

**COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING SUMMARY AGENDA
MAY 17, 2016**

CONSENT CASES

- Z-16 DOBBINS MILL, LLC**
Z-34 E-ROCK DEVELOPMENT
Z-39 BEVERLY J. SEARLES FOUNDATION, INC.
Z-41 SHELBY WORKMAN ESTATE
Z-44 SAYRE REALTY INVESTMENTS LLLP
**LUP-7 MOST REVEREND WILTON D. GREGORY, S.L.D., AS
ARCHBISHOP OF THE ROMAN CATHOLIC
ARCHDIOCESE OF ATLANTA AND/OR HIS
SUCCESSORS IN OFFICE**
LUP-9 JESSICAH HOLLIS JOYNER
SLUP-6 PRAISE TABERNACLE CHURCH
SLUP-7 GRACEPOINT SCHOOL
OB-023 JONATHAN MOORE
OB-024 SHIRLEY CARTER

**CONTINUED OR HELD CASES BY PLANNING COMMISSION,
BOARD OF COMMISSIONERS OR STAFF (TO BE HEARD)**

- Z-98¹⁵ COLUMBIA PROPERTIES CAPITAL, LLC** *(Continued by
Staff from the December 1, 2015, February 2, 2016, March 1, 2016 and
April 1, 2016 Planning Commission hearing)*
Z-24 BOOS DEVELOPMENT GROUP, INC. *(Held by the Board of
Commissioners from their April 19, 2016 hearing)*
Z-31 PHOENIX GRP, LLC *(Continued by Staff from the April 1, 2016
Planning Commission hearing)*

REGULAR CASES

- Z-36 BLAKE PROPERTIES, INC.**
LUP-8 RENATO BESSA

WITHDRAWN CASES

- Z-106^{'15}** **CRP OAKMONT SKYLINE, II, L.L.C.** (*Withdrawn without prejudice*)
- Z-38** **ATHENA ASSOCIATES INC.** (*Withdrawn without prejudice*)

CONTINUED OR HELD CASES BY PLANNING COMMISSION, BOARD OF COMMISSIONERS OR STAFF (NOT TO BE HEARD)

- Z-11** **MANOUCHEHR JAHANGARD** (*Previously continued by Staff until the April 1, 2016 hearing, and held by the Planning Commission until the June 7, 2016 Planning Commission hearing; therefore will not be considered at this hearing*)
- Z-18** **POPE & LAND ENTERPRISES, INC.** (*Previously continued by the Staff from the March 1, 2016 and April 1, 2016 Planning Commission hearings until the June 7, 2016 hearing; therefore will not be considered at this hearing*)
- Z-33** **OWF INVESTMENT CORP** (*Continued by staff until the June 7, 2016 Planning Commission hearing; therefore will not be considered at this hearing*)
- Z-35** **ADVENTUR LIVING LLC** (*Held by the Planning Commission until the June 7, 2016 Planning Commission hearing; therefore will not be considered at this hearing*)
- Z-37** **ROYAL RESIDENTIAL LLC** (*Continued by staff until the June 7, 2016 Planning Commission hearing; therefore will not be considered at this hearing*)
- Z-40** **ELITE AUTO COLLISION & SALES** (*Continued by staff until the June 7, 2016 Planning Commission hearing; therefore will not be considered at this hearing*)
- SLUP-4** **MANOUCHEHR JAHANGARD** (*Previously continued by the Staff until the April 1, 2016 Planning Commission hearing, and held by the Planning Commission until the June 7, 2016 Planning Commission hearing; therefore will not be considered at this hearing*)
- SLUP-5** **VERIZON WIRELESS (VAW) LLC** (*Continued by Staff from the April 1, 2016 and May 3, 2016 Planning Commission hearing; therefore will not be considered at this hearing*)

OTHER BUSINESS CASES

ITEM OB-022

To consider amending the site plan and zoning stipulations for certain residents of Lost Mountain Trails regarding rezoning application Z-59 (SIR Properties, Inc.) of 2004, for property located on the western side of Lost Mountain Road, north of Macland Road in Land Lots 429 and 430 of the 19th District.

ITEM OB-023

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their April 13, 2016 Variance Hearing regarding Variance Application V-45 JONATHAN MOORE.

ITEM OB-024

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their April 13, 2016 Variance Hearing regarding Variance Application V-52 SHIRLEY CARTER.

ITEM OB-025

To consider a stipulation amendment for Janice A. Shomo regarding rezoning application Z-24 of 2012 (Monica T. Madden), for property located on the north side of Hawkins Store Road, east of Bells Ferry Road, in Land Lot 149 of the 16th District.

ITEM OB-026

To consider amending the site plan and zoning stipulations for Kyle Salone and Deborah M. White regarding rezoning application Z-20 (Yancey Development) of 2003, for property located at 1945 Heatherbrooke Lane and 1952 Heatherbrooke Way in Land Lots 193 and 194 of the 20th District.

