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# ZONING ANALYSIS

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## Planning Commission Public Hearing

February 7, 2017

## Board of Commissioners' Public Hearing

February 21, 2017

Prepared by:  
**COBB COUNTY**  
**PLANNING AND ZONING DIVISIONS**

***COBB COUNTY BOARD OF COMMISSIONERS***

**Mike Boyce, Chairman**  
**Bob Weatherford, District 1**  
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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–February 7, 2017**

**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<sup>'16</sup>** **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 17<sup>th</sup> District. Located on the easterly side of River Oaks Drive, north of Stillhouse Lane. *(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, December 6, 2016 and February 7, 2017 Planning Commission hearings until the March 7, 2017 Planning commission hearing)*

**Z-86<sup>'16</sup>** **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 20<sup>th</sup> 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 and December 6, 2016 hearings until the February 7, 2017 Planning Commission hearing)*

**Z-93<sup>'16</sup>** **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 17<sup>th</sup> District. Located at the southeast intersection of Cumberland Parkway and Paces Walk. *(Previously continued by staff until the February 7, 2017 Planning Commission hearing)*

- Z-97<sup>'16</sup>**      **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 16<sup>th</sup> District. Located at the northwest intersection of Roswell Road and Vester Drive. *(Previously continued by the Planning Commission from the November 1, 2016 and December 6, 2016 hearings until the February 7, 2017 Planning Commission hearing)*
- Z-101<sup>'16</sup>**      **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 20<sup>th</sup> 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 and continued by staff until the February 7, 2017 Planning Commission hearing)*
- Z-111<sup>'16</sup>**      **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 16<sup>th</sup> District. Located on the north side of Shallowford Road, east of Lassiter Road. *(Previously held by the Planning Commission from their December 6, 2016 hearing until the February 7, 2017 Planning Commission hearing)*
- Z-112<sup>'16</sup>**      **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 16<sup>th</sup> District. Located on the western side of Blackwell Road at Blackwell Place, and on the southern side of North Woods Drive. *(Previously continued by Staff from the December 6, 2016 and February 7, 2017 Planning Commission hearings until the March 7, 2017 Planning Commission hearing)*



- Z-113<sup>'16</sup>**     **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 18<sup>th</sup> District. Located on the southwest side of Hillcrest Drive at Brumley Cove Drive, and on the east and south sides of Ridgefield Drive. *(Previously held by the Planning Commission from their December 6, 2016 hearing until the February 7, 2017 Planning Commission hearing)*
- Z-114<sup>'16</sup>**     **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 20<sup>th</sup> 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. *(Previously continued by staff until the February 7, 2017 Planning Commission hearing)*
- Z-115<sup>'16</sup>**     **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 17<sup>th</sup> District. Located on the northwest side of Cooper Lake Road and the north and east sides of Daniel Street. *(Previously continued by staff until the February 7, 2017 Planning Commission hearing)*
- Z-117<sup>'16</sup>**     **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 19<sup>th</sup> District. Located on the south side of Hurt Road, east of Tramore Park. *(Previously continued by staff until the February 7, 2017 Planning Commission hearing)*

- Z-119**<sup>'16</sup> **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 17<sup>th</sup> District. Located on the southwest intersection of Pat Mell Road and Lorene Drive. *(Previously continued by staff until the February 7, 2017 Planning Commission hearing)*
- LUP-29**<sup>'16</sup> **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 20<sup>th</sup> District. Located on the southeast corner of Creekwood Crossing and Shiloh Trail East (3824 Creekwood Crossing). *(Previously continued by Staff until the February 7, 2017 Planning Commission hearing)*
- LUP-30**<sup>'16</sup> **SM LIVING, LLC** (SML-GE Real Estate, LLC, owner) requesting a **Land Use Permit** for the purpose of allowing 8 residents in a group home in Land Lot 94 of the 20<sup>th</sup> District. Located on the north side of Shiloh Trail East, east of Creekwood Crossing (1318 Shiloh Trail East). *(Previously continued by Staff until the February 7, 2017 Planning Commission hearing)*
- LUP-31**<sup>'16</sup> **SM LIVING, LLC** (Gregory Chancy, owner) requesting a **Land Use Permit** for the purpose of allowing 8 residents in a group home in Land Lot 94 of the 20<sup>th</sup> District. Located on the south side of Shiloh Trail East, east of Creekwood Crossing (1323 Shiloh Trail East). *(Previously continued by Staff until the February 7, 2017 Planning Commission hearing)*
- LUP-32**<sup>'16</sup> **SM LIVING, LLC** (SML-GE Real Estate, LLC, owner) requesting a **Land Use Permit** for the purpose of allowing 8 residents in a group home in Land Lot 94 of the 20<sup>th</sup> District. Located on the north side of Shiloh Trail East, east of Creekwood Crossing (1322 Shiloh Trail East). *(Previously continued by Staff until the February 7, 2017 Planning Commission hearing)*

