
ZONING ANALYSIS

Planning Commission Public Hearing

July 7, 2016

Board of Commissioners' Public Hearing

July 19, 2016

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

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COBB COUNTY ZONING DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT

Dana Johnson, Director, Community Development
John Pederson, Manager, Zoning Division



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–July 7, 2016

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-11** **MANOUCHEHR JAHANGARD** (Hilswepow, LLC, owner) requesting Rezoning from **PSC** and **R-20** to **NRC** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lot 34 of the 18th District. Located at the southeast corner of Veterans Memorial Highway and Powell Drive, and on the south side of Old Powder Springs Road (1391 Veterans Memorial Highway). *(Previously continued by the Planning Commission from their February 2, 2016 hearing and continued by Staff from the April 1, 2016; and continued by the Planning Commission from their June 7, 2016 Planning Commission hearing until their July 7, 2016 hearing)*
- Z-18** **POPE & LAND ENTERPRISES, INC.** (John M. Struhar, Jr., Edward K. Murphy and Denise D. Murphy, owners) requesting Rezoning from **RM-8** to **RRC** for the purpose of a Mixed Use Development in Land Lot 977, of the 17th District. Located on the easterly side of River Oaks Drive, north of Stillhouse Lane. *(Previously continued by Staff from the March 1, 2016, April 1, 2016, May 3, 2016, June 7, 2016 and July 7, 2016 Planning Commission hearings; therefore will not be considered)*
- Z-40** **ELITE AUTO COLLISION & SALES** (2K Consulting Group LLC, Detong Chen, owners) requesting Rezoning from **LI** to **CRC** for the purpose of Collision and Service Center in Land Lot 46 of the 18th District. Located on the south side of Veterans Memorial Highway, east of Lakeshore Drive (380 Veterans Memorial Highway). *(Previously continued by Staff from the May 3, 2016 and June 7, 2016 Planning Commission hearings.)*

- Z-47** **PEBBLEBROOK DEVELOPMENT, LLC** (Evelyn Joyce Boatright, Kyle Wesley Boatright and Jason Ashley Mauldin, Trustees of the Marital Trust B U/W of THOMAS ALEXANDER ELLIS, owners) requesting Rezoning from **R-20** and **R-80** to **R-15** for the purpose of Residential Neighborhood in Land Lots 29, 45, 46 and 47 of the 19th District. Located on the south side of Old Dallas Road, east of Villa Rica Way, and on the north end of Hickory Stick Lane (no address given). *(Previously continued by staff from the June 7, 2016 Planning Commission hearing, and continued by staff until the August 2, 2016 hearing)*
- Z-50** **ADVENTUR LIVING LLC** (Kymberly Brown Taylor Matthews a/k/a Kymberly Mitchell Taylor, Executor of the estate of Philip Kirk Brown: et al, owners) requesting Rezoning from **R-20** to **RSL** for the purpose of Residential Senior Living (Non-Supportive) in Land Lots 538, 539, 572, and 613 of the 19th District. Located on the east side of Hopkins Road, northwest side of John Petree Road, south of Macland Road (2411 & 2427 Hopkins Road; 2495, 3435 and 3455 Macland Road). *(Continued by staff from the June 7, 2016 and July 7, 2016 Planning Commission hearing; therefore will not be considered)*
- SLUP-4** **MANOUCHEHR JAHANGARD** (Hilswepow, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lot 34 of the 18th District. Located at the southeast corner of Veterans Memorial Highway and Powell Drive, and on the south side of Old Powder Springs Road (1391 Veterans Memorial Highway). *(Previously continued by the Planning Commission from their February 2, 2016 hearing and continued by Staff from the April 1, 2016; and continued by the Planning Commission from their June 7, 2016 Planning Commission hearing until their July 7, 2016 hearing)*

REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-56** **CORTEZ AUTO SALES, INC.** (Georgia-Cumberland Association of Seventh-Day Adventists, Inc. owner) requesting Rezoning from **GC** to **CRC** for the purpose of a pre-owned automobile sales facility in Land Lot 15 of the 17th District. Located on the east side of Austell Road, south of Windy Hill Road. (2455 Austell Road).
- Z-57** **GRACIE LEE ANN MERAZ** (Gracie Lee Ann Meraz, owner) requesting Rezoning from **R-20** to **NRC** for the purpose of a Nonautomotive Repair Facility (painting equipment repairs/service) in Land Lot 132 of the 17th District. Located on the south side of Pat Mell Road, east of Austell Road (415 Pat Mell Road).
- Z-58** **LIDL US** (Diane Sue Weldon (4730 Floyd Road, LLC, Betty James Barnes, Estate of Thurston Brown, Joyce Brown, owners) requesting Rezoning from **R-20** to **NRC** for the purpose of a Grocery Store and Retail in Land Lots 30 and 31 of the 17th District. Located on the north side of White Boulevard, and on the west side of Floyd Road.
- Z-59** **CCIC, INC.** (CCIC Inc, owner) requesting Rezoning from **NS** to **R-20** for the purpose of single family residential in Land Lot 497 of the 19th District. Located on the south side of Macland Road, east of Scotney Castle Lane, west of John Petree Road (3297 Macland Road).
- Z-60** **DUNCAN LAND INVESTMENTS, LLC** (Spero G. Karas, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a subdivision in Land Lots 594 and 559 of the 16th District. Located on the east side of Bob Bettis Road, on the south side of Brown Circle, and on the north side of Fairview Drive (2712 Bob Bettis Road).

