
ZONING ANALYSIS

Planning Commission Public Hearing

July 7, 2015

Board of Commissioners' Public Hearing

July 21, 2015

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

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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– July 7, 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 **R-15/OSC** 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 July 7, 2015 Planning Commission hearing)*
- 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. *(Previously continued by Staff until the July 7, 2015 Planning Commission hearing)*
- Z-49** **PULTE HOME CORPORATION** (JH Holdings Inc, owner) requesting Rezoning from **O&I** and **RM-12** to **RM-8** for the purpose of Attached Residential in Land Lots 765, 766, 819 and 820 of the 17th District. Located at the northwest intersection of Gilmore Road and Beech Haven Trail, south side of Cumberland Parkway, east side of I-285. *(Previously continued by Staff until the July 7, 2015 Planning Commission hearing)*
- Z-53** **VENKAT SAI TATITURI AND PRIYA HARSHINI BANDARU** (owners) requesting Rezoning from **R-20** to **RM-8** for the purpose of Townhomes in Land Lot 10 of the 1st District. Located on the east side of Cagle Road, north of Lower Roswell Road (691 Cagle Road). *(Previously continued by Planning Commission until their July 7, 2015 hearing)*

- Z-54** **WILLIE A. POLSTON, JR.** (owner) requesting Rezoning from **PSC** and **R-20** to **CRC** for the purpose of an Automotive Paint and Body Shop in Land Lot 34 of the 18th District. Located on the east side of Powell Drive, south of Veterans Memorial Highway (5751 Powell Drive). *(Previously continued by Planning Commission until their July 7, 2015 hearing)*
- Z-58** **GARY TILLMAN AND ALLEN KENNEDY** (owners) requesting Rezoning from **NRC** to **LI** for the purpose of a Contractor's Office in Land Lot 299 of the 17th District. Located on the west side of Old Concord Road, south of Warner Street, and on the southeast side of Clay Drive (1868 Old Concord Road). *(Previously continued by Planning Commission until their July 7, 2015 hearing)*
- Z-59** **ART FRAME, LLC** (RA Mableton Holdings, LLC, owner) requesting Rezoning from **NRC** to **LI** for the purpose of a Wholesale/Retail/Assembly For Picture Frame And Art Business in Land Lot 47 of the 18th District. Located on the southwest side of Veterans Memorial Highway, east of Pebblebrook Road. *(Previously continued by Planning Commission until their July 7, 2015 hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-63** **MACALLAN CAPITAL, LLC** (Emerson Unitarian Universalist Congregation, Inc., owner) requesting Rezoning from **R-20** to **R-15** for the purpose of a Single-Family Subdivision in Land Lot 552 of the 16th District. Located on the west side of Holly Springs Road, south of Frankie Lane (2715 Holly Springs Road).
- Z-64** **MICHAEL HAMBY** (Meilyn Marino, owner) requesting Rezoning from **R-20** to **LI** for the purpose of a HVAC Office in Land Lot 824 of the 17th District. Located at the southwest corner of Church Road and Holland Road (2400 Church Road).
- Z-65** **FRANK D'ARIES** (Nobuko MacKay, owner) requesting Rezoning from **R-30** to **R-20** for the purpose of a Residential Subdivision in Land Lot 164 of the 1st District. Located on the north side of Timber Ridge Road, east of Shelburne Ridge (5123 Timber Ridge Road).

- Z-66** **825 MARS HILLS LLC** (825 Mars Hill LLC, Harold Richard Mintz and Mary Mintz, Trustees of the Harold Richard Mintz Trust, dated January 16, 2005, owners) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Single-Family Subdivision in Land Lots 264 and 269 of the 20th District. Located on the north and south sides of Hadaway Road, on the west side of Mars Hill Road, on the easterly side of Due West Road, on the east side of Carter Road, and on the southeasterly side of Brown Store Road.
- Z-67** **BLACK BUILDERS, LLC** (owner) requesting Rezoning from **R-30** to **R-15** for the purpose of a Single-Family Subdivision in Land Lot 184 of the 16th District. Located on the west side of Wesley Chapel Road, across from Chapel Grove Drive, and at the eastern terminus of Running Fox Drive.
- Z-68** **TOWN SQUARE MB ONE, LLC** (owner) requesting Rezoning from **LRC** to **NRC** for the purpose of Retail, Office and Restaurant in Land Lots 275 and 296 of the 20th District. Located at the southeast intersection of Kennesaw Due West Road and Due West Road.
- Z-69** **TAKE 5 OIL CHANGE** (Petroleum Realty II, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of Light Auto Repair in Land Lot 595 of the 16th District. Located at the northwest intersection of Piedmont Road and Sandy Plains Road (1913 Piedmont Road).

