

**COBB COUNTY BOARD OF COMMISSIONERS  
ZONING HEARING SUMMARY AGENDA  
AUGUST 15, 2017**

**CONSENT CASES**

- Z-9<sup>'17</sup>** **PARAN HOMES** *(Previously held by the Planning Commission from their March 7, 2017 hearing until the April 4, 2017 Planning Commission hearing; and continued by Staff from the April 4, 2017, May 2, 2017 and June 6, 2017 Planning Commission hearings until the August 1, 2017 Planning Commission hearing)*
- Z-37<sup>'17</sup>** **3757 FLOYD RD PROPERTY, LLC** *(Previously continued by Staff from the July 6, 2017 Planning Commission hearing until the August 1, 2017 Planning Commission hearing)*
- Z-41<sup>'17</sup>** **JOM HOLDINGS, LLC**
- Z-42<sup>'17</sup>** **TINA T. AYERS & VERONICA N. AYERS**
- Z-46<sup>'17</sup>** **CSP DEVELOPMENT, LLC**
- LUP-12<sup>'17</sup>** **BRIAN C. YOUNG**
- LUP-15<sup>'17</sup>** **PHILIP IVESTER**
- SLUP-7<sup>'17</sup>** **3757 FLOYD RD PROPERTY, LLC** *(Previously continued by Staff from the July 6, 2017 Planning Commission hearing until the August 1, 2017 Planning Commission hearing)*
- ITEM OB-029** **JM WILLIAMS CONTRACTORS**
- ITEM OB-030** **POAG SHOPPING CENTERS, LLC** (Roswell Road)
- ITEM OB-031** **POAG SHOPPING CENTERS, LLC** (Dallas Highway)
- ITEM OB-032** **SANTOS L. GUARDADO (V-65)**
- ITEM OB-033** **ERIC WALLACE (V-66)**
- ITEM OB-034** **NARDEN KALDANI (V-68)**
- ITEM OB-035** **2045 ANDERSON, LLC (V-69)**
- ITEM OB-036** **YANETH MEDINA-DIAZ (V-73)**
- ITEM OB-037** **TYLER CHANDLER HOMES, LLC**

**CONTINUED OR HELD CASES BY THE BOARD OF COMMISSIONERS (TO BE HEARD)**

- Z-18<sup>'16</sup>** **POPE & LAND ENTERPRISES, INC.** *(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, December 6, 2016, February 7, 2017, March 21, 2017, April 4, 2017 and May 2, 2017 Planning Commission hearings until the June 6, 2017 Planning Commission hearing; continued by Staff until the July 18, 2017 Board of Commissioners hearing; continued by the Board of Commissioners until the August 15, 2017 hearing)*
- Z-39<sup>'17</sup>** **PALMETTO MABLETON-FLOYD RD, LLC** *(Previously held by the Board of Commissioners from their July 18, 2017 hearing until the August 15, 2017 Board of Commissioners hearing)*

**REGULAR CASES**

**Z-43            3757 FLOYD RD PROPERTY, LLC**  
**Z-45            TRATON HOMES, LLC**

**LAND USE PERMITS**

**LUP-13        ESTHER J. KIM AND SUNG MIN BRIAN RYU**  
**LUP-14        WIESLAW ADAM MISIEC**

**WITHDRAWN CASE**

**Z-40            M. SALEH UDDIN – WITHDRAWN WITHOUT PREJUDICE**

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

**Z-12<sup>'17</sup>        SSP BLUE RIDGE, LLC** *(Previously continued by Staff from the March 7, 2017, April 4, 2017, May 2, 2017, June 6, 2017 Planning and September 7, 2017 Planning Commission hearings until the October 3, 2017 Planning Commission hearing.)*

**Z-27<sup>'17</sup>        AMRETECK, LLC** *(Previously continued by staff from the June 6, 2017 and July 6, 2017 Planning Commission Hearings until the October 3, 2017 Planning Commission hearing)*

**Z-34<sup>'17</sup>        JOSH THOMPSON** *(Previously continued by Staff from the July 6, 2017 Planning Commission hearing until the August 1, 2017 Planning Commission hearing; and held by the Planning Commission until their September 7, 2017 hearing)*

