

COBB COUNTY BOARD OF COMMISSIONERS

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

Rob Hosack, Director, Community Development
John Pederson, Manager, Zoning Division

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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 3, 2015

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-2**^{'14} **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). *(Previously continued by Staff until the November 4, 2014 Planning Commission hearing and previously held by the Planning Commission from their November 4, 2014 hearing. Previously continued by Staff until the March 3, 2015 Planning Commission Hearing)*
- Z-86**^{'14} **ZERO ONE, LLC** (owner) requesting Rezoning from **R-15** to **RA-5** for the purpose of a Single-Family Subdivision in Land Lots 82 and 151 of the 18th District. Located on the south side of Old Alabama Road, west of South Glenn Forest Street, and at the western end of Angelia Drive. *(Previously continued by the Planning Commission from their December 2, 2014 and February 3, 2015 hearings)*
- Z-1** **FORESTAR (USA) REAL ESTATE GROUP, INC.** (Estate of Leona Hall Price f/k/a Leona Hall Johnson, Debra B. Landers, Shirley June Fuller, and Margaret P. Glenn, owners) requesting Rezoning from **R-20/OSC** and **R-30** to **R-15/OSC** for the purpose of a Residential Subdivision in Land Lots 186 and 195 of the 20th District. Located on the west side of Mars Hill Road, south of Camden Lake Parkway. *(Previously continued by the Planning Commission from their February 3, 2015 hearing)*

- Z-8** **WINDSONG PROPERTIES** (Living Hope Lutheran Church, Inc., and Merl C. Reece, owners) requesting Rezoning from **R-30** to **RSL** for the purpose of a Residential Senior Living Neighborhood in Land Lots 200 and 201 of the 20th District. Located on the north side of Stilesboro Road, west of Mack Dobbs Road. *(Held by the Planning Commission from their February 3, 2015 hearing and continued by Staff until the April 7, 2015 Planning Commission hearing; therefore will not be considered at this hearing)*
- Z-11** **DESTINY DEVELOPMENT CORPORATION** (Richard L. Yancey, owner) requesting Rezoning from **R-80** to **R-40** for the purpose of a Second Single-Family Lot in Land Lot 1001 of the 17th District. Located north of the terminus of Timberland Drive, north of Hallmark Drive (1070 Timberland Drive). *(Previously continued by the Planning Commission from their February 3, 2015 hearing)*
- Z-12** **MICHAEL B. KENNEDY** (Michael Kennedy, owner) requesting Rezoning from **R-20** to **FST** for the purpose of Townhouses in Land Lots 96 and 121 of the 17th District. Located on the east side of South Hurt Road, across from Donna Drive (3865 South Hurt Road). *(Previously continued by the Planning Commission from their February 3, 2015 hearing)*
- Z-16** **GEORGIA KIDS PROJECT, LLC** (Due to individual parcels, a complete list of titleholders is available in the Zoning office) requesting Rezoning from **R-20** to **CRC** and **RSL** for the purpose of Indoor/Outdoor Recreation and Residential Senior Living in Land Lots 284 and 285 of the 16th District. Located on the east and west sides of Bells Ferry Road, north and south sides of North Booth Road, at the southeast intersection of Bells Ferry Road and Heck Road, and on the southeasterly side of I-575. *(Previously continued by Staff until the March 3, 2015 Planning Commission hearing)* **WITHDRAWN WITHOUT PREJUDICE**
- Z-17** **E-ROCK DEVELOPMENT, LLC** (Melonee Bates and Petrelia Lawhorn, owners) requesting Rezoning from **R-30** to **R-15** for the purpose of Single-Family Residential in Land Lot 28 of the 1st District. Located on the northwesterly side of Childers Road, south of Monet Drive (3383 Childers Road). *(Previously continued by Staff until the March 3, 2015 Planning Commission hearing)*