**LUP-33<sup>16</sup>** **SM LIVING, LLC** (Gregory Chancy, owner) requesting a **Land Use Permit** for the purpose of allowing 8 residents in a group home in Land Lots 60 and 93 of the 20<sup>th</sup> District. Located on the northeast side of Shiloh Trail East, west of Club Drive (1398 Shiloh Trail East). *(Previously continued by Staff until the February 7, 2017 Planning Commission hearing)*

## **REGULAR CASES --- NEW BUSINESS**

### **Rezoning**

**Z-1** **JACKIE PAYNE** (Jackie Payne, owner) requesting Rezoning from **R-30** to **LI** for the purpose of a Warehouse with an Office in Land Lot 1051 of the 19<sup>th</sup> District. Located on the south side of Oglesby Road, east of Lewis Road.

**Z-2** **LUCIO ARVIZU RODRIGUEZ** (Lucio Arvizu and Amalia Rodriguez, owners) requesting Rezoning from **CF** to **R-15** for the purpose of a Single-Family Residence in Land Lot 60 of the 17<sup>th</sup> District. Located at the northwest corner of County Services Parkway and Kurt Drive.

**Z-3** **RJASANI ENT, LLC** (1509 Old Concord Rd., LLC, owner) requesting Rezoning from **R-20** to **NRC** for the purpose of a Convenience Market with Fuel Sales and Restaurant use in Land Lot 352 of the 17<sup>th</sup> District. Located on the southeast corner of Atlanta Road and Old Concord Road.

**Z-4** **MARIETTA ICE, LLC** (Malu, Inc., owner) requesting Rezoning from **GC** to **TS** for the purpose of a Freestanding Ice Vending Machine with existing Convenience Store and Fuel Sales in Land Lot 866 of the 19<sup>th</sup> District. Located on the southwest corner of Powder Springs Road and Sanders Road.

- Z-5**         **JOSHUA POWELL, SR. AND LAUREN POWELL** (Joshua D. Powell and Lauren Powell, owners) requesting Rezoning from **R-20 With Stipulations** to **R-20 With Stipulations** for the purpose of Amending the Cemetery Preservation Stipulations in Land Lot 166 of the 1<sup>st</sup> District. Located on the west side of Heathermoor Hill Drive, north of Roswell Road.
- Z-6**         **SIASIM PAT MELL, LLC** (Lubin A. Trivino, owner) requesting Rezoning from **GC** and **RM-12** to **NRC** for the purpose of a Convenience Store with Fuel Sales and Retail in Land Lot 132 of the 17<sup>th</sup> District. Located on the southeast corner of Pat Mell Road and Favor Road.
- Z-7**         **POLLACK SHORES REAL ESTATE GROUP, LLC** (Nancy Teem Benton; L.O. Benton, III, Trustee, 1019174 Trust; Lurner O. Benton, III, F&M Profit Sharing Plan; R. Linton Jordan; and J.S. Blackwell, Jr., owners) requesting Rezoning from **CRC** to **UC** for the purpose of a Multi-Family Residence in Land Lot 643 of the 16<sup>th</sup> District. Located on the south side of Ernest Barrett Parkway, east and west sides of Barrett Creek Boulevard; on the south side of Barrett Creek Parkway.
- Z-8**         **RACETRAC PETROLEUM, INC** (Gholamreza Salimi, owner) requesting Rezoning from **NRC With Stipulations** to **NRC With Stipulations** for the purpose of a Convenience Market with Fuel Sales in Land Lot 910 of the 16<sup>th</sup> District. Located on the northwest corner of Roswell Road and Old Canton Road.

