

**COBB COUNTY BOARD OF COMMISSIONERS**  
**ZONING HEARING SUMMARY AGENDA**  
**JUNE 21, 2016**  
*(REVISED JUNE 17, 2016)*

**CONSENT CASES**

- Z-33**            **OWF INVESTMENT CORP**  
**Z-43**            **URBAN ENGINEERS**  
**Z-51**            **ADVENTUR LIVING LLC**  
**Z-53**            **PRADERA GROUP LLC**  
**Z-55**            **HENRY ROBERT, DIRECTOR OF REAL ESTATE,**  
                    **TAKE OIL 5**  
**OB-030**        **JAMES TOWEY**

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

- Z-24**            **BOOS DEVELOPMENT GROUP, INC.** *(Held by the Board of  
Commissioners from their April 19, 2016 and May 17, 2016 hearing)*  
**Z-35**            **ADVENTUR LIVING LLC** *(Previously held by the Planning  
Commission until the June 7, 2016 hearing)*

**REGULAR CASES**

- Z-45**            **NEAL HODO**  
**Z-46**            **FIVE-K, INC.**  
**Z-48**            **FORMATION DEVELOPMENT GROUP**  
**Z-49**            **JANAAL COLEMAN**  
**Z-52**            **CENTRIC DEVELOPMENT, LLC**  
**Z-54**            **BUTLER BROTHERS TIRE COMPANY**

**WITHDRAWN CASES**

- Z-37**            **ROYAL RESIDENTIAL, LLC (WITHDRAWN WITHOUT  
PREJUDICE)**  
**SLUP-5**        **VERIZON WIRELESS (VAW), LLC (WITHDRAWN  
WITHOUT PREJUDICE)**  
**OB-034**        **HOWIE EWE (WITHDRAWN WITHOUT PREJUDICE)**

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

- Z-11**      **MANOUCHEHR JAHANGARD** ( Continued by the Planning Commission from their February 2, 2016 hearing, March 1, 2016 Planning Commission hearing, Held by the Planning Commission until the June 7, 2016 hearing, and continued by the Planning Commission until the July 7 Planning Commission hearing)
- Z-18**      **POPE & LAND ENTERPRISES, INC.** (Previously continued by Staff from the March 1, 2016, April 1, 2016, May 3, 2016 and June 7, 2016 Planning Commission hearings, until the July 7, 2016 Planning Commission hearing)
- Z-40**      **ELITE AUTO COLLISION & SALES** (Continued by Staff from the May 3, 2016 and June 7, 2016 Planning Commission hearing, until the July 7, 2016 Planning Commissioner hearing.)
- Z-42**      **AMADU MANE** (Continued by Staff until the July 19, 2016 Board of Commissioners hearing)
- Z-47**      **PEBBLEBROOK DEVELOPMENT, LLC** (Continued by Staff until the August 2, 2016 Planning Commission hearing)
- Z-50**      **ADVENTUR LIVING LLC** (Continued by Staff until the July 7, 2016 Planning Commission hearing)
- SLUP-4**      **MANOUCHEHR JAHANGARD** ( Continued by the Planning Commission from their February 2, 2016 hearing, March 1, 2016 Planning Commission hearing, Held by the Planning Commission until the June 7, 2016 hearing; and continued by the Planning Commission until the July 7 Planning Commission hearing; therefore will not be considered)
- OB-032**      **NASEEB RANA**(Continued by Staff until the July 19, 2016 Board of Commissioners hearing)
- OB-033**      **SCOT CLARK** Continued by Staff until the July 19, 2016 Board of Commissioners hearing)

**OTHER BUSINESS CASES**

**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 17<sup>th</sup> District. (Continued from the May 17, 2016 Board of Commissioners hearing)

**ITEM OB-030**

To consider a stipulation amendment and site plan amendment for James Towey regarding rezoning applications #321 of 1985 (Gene Hall Associates) and Z-50 of 1991 (James W. Moore, Jr.), for property located on the north side of First Drive, west of Grove Park Court, in Land Lot 629 of the 16<sup>th</sup> District.