- Z-20** **BK PROPERTIES, LP** (owner) requesting Rezoning from **O&I, NS** and **R-20** to **OS** for the purpose of Office and Warehouse Distribution in Land Lots 498, 499, 510, and 511 of the 16th District. Located on the northeasterly side of Chastain Meadows Parkway, and the westerly side of Bells Ferry Road, south of Big Shanty Road. *(Previously continued by Staff until the March 3, 2015 Planning Commission hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-23** **WINDSONG PROPERTIES, LLC** (Sallie B. Davenport, North Star Investors, and Mollie Times, LLC, owners) requesting Rezoning from **R-30** to **RSL** for the purpose of Non-Supportive Residential Senior Living in Land Lots 381 and 382 of the 19th District. Located on the east side of Bullard Road, north of Macland Road, and on the north side of Biscayne Circle.
- Z-24** **WILLIAMSON PROPERTIES, LLC** (owner) requesting Rezoning from **NS** to **NRC** for the purpose of Retail in Land Lot 660 of the 16th District. Located on the east side of Canton Road, south of Liberty Hill Road (2316 Canton Road).
- Z-25** **1965 N. PARK PLACE HOLDINGS, LLC** (Kolodkin Family, L.P., a Georgia Limited Partnership, owner) requesting Rezoning from **O&I** and **CF** to **O&I** for the purpose of Medical Offices in Land Lot 804 of the 17th District. Located on the northwest side of North Park Place, north of Windy Hill Road (1965 North Park Place).
- Z-26** **JAMES BEVERIDGE** (The Board of Trustees of the Mount Zion United Methodist Church and Johnson Ferry Holdings, LLC, owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Single-Family Residential in Land Lots 827 and 830 of the 16th District. Located on the east side of Johnson Ferry Road, south of Bishop Lake Road (1668 Johnson Ferry Road).

- Z-27** **LYNWOOD DEVELOPMENT GROUP, LLC** (BSD Power II, LLC and Park Point Land, LLC, owners) requesting Rezoning from **OHR** to **UC** for the purpose of Urban Condominiums in Land Lots 985 and 1008 of the 17th District. Located at the southwest intersection of Powers Ferry Road and Windy Ridge Parkway.

Land Use Permits

- LUP-7** **ONE WORLD SPIRITUAL CENTER** (Northwest Christian Church, Inc., owner) requesting a **Land Use Permit (Renewal)** for the purpose of Childcare in Land Lots 390 and 391 of the 16th District. Located at the north intersection of Shallowford Road and Wesley Chapel Road, and on the south side of Fricks Road (3535 Shallowford Road).

Special Land Use Permits

- SLUP-4** **1965 N. PARK PLACE HOLDINGS, LLC** (Kolodkin Family, L.P, a Georgia Limited Partnership, owner) requesting a **Special Land Use Permit** for the purpose of a Mobile MRI (Magnetic Resonance Imaging) Unit in Land Lot 804 of the 17th District. Located on the northwest side of North Park Place, north of Windy Hill Road (1965 North Park Place). **WITHDRAWN WITHOUT PREJUDICE**

HELD CASES

- Z-9** **PIEDMONT LAND GROUP OF GEORGIA 2, LLC** (Charles C. Tinsley, Sr., owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Single-Family Detached Residential Subdivision in Land Lots 694, 695 and 713 of the 19th District. Located on the east side of Powder Springs Road, south of Pair Road (2375 Powder Springs Road). *(Previously held by the Planning Commission from their February 3, 2015 hearing)*

Z-10 **CORNERSTONE ASSOCIATES, INC.** (Dr. Rahul Saraf, owner) requesting Rezoning from **CRC** and **HI** to **RM-8** for the purpose of Townhouses in Land Lots 934 and 935 of the 16th District. Located on the north side of Old 41 Highway, at the terminus of Kennesaw Avenue (1718 Old 41 Highway). *(Previously held by the Planning Commission from their February 3, 2015 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 17, 2015

