
ZONING ANALYSIS

Planning Commission Public Hearing

November 3, 2015

Board of Commissioners' Public Hearing

November 17, 2015

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

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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– November 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-80** **THE CHURCH OF PENTECOST U.S.A., INC.** (owner) requesting Rezoning from **NS, CF and GC** to **CRC** for the purpose of a Church in Land Lots 36 and 37 of the 17th District. Located on the southwest side of Mableton Parkway, south of Veterans Memorial Highway, and on the north side of Glore Circle (5606 Mableton Parkway; 728, 736 and 742 Glore Circle; and 827 Wood Valley Road). *(Continued by the Planning Commission until their November 3, 2015 zoning hearing.)*
- Z-87** **FUQUA ACQUISITIONS II, LLC** (Due to individual parcels, a complete list of titleholders is available in the Zoning Office) requesting rezoning from **R-30 and R-20** to **NRC, RM-12 and RSL** for the purpose of Residential, Senior Living and Retail in Land Lots 769 and 770 of the 17th District. Located on the west side of Spring Hill Parkway, north side of Paces Ferry Road, east of Spring Hill Road and on the southwest side of Simpson Road. *(Continued by Staff until December 1, 2015 Planning Commission zoning hearing.)*

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-93** **RE AND GE PROPERTY MANAGEMENT, LLC** (Roberto Espinosa, owner) requesting Rezoning from **R-20** to **LRC** for the purpose of Offices in Land Lot 277, of the 17th District. Located on the north side of Pat Mell Road, east of Dink Lane (277 Pat Mell Road).

- Z-94** **MIKE DILLON** (Estate of Carmen T. Cobb, owner) requesting Rezoning from **R-80** to **LRO** for the purpose of a Professional Office in Land Lot 428 of the 19th District. Located at the northwest intersection of Macland Road and Villa Rica Road (2080 Villa Rica Road).
- Z-95** **RACETRAC PETROLEUM, INC.** (D I and G, LLC; The Estate of D.T. Hillhouse, Ina Faye Hillhouse Towe, Executrix) requesting rezoning from **NRC** and **LI** to **NRC** for the purpose of Convenience Market with Fuel Sales in Land Lot 157 of the 16th District. Located at the northeast intersection of Canton Road and Shallowford Road and south side of Pine Mill Drive (4400 Canton Road and 1000 Pine Mill Drive).
- Z-96** **KEVIN OBARSKI**, owner , requesting Rezoning from **R-30** and **GC** to **R-30** for the purpose of Single-Family Houses in Land Lots 1019 and 1020 of the 17th District. Located on the east side of Cochise Drive, north of Paces Ferry Road (3753 Cochise Drive).

Land Use Permit

- LUP-34** **TAMMY ATKINSON** (Tammy Strymecki, owner) requesting a **Land Use Permit** for the purpose of Allowing More Unrelated Adults and Vehicles than the Code Permits in Land Lot 116 of the 16th District. Located on the east side of High Rock Terrace, north of North Slope Circle (4532 High Rock Terrace).

Special Land Use Permits

- SLUP-9** **SOUTHERNLINC WIRELESS** (Wildwood Baptist Church Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Telecommunications Facility in Land Lot 18 and of the 20th District. Located on the west side of Wade Green Road, south of Clearview Drive (4801 Wade Green Road). *(Continued by Staff until the December 1, 2015 Planning Commission zoning hearing; therefore will not be considered).*

SLUP-10 ALM KENNESAW, LLC (Tidwell Barrett Lakes, LLC, owner) requesting a **Special Land Use Permit** for the purpose of Previously Owned Car Sales in Land Lot 172 and of the 20th District. Located on the west side of Barrett Lakes Boulevard, south of Cobb Place Boulevard (2255 Barrett Lakes Boulevard).

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.”**

The exact description of the property sought to be rezoned is on file in the office of the Cobb County Community Development, Zoning Division, 1150 Powder Springs Street, Suite 400, Marietta, Georgia 30064 and available for inspection by interested citizens between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.

Hearing on said petitions will be heard by the Cobb County Planning Commission at 9:00 a.m. on the prescribed hearing date. The public hearing will be held in the Second Floor Commissioners’ Meeting Room, Cobb County Building, 100 Cherokee Street, Marietta, Georgia.

Anyone wishing to attend this public hearing may do so and be heard relative thereto. Any person wishing to speak before the Planning Commission must file a contribution disclosure statement if, and only if, the monetary contribution was made within two (2) years immediately preceding the filing of the rezoning request and the contribution aggregates to a sum total of \$250.00 or more.

This disclosure statement must be submitted to the Zoning Division Office by mail to P. O. Box 649, Marietta, Georgia 30061 or in person at 1150 Powder Springs Street, Suite 400, Marietta, Georgia 30064 within five (5) days before the public hearing.

Additionally, if you believe you need any special accommodations in order to attend these public hearings, please contact the County Clerk’s Office at 770-528-3307 no later than 48 hours before the date of the above meeting.

