
ZONING ANALYSIS

Planning Commission Public Hearing

December 3, 2013

Board of Commissioners' Public Hearing

December 17, 2013

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

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COMMUNITY DEVELOPMENT DEPARTMENT

Robert Hosack, Director, Community Development
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 – December 3, 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-59 **THOMAS HOMES & COMMUNITIES, LLC** (The Estate of Elmo Lovinggood, Linda Pruett, Executrix, owner) requesting Rezoning from **R-20** to **RSL** for the purpose of Residential Senior Living in Land Lot 669 of the 16th District. Located on the west side of East Piedmont Road, north of Fairport Way, and at the terminus of Pinkney Drive (2316 Pinkney Drive). *(Previously held by the Planning Commission from their October 1, 2013 hearing and previously continued by Staff until the December 3, 2013 Planning Commission hearing)*

Z-62 **WADE COOTS COMPANY** (Coots Family Properties, LLC, Series 7, owner) requesting Rezoning from **GC, CF** and **R-20** to **HI** for the purpose of a Contracting Company in Land Lots 505, 506 and 595 of the 18th District. Located on the northwest side of Six Flags Parkway and southwest side of Hillcrest Drive; north of Six Flags Drive (298 Six Flags Parkway). *(Previously continued by Staff until the December 3, 2013 Planning Commission hearing)*

Z-63 **DUNCAN LAND INVESTMENTS** (Terry R. and Michael S. Palmer, owners) requesting Rezoning from **R-20** to **R-15/OSC** for the purpose of a Subdivision in Land Lots 308 and 341 of the 16th District. Located on the north and south sides of Blackwell Road; southwest of Wenlok Trail and east of Carter Valley Drive (1982 Blackwell Road). *(Previously continued by Staff until the December 3, 2013 Planning Commission hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

Z-66 **VICTOR NWALA NGON** (owner) requesting Rezoning from **GC** to **NRC** for the purpose of a Tire Store in Land Lots 701 and 702 of the 19th District. Located on the east side of Austell Road, north of Byers Drive (3077 Austell Road).

- Z-67** **CHURCH OFFICE PARTNERS, LLC** (owner) requesting Rezoning from **LI** to **LRO** for the purpose of an Office in Land Lot 824 of the 17th District. Located at the northwest intersection of Church Road and North Church Lane (2445 Church Road).
- Z-68** **ROSEBRIAR PARTNERSHIP, LLLP** (Rosebriar Court Apartments, owner) requesting Rezoning from **RM-12** to **NRC** for the purpose of a Restaurant and Store in Land Lot 1057 of the 17th District. Located on the southeast side of Akers Mill Road, south of Powers Ferry Road (2243 Akers Mill Road).
- Z-69** **BK PROPERTIES, LP** (owner) requesting Rezoning from **OS, O&I, R-20** and **NS** to **RM-8** for the purpose of Low Density/Multi-Family Homes in Land Lots 437, 438, 439, 498, 499, 500, 510 and 511 of the 16th District. Located on the south side of Big Shanty Road, east side of Chastain Meadows Parkway, and west side of Bells Ferry Road (73 Big Shanty Road).
- Z-70** **SOVANNARY ROUN** (owner) requesting Rezoning from **R-20** to **HI** for the purpose of Truck and Auto Repair in Land Lot 589 of the 18th District. Located on the east side of Factory Shoals Road, south of Six Flags Drive (7249 Factory Shoals Road).
- Z-71** **PEACHSTONE, LLC** (Peachstone, LLC; Fireplace Funding, LLC; Summerhill Holdings, LLC; Lenox Personal Care, LLC; Marietta Summerhill Property, LLC; Dianand Pitamber, and Renita Pitamber, owners) requesting Rezoning from **O&I** to **RSL** for the purpose of Residential Senior Living in Land Lot 133 of the 17th District. Located on the north side of Austell Road, and the south side of Cunningham Road. **WITHDRAWN WITHOUT PREJUDICE**
- Z-72** **THE RYLAND GROUP, LLC** (Willoughby & Sewell Development, Ltd.; A. Lee Brand, Jr.; Janella S. Brand; and Jennifer B. Gruber, owners) requesting Rezoning from **R-30** and **R-20** to **R-20** for the purpose of Single-Family Residential in Land Lots 39, 40 and 76 of the 20th District. Located on the southeast side of Cedarcrest Road, and the west side of Old Dallas Acworth Road.