**ITEM OB-031**

To consider a stipulation amendment and site plan amendment for Cambridge Real Property Holdings, LLC regarding rezoning application Z-54 of 2012 (Ballantry Homes (West Cobb), Inc.), for property located at the northeast intersection of Macland Road and Bankstone Drive, in Land Lots 471, 472, 491 and 492 of the 19<sup>th</sup> District.

**ITEM OB-032**

To consider a stipulation amendment and site plan amendment for Naseeb Rana regarding rezoning application Z-21 of 2015 (DDR Corporation), for property located on the south side of Sandy Plains Road, west of State Route 92, in Land Lot 107 of the 16<sup>th</sup> District. (*Continued by Staff until the July 19, 2016 Board of Commissioners hearing*)

**ITEM OB-033**

To consider a site plan amendment for Scot Clark regarding rezoning application Z-112 of 1999 (Hawkins Development Corporation), for property located on the west side of Cumberland Parkway, and on the east side of I-285, in Land Lots 816 and 817 of the 17<sup>th</sup> District. (*Continued by Staff until the July 19, 2016 Board of Commissioners hearing*)

**ITEM OB-034**

To consider a stipulation amendment for Howie Ewe (Sweet Hut) regarding rezoning application Z-169 of 2003 (Bright-Meyers 2001, LLC), for property located on the west side of Chastain Meadows Parkway, north of Barrett Parkway, in Land Lots 571, 572 and 582 of the 16<sup>th</sup> District.  
**(WITHDRAWN WITHOUT PREJUDICE)**

**COBB COUNTY BOARD OF COMMISSIONERS**  
**ZONING HEARING *CONSENT* AGENDA**  
**JUNE 21, 2016**  
*(REVISED JUNE 17, 2016)*

**Rezoning**

**Z-33 OWF INVESTMENT CORP** (Thomas Neal Smith as Guardian for Henry Thomas Smith and as Executor for the Estate of Virginia H. Smith, Rickey W. Gasaway, Debbie L. Scragg, Steven F. Uberto, and Henry F. Uberto, owners) requesting Rezoning from **R-20** to **R-15** for the purpose of a Residential Subdivision in Land Lots 987 and 988 of the 16<sup>th</sup> District. Located on the southwest corner of Sewell Mill Road and Braswell Road, south of Meadow Wood Court (2289 Sewell Mill Road, 1065 and 1093 Braswell Road). The Planning Commission recommends **APPROVAL** to the **R-15** zoning district subject to the following conditions:

1. *Revised Site Plan* received by the Zoning Division on May 16, 2016 (on file in the Zoning Division)
2. Letter titled “*Summary of Intent*” from the OWF Investment Corp. dated May 4, 2016 (on file in the Zoning Division)
3. The District Commissioner shall have the authority to approve minor modifications to these stipulations and the site plan as the development proceeds through the Plan Review process and thereafter; for purposes of this paragraph, any modifications that increase density, reduce the size or composition or an approved buffer or landscape strip to adjacent property; relocate a structure closer to a property line, or increase the height of a building adjacent to property which are in direct contradiction to or conflict with the foregoing stipulations, will come back through the public hearing process as an “Other Business” application
4. Variances as listed in the Zoning comments
5. Impervious surface to be calculated on an individual lot basis *only*; the summing of impervious coverage over the entire subdivision is not permitted
6. Fire Department comments and recommendations
7. Water and Sewer Division comments and recommendations
8. Stormwater Management Division comments and recommendations
9. Department of Transportation comments and recommendations
10. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing of June 21, 2016

**Z-43 URBAN ENGINEERS** (Factory Shoals Logistics, LLC, Suncap Atlanta # 2, LLC, owners) requesting Rezoning from **R-20** and **HI** to **HI** for the purpose of Warehouse in Land Lots 681 and 682 of the 18<sup>th</sup> District. Located on the northwest side of Factory Shoals Road, across from White Road (no address given). The Planning Commission recommends **DELETION** to the **LI** zoning district subject to the following:

1. Site plan received by the Zoning Division on March 29, 2016, with the District Commissioner approving minor modifications (on file in the Zoning Division)
2. Letter from Mr. Daniel Wintermeyer dated May 31, 2016 (on file in the Zoning Division)
3. Fire Department comments and recommendations
4. Water and Sewer Division comments and recommendations
5. Stormwater Management Division comments and recommendations
6. Department of Transportation comments and recommendations
7. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of June 21, 2016