### **LAND USE PERMITS**

- LUP-1**       **SHILOH HILLS CHRISTIAN SCHOOL** (Shiloh Hills Baptist Church of Cobb County, Inc., owner) requesting a **Land Use Permit (Renewal)** for the purpose of an Educational Program for three and four year olds in Land Lots 210 and 211 of the 16<sup>th</sup> District. Located on the south side of Hawkins Store Road, east of Bells Ferry Road.

**LUP-2**      **LIVING HOPE LUTHERAN CHURCH** (Living Hope Lutheran Church, Inc., owners) requesting a **Land Use Permit** for the purpose of an Early Childhood Learning Center in Land Lot 201 of the 20<sup>th</sup> District. Located on the northwest corner of Stilesboro Road and Mack Dobbs Road. *(Continued by Staff until the March 7, 2017 Planning Commission hearing)*

### **SPECIAL LAND USE PERMITS**

**SLUP-1**      **MARIETTA ICE, LLC** (Malu, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Freestanding Ice Vending Machine with an Existing Convenience Store and Fuel Sales in Land Lot 866 of the 19<sup>th</sup> District. Located on the southwest corner of Powder Springs Road and Sanders Road.

### **OTHER BUSINESS**

#### **OTHER BUSINESS #1**

Consider a recommendation to the Board of Commissioners regarding the 2017 Code Amendments for Section 134 of the Cobb County Code.

#### **OSC-17-01**

To consider approval of an R-20 Open Space Community Overlay application for Benchmark Contractors, Inc., regarding Application OSC 17-01 filed November 29, 2016, for property located on the east side of John Ward Road across from Brookmont Trace, south of Windfield Land, and north of Bonniewood Dr. and at 951 John Ward Road in Land Lots 177 & 178 of the 19<sup>th</sup> District. **WITHDRAWN WITHOUT PREJUDICE**

## **OSC-17-02**

To consider approval of an R-20 Open Space Community Overlay application for W&H Investments, LLC, regarding Application OSC 17-02 filed December 6, 2016, for property located on the west side of Mount Calvary Road, north of Dallas Highway in Land Lot 328 of the 20<sup>th</sup> District and Land Lot 30 of the 19<sup>th</sup> 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 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–February 21, 2017**

**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-68<sup>16</sup>** 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 16<sup>th</sup> 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)* **WITHDRAWN WITHOUT PREJUDICE**
- Z-82<sup>16</sup>** **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 20<sup>th</sup> 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, and December 20, 2016 Board of Commissioners hearing until the February 21, 2017 hearing)*
- Z-86<sup>16</sup>** **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 20<sup>th</sup> District. Located at the northeast intersection of Stilesboro Road and Mack Dobbs Road. *(Previously continued by Staff from the October 4, November 1, and December 6, 2016 Planning Commission hearings until the February 7, 2017 hearing)*

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- Z-116<sup>'16</sup>**     **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 16<sup>th</sup> District. Located at the northern intersection of Johnson Ferry Road and Bishop Lake Road. *(Previously Continued by staff until the February 21, 2017 Board of Commissioners hearing)*
- Z-117<sup>'16</sup>**     **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 19<sup>th</sup> District. Located on the south side of Hurt Road, east of Tramore Park. *(Previously continued by the Planning Commission until the February 7, 2017 Planning Commission hearing)*
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- LUP-29<sup>'16</sup>** **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 20<sup>th</sup> District. Located on the southeast corner of Creekwood Crossing and Shiloh Trail East (3824 Creekwood Crossing). *(Previously continued by Staff until the February 7, 2017 Planning Commission hearing)*
- LUP-30<sup>'16</sup>** **SM LIVING, LLC** (SML-GE Real Estate, LLC, owner) requesting a **Land Use Permit** for the purpose of allowing 8 residents in a group home in Land Lot 94 of the 20<sup>th</sup> District. Located on the north side of Shiloh Trail East, east of Creekwood Crossing (1318 Shiloh Trail East). *(Previously continued by Staff until the February 7, 2017 Planning Commission hearing)*
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**CONTINUED OR HELD CASES BY PLANNING COMMISSION, BOARD OF COMMISSIONERS OR STAFF (NOT TO BE HEARD)**