ITEM OB-027

To consider amending the zoning stipulations and site plan relating to Z-61 and Z-62 of 2005 (TI Riverwood, LLC and Regent Riverwood, LLC), for property located on the northerly side of Cumberland Boulevard, between Riverwood Parkway and Cobb Parkway in Land Lots 977, 978, 1015 and 1016 of the 17th District.

ITEM OB-028

To consider a stipulation amendment and site plan approval for NorSouth Development Company of Georgia, LLC regarding rezoning applications #248 of 1979 (River Properties, Inc.) and #12 of 1980 (Lenox Peachtree, Inc), for property located on the east side of Windy Hill Road, and on the north side of Wildwood Parkway, in Land Lots 987 and 988 of the 17th District.

ITEM OB-029

To consider a site plan and stipulation amendment for Meritage Homes regarding rezoning applications Z-199 of 2005 (Oakley Development Company) and Z-121 of 2006 (Priority Oakley, LLC), for property located at the northwest intersection of Wisteria Road and Floyd Drive, in Land Lot 1001 of the 19th District.

COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING *CONSENT* AGENDA
MAY 17, 2016

Rezoning

Z-16 DOBBINS MILL, LLC (East Brook Development, LLC, owner) requesting Rezoning from **R-20, MHP** and **GC** to **HI** for the purpose of Office/Warehouse in Land Lot 283 of the 17th District. Located at the terminus of Dunn Avenue, on the west side of West Atlanta Street. The Planning Commission recommends **DELETING to LI** subject to the following conditions:

1. Revised Letter of Agreeable conditions from Mr. Kevin Moore dated April 15, 2016; not otherwise in conflict, and with the following changes:
 - A. Item No. 8, subset (a) – strike the following text:”... , which shall be upgraded by Cobb County in a timely manner to Cobb County Department of Transportation standards and regulations,”
 - B. Item No. 13, first sentence – revise to read: “...adjacent to properties currently used for residential purposes regardless of current zoning;...
 - C. Item No. 13 – add to end: “ If residential use of adjacent property is discontinued and the property has a non-residential zoning classification, then the requirement for buffer shall be eliminated for that portion of the property.”
2. Fire Department comments and recommendations, not otherwise in conflict;
3. Water and Sewer Division comments and recommendations, not otherwise in conflict;
4. Stormwater Management Division comments and recommendations, not otherwise in conflict;
5. Department of Transportation comments and recommendations, not otherwise in conflict, and with the following revision:
 - A. Strike the fourth recommendation regarding improvements to Dunn Avenue
6. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.
7. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing on May 17, 2016

Z-34 E-ROCK DEVELOPMENT (Brenda A. Edwards; Donna Goss, Guardian and Conservator for Blaine L. Cordell and Ruby Stanley Cordell, owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of Single Family Residential in Land Lots 54 and 55 of the 20th District. Located on the northeast side of Hickory Grove Road, west of Hickory Grove Place, across from Sawnee Trl (1648 & 1700 Hickory Grove Road). The Planning Commission recommends **APPROVAL** subject to the following:

1. Site plan received by the Zoning Division on March 2, 2016, with the District Commissioner approving minor modifications;
2. Architecture as presented in the photographs at this hearing
3. Homes to be hardiplank with brick and stacked stone accents (no vinyl)
4. Minimum house size of 1800 square feet
5. Fire Department comments and recommendations;
6. Water and Sewer Division comments and recommendations;
7. Stormwater Management Division comments and recommendations;
8. Department of Transportation comments and recommendations; and
9. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.
10. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 17, 2016, *provided that the Applicant submit a stipulation letter to the Board of Commissioners by May 10, 2016*

Z-39 BEVERLY J. SEARLES FOUNDATION, INC. (Bel Air Car Wash LLC, owner) requesting Rezoning from **PSC** and **NRC** to **RSL (Supportive)** for the purpose of Senior Living-Supportive in Land Lots 1000 and 1001 of the 19th District. Located on the northwest corner of Floyd Road and Wisteria Drive, and on the east side of Floyd Drive (4426 and 4436 Floyd Road). The Planning Commission recommends **APPROVAL** subject to the following:

1. Site plan included with the letter of agreeable conditions from Mr. Parks Huff dated May 2, 2016 (on file in the Zoning Division);
2. Letter of agreeable conditions from Mr. Parks Huff dated May 2, 2016, including variances as stated in this letter, *not otherwise conflict* (on file in the Zoning Division);
3. Water and Sewer Division comments and recommendations, *not otherwise in conflict*;
4. Stormwater Management Division comments and recommendations, *not otherwise in conflict*;
5. Department of Transportation comments and recommendations; *not otherwise in conflict*

(Z-39 continued)

6. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvement to mitigate traffic concerns.
7. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 17, 2016