**Z-51 ADVENTUR LIVING LLC** (James Richard Gaydon; Lonie M. Barfield a/k/a Lonnie Melba Barfield, owners) requesting Rezoning from **R-30** to **R-20** for the purpose of Residential Subdivision in Land Lot 497 of the 19<sup>th</sup> District. Located on the north side of Macland Road, east of McMurry Drive (3204 Macland Road). The Planning Commission recommends **DELETION** to the **R-20/OSC** zoning district subject to the following:

1. Site plan dated May 17, 2016 (on file in the Zoning Division)
2. Letter of agreeable conditions from Mr. Doug Patten dated June 6, 2016 (on file in the Zoning Division), with the following change
  - A. Item No. 6 – add to end: *“All open space is to be undisturbed except for installation of sewer and a stormwater management pond.”*
3. Planning Division comments and recommendations dated May 20, 2016 (on file in the Zoning Division)
4. Water and Sewer Division comments and recommendations
5. Stormwater Management Division comments and recommendations
6. Department of Transportation comments and recommendations
7. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of June 21, 2016

**Z-53 PRADERA GROUP LLC** (Purcell Trust as set forth in the PURCELL TRUST AGREEMENT dated March 16, 2004, owners) requesting Rezoning from **R-20** to **R-12** for the purpose of Single Family subdivision in Land Lot 770 of the 17<sup>th</sup> District. Located on the northwest corner of Spring Hill Road and Simpson Road (3684 Spring Hill Road).The Planning Commission recommends **DELETION** to the **RA-5** zoning district subject to the following:

1. **Site plan received by the Zoning Division on April 7, 2016 (on file in the Zoning Division)**
2. **Letter of agreeable conditions from Mr. Michael Wadsworth dated May 31, 2016, (on file in the Zoning Division), including photographs of the homes represented and the site plan, with the following changes:**
  - A. **Item No. 2 – revise to read: “*Maximum of two homes to be built on the site; homes will be four-sided architecture...*”**
  - B. **Item No. 4 – add to end of second paragraph: “*... and as agreed to in the details shown in the emails to Mr. and Mrs. Kemp dated May 31, 2016 and June 5, 2016.*” (on file in the Zoning Division)**
  - C. **Item No. 6 – add to end: “*During the construction phase, no parking of delivery, employee, or construction vehicles will be allowed on Spring Hill Road or Simpson Road.*”**
  - D. **Add Item No. 9 – “*The existing home and the out-building will be demolished within 120 days of Board of Commissioner approval.*”**
3. **Water and Sewer 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 June 21, 2016**

**Z-55 HENRY ROBERT, DIRECTOR OF REAL ESTATE, TAKE 5 OIL**(92 Woodstock, LLC, owner) requesting Rezoning from **PSC** to **NRC** for the purpose of Light Automotive Repair in Land Lot 108 of the 16<sup>th</sup> District. Located on the northeast side of Woodstock Road, northwest of Surrey Road (4704 Woodstock Road). The Planning Commission recommends **APPROVAL** to the **NRC** zoning district subject to the following:

1. **Site plan received by the Zoning Division on April 7, 2016, with District Commissioner approving minor modifications (on file in the Zoning Division)**
2. **No outdoor display of merchandise**
3. **Building architecture and colors to be approved by District Commissioner**
4. **Water and Sewer Division comments and recommendations**
5. **Stormwater Management Division comments and recommendations**
6. **Department of Transportation comments and recommendations**
7. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of June 21, 2016**

**Other Business Cases**

**ITEM OB-030**

To consider a stipulation amendment and site plan amendment for James Towey regarding rezoning applications #321 of 1985 (Gene Hall Associates) and Z-50 of 1991 (James W. Moore, Jr.), for property located on the north side of First Drive, west of Grove Park Court, in Land Lot 629 of the 16<sup>th</sup> District. Staff recommends approval subject to:

1. **The proposed site plan received by the zoning division May 16, 2016, with the District Commissioner approving minor modifications;**
2. **Stormwater Management comments;**
3. **No access to First Drive;**
4. **All previous stipulations not in conflict.**

**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.