

**PETITION NO:** Z-48

**PHONE#:** (770) 713-3109 **EMAIL:** [cdhpastor@bellsouth.net](mailto:cdhpastor@bellsouth.net)

**REPRESENTATIVE:** Edward Ingram

**PHONE#:** (770) 598-2654 **EMAIL:** eingram@bellsouth.net

**TITLEHOLDER:** Edward Ingram, Doyle Knight, Lee Lawson, James Owenby, Richard Payne, and Jerry Rucker, as Deacons of Greers Chapel Baptist Church

**PROPERTY LOCATION:** Southwest intersection of Greers Chapel

Road and Quarry Road

(1848 Greers Chapel Road).

**ACCESS TO PROPERTY:** Greers Chapel Road

**PHYSICAL CHARACTERISTICS TO SITE:** Existing church

**HEARING DATE (PC):** 05-05-15

**HEARING DATE (BOC):** 05-19-15

**PRESENT ZONING:** R-20

**PROPOSED ZONING:** O&I

**PROPOSED USE:** Church With A New  
LED Sign

**SIZE OF TRACT:** 2.2 acres

DISTRICT: 20

**LAND LOT(S):** 208, 209

**PARCEL(S):** 3

**TAXES: PAID**   X   **DUE** \_\_\_\_\_

**COMMISSION DISTRICT: 1**

## CONTIGUOUS ZONING/DEVELOPMENT

**NORTH:** GC/Babies R Us

**SOUTH:** R-20/Single-family House

**EAST:** GC/Office Building

**WEST:** R-20/Single-family House and GC/CarMax

**OPPOSITION: NO. OPPOSED** \_\_\_\_\_ **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

## PLANNING COMMISSION RECOMMENDATION

**APPROVED** **MOTION BY**

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

HELD \_\_\_\_\_ CARRIED \_\_\_\_\_

## BOARD OF COMMISSIONERS DECISION

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

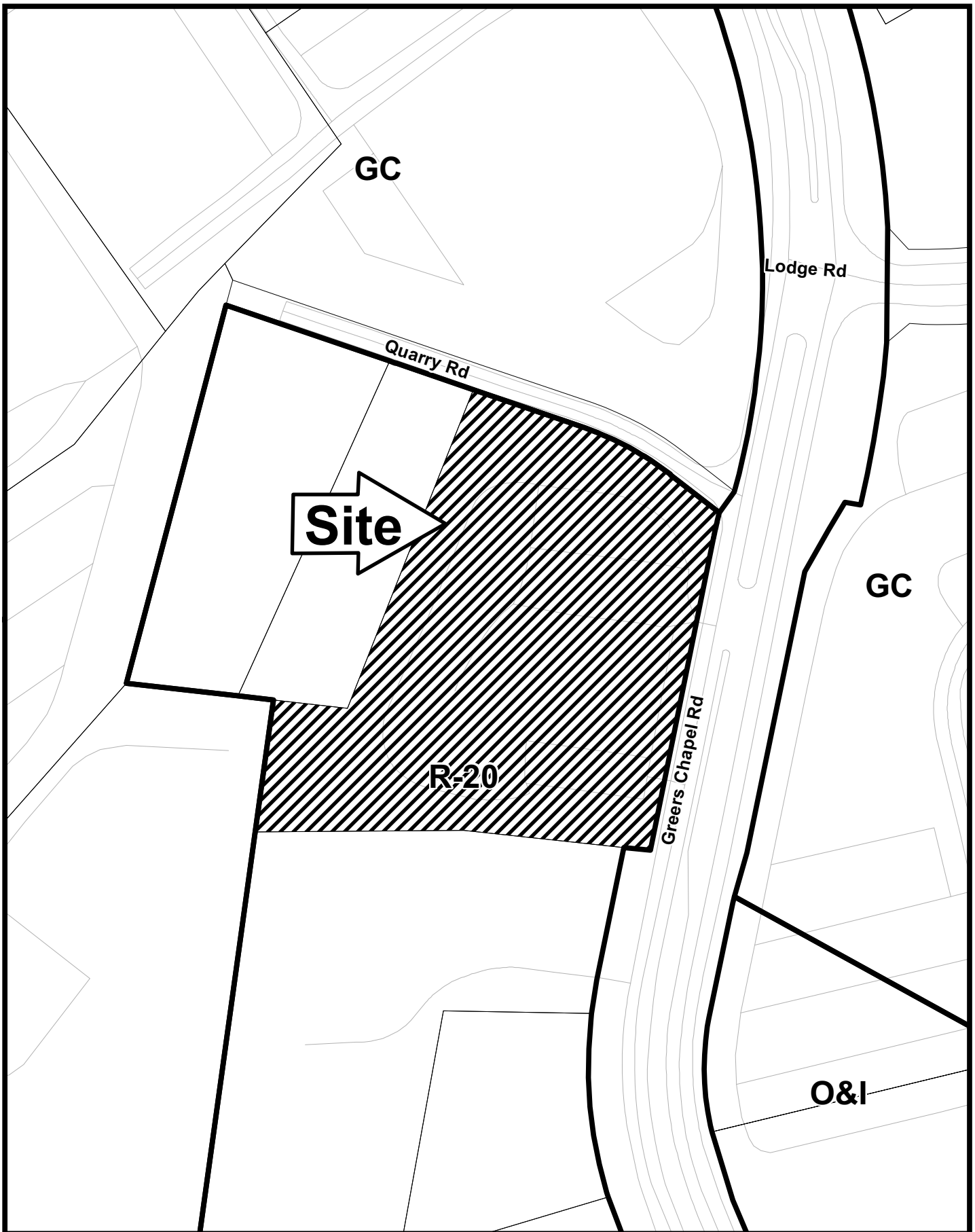
REJECTED\_\_\_\_\_SECONDED\_\_\_\_\_

<b>HELD</b>	<b>CARRIED</b>
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**STIPULATIONS:**



# Z-48



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 100 200 Feet



City Boundary  
Zoning Boundary

**APPLICANT:** Greers Chapel Baptist Church

**PETITION NO.:** Z-48

**PRESENT ZONING:** R-20

**PETITION FOR:** O&I

\*\*\*\*\*

**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Public/Institutional

**Proposed Number of Buildings:** 2 (Existing)**Total Square Footage of Dev:** Approximately 9,418

**F.A.R.:** 0.098 **Square Footage/Acre:** 4,280

**Parking Spaces Required:** 147 **Parking Spaces Provided:** 147

Applicant is requesting the Office & Institutional (O&I) zoning category for the purpose of erecting an LED sign for the existing church. While churches are permitted uses under the residential category of R-20, the LED