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**COBB COUNTY
ZONING HEARING AGENDA
BOARD OF COMMISSIONERS– November 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-80 **THE CHURCH OF PENTECOST U.S.A., INC.** (owner) requesting Rezoning from **NS, CF** and **GC** to **CRC** for the purpose of a Church in Land Lots 36 and 37 of the 17th District. Located on the southwest side of Mableton Parkway, south of Veterans Memorial Highway, and on the north side of Glore Circle (5606 Mableton Parkway; 728, 736 and 742 Glore Circle; and 827 Wood Valley Road). *(Continued by the Planning Commission from their October 6, 2015 zoning hearing.)*

Z-90 **DAVID PEARSON COMMUNITIES, INC.** (Multiple titleholders on file in the Zoning Division, owner) requesting Rezoning from **R-20 and R-30** to **RM-8** for the purpose of a Residential Subdivision in Land Lots 737 and 776 of the 16th District. Located on the northwest side of Sandy Plains Road, north of Ross Road. *(Continued by the Board of Commissioners from their October 20, 2015 zoning hearing to their November 17, 2015 zoning hearing.)*

LUP-28 **SCOTT ROBICHAU** (owner) requesting a **Land Use Permit** for the purpose of Allowing More Vehicles than County Code Permits in Land Lot 247 of the 16th District. Located on the north side of Winfair Place, west of Dunnington Drive, south of Parnell Road (3461 Winfair Place). (NOTE: The Planning Commission deleted the previous advertised use for unrelated adults on October 6, 2015 due to the fact it was not needed) *(Continued by the Board of Commissioners from their October 20, 2015 zoning hearing to their November 17, 2015 zoning hearing.)*

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CONTINUED OR HELD CASES BY THE BOARD OF COMMISSIONERS, PLANNING COMMISSION OR STAFF

- Z-87** **FUQUA ACQUISITIONS II, LLC** (Due to individual parcels, a complete list of titleholders is available in the Zoning Office) requesting rezoning from **R-30** and **R-20** to **NRC, RM-12** and **RSL** for the purpose of Residential, Senior Living and Retail in Land Lots 769 and 770 of the 17th District. Located on the west side of Spring Hill Parkway, north side of Paces Ferry Road, east of Spring Hill Road and on the southwest side of Simpson Road. *(Continued by Staff until December 1, 2015 Planning Commissioners' zoning hearing; therefore, will not be considered at this hearing.)*
- Z-88** **DUNCAN LAND INVESTMENTS, LLC** (David Bruce Gary, Martin Thomas Gary, and Forrest Owen Gary, owners) requesting Rezoning from **R-20** to **R-15/OSC** for the purpose of an Addition of Property to an Existing **OSC** Subdivision in Land Lots 307, 308, 341 and 342 of the 16th District. Located on the northeast corner of Blackwell Road and Carter Valley Drive. *(Continued by the Board of Commissioners until their December 15, 2015 zoning hearing; therefore, will not be considered at this hearing.)*

LUP-30 JOHN S. HYLE (Barbara J. Hyle and John S. Hyle, owners) requesting a **Land Use Permit** for the purpose of Allowing More Vehicles than County Code Permits in Land Lot 789 of the 16th District. Located on the south side of McCook Way, east of McCook Circle (127 McCook Way). *(Held by the Board of Commissioners until their March 15, 2016 zoning hearing; therefore, will not be considered at this hearing.)*

OTHER BUSINESS CASES

ITEM OB-047

To consider granting a Special Exception for backyard chickens as recommended by the Board of Zoning Appeals from their October 1, 2015 Variance Hearing regarding Variance Application:

V-148 Elizabeth and Christopher Wyatt

ITEM OB-048

To consider amending the site plan and stipulations for Alliance Realty Partners, LLC regarding rezoning application Z-27 (Lynwood Development Group, LLC) of 2015, for property located at the southwest intersection of Powers Ferry Road and Windy Ridge Parkway in Land Lots 985 and 1008 of the 17th District.

ITEM OB-049

To consider amending the site plan and stipulations for JLB Realty LLC regarding rezoning application Z-40 (D & A Investment Group LLC and Pereira Management LLC) of 2008, for property located on the north side of Paces Ferry Road, west of Overlook Parkway and on the south side of Bert Adams Road in Land Lot 885 of the 17th District.

ITEM OB-050

To consider amending the site plan and stipulations for Walton Riverbend, LLC regarding rezoning application Z-8 (Julian LeCraw and Co.) of 1999, for property located on the southeast side of Akers Mill Road and Powers Ferry Road, west of Riverbend Club Drive in Land Lots 1031, 1032, 1057, 1058, 1066 and 1067 of the 17th District.

ITEM OB-051

To consider amending the stipulations for Leon Montgomery regarding rezoning application Z-24(Austell Investments, Inc) of 1990, for property located on the northwesterly side of Austell Road, north of Cunningham Road in Land Lot 155 of the 17th District. **WITHDRAWN WITHOUT PREJUDICE.**

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