**Z-44<sup>'17</sup>        MERITAGE HOMES OF GEORGIA, LLC** *(Previously continued by the Planning Commission until their September 7, 2017 hearing)*

**OB-016<sup>'17</sup>      LIDL US OPERATIONS, LLC** *(Previously continued by Staff from the May 16, 2017, June 20, 2017, July 18, 2017 and August 15, 2017 hearings until the September 19, 2017 hearing)*

**OTHER BUSINESS**

**ITEM OB-016**

To consider amending the site plan for Lidl US Operations, LLC regarding rezoning application Z-223 (Evelyn J. Gordy-Rankin) of 1988 and rezoning application Z-95 (Evelyn J. Gordy-Rankin) of 1990, for property located at the northwest intersection of Shallowford Road and Gordy Parkway in Land Lots 335 and 386 of the 16<sup>th</sup> District. *(Previously continued by Staff from the May 16, 2017, June 20, 2017, July 18, 2017 and August 15, 2017 hearings until the September 19, 2017 hearing)*

**ITEM OB-025**

To consider amending the site plan and stipulations for Barnes Mill VDL, LLC regarding application OSC 17-02 (W&H Investmentrs, LLC) of 2017, for property located on west side of Mount Calvary Road and on the north side of Dallas Highway in Land Lot 30 of the 19<sup>th</sup> District. *(Previously continued by the Board of Commissioners from the July 18, 2017 hearing until the August 15, 2017 hearing)*

**ITEM OB-028**

To consider a site plan and stipulation amendment for S & B Investments, Inc. regarding property located at the northwest intersection of Johnson Ferry Road and Paper Mill Road, in Land Lots 73 and 81 of the 1<sup>st</sup> District. *(Previously continued by Staff from the July 18, 2017 hearing until the August 15, 2017 Board of Commissioners hearing)*

**ITEM OB-029**

To consider approving the site plan for JM Williams Contractors regarding rezoning application Z-65 (Cherokee Hyundai of Kennesaw) of 2013, for property located on the east side of Barrett Lakes Boulevard, on the west side of I-75, south of Big Shanty Road in Land Lots 504, 505 and 506 of the 16<sup>th</sup> District (2878 Barrett Lakes Boulevard).

**ITEM OB-030**

To consider amending the site plan for Poag Shopping Centers, LLC regarding rezoning application Z-118 (Cousins Market Centers) of 1997, for property located on the north side of Roswell Road and on the north and east sides of Marwell Drive in Land Lot 16 of the 1<sup>st</sup> District and Land Lot 829 of the 16<sup>th</sup> District (4475 Roswell Road).

**ITEM OB-031**

To consider amending the site plan for Poag Shopping Centers, LLC regarding rezoning application Z-139 of 1997 and Z-123 of 2004, for property located on the south side of Dallas Highway and on the east side of Casteel Road in Land Lots 333 and 334 of the 19<sup>th</sup> District (3625 Dallas Highway).

**ITEM OB-032**

To consider granting a Special Exception for a reduction of lot size as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-65 Santos L. Guardado.

**ITEM OB-033**

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-66 Eric Wallace.

**ITEM OB-034**

To consider granting a Special Exception for a reduction of lot size as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-68 Narden Kaldani.

**ITEM OB-035**

To consider granting a Special Exception for a reduction of lot size as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-69 2045 Anderson, LLC.

**ITEM OB-036**

To consider granting a Special Exception for a reduction of public road frontage as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-73 Yaneth Medina-Diaz.

**ITEM OB-037**

To consider amending the stipulations for Tyler Chandler Homes, LLC regarding rezoning application Z-104 of 2015, for property located on the northeast corner of Sandtown Road and Osborne Road, and the western terminus of Pair Street in Land Lot 209 of the 17th District.