Land Use Permits

- LUP-19** **KCMA CORPORATION** (LIT/Hodges Industrial Trust, owner) requesting a **Land Use Permit (Renewal)** for the purpose of Two Temporary Storage Tents in Land Lot 174 of the 20th District. Located at the southwest intersection of Airport Road and Barrett Park Drive (2140 Barrett Park Drive).
- LUP-20** **GARFIELD MCCOOK** (owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Group Home in Land Lot 222 of the 20th District. Located on the south side of Stilesboro Road, west of Allatoona Lane (4549 Stilesboro Road).

- LUP-21 BURNT HICKORY CHURCH OF CHRIST, INC.** (owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Daycare Facility in Land Lot 291 of 20th District. Located on the north side of Burnt Hickory Road, west of New Salem Road (2330 Burnt Hickory Road).

Special Land Use Permits

- SLUP-7 DAVID C. KIRK, ON BEHALF OF VERIZON WIRELESS** (Jefferson Lakeside LP, owner) requesting a **Special Land Use Permit** for the purpose of Expansion of Lease Area and Collocation of Antennas in Land Lot 1061 of the 16th District. Located on the west side of Roswell Road, south of Summit Village Drive (2085 Roswell Road).

HELD CASES

- 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, previously continued by the Planning Commission from their March 3, 2015 and April 7, 2015 hearings and previously held by the Planning Commission from their May 5, 2015 and June 2, 2015 hearings)*
- Z-61 BLAIRS BRIDGE STORAGE, LLC** (Teague Investments, LP, owner) requesting Rezoning from **PVC** to **LI** for the purpose of a Self-Storage Facility in Land Lots 518 and 519 of the 18th District. Located on the northerly side of Blair Bridge Road, north of I-20. *(Previously held by the Planning Commission from their June 2, 2015 hearing)*
- SLUP-6 BLAIRS BRIDGE STORAGE, LLC** (Teague Investments, LP, owner) requesting a **Special Land Use Permit** for the purpose of a Self-Storage Facility in Land Lots 518 and 519 of the 18th District. Located on the northerly side of Blair Bridge Road, north of I-20. *(Previously held by the Planning Commission from their June 2, 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.”

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COBB COUNTY
ZONING HEARING AGENDA
Board of Commissioners – July 21, 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 CASE

Z-33 **JOHN HILLIS** (Hillis Enterprises, LLC, owner) requesting Rezoning from **R-15** and **GC** to **CRC** for the purpose of Commercial and Contractor in Land Lot 709 of the 16th District. Located on the east side of Canton Road, north of Powell Wright Road (*Previously continued by Staff until the June 2, 2015 Planning Commission hearing and previously continued by the Board of Commissioners until their July 21, 2015 hearing*)

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). (*Previously continued by Staff until the July 21, 2015 Board of Commissioners hearing*)

REGULAR CASES --- NEW BUSINESS

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OTHER BUSINESS

ITEM OB-027

To consider amending the site plan and zoning stipulations for Barnes Mill VDL, LLC regarding rezoning application Z-44 (Yancey Development Company, Inc.) of 2002, for property located on the eastern side of Wright Road and on the southern side of Poplar Springs Road in Land Lots 227 and 292 of the 19th District.

ITEM OB-028

To consider amending the zoning stipulations for Del Taco, LLC regarding rezoning application #52 (Alterman Real Estate LTD.) of 1988, for property located on the northern side of Roswell Road, east of Johnson Ferry Road in Land Lots 829, 830, 899 and 900 of the 16th District.

ITEM OB-029

To consider amending the zoning stipulations for Palladian, Inc. regarding rezoning application Z-51 (Palladian, Inc.) of 2007, for property located on the north side of Sandy Plains Road, west of Scufflegrit Road in Land Lot 778 of the 16th 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.”**

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