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-90**¹⁴ **MAGELLAN PIPELINE COMPANY, LP** (Colonial Pipeline Company, owner) requesting Rezoning from **GC, HI** and **R-20** to **HI** for the purpose of Petroleum Operations in Land Lots 839 and 864 of the 19th District. Located on the west side of Anderson Farm Road, south of Powder Springs Road, on the northerly side of Ewing Road, at the terminus of Elm Street, and at the terminus of Ash Street. *(Previously continued by Staff until the February 17, 2015 Board of Commissioners hearing and previously continued by the Board of Commissioners from their February 17, 2015 hearing)*
- Z-5** **WENDELL L. FOWLER** (owner) requesting Rezoning from **GC** to **NRC** for the purpose of an Auto Mechanic Shop in Land Lot 147 of the 18th District. Located on the north side of Old Alabama Road, east of South Gordon Road (1884 Old Alabama Road). *(Previously continued by the Board of Commissioners from their February 17, 2015 hearing)*
- Z-15** **MARIA FIORILLO** (Scott A. Dameron and James L. Dameron III, owners) requesting Rezoning from **R-20** to **O&I** for the purpose of a Veterinary Hospital in Land Lots 167 and 179 of the 18th District. Located on the south side of Veterans Memorial Highway, west of Nickajack Creek (1092 Veterans Memorial Highway). *(Previously continued by the Board of Commissioners from their February 17, 2015 hearing)*
- LUP-37**¹⁴ **BONNIE PHILLIPS** (owner) requesting a **Land Use Permit (Renewal)** for the purpose of Weddings and Receptions in Land Lots 572 and 613 of the 19th District. Located on the northwesterly side of John Petree Road, south of Macland Road (2684 John Petree Road). *(Previously continued by Staff until the February 17, 2015 Board of Commissioners hearing and previously continued by the Board of Commissioners from their February 17, 2015 hearing)*

SLUP-22^{'14} **MAGELLAN PIPELINE COMPANY, LP** (Colonial Pipeline Company, owner) requesting a **Special Land Use Permit** for the purpose of Complementing Area Petroleum Operations and Enhancing Gasoline Supply in Land Lots 839 and 864 of the 19th District. Located on the west side of Anderson Farm Road, south of Powder Springs Road, on the northerly side of Ewing Road, at the terminus of Elm Street, and at the terminus of Ash Street. *(Previously continued by Staff until the February 17, 2015 Board of Commissioners hearing and previously continued by the Board of Commissioners from their February 17, 2015 hearing)*

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HELD CASES

Z-22 BUTLER BROTHERS TIRE COMPANY (M.A.T. Investments, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of Automotive and Related Retail Uses and Used Auto Sales in Land Lot 1080 of the 19th District. Located on the easterly side of Austell Road, on the north side of Roberta Circle Extension, on the westerly side of Roberta Circle, and on the north, south, east and west sides of Stallion Parkway (4071 Austell Road). *(Previously held by the Planning Commission from their February 3, 2015 hearing)*

SLUP-3 BUTLER BROTHERS TIRE COMPANY (M.A.T. Investments, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a Used Auto Dealer in Land Lot 1080 of the 19th District. Located on the easterly side of Austell Road, on the north side of Roberta Circle Extension, on the westerly side of Roberta Circle, and on the north, south, east and west sides of Stallion Parkway (4071 Austell Road). *(Previously held by the Planning Commission from their February 3, 2015 hearing)*

OTHER BUSINESS

ITEM OB-35 (2014)

To consider amending the stipulations for the North Atlanta Soccer Association regarding Special Land Use Permit application LUP-3 of 1990 (Metro North Youth Soccer Association, Inc.), for property located on the north side of Paper Mill Road, west of Johnson Ferry Road in Land Lots 5, 6, 73 of the 1st District. *(Previously continued by Staff from the July 15, 2014, August 19, 2014, September 16, 2014, October 21, 2014, November 18, 2014 and December 16, 2014 Board of Commissioners hearings and previously continued by the Board of Commissioners from their February 17, 2015 hearing)*

ITEM OB-07

To clarify and give Staff direction for Rivers Call subdivision regarding rezoning application Z-39 of 1999 (Cousins Properties, Inc.) for property located on the northeastern side of Wildwood Parkway, and at the intersection of Rivers Call Boulevard and High Trail in Land Lots 1004, 1005, 1036 and 1037 of the 17th District.