**COBB COUNTY BOARD OF COMMISSIONERS**  
**ZONING HEARING *CONSENT* AGENDA**  
**August 15, 2017**

**Rezoning**

**Z-9**     **PARAN HOMES** (Glover Allen Smith and Shirley Moore Smith, owners) requesting Rezoning from **R-30 and R-20** to **R-20 OSC** for the purpose of a Residential Subdivision in Land Lots 378, 379 and 380 of the 19<sup>th</sup> District. Located on the east and west sides of Corner Road and south of Wright Road. The Planning Commission recommends **APPROVAL** to the **R-20 OSC** zoning district subject to:

1. Site plan received by the Zoning Division on July 26, 2017 (on file in the Zoning Division), which will be redesigned to reflect the following changes:
  - A. Maximum of 64 lots (which is a reduction of one lot on the eastern part of the parcel)
  - B. No lots to be located within the stream buffer
  - C. Addition of left turn lanes (north and south)
2. Letter of agreeable conditions from Mr. Parks Huff dated July 26, 2017 (on file in the Zoning Division), with the following change:
  - A. Item No. 13 – add subset e.: “*Reduce size or composition of an approved buffer adjacent to a property of the same or more restrictive zoning district.*”
3. 20’ landscape strip along the eastern side (adjacent to lots 1 through 9) will be replanted
4. Upon completion of the above changes, may be included on the Consent Agenda for the Board of Commissioners’ Zoning Hearing of August 15, 2017

**Z-37**     **3757 FLOYD RD PROPERTY, LLC** (3757 Floyd Rd Property, LLC, owner) requesting Rezoning from **PC** to **O&I** for the purpose of a Climate-Controlled Self-Storage Facility in Land Lots 848 and 849 of the 19<sup>th</sup> District. Located on the north side of Hurt Road, and on the east side of Floyd Road. The Planning Commission recommends **APPROVAL** to the **O&I** zoning district subject to:

1. Letter of agreeable conditions from Mr. John Moore dated July 26, 2017, including attached site plan, *not otherwise in conflict* (on file in the Zoning Division), and with the following changes:
  - A. Item No. 5, second sentence – revise to read: “*...Applicant will not expand...*”
  - B. Item No. 6, first sentence – revise to read: “*The exterior of the existing structure shall be renovated and shall be primarily brick and glass with accents or a combination thereof.*”

*(Z-37 continued on the next page)*

**Z-37 3757 FLOYD RD PROPERTY, LLC** (continued)

- C. Item No. 15, first sentence – revise to read: “...with a solid steel screened gate...”
  - D. Item No. 23, second sentence – revise to read: “approved by the Cobb County Arborist and District Commissioner...”
  - E. Item No. 23 – add to end: “A minimum 15 foot landscape buffer for the purpose of screening to be placed on the western property line; this buffer is in addition to any buffer that may be required on the adjoining property. All fencing is to be wrought iron style fencing unless otherwise approved by the District Commissioner.”
- 2. Staff comments and recommendations, *not otherwise in conflict*
  - 3. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing of August 15, 2017

**Z-41 JOM HOLDINGS, LLC** (JOM Holdings, LLC, owner) requesting Rezoning from **PSC** to **CRC** for the purpose of a Specialized Contractor’s Office in Land Lot 1029 of the 16<sup>th</sup> District. Located on the west side of Lecroy Drive, north of Robinson Road. The Planning Commission recommends **DELETION** to the **NRC** zoning district subject to:

- 1. Site plan received by the Zoning Division on June 1, 2017, with District Commissioner approving minor modifications (on file in the Zoning Division)
- 2. Letter of agreeable conditions from Mr. Garvis L. Sams, Jr. dated July 10, 2017 (on file in the Zoning Division), with the following changes:
  - A. Item No. 8 – add to end: “..., including flammable liquids, any chemicals, construction materials, construction equipment, or construction dumpsters. No deliveries except the usual UPS, FedEx, UPS, and mail.”
  - B. Add Item No. 11: “If exterior lighting is added to the building or to the site, it must be environmentally sensitive with no light being allowed to protrude beyond the property boundaries.”
  - C. Item No. 10 – add subset e.: “Increase the density of a residential project or the overall square footage of a non-residential project.”
- 3. For this use (*specialize contractor*) only
- 4. No outdoor storage or outdoor display of merchandise
- 5. District Commissioner to approve all signage
- 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 August 15, 2017

