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# ZONING ANALYSIS

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## Planning Commission Public Hearing

March 4, 2014

## Board of Commissioners' Public Hearing

March 18, 2014

Prepared by:  
COBB COUNTY  
PLANNING AND ZONING DIVISIONS

***COBB COUNTY BOARD OF COMMISSIONERS***

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***COBB COUNTY ZONING DIVISION***  
***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 – March 4, 2014**

**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-72<sup>'13</sup>**     **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 20<sup>th</sup> District. Located on the southeast side of Cedarcrest Road, and the west side of Old Dallas Acworth Road. *(Continued by the Planning Commission until their April 1, 2014 hearing; therefore will not be considered at this hearing)*
- Z-1**            **GALAXY PROPERTIES & INVESTMENT, INC.** (Mohammed Llyas and Muzzamil Ghaffar, owners) requesting Rezoning from **PSC** and **GC** to **LI** for the purpose of a Warehouse in Land Lot 109 of the 17<sup>th</sup> District and Land Lots 40 and 41 of the 18<sup>th</sup> District. Located on the southwest side of Veterans Memorial Highway and on the east side of Glore Drive (429 Veterans Memorial Highway). *(Previously continued by the Planning Commission from their February 4, 2014 hearing)*
- Z-2**            **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 16<sup>th</sup> 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 May 6, 2014 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-7**            **RL MABLETON, LLC** (Ken A. Harbaugh, owner) requesting Rezoning from **GC** and **LI** to **LI** for the purpose of Landscape Contractor Offices with Repair Shop and Vehicle Repair in Land Lots 498 and 499 of the 18<sup>th</sup> District. Located on the northeast side of Mableton Parkway, between Hunnicut Road and Discovery Boulevard (7013 and 7015 Mableton Parkway). *(Continued by Staff; therefore will not be considered at this hearing)*



**SLUP-13<sup>13</sup> 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 18<sup>th</sup> District. Located at the northwest intersection of Mableton Parkway and Queen Mill Road. *(Continued by Staff; therefore will not be considered at this hearing)*

## **REGULAR CASES --- NEW BUSINESS**

### **Rezoning**

**Z-9 QUIK TRIP CORPORATION** (GEC Atlanta, LLC; Tu Phat Chau; Irene Chan; and Scoggins LP, owners) requesting Rezoning from **GC, NRC and R-20** to **CRC** for the purpose of a Convenience Store with Fuel Sales in Land Lot 55 of the 20<sup>th</sup> District. Located at the northwest intersection of Wade Green Road and Hickory Grove Road, and southeast side of Hickory Grove Place (4443 and 4455 Wade Green Road; and 1521, 1531 and 1541 Hickory Grove Place).

**Z-10 PEACHSTONE, LLC** (Peachstone, LLC; Summerhill Holdings, LLC; Marietta Summerhill Property, LLC; Lenox Personal Care, LLC; Fireplace Funding, LLC; and Dianand Pitamber and Renita Pitamber, owners) requesting Rezoning from **O&I** to **O&I** and **RSL** for the purpose of a Residential Senior Living Community in Land Lot 133 of the 17<sup>th</sup> District. Located on the north side of Austell Road, and the south side of Cunningham Road.

**Z-11 W & H INVESTMENTS, LLC** (Estate of Oliver M. Bridges, owner) requesting Rezoning from **R-20** to **R-15/OSC** for the purpose of a Residential Subdivision in Land Lots 20 and 21 of the 17<sup>th</sup> District. Located on the east side of Hicks Road, south of Pioneer Trail (3275 Hicks Road).

**Z-12 DUNCAN LAND INVESTMENTS, LLC** (Jacqueline J. Stroud and Elois Auito, owners) requesting Rezoning from **R-20** and **R-30** to **R-15** for the purpose of a Residential Subdivision in Land Lot 114 of the 16<sup>th</sup> District. Located on the north side of Mountain Road, west of Outlook Place, east of Outlook Drive (3665 and 3675 Mountain Road).

