
ZONING ANALYSIS

Planning Commission Public Hearing

December 6, 2016

Board of Commissioners' Public Hearing

December 20, 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–December 6, 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-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, July 7, 2016, August 2, 2016, September 8, 2016, October 4, 2016, November 1, 2016 and December 6, 2016 Planning Commission hearings until the February 7, 2017 Planning Commission hearing)*
- Z-84** **JAMES C. LANE, JR.** (James C. Lane, Jr., owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Subdivision in Land Lots 330 and 331 of the 16th District. Located at the northeast intersection of Fricks Road and Cochran Lake Road. *(Previously continued by the Planning Commission from the October 4, 2016 hearing and continued by staff from the November 1, 2016 hearing until the December 6, 2016 Planning Commission hearing)*
- Z-86** **WINDSONG PROPERTIES, LLC** (See zoning file, owners) requesting Rezoning from **R-30** to **RSL** for the purpose of Residential Senior Living (non-supportive) in Land Lot 201 of the 20th District. Located at the northeast intersection of Stilesboro Road and Mack Dobbs Road. *(Previously continued by Staff from the October 4, and November 1, 2016 Planning Commission hearings until the December 6, 2016 hearing)*

- Z-93** **KAPLAN MORGAN VININGS DEVELOPMENT, LLC** (ADIC, Inc., successor by merger to XEBO Corporation, owner) requesting Rezoning from **CRC** to **RRC** for the purpose of Mixed Use Development in Land Lots 816, 817, 839 and 840 of the 17th District. Located at the southeast intersection of Cumberland Parkway and Paces Walk. *(Continued by staff until the February 7, 2017 Planning Commission hearing)*
- Z-97** **ROYAL RESIDENTIAL, INC** (Wilma J. Layton, owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Subdivision in Land Lot 962 of the 16th District. Located at the northwest intersection of Roswell Road and Vester Drive. *(Previously continued by the Planning Commission from the November 1, 2016 hearing until the December 6, 2016 hearing)*
- Z-101** **PROVINCE HOMES, LLC** (The Estate of Clyde H. Kemp, JR. and The Estate of Carolyn L. Ellis Kemp, owners) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of Single-family Residential in Land Lots 273 and 274 of the 20th District. Located on the southwest side of Burnt Hickory Road, west of Acworth-Due West Road. *(Previously Held by the Planning Commission from their November 1, 2016 hearing until the December 6, 2016 hearing)*

- LUP-29** SM LIVING, LLC (Richard R. Kuhne, owner) requesting a **Land Use Permit** for the purpose of allowing 8 residents in a group home in Land Lot 94 of the 20th District. Located on the southeast corner of Creekwood Crossing and Shiloh Trail East (3824 Creekwood Crossing). *(Continued by Staff until the February 7, 2017 Planning Commission hearing)*
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REGULAR CASES --- NEW BUSINESS

Rezoning

- Z-103** **CAPITAL CITY VIEW HOMES, LLC** (Zia Rahman, owner) requesting Rezoning from **R-20** to **R-12** for the purpose of a Residential Subdivision in Land Lot 8 of the 1st District. Located on the northwestern side of Woodlawn Drive, north of Powers Road.
- Z-104** **ENGINEERING DESIGN TECHNOLOGIES** (Midway 120, LLC, owner) requesting Rezoning from **R-30** to **O&I** for the purpose of an Outpatient VA Clinic in Land Lot 13 of the 19th District. Located at the northeast intersection of Dallas Highway and Midway Road.
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- Z-106** **IUEC LOCAL 32 BUILDING CORPORATION** (Blair Bridge Holding LLC, owner) requesting Rezoning from **GC** to **O&I** for the purpose of a Union Hall and Associated Offices in Land Lot 517 of the 18th District. Located on the north side of Blair Bridge Road, east of Bridgeport Court.
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- Z-108** **RUSSELL LANDSCAPE, LLC** (Timothy C. Aldridge, owner) requesting Rezoning from **R-20, GC** to **NRC** for the purpose of a Professional Office in Land Lot 44 of the 18th District. Located at the southwest intersection of Veterans Memorial Highway and Cooks Road.