**Z-42 TINA T. AYERS & VERONICA N. AYERS** (Tina T. Ayers and Veronica N. Ayers, owners) requesting Rezoning from **O&I** to **R-20** for the purpose of a Single Family House in Land Lot 703 of the 19<sup>th</sup> District. Located on the west side of Hicks Road, south of Old Milford Church Road. The Planning Commission recommends **APPROVAL** to the **R-20** zoning district subject to:

1. **Development for one single-family residence located within the setbacks required by the R-20 zoning district**
2. **District Commissioner to approve final elevations**
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 August 15, 2017**

**Z-46 CSP DEVELOPMENT, LLC** (CSP Development, LLC, owner) requesting Rezoning from **R-30** to **R-15** for the purpose of Single-Family Residential in Land Lots 176 and 177 of the 16<sup>th</sup> District. Located on the west side of Wesley Chapel Road; on the south side of Sandy Plains Road, and at the northwest terminus of Running Fox Drive. The Planning Commission recommends **APPROVAL** to the **R-15** zoning district subject to:

1. **Letter of agreeable conditions from Mr. Kevin Moore dated July 26, 2017 (on file in the Zoning Division)**
2. **Staff comments and recommendations, *not otherwise in conflict***
3. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of August 15, 2017**

### **Land Use Permits**

**LUP-12 BRIAN C. YOUNG** (Brian C. Young and Jean J. Young, owners) requesting a **Land Use Permit (Renewal)** for the purpose of creating crafts to be sold at other locations-not in home in Land Lot 225 of the 20<sup>th</sup> District. Located on the north side of Middleton Place, northeast of Drayton Hall Drive. The Planning Commission recommends **APPROVAL** for 24 months subject to:

1. **Any Code Enforcement complaints that the Applicant has been found guilty of will result in automatic revocation of this Land Use Permit**
2. **No employees**

*(LUP-12 continued on the next page)*

**LUP-12 BRIAN C. YOUNG** (continued)

3. No customers or clients coming to the house
4. No deliveries or signs
5. Fire Department comments and recommendations
6. Water and Sewer Division comments and recommendations
7. Stormwater Management Division comments and recommendations
8. Department of Transportation comments and recommendations
9. Inclusion on the Consent Agenda for the Board of Commissioners’  
Zoning Hearing of August 15, 2017

**LUP-15 PHILIP IVESTER** (Philip L. Ivester, owner) requesting a **Land Use Permit** for the purpose of a Construction Hardship (use of an R.V. during fire-damage repairs) in Land Lots 191 and 242 of the 17<sup>th</sup> District. Located on the southeast side of Concord Road, northeast of East-West Connector. The Planning Commission recommends **APPROVAL** for 12 months subject to:

1. Land use permit expires upon issuance of Letter of Completion or 12 months, whichever occurs first
2. Fire Department comments and recommendations
3. Water and Sewer Division comments and recommendations
4. Stormwater Management Division comments and recommendations
5. Department of Transportation comments and recommendations
6. Inclusion on the Consent Agenda for the Board of Commissioners’  
Zoning Hearing of August 15, 2017

**Special Land Use Permits**

**SLUP-7 3757 FLOYD RD PROPERTY, LLC** (3757 Floyd Rd Property, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 848 and 849 of the 19<sup>th</sup> District. Located on the north side of Hurt Road, and on the east side of Floyd Road. The Planning Commission recommends **APPROVAL** subject to:

1. Letter of agreeable conditions from Mr. John Moore dated July 26, 2017, including attached site plan, *not otherwise in conflict* (on file in the Zoning Division), and with the following changes:
  - A. Item No. 5, second sentence – revise to read: “...*Applicant will not expand...*”
  - B. Item No. 6, first sentence – revise to read: “*The exterior of the existing structure shall be renovated and shall be primarily brick and glass with accents or a combination thereof.*”

(SLUP-7 continued on the next page)

**SLUP-7 3757 FLOYD RD PROPERTY, LLC (continued)**

C. Item No. 15, first sentence – revise to read: “...with a solid steel screened gate...”

D. Item No. 23, second sentence – revise to read: “approved by the Cobb County Arborist and District Commissioner...”

E. Item No. 23 – add to end: “A minimum 15 foot landscape buffer for the purpose of screening to be placed on the western property line; this buffer is in addition to any buffer that may be required on the adjoining property. All fencing is to be wrought iron style fencing unless otherwise approved by the District Commissioner.”