sign is not. The church has been in existence for many years and is not planning any expansion in the near future. The church lost its previous sign when Greers Chapel Road was widened in 2009. The sign previously on the property was larger than what is currently allowed by the Zoning Ordinance. The proposed LED sign will be similar to the attached elevation, and will comply with the requirements for LED signs.

**Cemetery Preservation:** No comment.

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**FIRE COMMENTS:**

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

**APPLICANT:** Greers Chapel Baptist Church

**PETITION NO.:** Z-48

**PRESENT ZONING:** R-20

**PETITION FOR:** O&I

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from R-20 to O&I for purpose of new LED sign. The 2.2 acre site is located on the southwest intersection of Greers Chapel Road and Quarry Road.

**Comprehensive Plan**

The parcel is within a Public/Institution (**PI**) future land use category, with R-20 zoning designation. The purpose of the Public/Institutional (**PI**) category is to provide for certain state, federal or local government uses and institutional land uses such as government building complexes, police and fire stations, colleges, churches, hospitals, etc.

**Master Plan/Corridor Study**

Not applicable.

**Historic Preservation**

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

**Design Guidelines**

Is the parcel in an area with Design Guidelines?     ☐ Yes             ☒ No

If yes, design guidelines area \_\_\_\_\_

Does the current site plan comply with the design requirements?

**Incentive Zones**

Is the property within an Opportunity Zone?     ☐ Yes             ☒ No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone?     ☐ Yes             ☒ No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program?     ☐ Yes             ☒ No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

APPLICANT: Greers Chapel Baptist Church

PETITION NO.: Z-48

PRESENT ZONING: R-20

PETITION FOR: O&I

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**PLANNING COMMENTS:** (Continued)

***Special Districts***

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

☐ Yes      ☒ No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

☐ Yes      ☒ No

Is this property within the Six Flags Special Service District?

