
ZONING ANALYSIS

Planning Commission Public Hearing

September 9, 2013

Board of Commissioners' Public Hearing

September 17, 2013

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

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John Pederson, Manager, Zoning Division



Cobb County... Expect the Best!

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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 – September 9, 2013

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-27** **RICHARD DUNCAN** (Frederick C. Apple and Nancy L. Apple, owners) requesting Rezoning from **R-30** to **R-15** for the purpose of a Residential Subdivision in Land Lot 249 of the 16th District. Located on the west side of Wesley Chapel Road, across from Loch Highland Parkway (4025 Wesley Chapel Road). *(Continued by the Planning Commission until their October 1, 2013 hearing; therefore will not be considered at this hearing)*
- Z-43** **ISAKSON LIVING COMMUNITIES, LLC** (Wylene S. Tritt, owner) requesting Rezoning from **R-20** to **CCRC** for the purpose of a Continuing Care Retirement Facility in Land Lots 965 and 966 of the 16th District. Located on the south side of Roswell Road, across from Providence Road and west of Robinson Road (3540 Roswell Road). *(Continued by Staff until the October 1, 2013 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-45** **R. DAVID CLARK AND M. KAY CLARK** (owners) requesting Rezoning from **R-30** to **R-15** for the purpose of a Residential Subdivision in Land Lot 759 of the 16th District. Located on the east side of Oak Forest Circle, northeast of the terminus of Oak Forest Drive, east of Johnson Ferry Road (4040 Oak Forest Circle). *(Previously continued by Staff)*
- Z-49** **PULL-A-PART OF NORTHWEST ATLANTA, LLC** (Word of Faith Christian Center Church, Inc. of Georgia, owner) requesting Rezoning from **LI** and **CRC** to **HI** for the purpose of Do-It-Yourself Used Auto Parts in Land Lots 861 and 916 of the 19th District. Located at the terminus of Tramore Pointe Parkway, northwest of East-West Connector. *(Previously continued by the Planning Commission from their August 6, 2013 hearing)*

SLUP-8 BRILLIANT AUTOMOTIVE, INC. (Sam's Used Parts, Inc., owner) requesting a **Special Land Use Permit** for the purpose of Auto Repair/Auto Broker in Land Lots 37 and 38 of the 17th District. Located at the northwest intersection of Veterans Memorial Highway and Lion's Club Drive, and at the southwesterly intersection of Moss Drive and Lion's Club Drive (700 Veterans Memorial Highway). *(Previously continued by the Planning Commission from their August 6, 2013 hearing)*

SLUP-9 PULL-A-PART OF NORTHWEST ATLANTA, LLC (Word of Faith Christian Center Church, Inc. of Georgia, owner) requesting a **Special Land Use Permit** for the purpose of Do-It-Yourself Used Auto Parts in Land Lots 861 and 916 of the 19th District. Located at the terminus of Tramore Pointe Parkway, northwest of East-West Connector. *(Previously continued by the Planning Commission from their August 6, 2013 hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

Z-51 KENNETH WOOD (John Larimer and Kathleen Larimer, owners) requesting Rezoning from **R-15 with stipulations** to **R-15** for the purpose of a Horse Farm And House in Land Lot 112 of the 17th District. Located on the northwesterly side of Fontaine Road, northeast of Montpelier Drive (446 Fontaine Road).

Z-52 WAFFLE HOUSE, INC. (owner) requesting Rezoning from **O&I** and **GC** to **GC** for the purpose of a Restaurant in Land Lot 851 of the 17th District. Located on the south side of Windy Hill Road, west of Circle 75 Parkway, east of Corporate Plaza (2642 Windy Hill Road).

