, INC.** (Charles E. James, owner) requesting Rezoning from **R-20** to **RSL** for the purpose of Residential Units For Senior Citizens in Land Lots 1114 and 1115 of the 16<sup>th</sup> District. Located on the south side of Lower Roswell Road, east of Cove Drive.

**Land Use Permits**

- LUP-29**      **RICKY J. WHITE** (owner) requesting a **Land Use Permit** for the purpose of Parking Of A Vehicle Weighing In Excess Of 12,500 Pounds in Land Lot 5 of the 20<sup>th</sup> District. Located at the southwesterly intersection of George Washington Avenue and Mclain Drive (5127 George Washington Avenue).
- LUP-30**      **DESTINY BARNES** (Dank A. Barnes, owner) requesting a **Land Use Permit** for the purpose of Additional Vehicles in Land Lot 270 of the 17<sup>th</sup> District. Located at the northeasterly intersection of Church Road and Biggern Avenue (255 Church 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.”**