☐ Yes      ☒ No

APPLICANT Greers Chapel Baptist Church

PETITION NO. Z-048

PRESENT ZONING R-20

PETITION FOR O&I

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**WATER COMMENTS:**

NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: ☒ Yes ☐ No

Fire Flow Test Required: ☐ Yes ☒ No

Size / Location of Existing Water Main(s): 12" DI / W side of Greers Chapel

Additional Comments: Existing water customer

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

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**SEWER COMMENTS:**

NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: ☒ Yes ☐ No

At Development: ☐ Yes ☒ No

Approximate Distance to Nearest Sewer: 280' W

Estimated Waste Generation (in G.P.D.): A D F= +0 Peak= +0

Treatment Plant: Noonday

Plant Capacity: ☒ Available ☐ Not Available

Line Capacity: ☒ Available ☐ Not Available

Projected Plant Availability: ☒ 0 - 5 years ☐ 5 - 10 years ☐ over 10 years

Drw Sewers Required: ☐ Yes ☒ No

Off-site Easements Required: ☒ Yes\* ☐ No \*If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: ☐ Yes ☒ No

Letter of Allocation issued: ☐ Yes ☒ No

Septic Tank Recommended by this Department: ☒ Yes ☐ No

Subject to Health Department Approval: ☒ Yes ☐ No

Additional Site served by septic system. Rezoning creates no increase in wastewater flow. Connection to sewer not required at this time

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

**APPLICANT: Greers Chapel Baptist Church**

**PETITION NO.: Z-48**

**PRESENT ZONING: R-20**

**PETITION FOR: O&I**

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<b>STORMWATER MANAGEMENT COMMENTS</b>
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No comments.

**APPLICANT: Greers Chapel Baptist Church**

**PETITION NO.: Z-48**

**PRESENT ZONING: Residential**

**PETITION FOR: Com,O&I**

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<b>TRANSPORTATION COMMENTS</b>
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The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Greers Chapel Road	2600	Minor	35	Cobb	60'

*Based on [2013] traffic counting data taken by Cobb County DOT*

**COMMENTS AND OBSERVATIONS**

Greers Chapel Road is classified as an arterial, a state route, and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

**RECOMMENDATIONS**

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

## **STAFF RECOMMENDATIONS**

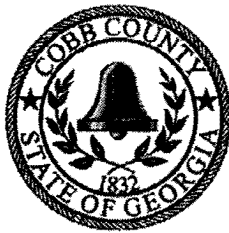
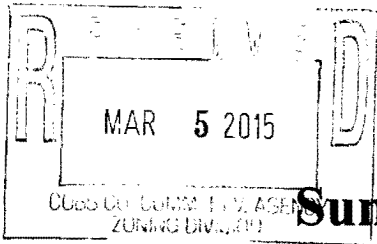
### **Z-48 GREERS CHAPEL BAPTIST CHURCH**

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The use of the property is not being changed with this request and the existing church has been at the property for many years.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The only change being requested is to replace the church's former sign that was lost during a road widening in 2009, with a new LED sign.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal may not be in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as being in the Public Institutional (PI) land use category. Staff believes that if this property had not been utilized as a church for so many years, it would either have the land use designation of Regional Activity Center (RAC) or Community Activity Center (CAC) just as those surrounding the property. Churches are also permitted uses under the O&I zoning category. The O&I zoning category is compatible for properties delineated within or on the edge of a CAC or RAC land use category.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. The church has been in existence for many years and is only requesting rezoning to be allowed to erect an LED sign just as other churches have done recently. The applicant's previous sign was lost in the widening of Greers Chapel Road in 2009. The applicant has indicated that the new LED sign will be in compliance with the Zoning Ordinance.

Based on the above analysis, Staff recommends **APPROVAL** subject to the following conditions:

- Site plan received by the Zoning Division March 5, 2015, with the District Commissioner approving minor modifications;
- Church with LED sign only;
- Compliance with Sign Ordinance; and
- Department of Transportation comments and recommendations.