- Z-109** **MELO INVESTMENTS, LLC** (Melo Investments, LLC, owner) requesting Rezoning from **GC** to **NRC** for the purpose of an Office in Land Lot 154 of the 17th District. Located on the southeast side of Austell Road, south of Sandtown Road.
- Z-110** **TIMOTHY W. GRUBAUGH** (Carolyn L. Grubaugh and Timothy W. Grubaugh, owners) requesting Rezoning from **R-80** to **R-40** for the purpose of Single-family Residential in Land Lot 1002 of the 17th District. Located on the east side of Timberland Drive, south of Hallmark Drive.
- Z-111** **RSDC1, LLC** (Brian Carter, Mildred R. Lampley, William E. Rolader and Mary L. Rolader, Jason E. Carter and William E. Rolader as Executor of the Estate of Annie I. Rolader, owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Residential Subdivision in Land Lot 400 of the 16th District. Located on the north side of Shallowford Road, east of Lassiter Road.
- Z-112** **DUNCAN LAND INVESTMENTS, LLC** (Duncan Land Investments, LLC), owner) requesting Rezoning from **R-20** to **R-15** for the purpose of a Residential Subdivision in Land Lot 308 of the 16th District. Located on the western side of Blackwell Road at Blackwell Place, and on the southern side of North Woods Drive.
- Z-113** **HABITAT FOR HUMANITY OF NORTHWEST METRO ATLANTA, INC.** (Habitat for Humanity of Northwest Metro Atlanta, Inc, and Cobb County Habitat for Humanity, Inc., owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Residential Subdivision in Land Lots 494 and 495 of the 18th District. Located on the southwest side of Hillcrest Drive at Brumley Cove Drive, and on the east and south sides of Ridgefield Drive.
- Z-114** **CAPKEY REAL ESTATE ADVISORS** (See file for list of titleholders, owners) requesting Rezoning from **R-30** to **R-20 OSC** for the purpose of a Residential Subdivision in Land Lot 335 of the 20th District. Located on the north side of Dallas Highway, on the east side of County Road, and on the west side of Bob Fleming Road.
(Continued by staff until the February 7, 2017 Planning Commission hearing)

- Z-115** **BROOKS CHADWICK CAPITAL, LLC** (Cooper Lake—Daniel, LLC, owner) requesting Rezoning from **O&I and R-20** to **RM-8** for the purpose of Single-Family Townhomes in Land Lot 695 of the 17th District. Located on the northwest side of Cooper Lake Road and the north and east sides of Daniel Street. *(Continued by staff until the February 7, 2017 Planning Commission hearing)*
- Z-116** **ST. CLAIR HOLDINGS, LLC** (Multiple titleholders indicated on Rezoning Application, owners) requesting Rezoning from **R-30** to **RSL** for the purpose of Non-supportive Senior Living in Land Lots 758, 759, 826 and 827 of the 16th District. Located at the northern intersection of Johnson Ferry Road and Bishop Lake Road.
- Z-117** **HICKS BUSINESS ENTERPRISES, LLC** (The Estate of Freeman Alexander Moon, owner) requesting Rezoning from **R-20** to **RM-8** for the purpose of Single-Family Residential in Land Lots 784 and 785 of the 19th District. Located on the south side of Hurt Road, east of Tramore Park.
- Z-118** **CII HOLDINGS, LLC** (CII Holdings, LLC, owner) requesting Rezoning from **LI and R-20** to **HI** for the purpose of an Industrial Steel Fabrication and Offices in Land Lots 794 and 863 of the 16th District. Located on the southeast side of White Circle, east of Cobb Parkway.
- Z-119** **MAYWEATHER ENTERPRISE** (Winston Property Ventures, LLC, owner) requesting Rezoning from **GC and R-20** to **NRC** for the purpose of a Convenience Store with a Fuel Station in Land Lot 85 of the 17th District. Located on the southwest intersection of Pat Mell Road and Lorene Drive.

REGULAR CASES --- NEW BUSINESS-continued

Z-120 **SOUTH COBB REDEVELOPMENT AUTHORITY; STEPHEN C. YANCEY; JANET N. YANCEY** (South Cobb Redevelopment Authority; Stephen C. Yancey and Janet N. Yancey, owners) requesting Rezoning from **RM-12 and R-20** to **PVC** for the purpose of a Mixed-Use Development in Land Lots 511, 512, 490 and 590 of the 18th District. Located on the east side of Factory Shoals Road, the north side of Six Flags Drive, the southeastern side of Cochran Road, and the south end of Richard Lane.

LAND USE PERMITS

LUP-35 **JESSICA MOORE** (Julia Frost, owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Daycare in Land Lot 411 of the 18th District. Located on the west side of Shenandoah Trail, south of Landmark Trail.

LUP-36 **FRANK MARRONE** (Frank Marrone and Danielle Marrone, owners) requesting a **Land Use Permit** for the purpose of Allowing More Vehicles than Permitted by Code in Land Lot 20 of the 20th District. Located on the northeast side of Westfield Row, east of Wade Green Road.

