
ZONING ANALYSIS

Planning Commission Public Hearing

May 5, 2015

Board of Commissioners' Public Hearing

May 19, 2015

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

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

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.

A G E N D A S

COBB COUNTY
ZONING HEARING AGENDA
Planning Commission – May 5, 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-86¹⁴** **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 and previously continued by Staff until the May 5, 2015 Planning Commission hearing)*
- 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 and previously continued by the Planning Commission from their March 3, 2015 and April 7, 2015 hearings)*
- Z-34** **THOMAS HOMES & COMMUNITIES, LLC** (Sue B. McDonald, Barry G. Abernathy and Deborah S. Abernathy, owners) requesting Rezoning from **R-20** and **R-80** to **RSL** for the purpose of Residential Senior Living (Nonsupportive) in Land Lots 291 and 318 of the 20th District. Located on the northwest side of Ernest Barrett Parkway, south of Burnt Hickory Road, and on the north side of Tuxedo Lane (2952 Ernest Barrett Parkway). *(Previously continued by Staff from the April 7, 2015 Planning Commission Hearing)*
- Z-36** **HERLINDA M. BOTELLO** (owner) requesting Rezoning from **GC** to **LRO** for the purpose of an Office in Land Lot 767 of the 19th District. Located on the north side of Hurt Road, east of Powder Springs Road (2400 Hurt Road). *(Previously continued by the Planning Commission from their April 7, 2015 hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-40** **SEVEN STAR VENTURES, LLC** (owner) requesting Rezoning from **GC** to **UVC** for the purpose of Mixed-Use Development Consisting of Office, Retail and Residential in Land Lot 94 of the 20th District. Located at the southwest intersection of George Busbee Parkway and Frey Road, and on the northeasterly side of I-75.
- Z-41** **THE KROGER COMPANY** (Sears, Roebuck and Co., owner) requesting Rezoning from **PSC** to **RRC** for the purpose of a Grocery Store and Fuel Center in Land Lots 912, 913, 948 and 949 of the 17th District. Located on the south side of Cobb Parkway, west side of Akers Mill Road, and the north side of Cumberland Boulevard (2940 Cobb Parkway).
- Z-42** **COLUMBIA PROPERTIES CAPITAL 1 LLC** (Susan L. Wright as Executrix of the Last Will and Testament of Ann L. Brown, Melissa M. McLendon, Harold Leslie McLendon, Jr., Donny Clark, John B. Dierkes and Deborah M. Dierkes, owners) requesting Rezoning from **LRO** and **R-20** to **NRC** for the purpose of a Retail Shopping Center in Land Lot 334 of the 20th District. Located on the south side of Dallas Highway, and westerly side of Casteel Road.
- Z-43** **MOHAMMED OSMAN** (owner) requesting Rezoning from **CF** to **GC** for the purpose of a Retail Business in Land Lot 1155 of the 19th District. Located on the westerly side of Austell Road, south of Clay Road, north of Doby Lane.
- Z-44** **621 PROPERTY INVESTMENTS, LLC** (Equity Trust Company Custodian FBO 85034 IRA, owner) requesting Rezoning from **R-20** to **LRO** for the purpose of Offices in Land Lot 332 of the 20th District. Located on the north side of Dallas Highway, east of Bob Cox Road.
- Z-45** **MCRE MAGNOLIA ESTATES, LP** (owner) requesting Rezoning from **NS** to **NRC** for the purpose of a Eating and Drinking Establishment in Land Lot 1214 of the 19th District. Located on the west side of Austell Road, north of Perkerson Mill Road (5150 Austell Road).

- Z-46** **CHILDREN'S HEALTHCARE OF ATLANTA, INC.** (owner) requesting Rezoning from **GC with Stipulations** to **GC** for the purpose of Expanding an Existing Medical Clinic in Land Lots 503 and 506 of the 16th District. Located on the south side of Big Shanty Road, east side of I-75, west of George Busbee Parkway (3005 George Busbee Parkway).
- Z-47** **ROBERT NEAL CASTLEBERRY** (Clarit Realty, LTD, owner) requesting Rezoning from **CF** to **GC** for the purpose of Business Retail in Land Lot 300 of the 17th District. Located at the southwest intersection of South Cobb Drive and Dink Lane (2022 South Cobb Drive).
- Z-48** **GREERS CHAPEL BAPTIST CHURCH** (Edward Ingram, Doyle Knight, Lee Lawson, James Owenby, Richard Payne, and Jerry Rucker, as Deacons of Greers Chapel Baptist Church, owner) requesting Rezoning from **R-20** to **O&I** for the purpose of a Church with a New LED Sign in Land Lots 208 and 209 of the 20th District. Located at the intersection of Greers Chapel Road and Quarry Road (1848 Greers Chapel Road).