### Land Use Permits

- LUP-9**      **CELENE B. HERNANDEZ** (owner) requesting a **Land Use Permit** for the purpose of Allowing More Unrelated Adults And More Vehicles Than County Code Permits in Land Lot 155 of the 17<sup>th</sup> District. Located on the southeast side of Austell Road, northeast of Austell Circle (1877 Austell Road).
- LUP-10**     **MARSHA SOUDERS** (Robert S. Souders, owner) requesting a **Land Use Permit** for the purpose of Parking Equipment for Landscape Business in Land Lot 803 of the 16<sup>th</sup> District. Located on the southwest side of Mitchell Drive, west of Canton Road (650 Mitchell Drive).
- LUP-11**     **PAUL A. STAMEY-LUCAS** (owner) requesting a **Land Use Permit** for the purpose of a Personal Care Home in Land Lot 50 of the 17<sup>th</sup> District. Located on the north side of Hurt Road, east of Fred Walker Drive (688 Hurt Road).
- LUP-12**     **RACHEL D. NADDOR** (Mirrine Sue Trettel, owner) requesting a **Land Use Permit** for the purpose of a Group Home in Land Lot 609 of the 19<sup>th</sup> District. Located on the west side of Old Villa Rica Road, north of Glenn Road (2832 Old Villa Rica Road). **WITHDRAWN WITHOUT PREJUDICE**

### Special Land Use Permits

- SLUP-3**     **BCL-ATLANTA, LLC** (owner) requesting a **Special Land Use Permit** for the purpose of Battery Manufacturing in Land Lots 778, 788 and 789 of the 18<sup>th</sup> District. Located on the southwest side of Troon Circle, and the northwest side of Riverside Parkway (7905 Troon Circle).

### HELD CASES

- Z-66**<sup>'13</sup>     **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 19<sup>th</sup> District. Located on the east side of Austell Road, north of Byers Drive (3077 Austell Road). *(Previously held by the Planning Commission from their December 3, 2013 and February 4, 2014 hearings)*

**SLUP-2**     **AMERICAN AUTO SALES, LLC** (Hector Recinos, owner) requesting a **Special Land Use Permit** for the purpose of Used Car Sales in Land Lot 34 of the 18<sup>th</sup> District. Located on the south side of Veterans Memorial Highway; west of Powell Drive (1415 Veterans Memorial Highway). *(Previously held by the Planning Commission from their February 4, 2014 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.”**

**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Board of Commissioners – March 18, 2014**

*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**

**LUP-29<sup>'13</sup>** **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 16<sup>th</sup> District. Located on the east side of Holcomb Lake Road, east of Wingard Drive (1692 Holcomb Lake Road). *(Previously held by the Board of Commissioners from their November 19, 2013 hearing until their February 18, 2014 hearing and previously continued by Staff from the February 18, 2014 Board of Commissioners hearing)*

**REGULAR CASES --- NEW BUSINESS**

**Rezoning**

**Z-66<sup>'13</sup>** **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 19<sup>th</sup> District. Located on the east side of Austell Road, north of Byers Drive (3077 Austell Road). *(Previously held by the Planning Commission from their December 3, 2013 and February 4, 2014 hearings)*

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- Z-4 NORTHLAKE STORAGE, LLC** (San-Har, Inc., owner) requesting Rezoning from **OMR** to **O&I with Stipulations** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 919 and 920 of the 17<sup>th</sup> District. Located at the northwest intersection of Windy Hill Road and Spectrum Circle. *(Previously continued by Staff from the February 18, 2014 Board of Commissioners hearing)*
- Z-7 RL MABLETON, LLC** (Ken A. Harbaugh, owner) requesting Rezoning from **GC** and **LI** to **LI** for the purpose of Landscape Contractor Offices with Repair Shop and Vehicle Repair in Land Lots 498 and 499 of the 18<sup>th</sup> District. Located on the northeast side of Mableton Parkway, between Hunnicut Road and Discovery Boulevard (7013 and 7015 Mableton Parkway). *(Continued by Staff; therefore will not be considered at this hearing)*
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**HELD CASES**

**SLUP-12<sup>'13</sup> 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 17<sup>th</sup> District. Located on the west and north sides of Hurt Road, west of Alexander Place (448 Hurt Road). *(Previously held by the Board of Commissioners from their December 17, 2013 and February 18, 2014 hearings)*

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