LUP-37 **KARLA L. OWENS** (Clyde A. Owens and Karla L. Owens, owners) requesting a **Land Use Permit** for the purpose of Operating an Online Craft Business from Home in Land Lot 15 of the 20th District. Located on the southeast corner of Soft Pine Lane and Heards Forest Drive.

SPECIAL LAND USE PERMITS

SLUP-16 MUNICIPAL COMMUNICATIONS, LLC (McCamy Properties, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a Wireless Telecommunications Facility and Related Antenna and Equipment in Land Lots 365 and 428 of the 16th District. Located on the south side of Chastain Road, west of Chastain Meadow Parkway.

SLUP-17 TAYLOR/THEUS HOLDINGS, INC. (Aspen Hills Associates, LLC, a Georgia limited liability company and OCP Ashbrook Crossing, LLC, owners) requesting a **Special Land Use Permit** for the purpose of a Climate Controlled Self-Storage Facility in Land Lots 753 and 760 of the 17th District. Located on the northeast intersection of South Cobb Drive and I-285, south of Tibarron Parkway.

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.

COBB COUNTY
ZONING HEARING AGENDA
Board of Commissioners–December 20, 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-35** **ADVENTUR LIVING LLC** (T.M. Denome, William Harry Nelson and Glenna S. Nelson, owners) requesting Rezoning from **R-20** 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 (3860, and 3862 Ebenezer Road). *(Held by the Board of Commissioners until the December 20, 2016 Board of Commissioners hearing)*
- Z-75** **WINDSONG PROPERTIES, LLC** (Clarence Luther McConnell, Jr.; Gayle L. Norton, a/k/a/ Gayle L. Richards, owners) requesting Rezoning from **R-30** to **RSL** for the purpose of Residential Senior Living (non-supportive) in Land Lots 139, 140, & 157 of the 19th District. Located on the northwest corner of Lost Mountain Road and Corner Road, on the east side of McConnell Road, and on the north side of Pickens Road. *(Previously continued by the Board of Commissioners from the September 20, 2016, and October 18, 2016 hearings; Held from the November 15, 2016 hearing until the December 20, 2016 hearing).*
- Z-82** **GOLDEN ANCHOR BOAT STORAGE, LLC** (Tumlin Family Partnership LLLP, owners) requesting Rezoning from **R-20, R-30** and **GC** to **LI** for the purpose of Covered and Uncovered Secured Parking for Recreational Vehicles and Boats in Land Lot 40 of the 20th District. Located on the west side of Acworth Dallas Road, north of Dallas Acworth Highway (4321 Acworth Dallas Road). *(Previously held by the Board of Commissioners from the October 18, 2016 hearing and continued by staff from the November 15, 2016 Board of Commissioners hearing until the December 20, 2016 hearing)*

- Z-84** **JAMES C. LANE, JR.** (James C. Lane, Jr., owner) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Subdivision in Land Lots 330 and 331 of the 16th District. Located at the northeast intersection of Fricks Road and Cochran Lake Road (3640 Cochran Lake Road). *(Previously continued by the Planning Commission from the October 4, 2016 and November 1, 2016 Planning Commission hearings)*
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- Z-91** **POLLACK SHORES DEVELOPMENT, LLC** (Genuine Parts Company, owner) requesting Rezoning from **OI** to **RRC** for the purpose of a Mixed Use Development in Land Lots 877 and 917 of the 17th District. Located on the easterly side of Herodian Way, in between Circle 75 Parkway and Crescent Parkway. *(Previously continued by Staff until the November 1, 2016 Planning Commission hearing; continued by staff until the December 20, 2016 Board of Commissioners hearing)*
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- Z-68** **CALATLANTIC GROUP, INC** (THE' TRUE VINE' EXPERIENCE FOUNDATION, INC, HANNA LAND COMPANY, INC, owners) requesting Rezoning from **R-20, LRO & NRC** to **RA-6** for the purpose of Townhomes and Single Family Residential in Land Lots 466, 467, 470 and 471 of the 16th District. Located on the south side of Shallowford Road, west side of Johnson Ferry Road, the east and west sides of Waterfront Drive and on the east side of Waterfront Circle (see file for addresses). *(Previously continued by Staff from the September 8, 2016 Planning Commission hearing; Held by the Planning Commission from their October 4, 2016 hearing and continued by staff from the November 15, 2016 and December 20, 2016 hearing until the February 21, 2017 hearing)*
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LAND USE PERMITS

- LUP-35** **JESSICA MOORE** (Julia Frost, owner) requesting a **Land Use Permit** for the purpose of a Daycare in Land Lot 411 of the 18th District. Located on the west side of Shenandoah Trail, south of Landmark Trail.
- LUP-36** **FRANK MARRONE** (Frank Marrone and Danielle Marrone, owners) requesting a **Land Use Permit** for the purpose of Allowing more vehicles than permitted by code in Land Lot 20 of the 20th District. Located on the northeast side of Westfield Row, east of Wade Green Road.
- LUP-37** **KARLA L. OWENS** (Clyde A. Owens and Karla L. Owens, owners) requesting a **Land Use Permit** for the purpose of Operating an online craft business from home in Land Lot 15 of the 20th District. Located on the southeast corner of Soft Pine Lane and Hears Forest Drive.