Z-41 SHELBY WORKMAN ESTATE (Lori Freeman Fowler as Executor of the Estate of Shelby Jean Workman, owners) requesting Rezoning from **O&I** and **R-20** to **R-15** for the purpose of a Single Family Residential in Land Lot 816 of the 17th District. Located on the east side of Ridgewood Drive, west side of I-285, south of Crestview Drive (no address given). The Planning Commission recommends **APPROVAL** subject to the following:

1. Revised site plan received by the Zoning Division on March 28, 2016, with the District Commissioner approving minor modifications; (on file in the Zoning Division)
2. Water and Sewer Division comments and recommendations;
3. Stormwater Management Division comments and recommendations;
4. Department of Transportation comments and recommendations.
5. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 17, 2016

Z-44 SAYRE REALTY INVESTMENTS LLLP (Sayre Realty Investments, LLLP, owner) requesting Rezoning from **NS** to **CRC** for the purpose of an Urgent Care Facility in Land Lot 470 of the 16th District. Located on the east side of Johnson Ferry Road, at Waterfront Drive (3120 Johnson Ferry Rd). The Planning Commission recommends **DELETING to NRC** subject to the following:

1. Site plan submitted to the Zoning Division on March 30, 2016, with the District Commissioner approving minor modifications; (on file in the Zoning Division)
2. Letter of agreeable conditions from Parks Huff Dated April 22, 2016 (on file in the Zoning Division)
3. Allowance of clinic as an additional use as part of the planned urgent care facility
4. Restricted uses to include: *billards or pool halls, recycling collection locations, auto repair, tattoo parlors, pawn shops, or "We Buy Gold" shops*
5. Water and Sewer Division comments and recommendations;
6. Stormwater Management Division comments and recommendations
7. Department of Transportation comments and recommendations
8. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on May 17, 2016

Land Use Permits

LUP-7 MOST REVEREND WILTON D. GREGORY, S.L.D., AS ARCHBISHOP OF THE ROMAN CATHOLIC ARCHDIOCESE OF ATLANTA AND/OR HIS SUCCESSORS IN OFFICE (Most Reverend John F. Donoghue, D.D., as Archbishop of the Roman Catholic Archdioceses of Atlanta, and/or his Successors in Office, owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Catholic Campus Ministry in Land Lots 97 of the 20th District. Located on the west side of Campus Loop Road, across from Paulding Avenue (3487 Campus Loop Road). The Planning Commission recommends **APPROVAL** for 24 months subject to the following:

1. Site plan received by the Zoning Division on February 12, 2016;(on file in the Zoning Division)
2. All parking to be within the driveway or at KSU;
3. Signage if needed, shall match the other house-to-office conversions on this side of Campus Loop Road
4. Fire Department comments and recommendations;
5. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 17, 2016

LUP-9 JESSICAH HOLLIS JOYNER (Jessica Hollis Joyner, owner) requesting a **Land Use Permit** for the purpose of a In Home Hair Salon in Land Lots 270 of the 20th District. Located on the northwest corner of Evian Drive and Hadaway Road (901 Evian Drive). The Planning Commission recommends **APPROVAL** for **12 months**.

1. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 17, 2016

Special Land Use Permits

SLUP-6 PRAISE TABERNACLE CHURCH (Praise Tabernacle Church Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Private School in Land Lots 956 and 957 of the 19th District. Located on the west side of Hiram Lithia Springs Road, north of Defoors Farm Drive (4052 Hiram Lithia Springs Road). The Planning Commission recommends **APPROVAL** subject to the following:

1. Site plan received by the Zoning Division on February 10, 2016, with the District Commissioner approving minor modifications;
2. Landscape plan to meet tree ordinance and be approved by County Arborist;
3. Stormwater Management Division comments and recommendations; and
4. Department of Transportation comments and recommendations.
5. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 17, 2016

SLUP-7 GRACEPOINT SCHOOL (Piedmont Baptist Church, owner) requesting a **Special Land Use Permit** for the purpose of a Private School in Land Lots 566, 567, 586, and 587 of the 16th District. Located on the south side of Piedmont Road, west of Beverly Road, at the western terminus of Tamaqua Drive, at the western terminus of Yakuta Drive, and at the north end of Chicapoo Drive (570 Piedmont Road). The Planning Commission recommends **APPROVAL** subject to the following:

1. Site plan received March 11, 2016 with District Commissioner approving minor modification;
2. Traffic circulation plans to be approved by the Cobb County DOT;
3. Fire Department comments and recommendations; and
4. Department of Transportation comments and recommendations.
5. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of May 17, 2016

Other Business Cases

ITEM OB-023

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their April 13, 2016 Variance Hearing regarding Variance Application V-45 JONATHAN MOORE. Staff recommends approval subject to:

1. The Board of Zoning Appeals minutes for V-45 of 2016.

ITEM OB-024

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their April 13, 2016 Variance Hearing regarding Variance Application V-52 SHIRLEY CARTER. Staff recommends approval subject to:

1. The Board of Zoning Appeals minutes for V-52 of 2016.

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, 30090.

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.