Land Use Permits

- LUP-10** **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).
- LUP-11** **JOSE URESTI** (owner) requesting a **Land Use Permit** for the purpose of Allowing More Vehicles Than County Code Permits in Land Lot 1149 of the 19th District. Located on the southeasterly side of LaFayette Drive, across from Concord Ridge Drive (1181 LaFayette Drive).
- LUP-12** **MARLENE GRAHAM** (Marlene Graham and Clenton Dayes, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Personal Care Home For Six Clients in Land Lot 561 of the 16th District. Located on the easterly side of Piedmont Road, north of Shaw Road (1371 Piedmont Road).

- LUP-13** **STILL FAMILY FARM, LLC** (Glenn C. Still, owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Corn Maze and Agritourism Destination in Land Lot 439 of the 19th District. Located on the north side of Macland Road, west of Florence Road (5630 Macland Road).
- LUP-14** **BRANDY HIPPS** (Lauri A. Goode, owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Hair Salon in Land Lots 1246 and 1271 of the 19th District. Located on the west side of Sammy Drive, north of Ruth Lane, south of Norma Lane (4601 Sammy Drive and 4803 Norma Lane).
- LUP-15** **LOST MOUNTAIN DOG TRAINING, LLC** (Gayle Lee Richards, owner) requesting a **Land Use Permit** for the purpose of Dog Training in Land Lot 154 of the 19th District. Located on the north side of Pickens Road, west of Davenport Circle (5676 Pickens Road).

HELD CASES

- Z-29** **PROVINCE HOMES, LLC** (The Estate of Lillian Dean Little Haskins, owner) requesting Rezoning from **R-20** and **R-30** to **R-20** for the purpose of a Single-Family Subdivision in Land Lots 293 and 316 of the 20th District. Located on the north side of Bob Cox Road, east of Lake Somerset Drive, and at the eastern terminus of Sutcliffe Ridge. *(Previously held by the Planning Commission from their April 7, 2015 hearing)*
- Z-33** **JOHN HILLIS** (Hillis Enterprises, LLC, owner) requesting Rezoning from **R-15, GC** and **CRC** to **CRC** for the purpose of Commercial and Contractor in Land Lots 708 and 709 of the 16th District. Located on the east side of Canton Road, and the north side of Powell Wright Road (2218 Canton Road). *(Previously held by the Planning Commission from their April 7, 2015 hearing)*
- Z-35** **PINNACLE HOMES OF THE SOUTH, LLC** (Morris Property Enterprises, LLC, owner) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Single-Family Subdivision in Land Lot 152 of the 20th District. Located on the southwest side of Old Stilesboro Road, west of Cheatham Road (6375 Old Stilesboro Road). *(Previously held by the Planning Commission from their April 7, 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 – May 19, 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

PENDING CASE

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. *(Due to a tie vote and per Section 11-D. of the Board of Commissioners' Zoning and Land Use Hearing Procedures, rezoning application Z-20 is considered pending and will be considered at the May 19, 2015 Board of Commissioners Zoning Hearing)*

CONTINUED CASES

Z-27 **LYNWOOD DEVELOPMENT GROUP, LLC** (BSD Power II, LLC and Park Point Land, LLC, owners) requesting Rezoning from **OHR** to **UVC** for the purpose of Mixed Use in Land Lots 985 and 1008 of the 17th District. Located at the southwest intersection of Powers Ferry Road and Windy Ridge Parkway. *(Previously continued by the Board of Commissioners from their March 17, 2015 and previously continued by Staff from the April 21, 2015 Board of Commissioners' hearing)*

Z-28 **JOSE VALENCIA** (Silver Creek Properties, owner) requesting Rezoning from **R-20** to **LI** for the purpose of Truck Parking in Land Lot 258 of the 18th District. Located on the east side of Maxham Road, south of Old Alabama Road (160 Maxham Road). *(Previously continued by the Board of Commissioners from their April 21, 2015 hearing)*

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OTHER BUSINESS

ITEM OB-024

To consider amending the zoning stipulations for John Gaskin regarding rezoning application Z-54 (Ballantry Homes WestCobb, Inc.) of 2012, 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.

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