

“REVISED”
COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING SUMMARY AGENDA
MAY 21, 2013

CONSENT CASES

Z-16 **SAMI NAFISI**
Z-18 **BABCOCK REALTY GROUP, LLC**
Z-19 **FC LANDSCAPES, INC.**
LUP-10 **PRAISE TABERNACLE CHURCH, INC.**
LUP-12 **HEWETT CONSULTING**
LUP-13 **SARAH C. WELLS**
LUP-14 **ROSE CATHERIN**
LUP-15 **VIOLET CLARK**

REGULAR CASES

Z-13 **MICHAEL MCMILLEN AND JUSTIN MCMILLEN** *(Previously continued by Staff)*
Z-17 **CHUCK GWUDE**
SLUP-2 **THE SAE SCHOOL**
SLUP-3 **ST. BENEDICT’S EPISCOPAL CHURCH, LLC**

HELD CASES

Z-51^{’12} **ARROWHEAD REAL ESTATE PARTNERS, LLC** *(Previously continued by the Planning Commission from their December 4, 2012 and February 5, 2013 hearings, previously held by the Planning Commission from their March 5, 2013 hearing and previously held by the Board of Commissioners from their April 16, 2013 hearing)*
Z-14 **RICHARD DUNCAN** *(Previously held by the Board of Commissioners from their April 16, 2013 hearing)*

WITHDRAWN CASE

Z-20 **LENNAR GEORGIA, INC. – WITHDRAWN WITHOUT PREJUDICE**
LUP-9 **DELORES HARRIS AND RICHARD HARRIS – WITHDRAWN WITHOUT PREJUDICE**

OTHER BUSINESS

ITEM #1

To consider a stipulation amendment for M & R Used Auto Parts, Inc. regarding application SLUP-7 of 2011 (M & R Used Auto Parts, Inc.), for property located on the south side of Huddleston Road in Land Lots 806, 823 and 824 of the 19th District.

ITEM #2

To consider stipulation amendments for Acadia Homes & Neighborhoods, LLC regarding rezoning application Z-157 of 2006 (Johnson/Willis, LLC), for property located on the west side of Spring Hill Parkway, north of Mount Wilkinson Parkway in Land Lot 882 of the 17th District.

ITEM #3

To consider a site plan amendment for Ballantry Homes (Westcobb) Inc. regarding rezoning application Z-54 of 2012 (Ballantry Homes (Westcobb) Inc.), for property located at the southeast intersection of Macland Road and Bankstone Drive in Land Lots 471, 472, 491 and 492 of the 19th District.

ITEM #4

To consider clarifying and amending zoning stipulations relating to Z-28 of 2010 (Greenstreet Properties/ Marthasville Development/ Jamestown Properties), for property located on the easterly and westerly sides of Riverview Road, on the south side of Dickerson Drive, on the north, south and east sides of Nichols Drive, and on the southerly and easterly sides of Armstrong Place in Land Lots 58, 171, 172, 174, 175 and 284 of the 18th District.

COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING *CONSENT* AGENDA
MAY 21, 2013

Rezoning

Z-16 **SAMI NAFISI** (Sam’s Real Estate Holdings–Georgia, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of Remodeling An Existing Convenience Store in Land Lot 310 of the 16th District. Located at the northeast intersection of Shallowford Road and Trickum Road (2375 Shallowford Road). The Planning Commission recommended **approval** of Rezoning to the **NRC** zoning district **subject to:**

- **Site plan received by the Zoning Division on March 6, 2013, with the District Commissioner approving minor modifications (on file in the Zoning Division)**
- **Elevations submitted, with modifications to be approved by the District Commissioner (on file in the Zoning Division)**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations**
- **Owner/developer to enter into a Development Agreement pursuant to §36-71-13 for dedication of system improvements to mitigate traffic concerns**
- **Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing of May 21, 2013**

Z-18 **BABCOCK REALTY GROUP, LLC** (Babcock Realty Group, LLC and Stephens 100, LLC, owners) requesting Rezoning from **LRO With Stipulations** to **LRO With Stipulations** for the purpose of Additional Parking Spaces in Land Lots 525 and 526 of the 16th District. Located at the northwest intersection of Sandy Plains Road and Bryant Lane, and on the south side of Beaver Shop Road. The Planning Commission recommended **approval** of Rezoning to the **LRO with stipulations** zoning district **subject to:**

Z-18 continued on next page

Z-18 BABCOCK REALTY GROUP, LLC (Continued)

- Site Plan received by the Zoning Division March 7, 2013, with the District Commissioner approving minor modifications (on file in the Zoning Division)
- Letter of agreeable conditions from Mr. Garvis L. Sams, Jr., dated April 19, 2013 (on file in the Zoning Division)
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations
- Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns
- Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 21, 2013