LAND USE PERMITS

- LUP-10** **JEFFERY C. SMITH** (Jeffery C. Smith, owner) requesting a **Land Use Permit (Renewal)** for the purpose of selling produce in Land Lot 1054 of the 19th District. Located on the northeast side of Austell Powder Springs Road, southeast of Furr Avenue (4509 Austell Powder Springs Road).
- LUP-11** **JESSICA BRENNAN** (Jessica Brennan and Dana J. Brennan, owners) requesting a **Land Use Permit** for the purpose of in home hair salon in Land Lot 239 of the 17th District. Located at the southwest corner of Vanessa Drive and Cline Drive (42 Vanessa Drive).
- LUP-12** **SPURS OF HOPE, INC.** (George Andrew Montgomery, Jr. owner) requesting a **Land Use Permit** for the purpose of equine therapy for foster children in Land Lot 715 of the 16th District. Located at the western terminus of Laura Lake Road (151 Laura Lake Road).

SPECIAL LAND USE PERMITS

- SLUP-8** **CORTEZ AUTO SALES, INC** (Georgia-Cumberland Association of Seventh-Day Adventists, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a pre-owned automobile sales in Land Lot 15 of the 17th District. Located on the east side of Austell Road, South of Windy Hill Road. (2455 Austell Road).

OTHER BUSINESS

ITEM #4

Consider a recommendation to the Board of Commissioners regarding the Code Amendments for Section 134 of the Cobb County Code.

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.

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COBB COUNTY
ZONING HEARING AGENDA
Board of Commissioners–July 19, 2016

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

Rezoning

- Z-11** **MANOUCHEHR JAHANGARD** (Hilswepow, LLC, owner) requesting Rezoning from **PSC** and **R-20** to **NRC** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lot 34 of the 18th District. Located at the southeast corner of Veterans Memorial Highway and Powell Drive, and on the south side of Old Powder Springs Road (1391 Veterans Memorial Highway). *(Previously continued by the Planning Commission from their February 2, 2016 hearing and continued by Staff from the April 1, 2016; and continued by the Planning Commission from their June 7, 2016 Planning Commission hearing; until their July 7, 2016 hearing)*
- Z-35** **ADVENTUR LIVING LLC** (T.M. Denome, William Harry Nelson and Glenna S. Nelson, and Harold R. Burtz, owners) requesting Rezoning from **R-20** and **R-80** to **RSL(Non-Supportive)** for the purpose of Senior Living in Land Lots 304 and 345 of the 16th District. Located on the east side of Ebenezer Road, north of Blackwell Road, and the western terminus of Cedar Ridge Road (3750, 3860, and 3862 Ebenezer Road). *(Continued by the Board of Commissioners from the June 21, 2016 hearing)*
- Z-40** **ELITE AUTO COLLISION & SALES** (2K Consulting Group LLC, Detong Chen, owners) requesting Rezoning from **LI** to **CRC** for the purpose of Collision and Service Center in Land Lot 46 of the 18th District. Located on the south side of Veterans Memorial Highway, east of Lakeshore Drive (380 Veterans Memorial Highway). *(Previously continued by Staff until the June 7, 2016 Planning Commission hearing and continued by the Planning Commission until their July 7, 2016 hearing)*

- Z-42** **AMADU MANE** (Deepak Pahari, owner) requesting Rezoning from **GC** to **NRC** for the purpose of a Grocery Store in Land Lot 147 of the 18th District. Located on the northwest corner of South Gordon Road and Old Alabama Road (1956 Old Alabama Road). *(Previously continued by Staff from the June 21, 2016 Board of Commissioners hearing)*
- Z-49** **JANAAL COLEMAN** (Jasara, Inc., owner) requesting Rezoning from **GC** to **NRC** for the purpose of adding a fruit stand in Land Lots 556 and 557 of the 19th District. Located on the northern corner of Austell Road and Callaway Road. (2688 Austell Road). *(Continued by the Board of Commissioners from the June 21, 2016 hearing)*
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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 17th District. *(Continued by the Board of Commissioners from the May 17, 2016 and June 21, 2016 hearings).*

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 16th District. *(Continued by Staff from the June 21, 2016 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 17th District. *(Continued by Staff from the June 21, 2016 hearing).*

ITEM OB-035

To consider a stipulation amendment for RaceTrac Petroleum regarding rezoning application Z-21 of 2000 (Metropolitan Foods, Inc.), for property located on the southwest corner of Floyd Road and Clay Road, in Land Lot 34 of the 17th District.

ITEM OB-036

To consider a stipulation amendment for Johnny L. Roper regarding rezoning application #37 of 1986 (Johnny L. Roper), for property located on the north side of Dallas Road, west of Martin Ridge Drive, in Land Lot 329 of the 20th District.

ITEM OB-037

To consider a stipulation and site plan amendment for W&H Investments, LLC regarding rezoning application Z-18 of 2006 (Weaver & Woodbury Company), for property located at the southwest intersection of Hicks Road and Concord Road, and on the east side of Floyd Road in Land Lots 29 and 30 of the 17th District and Land Lots 1000 and 1073 of the 19th District.

ITEM OB-038

To consider a stipulation amendment and site plan amendment for The Providence Group of Georgia Custom Homes, LLC regarding rezoning application Z-24 of 2013 (Cotter Properties & Development, LLC), for property located on the west side of Spring Hill Parkway, north of Spring Hill Road, in Land Lots 772, 813 and 814 of the 17th District.

ITEM OB-039

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.

ITEM OB-040

To consider a stipulation amendment for CPI Holdings, LLC regarding rezoning application Z-135 of 1994 (Columbia Properties Incorporated), for property located on the southeast corner of Mars Hill Road and Stilesboro Road, in Land Lots 224 and 225 of the 20th 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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