- Z-73** **TV HOLDINGS, LLC** (owner) requesting Rezoning from **R-20** to **PVC** for the purpose of Residential Units and Site Plan Amendment in Land Lots 501 and 508 of the 16th District. Located on the south side of Big Shanty Road, on the east side of George Busbee Parkway, and on the south and east sides of Hidden Forest Court.

Land Use Permits

- LUP-33** **HOLY FAMILY CATHOLIC CHURCH** (Thomas A. Donnellan, as Archbishop of the Roman Catholic Archdiocese of Atlanta and his successors in office, owner) requesting a **Land Use Permit (Renewal)** for the purpose of Operating a Preschool in Land Lot 1196 of the 16th District. Located on the north side of Lower Roswell Road and the east side of Pinehurst Lane, west of Peppertree Court (3401 Lower Roswell Road).

Special Land Use Permits

- SLUP-12** **RETEL BROKERAGE SERVICES, INC.** (GBW Investment Partners, L.L.L.P., owner) requesting a **Special Land Use Permit** for the purpose of a Wireless Communication Tower and Antenna in Land Lot 94 of the 17th District. Located on the west and north sides of Hurt Road, west of Alexander Place (448 Hurt Road).
- SLUP-13** **PEGASUS TOWER COMPANY, LLC** (Carter T. Samples, Jr. and Mildred B. Samples, owners) requesting a **Special Land Use Permit** for the purpose of a New 130 Foot Monopole Telecommunications Tower in Land Lots 406 and 497 of the 18th District. Located at the northwest intersection of Mableton Parkway and Queen Mill Road. *(Continued by Staff; therefore will not be considered at this hearing)*
- SLUP-14** **MUNICIPAL COMMUNICATIONS, LLC, AND DR. J ENTERPRISES, LLC** (Hurt Road Baptist Church, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Wireless Communication Tower and Antennas in Land Lots 195 and 238 of the 17th District. Located on the south side of Hurt Road, west of Marcela Drive (17 Hurt Road). *(Continued by Staff; therefore will not be considered at this hearing)*

SLUP-15 CHILDRESS KLEIN PROPERTIES, INC. (Cousins Properties Incorporated, owner) requesting a **Special Land Use Permit** for the purpose of a Self-Storage Facility in Land Lot 1008 of the 17th District. Located at the northeast intersection of Powers Ferry Road and Windy Ridge Parkway.

OTHER BUSINESS

Adoption of Resolution for establishment of dates, time and place of the Planning Commission Regular Meetings for 2014.

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 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-64 **POPE & LAND ENTERPRISES, INC.** (CBL Investors, LLC, and City View Holdings, L.P., owners) requesting Rezoning from **O&I** and **RSL** to **UVC** for the purpose of a Mixed-Use Community in Land Lots 977, 1015 and 1016 of the 17th District. Located at the southwest intersection of Cumberland Boulevard and Cobb Parkway A/K/A Highway 41. *(Previously continued by the Board of Commissioners from their November 19, 2013 hearing)*

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HELD CASES

- LUP-27 CYNTHIA WEBSTER** (Cynthia Couchman, F/K/A Cynthia Webster, owner) requesting a **Land Use Permit** for the purpose of Allowing More Unrelated Adults than the County Code Permits in Land Lot 330 of the 16th District. Located on the south side of Allpoint Drive, north side of Wesley Chapel Road; northeasterly of the intersection of Allpoint Drive and Wesley Chapel Road (3616 Allpoint Drive). *(Held by the Board of Commissioners from their November 19, 2013 hearing until their February 18, 2014 hearing; therefore will not be considered at this hearing)*
- LUP-29 SCOTT OLSCHANSKY** (Scott M. Olschansky, owner) requesting a **Land Use Permit** for the purpose of Allowing More Unrelated Adults than the County Code Permits in Land Lot 810 of the 16th District. Located on the east side of Holcomb Lake Road, east of Wingard Drive (1692 Holcomb Lake Road). *(Held by the Board of Commissioners from their November 19, 2013 hearing until their February 18, 2014 hearing; therefore will not be considered at this hearing)*

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