**The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.**



Application #: 7-48  
PC Hearing Date: 5-5-15  
BOC Hearing Date: 5-19-15

## Summary of Intent for Rezoning

### Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): \_\_\_\_\_  
b) Proposed building architecture: \_\_\_\_\_  
c) Proposed selling prices(s): \_\_\_\_\_  
d) List all requested variances: \_\_\_\_\_

### Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): existing non-profit organization  
b) Proposed building architecture: Red brick - existing  
c) Proposed hours/days of operation: \_\_\_\_\_  
d) List all requested variances: N/A

### Part 3. Other Pertinent Information (List or attach additional information if needed)

Purpose of rezoning is to allow for LED sign installation

### Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). N/A

### Part 5. Is this application a result of a Code Enforcement action? No ☒; Yes \_\_\_\_\_ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: Edward Ingram Date: 3/5/2015

Applicant name (printed): Edward Ingram

## **Analysis Of Impact Of Proposed Rezoning**

**(Submitted By Greers Chapel Church)**

This request for rezoning is submitted to comply with Cobb County Code for the installation of a new sign to replace our old sign that was taken out when Greers Chapel Road was widened in 2009. As such, we do not envision any adverse impact upon the properties surrounding our location.

We feel this rezoning request is very much in keeping with the direction of the property developments around us – all moving toward commercial zoning. While our property is abutted on 2 sides with residential housing that is zoned as such, the rest of the area is already zoned commercial with many commercial businesses already established.

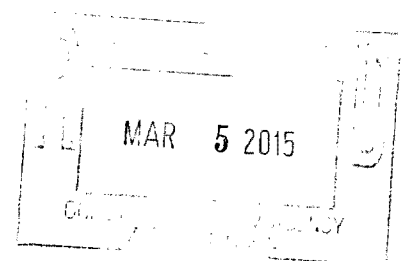
We are a non-profit church and rezoning will not change that status. Nor will it change the way we will operate in the future. And, as such, we feel rezoning will not adversely affect any of the properties around us, residential or commercial.

Our move to become a commercial property will change the way Cobb County Code views our application for a new sign. As we understand it, the present code will not allow us to even duplicate and install our old sign – the old sign was larger than presently allowed by The Cobb County Sign Code.

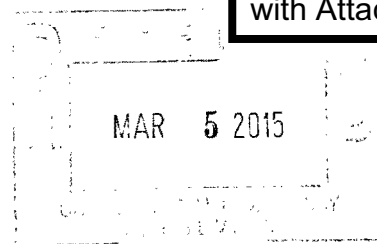
Greers Chapel Church has long been an established congregation in this location. And since we have no plans to enlarge our facility this request will not change, in any way, the use of existing streets, transportation facilities, utilities, or schools. . Again, the rezoning is requested to allow us to replace our old sign that was removed during the road widening project of 2009.

We consider our request to definitely be in conformity of the present land use plan as all new construction in the entire area is commercial only.

We know of no other existing or changing conditions in regard to the surrounding properties that would affect our rezoning request.



**Greers Chapel Baptist Church**  
1848 Greers Chapel Road  
Kennesaw, GA 30144



March 5, 2015

**Reference:** Authorization To Conduct Church Business

To whom it may concern:

My name is Ed Ingram. I am a long time member of Greers Chapel and one of the individuals listed on the Church's Warranty Deed (please see attached deed). I am writing on behalf of my church, Greers Chapel, and per the guidelines of the Cobb County Code to request the rezoning of our Church Property. We wish to replace our pervious sign that was removed when Greers Chapel Road was widened back in 2009. We are requesting that we be allowed to replace the old sign with an LED type feature which falls within the guidelines of the Cobb County Code "if our property is zoned as a commercial property". Please notice the attached copy of our church minutes that detail the church's decisions in this matter.

Please allow this document to authorize our Sign Committee Chairman, William Edward Medford, and/or our Pastor, Rev. Carlton David Huggins to execute any necessary business documents related to our request for rezoning, permitting and the installation of a new sign. This authorization is intended to remain in effect until all matters related to the above are finalized.

You may contact me at the number below if you need further information regarding this matter.

Most sincerely yours,

A handwritten signature in black ink, appearing to read "Edward Ingram".