**Z-18<sup>'16</sup>**      **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 17<sup>th</sup> 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 and October 4, 2016 November 1, 2016, December 6, 2016 and the February 7, 2017 Planning Commission hearings until their March 7, 2017 hearing)*

**Z-35<sup>'16</sup>**      **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 16<sup>th</sup> 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). *(Continued by the Board of Commissioners until the lawsuit is resolved)*

**Z-112<sup>'16</sup>**      **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 16<sup>th</sup> District. Located on the western side of Blackwell Road at Blackwell Place, and on the southern side of North Woods Drive. *(Previously continued by Staff from the December 6, 2016 and February 7, 2017 Planning Commission hearings until the March 7, 2017 Planning Commission hearing)*

**REGULAR CASES --- NEW BUSINESS**

**Z-1**            **JACKI PAYNE** (Jackie Payne, owner) requesting Rezoning from **R-30** to **LI** for the purpose of A Warehouse with an Office in Land Lot 1051 of the 19<sup>th</sup> District. Located on the south side of Oglesby Road, east of Lewis Road.

- Z-2**        **LUCIO ARVIZU RODRIGUEZ** (Lucio Arvizu and Amalia Rodriguez, owners) requesting Rezoning from **CF** to **R-15** for the purpose of a Single-Family Residence in Land Lot 60 of the 16<sup>th</sup> District. Located at the northwest corner of County Services Parkway and Kurt Drive.
- Z-3**        **RJASANI ENT, LLC** (1590 Old Concord Rd., LLC, owner) requesting Rezoning from **R-20** to **NRC** for the purpose of a Convenience Market with Fuel Sales and Restaurant use in Land Lot 352 of the 17<sup>th</sup> District. Located on the southeast corner of Atlanta Road and Old Concord Road
- Z-4**        **MARIETTA ICE, LLC** (Malu, Inc., owner) requesting Rezoning from **GC** to **TS** for the purpose of a Freestanding Ice Vending Machine with existing Convenience Store and Fuel Sales in Land Lot 866 of the 19<sup>th</sup> District. Located on the southwest corner of Powder Springs Road and Sanders Road.
- Z-5**        **JOSHUA POWELL, SR. AND LAUREN POWELL** (Joshua D. Powell and Lauren Powell, owners) requesting Rezoning from **R-20 With Stipulations** to **R-20 With Stipulations** for the purpose of Amending the Cemetery Preservation Stipulations in Land Lot 166 of the 1<sup>st</sup> District. Located on the west side of Heathermoor Hill Drive, north of Roswell Road.
- Z-6**        **SIASIM PAT MELL, LLC** (Lubin A. Trivino, owner) requesting Rezoning from **GC, RM-2** to **NRC** for the purpose of a Convenience Store with Fuel Sales and Retail in Land Lot 132 of the 17<sup>th</sup> District. Located on the southeast corner of Pat Mell and Favor Road.
- Z-7**        **POLLACK SHORES REAL ESTATE GROUP, LLC** (Nancy Teem Benton; L.O. Benton, III, Trustee, 1019174 Trust; Lurner O. Benton, III, F&M Profit Sharing Plan; R. Linton Jordan; and J.S. Blackwell, Jr., owner) requesting Rezoning from **CRC** to **UC** for the purpose of a Multi-Family Residence in Land Lot 643 of the 16<sup>th</sup> District. Located on the south side of Ernest Barrett Parkway, east and west sides of Barrett Creek Boulevard; on the south side of Barrett Creek Parkway.