ITEM OB-08

To consider amending the zoning stipulations for Sam Baskin, Jr. regarding rezoning application Z-32 of 2011 (Sam Baskin, Jr.), for property located on the northwest side of Austell Road, northeast of Chamberlain Circle in Land Lot 85 of the 17th District.

ITEM OB-09

To consider amending the rezoning stipulations for The Providence Group of Georgia Custom Homes, LLC regarding rezoning application Z-24 (Cotter Properties & Development, LLC) of 2013 and Z-41 (Walton Communities, LLC) of 2011, for property located on the westerly side of Spring Hill Parkway, near Mt. Wilkerson Parkway and at the eastern terminus of Vista Way in Land Lots 772, 812, 813, 843 and 844 of the 17th District.

ITEM OB-10

To consider amending the zoning stipulations for Black Builders, LLC regarding rezoning application Z-33 of 2013 (Blake Properties, Inc.), for property located on the west side of West Sandtown Road, southwest of Dallas Highway in Land Lots 22 & 23 of the 19th District, and Land Lots 331 & 332 of the 20th District.

ITEM OB-11

To consider amending the site plan for Kevin Casebier regarding rezoning application Z-77 of 2014 (Kevin Casebier C/O Shamrock Shell, LLC), for property located at the southeast intersection of Shallowford Road and Trickum Road in Land Lots 338 and 339 of the 16th District.

ITEM OB-12

To consider amending the zoning stipulations for Rocklyn Homes, Inc. regarding rezoning application Z-61 (Talley Development) of 2006, for property located on the east side of Veterans Memorial Highway, west of Buckner Road in Land Lots 68 and 69 of the 18th District.

ITEM OB-13

To consider amending the site plan and the stipulations for CRP Oakmont Hartman Road, LLC regarding rezoning application Z-16 of 2014 (CRP Oakmont Hartman Road, LLC), for property located on the northeast side of White Road, south of Factory Shoals Road in Land Lots 684 and 702 of the 18th District.

ITEM OB-14

To consider amending the site plan and the stipulations for O'Dwyer Properties, LLC regarding rezoning application Z-35 of 2014 (O'Dwyer Properties, LLC), for property located on the northeast side of Jamerson Road, west of Wigley Road in Land Lots 48 and 97 of the 16th District.

ITEM OB-15

To consider amending the site plan for Concordia Properties, LLC regarding rezoning application Z-37 of 1983 (Johnson Ferry Investors, Inc.), for property located on the south side of Olde Towne Parkway, east of Johnson Ferry Road Land Lot 86 of the 1st District.

ITEM OB-16

To consider a site plan approval for JM Williams and Geoff Sullivan regarding rezoning application Z-7 of 2011 (Rooms To Go), for property located at the north side of Ernest Barrett Parkway and on the south side of Auto Park Drive, in Land Lots 172, 173 and 209 of the 20th District.

ITEM OB-17

To consider granting a Special Exception for backyard chickens as recommended by the Board of Zoning Appeals from their February 11, 2015 Variance Hearing regarding Variance Application:

ITEM OB-18

To consider amending the site plan and the stipulations for Wooten Lake, LLC regarding rezoning application Z-88 of 2014 (Wooten Lake, LLC), for property located on the north side of Wooten Lake Road, west of Shiloh Road in Land Lot 57 of the 20th District.

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.”