Z-19 FC LANDSCAPES, INC. (F. Fernando Chavarria and Rosa Lillianna Chavarria, owners) requesting Rezoning from **R-20** to **GC** for the purpose of a Landscape Business in Land Lot 132, of the 16th District. Located on the south and west sides of Fowler Circle and on the north side of Hill Crest Road, east of Canton Road (1033 and 1037 Hill Crest Road). The Planning Commission recommended **deletion** of Rezoning to the **LI** zoning district **subject to:**

- Site plan received by the Zoning Division March 7, 2013, with the District Commissioner approving minor modifications (on file in the Zoning Division)
- Letter of agreeable conditions from Mr. Garvis L. Sams, Jr., dated April 19, 2013, *not otherwise in conflict* with the Board of Commissioners' decision (on file in the Zoning Division)
- Contemporaneous variances for the LI lot size requirement from 40,000 square feet to 33,821 square feet and the setbacks for the existing buildings as shown on the site plan received by the Zoning Division March 7, 2013
- Applicant to repair the existing chain link fence, repairs to be completed within 30 days of the Board of Commissioners' approval
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations
- Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns
- Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 21, 2013

Land Use Permits

LUP-10 PRAISE TABERNACLE CHURCH, INC. (owner) requesting a **Land Use Permit (Renewal)** for the purpose of Four Mobile Classrooms in Land Lots 956 and 957 of the 19th District. Located on the west side of Hiram Lithia Springs Road, north of Defoors Farm Drive (4052 Hiram Lithia Springs Road). The Planning Commission recommended **approval** of Land Use Permit for **24 months subject to:**

- **Site plan received by the Zoning Division February 14, 2013 (on file in the Zoning Division)**
- **Applicable previous terms and conditions to remain in effect**
- **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 21, 2013**

LUP-12 HEWETT CONSULTING (Thomas C. Hewett and Brenda Hewett, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Business Service (Firearm Refinishing) in Land Lot 834 of the 16th District. Located on the west side of Bill Murdock Road, south of Sewell Mill Road, north of Old College Way (1625 Bill Murdock Road). The Planning Commission recommended **approval** of Land Use Permit for **24 months subject to:**

- **Applicable previous terms and conditions to remain in effect**
- **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 21, 2013**

LUP-13 SARAH C. WELLS (Ralph O. Wells and Sarah C. Wells, owners) requesting a **Land Use Permit** for the purpose of Allowing More Adults And More Vehicles Than County Code Permits in Land Lot 705 of the 19th District. Located on the south side of Pair Road, across from Byers Drive (1101Pair Road). The Planning Commission recommended **deletion** of Rezoning to the **LI** zoning district **subject to:**

LUP-13 SARAH C. WELLS (Continued)

- Site plan received by the Zoning Division March 7, 2013, with the District Commissioner approving minor modifications (on file in the Zoning Division)
- Letter of agreeable conditions from Mr. Garvis L. Sams, Jr., dated April 19, 2013, *not otherwise in conflict* with the Board of Commissioners' decision (on file in the Zoning Division)
- Contemporaneous variances for the LI lot size requirement from 40,000 square feet to 33,821 square feet and the setbacks for the existing buildings as shown on the site plan received by the Zoning Division March 7, 2013
- Applicant to repair the existing chain link fence, repairs to be completed within 30 days of the Board of Commissioners' approval
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations
- Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns
- Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 21, 2013

LUP-14 ROSE CATHERIN (owner) requesting a Land Use Permit for the purpose of Allowing More Adults Than County Code Permits in Land Lot 1244 of the 16th District. Located on the east side of Hazelwood Drive, west of Yancey Drive (1947 Hazelwood Drive). The Planning Commission recommended approval of Land Use Permit for **12 months subject to:**

- Allowance of one additional adult (maximum of three adults)
- Applicant/Owner to maintain property and keep yard clean
- Items located in the screened porch area to be removed
- For sale trailer parked in driveway to be sold/removed within 90 days of the Board of Commissioners' decision
- Vehicles to be parked on hardened surfaces
- No outside storage
- Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 21, 2013

LUP-15 **VIOLET CLARK** (Billy C. Clark and Violet J. Clark, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Beauty Shop in Land Lot 234 of the 17th District. Located on the east side of Gray Road, north of Diane Drive (2985 Gray Road). The Planning Commission recommended **approval** of Land Use Permit for **24 months subject to:**

- **No employees**
- **No signs**
- **No on-street parking**
- **Clients by appointment *only***
- **Applicable previous terms and conditions to remain in effect**
- **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 21, 2013**