Edward Ingram  
(770) 598-2654

A circular notary seal for Bridgette A. Reynolds, Notary Public, Cobb County, Georgia. The seal includes the text "BRIDGETTE A. REYNOLDS", "NOTARY PUBLIC", "COBB COUNTY", "GEORGIA", and "EXPIRES Aug. 12, 2017". Overlaid on the seal is a handwritten signature "Bridgette A. Reynolds" and the date "8/12/2017".

MAR 5 2015

Deed Book 14057 Pg 2992  
Filed and Recorded Oct-15-2004 03:12pm  
2004-0191659  
Real Estate Transfer Tax \$100.00

*Jay C. Stephenson*  
Jay C. Stephenson  
Clerk of Superior Court Cobb Cty. Ga.

RETURN TO:  
MOORE INGRAM JOHNSON & STEELE, LLP  
192 ANDERSON ST.  
MARIETTA GA 30060  
04/506.1

**WARRANTY DEED**

STATE OF GEORGIA

COUNTY OF COBB

THIS INDENTURE, made the 15<sup>th</sup> day of October, in the year TWO THOUSAND FOUR, between

**EDGAR D. SHANKS**

of the County of Cobb, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

**Edward Ingram, Doyle Knight, Lee Lawson, James Owenby,  
Richard Payne, and Jerry Rucker, as Deacons of Greers Chapel Baptist Church**

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of **OTHER VALUABLE CONSIDERATION AND TEN AND NO/100 DOLLARS (\$10.00)** in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lots 208 and 209, 20<sup>th</sup> District, Cobb County, Georgia, and being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whomsoever.

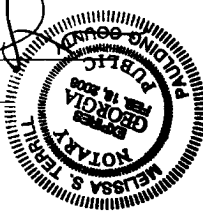
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in  
the presence of:

Unofficial Witness

Notary Public

[NOTARY SEAL]



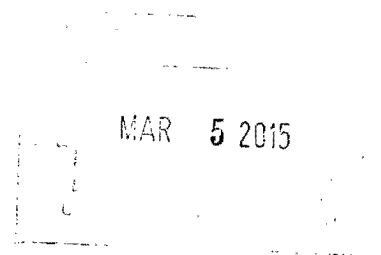
*Edgar D. Shanks* (Seal)  
Edgar D. Shanks

Deed Book 14057 Pg 2993  
Jay C. Stephenson  
Clerk of Superior Court Cobb Cty. Ga.

**Exhibit "A"**

All that tract or parcel of land lying and being in Land Lots 208 and 209 of the 20<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia and being Lot 2 of the J. T. Eaton Property as subdivided as per plat recorded in Plat Book 5, page 94, Cobb County Records and as more recently shown on a plat of survey prepared by Clifton E. Phillips, Surveyor, dated September 27, 1972 and being more particularly described as follows:

Beginning at a point at the center line of Quarry Road also sometimes known as County Road, said Point of Beginning being located 203 feet westerly from the intersection of the centerline of said Road with the centerline of Greers Chapel Road, said Point of Beginning also being the northwestern-most corner of Lot 1, said subdivision; running thence southerly along the western-most line of Lot 1, said subdivision 313 feet to an iron pin; running thence in a westerly direction at an interior angle of 111 degrees, 44 minutes with the preceding call 59 feet to an iron pin, running thence northerly and slightly northeasterly at an interior angle of 74 degrees, 15 minutes with the preceding call 323 feet to a point in the centerline of Quarry Road also sometimes known as County Road, running thence in an easterly and slightly southeasterly direction along the centerline of said Road 90 feet to the Point of Beginning.



**REGULAR CONFERENCE – September 24, 2014**

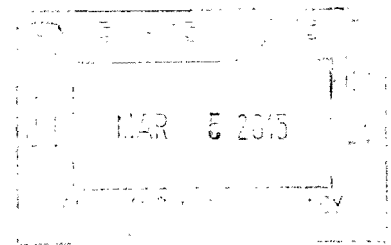
Motion by Ed Ingram and Second by Mark Huey to approve the August Treasurer's Report. Motion Approved.

