

**JULY 19, 2016 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 4**

ITEM 039

PURPOSE

To consider a stipulation amendment for The Church of Pentecost USA, Inc. regarding rezoning application Z-80 of 2015 (The Church of Pentecost USA, Inc.), for property located on the southwest side of Mableton Parkway, south of Veterans Memorial Highway, and on the north side of Glore Circle, in Land Lots 36 and 37 of the 17th District.

BACKGROUND

The subject property was rezoned to R-20 in 2015 for church subject to 25 zoning stipulations. There were several stipulations that were to be done by a certain due date. Specifically, stipulation #5 required paving in rear, stipulation #6 required landscaping to be done, stipulation #10 required trailers & trash be removed, and stipulation #11 required certain landscaping to be done. All these stipulations have passed their respective due dates. The applicant has been trying to complete the zoning requirements but has not finished due to permitting issues, illegal dumping, break-ins, weather and other issues. There is an active Code Enforcement case on this property due to the zoning stipulations. The applicant would like to extend the due dates another 180 days, which should be enough time to complete all the zoning requirements. If approved, all previous stipulations not in conflict with this amendment should remain in effect.

RECOMMENDATION

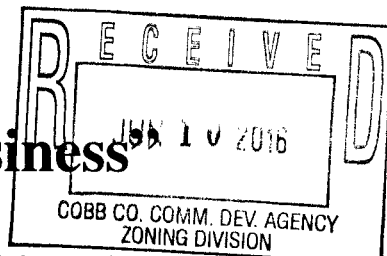
The Board of Commissioners conduct a Public Hearing and consider the proposed site plan amendment.

ATTACHMENTS

Other Business application and zoning stipulations.

Application for "Other Business" Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)



08-039-2016

BOC Hearing Date Requested: 7-19-16

Applicant: THE CHURCH OF PENTECOST USA, INC. Phone #: 404 422-3140
(applicant's name printed)

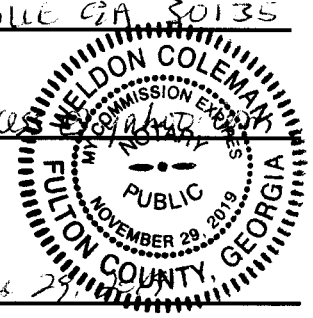
Address: 6140 QUEEN MIL RD. MABLETON GA 30126 E-Mail: Josephnpinco@yahoo.com

JOSEPH GYAMFI Address: 5000 SMOKESTONE DR, DOUGLASVILLE GA 30135
(representative's name, printed)

Joseph Gyamfi Phone #: 404 422-3140 E-Mail: Josephnpinco@yahoo.com
(representative's signature)

Signed, sealed and delivered in presence of:

Weldon Coleman Weldon Coleman My commission expires: November 29, 2019
Notary Public



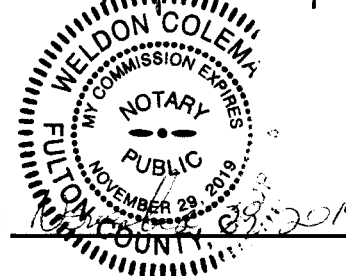
Titleholder(s): THE CHURCH OF PENTECOST USA INC. Phone #: 404 422 3140
(property owner's name printed)

Address: 6140 QUEEN MIL RD. MABLETON GA 30126 E-Mail: Josephnpinco@yahoo.com

The Church of Pentecost Joseph Gyamfi
(Property owner's signature) REV. JOSEPH GYAMFI

Signed, sealed and delivered in presence of:

Weldon Coleman Weldon Coleman My commission expires: November 29, 2019
Notary Public



Commission District: 4 **Zoning Case:** Z-80

Size of property in acres: 5.2 **Original Date of Hearing:** 12-15-15

Location: 5606 MABLETON PKWY, 728, 736, 742 GLORE CIRCLE, 827 WOOD VALLEY RD.
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 36, 37 **District(s):** 17

State specifically the need or reason(s) for Other Business: _____

EXTENSION OF COMPLETION DATE DUE TO THE FOLLOWING REASONS

- 1.) THE TRAILER SHIPPING CONTAINER HAD NO VIN NUMBER. IT IS NOT EASY TO REMOVE
- 2.) PEOPLE KEPT ON TROWING TRASH ON THE PROPERTY EVERY TIME WE CLEAN.
- 3.) MEETING: GEORGIA DOT, COBB COUNTY DOT, RAINING SEASON,

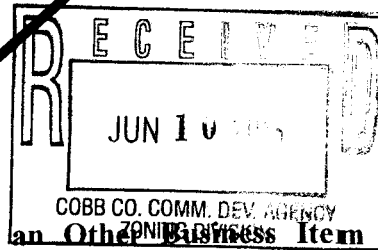
(List or attach additional information if needed)

Mableton Pkwy

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REGULAR AGENDA (CONT.)

SLUP-11 BRILLIANT AUTOMOTIVE (CONT.)