2. Staff comments and recommendations, *not otherwise in conflict*
3. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing of August 15, 2017

**Other Business**

**ITEM OB-029**

To consider approving the site plan for JM Williams Contractors regarding rezoning application Z-65 (Cherokee Hyundai of Kennesaw) of 2013, for property located on the east side of Barrett Lakes Boulevard, on the west side of I-75, south of Big Shanty Road in Land Lots 504, 505 and 506 of the 16<sup>th</sup> District (2878 Barrett Lakes Boulevard). Staff recommends approval subject to:

1. Site plan received by the Zoning Division on July 11, 2017, with the District Commissioner approving minor modifications.
2. Stormwater Management comments.
3. All previous stipulations not in conflict with this amendment to remain in effect.

**ITEM OB-030**

To consider amending the site plan for Poag Shopping Centers, LLC regarding rezoning application Z-118 (Cousins Market Centers) of 1997, for property located on the north side of Roswell Road and on the north and east sides of Marwell Drive in Land Lot 16 of the 1<sup>st</sup> District and Land Lot 829 of the 16<sup>th</sup> District (4475 Roswell Road). Staff recommends approval subject to:

1. Site plan received by the Zoning Division on July 11, 2017, with the District Commissioner approving minor modifications.
2. Parking study by Kimley Horn dated August 1, 2017.
3. All previous stipulations not in conflict with this amendment to remain in effect.

### **ITEM OB-031**

To consider amending the site plan for Poag Shopping Centers, LLC regarding rezoning application Z-139 of 1999 and Z-123 of 2004, for property located on the south side of Dallas Highway and on the east side of Casteel Road in Land Lots 333 and 334 of the 19th District (3625 Dallas Highway). Staff recommends approval subject to:

- 1. Site plan received by the Zoning Division on July 11, 2017, with the District Commissioner approving minor modifications.**
- 2. Parking study by Kimley Horn dated August 1, 2017.**
- 3. All previous stipulations not in conflict with this amendment to remain in effect.**

### **ITEM OB-032**

To consider granting a Special Exception for a reduction of lot size as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-65 Santos L. Guardado. Staff recommends approval subject to:

- 1. Board of Zoning Appeals minutes from July 12, 2017.**

### **ITEM OB-033**

To consider granting a Special Exception for a reduction of minimum public road frontage as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-66 Eric Wallace. Staff recommends approval subject to:

- 1. Board of Zoning Appeals minutes from July 12, 2017.**

### **ITEM OB-034**

To consider granting a Special Exception for a reduction of lot size as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-68 Narden Kaldani. Staff recommends approval subject to:

- 1. Board of Zoning Appeals minutes from July 12, 2017.**

**ITEM OB-035**

To consider granting a Special Exception for a reduction of lot size as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-69 2045 Anderson, LLC. Staff recommends approval subject to:

1. **Board of Zoning Appeals minutes from July 12, 2017.**

**ITEM OB-036**

To consider granting a Special Exception for a reduction of minimum public road frontage as recommended by the Board of Zoning Appeals from their July 12, 2017 Variance Hearing regarding Variance Application V-73 Yaneth Medina-Diaz. Staff recommends approval subject to:

1. **Board of Zoning Appeals minutes from July 12, 2017.**

**ITEM OB-037**

To consider amending the stipulations for Tyler Chandler Homes, LLC regarding rezoning application Z-104 of 2015, for property located on the northeast corner of Sandtown Road and Osborne Road, and the western terminus of Pair Street in Land Lot 209 of the 17th District. Staff recommends approval subject to:

1. **Exhibit "A" dated July 11, 2017, with the District Commissioner approving the final architectural plans.**
2. **All previous stipulations not in conflict with this amendment to remain in effect.**

**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 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.