**12. DEACONS RECOMMENDATIONS:** Mark Huey, Deacons Chairman stated the Deacons recommend new sign information be presented to the church. Motion by Dennis Herring and Second by Ed Ingram to proceed with this recommendation. David Huggins provided information on an electronic LED sign with an estimated cost from Stewart Sign Company of \$30,000. Cobb County currently does not allow LED signs on property zoned residential as the church is zoned. Church would need to apply for rezoning of property with an application fee of \$1,000. Process would take 3 months once applied for to see if Cobb County would approve. Location of sign was said to be located on the grass area to the right of church (bell tower side). Rick Tatum stated money should be spent on items such as repairs on the church parking lot and cemetery roadway which will cost at least \$17,000. Money should be used for needed necessities, instead of spending on a sign that was not needed. Motion by Ed Ingram and Second by Linda Bryant to proceed forward with the new sign process as was presented. Motion was Approved with 3 Opposed.

**13. NEW & MISCELLANEOUS BUSINESS:** Motion by Ed Ingram and Second by Eddie Medford for Rick Tatum to proceed with the needed repairs to the church parking lot and the cemetery roadway. Motion Approved.

**14. ADJOURNMENT:** Motion by Eddie Medford and Second by Denise Garlinghouse to adjourn. Meeting adjourned.

Rev. David Huggins, Moderator  
Denise Garlinghouse, Clerk  
Dale Tatum, Treasurer



Z-48 (2015)  
Health  
Department  
Approval

**APPROVED**

*Initials* *3/5/15*  
DATE  
COBB PUBLIC HEALTH  
CENTER FOR ENVIRONMENTAL HEALTH

SANCTUARY  
BUILDING

MAR 5 2015

8

7

5

4

*New Sign  
location*

REQ'D R.O.W.

EXIST. R.O.W.

NEW CONC. SIDEWALK  
(BY D.O.T.)

GREERS CHAPEL ROAD

EXIST. CHURCH SIGN TO  
BE DEMOLISHED AS NEEDED  
TO CLEAR THE REQ'D R.O.W.

1848 Church addition  
Greers Chapel Road L.L. 208 / 20th Dist  
MII permit # 3516

750 gallon tank (7' x 3' x 5')  
No. of gallons per Day (± 500 gallons)  
L x W (150' x 36")

Stone

contractor - Silas Newberry

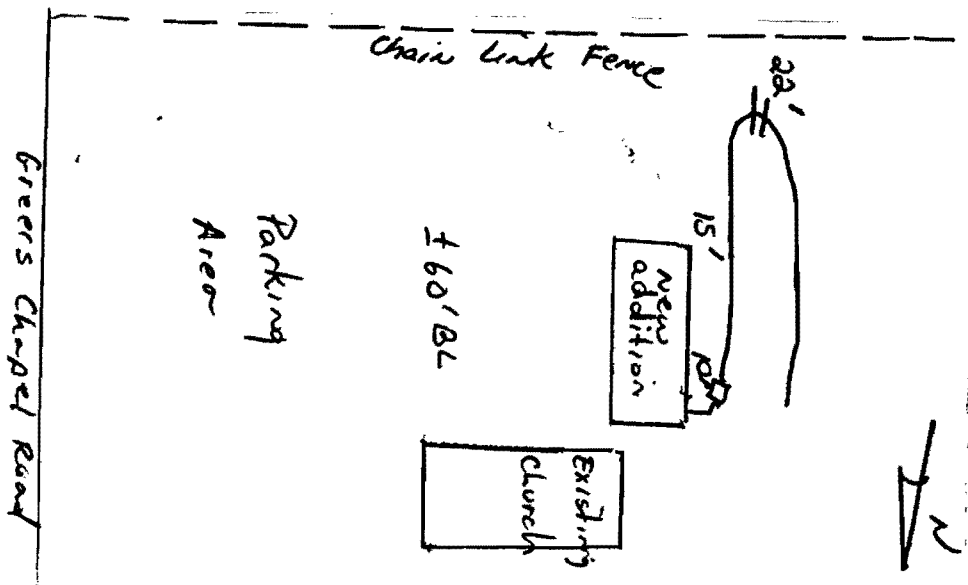
owner - Greers Chapel Baptist Church

12-12-78

M2M

40 minutes

MAR 5 2015



Greens Chapel Rd.

6x5x3(m)

2x5

113x24

None

Cain Baptist

Greens Chapel Church

9/14/56

James

P. I. Kennan

Z-48 (2015)  
Health  
Department  
Approval

MAR 5 2015