- 16. Applicant can renew or extend permit via an ~~Other Business Item~~ provided no Code Enforcement action during the time period the permit is in effect and provided the permit is still active at the time of application
- 17. Water and Sewer Division comments and recommendations, *not otherwise in conflict*
- 18. Stormwater Management Division comments and recommendations, *not otherwise in conflict*
- 19. Cobb DOT comments and recommendations, *not otherwise in conflict*

NOTE: ADOPTED 4-1, Lee opposed

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). *(Previously continued by the Planning Commission from their September 1, 2015, October 6, 2015 and November 3, 2015 hearings)*

The public hearing was opened, and Reverend Joseph Gyamfi and Ms. Robin Meyer addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Cupid, second by Weatherford, to delete Z-80 to the R-20 zoning category, subject to:

- 1. Site plan presented on December 15, 2015, with final approval by the District Commissioner within 15 days of this decision (attached and made part of these minutes)
- 2. For church use *only*
- 3. Reseal and stripe the portion of the parking lot that runs along the Mableton Parkway frontage to the rear of the property to be completed prior to issuance of Certificate of Occupancy
- 4. Repave, stripe, and add landscape islands as indicated on the site plan for the portion of the parking lot located on the Glore Circle frontage to where it meets the pavement of the Mableton Parkway frontage, which shall be completed prior to issuance of Certificate of Occupancy
- 5. Parking to the rear of the property (westernmost parking area) to be closed with barricades until such time that it will be used for parking, and at such time, the lot to be paved and striped within 30 days of this decision

REGULAR AGENDA (CONT.)

Z-80 THE CHURCH OF PENTECOST U.S.A., INC. (CONT.)

6. Northern most access point on Mableton Parkway to be permanently closed; the curb cut to be removed and replaced with curb and gutter; sidewalk to be replaced; the paving from the sidewalk to the front of the building to be removed and replaced with landscaping as indicated on the site plan; and shall be completed within 180 days of this decision
7. The remaining two access points along Mableton Parkway shall be full access in if approved by the Georgia Department of Transportation; and right out *only*
8. One access point to be allowed on Glore Circle *only* as indicated on the site plan and shall be restricted to left out *only*
9. Repairs to damaged façade shall be completed prior to issuance of Certificate of Occupancy
10. All trailers, shipping containers, trash, or debris currently on the property shall be removed within 30 days of this decision
11. Landscaping to be per the site plan, with approval by the District Commissioner and Landscape Architect, and shall be completed within 180 days of this decision
12. Accessory structure drive-through teller to be removed within two years of this decision; the area to be paved and striped as indicated on the site plan; however, if the enclosed portion of the drive-through teller is removed then the District Commissioner is to approve the final design, use, and color of the enclosed structure
13. Fencing located near Mableton Parkway as indicated on the site plan shall be wrought iron style fencing with materials being wrought iron, aluminum, or other material approved by the District Commissioner and the fence shall be a maximum height of five feet
14. Any fencing installed along or near Glore Circle shall be wrought iron style fencing or vinyl covered black chain link fencing
15. Allowance of one electronic message board sign adjacent to Mableton Parkway frontage, which shall adhere to all Cobb County requirements with permit being obtained
16. All exterior lighting shall meet Cobb County Development Standards and no stray lighting shall encroach on neighboring properties
17. A dumpster enclosure shall be built at a location to the rear of the building and shall meet Cobb County Development Standards
18. Any additions or accessory structures shall come back before the Board of Commissioners as an Other Business Item
19. Any dead or dying landscaping to be replaced within 30 days and this is as an on-going requirement

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REGULAR AGENDA (CONT.)

Z-80 THE CHURCH OF PENTECOST U.S.A., INC. (CONT.)

20. Any change to color of structure to be approved by the District Commissioner
21. Fire Department comments and recommendations, *not otherwise in conflict*
22. Water and Sewer Division comments and recommendations, *not otherwise in conflict*
23. Stormwater Management Division comments and recommendations, *not otherwise in conflict*
24. Cobb DOT comments and recommendations, *not otherwise in conflict*
25. 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

VOTE: ADOPTED unanimously

~~Z-97~~

~~SUNSPRING LAND INVESTORS (David B. Mizelle and Dana T. Mizelle, owners) requesting Rezoning from R-20 to R-15 for the purpose of a Subdivision in Land Lot 745, of the 16th District. Located on the east side of Old Canton Road, across from Porter Lane (1964 Old Canton Road).~~

~~The public hearing was opened, and Mr. Dave Odom and Mr. Chris Peters addressed the Board. Following presentation and discussion, the following motion was made:~~

~~MOTION: Motion by Birrell, second by Lee to approve Z-97 to the R-15 zoning category, subject to:~~

1. Final site plan to be approved by the District Commissioner
2. Letter of agreeable conditions from Mr. Dave Odom dated December 15, 2015 (attached and made a part of these minutes)
3. Applicant to work with County Arborist regarding the development of a landscape plan, with final approval of the landscape plan and any fencing by the District Commissioner
4. The buffer on lots three and four to be deed restricted and noted on the plat
5. Fire Department comments and recommendations, *not otherwise in conflict*
6. Water and Sewer Division comments and recommendations, *not otherwise in conflict*
7. Stormwater Management Division comments and recommendations, *not otherwise in conflict*
8. Cobb DOT comments and recommendations, *not otherwise in conflict*