- Z-53** **WAFFLE HOUSE, INC.** (David B. Mizelle and Dana Mizelle, owners) requesting Rezoning from **NS** to **NRC** for the purpose of a restaurant in Land Lot 85 of the 16th District. Located on the west side of Canton Road, south of Jamerson Road and north of Old Noonday School House Road (4797 Canton Road).
- Z-54** **THE PROVIDENCE GROUP OF GEORGIA, L.L.C.** (Carolyn B. Butler, owner) requesting Rezoning from **R-20** and **R-30** to **R-20** for the purpose of a Single-Family Detached Residential Subdivision in Land Lots 819 and 820 of the 16th District. Located on the east side of Murdock Road, north of Wicks Creek Trail, and at the southern terminus of Angelisa Trail (1790 Murdock Road).
- Z-55** **RIVERVIEW OFFICE, LLC** (Crescent Communities, LLC, owner) requesting Rezoning from **OHR** to **RRC** for the purpose of Mixed Use Development in Land Lots 1014 and 1015 of the 17th District. Located on the east side of Cobb Galleria Parkway, north of the intersection of Cobb Galleria Parkway and Cumberland Boulevard; and on the southwest side of Interstate 75.
- Z-56** **COPPERLEAF PARTNERS, LLC** (Glenn D. Martin and Sherri M. Martin, owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Subdivision in Land Lot 594 of the 16th District. Located at the northwest intersection of Fairview Drive and Piedmont Road, east of Bob Bettis Road (1710 Fairview Drive).
- Z-57** **SOUTHEAST REAL ESTATE ACQUISITIONS, LLC** (M. Linda Mabry of the State of Georgia and County of Bibb, and Carolyn M. Whitney of the State of California and the County of Orange, owners) requesting Rezoning from **O&I** to **R-15** for the purpose of Single Family Homes in Land Lots 107 and 110 of the 16th District. Located on the south side of Sandy Plains Road, west of the intersection of Sandy Plains Road, Alabama Road and Woodstock Road.

Z-58 **DUNCAN LAND INVESTMENTS** (Roberta A. Smith, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Subdivision in Land Lot 594 of the 16th District. Located at the northeast intersection of Piedmont Road and Bob Bettis Road, west and south of Fairview Drive (1675 Piedmont Road).

Land Use Permits

LUP-22 **JAMES R. SIMS** (James R. Sims and Cecile C. Sims, owners) requesting a **Land Use Permit (Renewal)** for the purpose of Parking A Dump truck And Grading Equipment in Land Lots 82 and 151 of the 18th District. Located on the south side of Old Alabama Road, east of Thunderwood Road and west of South Glenn Forest Street (1347 Old Alabama Road).

LUP-23 **MARIE MCCLESKEY** (Christopher Roy McCleskey and Marie Simpson McCleskey, owners) requesting a **Land Use Permit** for the purpose of Portrait Photography in Land Lot 241 of the 16th District. Located on the north side of Arbor Spring Way, east of Arbor Spring Drive (2673 Arbor Spring Way).

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 – September 17, 2013

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 CASES

Z-33 **BLAKE PROPERTIES, INC.** (Estate of Margaret W. Raines, owner) requesting Rezoning from **R-20** and **R-30** to **R-20/OSC** for the purpose of a Single-Family Detached Residential Subdivision in Land Lots 22 and 23 of the 19th District and Land Lots 331 and 332 of the 20th District. Located on the west side of West Sandtown Road, southwest of Dallas Highway, across from Old Dallas Road. *(Previously continued by Staff from the July 8, 2013 Planning Commission from hearing and previously continued by the Board of Commissioners from their August 20, 2013 hearing)*

Z-40 **A. J. REHMANI** (A. J. Rehmani and Ronda Rehmani, owners) requesting Rezoning from **OS** and **PSC** to **GC** for the purpose of Indoor/Outdoor Soccer in Land Lot 109 of the 17th District and Land Lot 41 of the 18th District. Located on the south side of Veterans Memorial Highway, and on the north side of Lee Road, east of Glore Drive, west of Garner Road (381 Veterans Memorial Highway). *(Previously held by the Planning Commission from their July 8, 2013 hearing and previously continued by the Board of Commissioners from their August 20, 2013 hearing)*

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Special Land Use Permits

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HELD CASES

Z-48 **LOT ONE HOMES, INC.** (The Estate of Sam R. Hubbard Sr., Sam R. Hubbard, Jr. Executor, owner) requesting Rezoning from **R-30** to **R-15** for the purpose of Single-Family Residential in Land Lot 32 of the 1st District. Located on the southeasterly side of Mabry Road, north of Huntridge Drive and south of Hedge Sparrow Court (3948 Mabry Road). *(Previously held by the Board of Commissioners from their August 20, 2013 hearing)*

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.”**