SPECIAL LAND USE PERMITS

- SLUP-16** **MUNICIPAL COMMUNICATIONS, LLC** (Robert J. McCamy, Jr.; McCamy Properties, LLC, owners) requesting a **Special Land Use Permit** for the purpose of a Wireless Telecommunications Facility and related Antenna and Equipment in Land Lots 365 and 428 of the 16th District. Located on the south side of Chastain Road, west of Chastain Meadow Parkway.
- SLUP-17** **TAYLOR/THEUS HOLDINGS, INC.** (Aspen Hills Associates, LLC, a Georgia limited liability company, owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lots 753 and 760 of the 17th District. Located on the northeast intersection of South Cobb Drive and I-285, south of Tibarron Parkway.

OTHER BUSINESS CASES

ITEM OB-060

To consider a stipulation amendment and site plan amendment for Feroz Ali regarding rezoning application Z-159 of 2003 (HRS, INC.), for property located on the east side of Powers Ferry Road, south of Terrell Mill Road, in Land Lots 923 and 938 of the 17th District (1445 Powers Ferry Road). *(Previously continued by Staff from the October 18 and November 15, 2016 Board of Commissioners hearings until the December 20, 2016 hearing)*

ITEM OB-068

To consider a Settlement of Litigation for Municipal Communications, LLC regarding Special Land Use Permit application SLUP-9 (Municipal Communications, LLC) of 2015, for property located on the west side of Wade Green Road, south of Clearview Drive in Land Lot 18 of the 20th District (4801 Wade Green Road). *(Previously continued by Staff until the December 20, 2016 Board of Commissioners hearing)*

ITEM OB-077

To consider a stipulation amendment and site plan amendment for Crisp Athletics Holdings, Inc regarding rezoning application Z-32 of 2009 (Rex E. Horney), for property located on the northwest intersection of Canton Road and Hawkins Store Road, in Land Lots 228 and 277 of the 16th District (775 Hawkins Store Road).

ITEM OB-078

To consider granting a Special Exception for a reduction of lot size and public road frontage as recommended by the Board of Zoning Appeals from their November 9, 2016 Variance Hearing regarding Variance Application V-150 John Crenshaw.

ITEM OB-079

To consider granting a Special Exception for a reduction of lot size as recommended by the Board of Zoning Appeals from their November 9, 2016 Variance Hearing regarding Variance Application V-159 Asad Nezamabadi.

ITEM OB-080

To consider a Settlement of Litigation for Columbia Properties Capital, LLC regarding rezoning application Z-98 (Columbia Properties Capital, LLC) of 2015, for property located at the northwest intersection of Dallas Highway and Garrison Commons in Land Lots 330 and 331 of the 20th District.

ITEM OB-081

To consider a site plan amendment and stipulation amendment for Cedarcrest Church, Inc regarding rezoning application Z-164 of 2006 (Johnson Ferry Baptist Church, Inc. and Wellstar Health System, Inc.), for property located on the east side of Cobb Parkway, north of Awtrey Church Road, in Land Lots 36 and 37 of the 20th District (4600 Cobb Parkway).

ITEM OB-082

To consider a site plan amendment and stipulation amendment for Pope and Land Enterprises, Inc. regarding rezoning application Z-181 of 1998 (R & A Land Holdings, Inc.), for property located on the south side of Cumberland Boulevard and on the west side of River Oaks Drive , in Land Lots 949, 977 and 978 of the 17th District.

ITEM OB-083

To consider a site plan amendment for LWS, LLC regarding rezoning application Z-20 of 2011 (Austell Road Development Associates), for property located on the north side of the East West Connector, east of Austell Road, in Land Lots 930 and 931 of the 19th District.

ITEM OB-084

To consider a site plan amendment and stipulation amendment for Venture Homes, Inc regarding rezoning application Z-12 of 2001 (Teague Investments, LP), for property located on the south side of Oak Ridge Road, on Walton Reserve Lane (private road), in Land Lots 518 and 519 of the 18th 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.”

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 Board of Commissioners 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 Board of Commissioners 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.