**Z-8 RACETRAC PETROLEUM, Inc.** (Gholamreza Salimi, owner) requesting Rezoning from **NRC With Stipulations** to **NRC With Stipulations** for the purpose of a Convenience Market with Fuel Sales in Land Lot 910 of the 16<sup>th</sup> District. Located on the northwest corner of Roswell Road and Old Canton Road.

### **LAND USE PERMITS**

**LUP-1 SHILOH HILLS CHRISTIAN SCHOOL** (Shiloh Hills Baptist Church of Cobb County, Inc., owner) requesting a **Land Use Permit (Renewal)** for the purpose of an Educational Program for three and four year olds in Land Lots 210 and 211 of the 16<sup>th</sup> District. Located on the south side of Hawkins Store Road, east of Bells Ferry Road.

**LUP-2 LIVING HOPE LUTHERAN CHURCH** (Living Hope Lutheran Church, Inc., owners) requesting a **Land Use Permit** for the purpose of an Early Childhood Learning Center in Land Lot 201 of the 20<sup>th</sup> District. Located on the northwest corner of Stilesboro Road and Mack Dobbs Road. *(Continued by Staff until the March 7, 2017 Planning Commission hearing)*

### **SPECIAL LAND USE PERMITS**

**SLUP-1 MARIETTA ICE, LLC** (Malu, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Freestanding Ice Vending Machine with an Existing Convenience Store and Fuel Sales in Land Lot 866 of the 19<sup>th</sup> District. Located on the southwest corner of Powder Springs Road and Sanders Road

### **OTHER BUSINESS CASES**

#### **ITEM OB-001**

To consider granting a Special Exception for a reduction of lot size as recommended by the Board of Zoning Appeals from their January 11, 2017 Variance Hearing regarding Variance Application V-5 AMANDA FARD.

**ITEM OB-002**

To consider amending the site plan and stipulations for Word of Faith International Christian Center regarding rezoning application Z-94 (E.W. Connector) of 2003, for property located on the southern end of Tramore Pointe Parkway, south of the East West Connector in Land Lot 916 the 19<sup>th</sup> District.

**ITEM OB-003**

To consider amending the stipulations and provide clarification for Venture Homes, Inc. regarding rezoning application Z-45 (Walton Communities, LLC) of 2005, for property located on the south side of Anderson Mill Road, and on the west side of Chelou Drive in Land Lots 993, 994 and 1005 the 19<sup>th</sup> District.

**ITEM OB-004**

To consider amending the stipulations for 5441 Rufe Snow, Ltd. and Hilltop TIC, LP regarding rezoning application Z-11 (Manouchehr Jahangard) of 2016, for property located at the southeast corner of Veterans Memorial Highway and Powell Drive in Land Lot 34 the 18<sup>th</sup> District.

**ITEM OB-005**

To consider amending the site plan and stipulations for Jeffery S. Brown regarding rezoning application #321 (Gene Hall Associates) of 1985, for property located on the south side of East Piedmont Road, and on the east side of Sandy Plains Road in Land Lots 629 and 630 the 16<sup>th</sup> District.

**OSC-17-01**

To consider approval of an R-20 Open Space Community Overlay application for Benchmark Contractors, Inc., regarding Application OSC 17-01 filed November 29, 2016, for property located on the east side of John Ward Road across from Brookmont Trace, south of Windfield Land, and north of Bonniewood Dr. and at 951 John Ward Road in Land Lots 177 & 178 of the 19<sup>th</sup> District. **WITHDRAWN WITHOUT PREJUDICE**

## **OSC-17-02**

To consider approval of an R-20 Open Space Community Overlay application for W&H Investments, LLC, regarding Application OSC 17-02 filed December 6, 2016, for property located on the west side of Mount Calvary Road, north of Dallas Highway in Land Lot 328 of the 20<sup>th</sup> District and Land Lot 30 of the 19<sup>th</sup> 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.