

**COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING SUMMARY AGENDA
December 19, 2017**

CONSENT CASES

- Z-76 QIN ZHANG**
Z-78 TIFANY B. VASQUEZ
Z-79 DANIEL MOSTELLER AND OLIVIA MOSTELLER
Z-80 SOFIA JUAREZ
Z-82 INTERPLAN LLC C/O CHICK-FIL-A, INC.
LUP-25 MARLENE GRAHAM
LUP-27 KOSTA AT SMYRNA
LUP-28 OPEN ARMS GROUP HOME
OB-61 LOYD DEVELOPMENT SERVICES, LLC
OB-63 JIM CHAPMAN COMMUNITIES, INC.
OB-64 GRIFFIN FINE LIVING, LLC
OB-65 WILBUR AND ANDREA RADFORD
OB-66 HURT ROAD BAPTIST CHURCH

CONTINUED AND HELD CASES – TO BE HEARD

- Z-44 MERITAGE HOMES OF GEORGIA, LLC** *(Previously continued by the Planning Commission from their August 1, 2017, September 7, 2017, and October 3, 2017 Planning Commission Hearings until the November 7, 2017 Planning Commission hearing; held by the Board of Commissioners from their November 21, 2017 hearing until the December 19, 2017 Board of Commissioners hearing)*
- Z-64 BRANCH ACQUISITION COMPANY, LLC** *(Previously continued by Staff from the October 3, 2017 and November 7, 2017 Planning Commission hearings until the December 5, 2017 Planning Commission hearing)*
- Z-70 JOE A. MCHARG** *(Previously continued by Staff from the November 7, 2017 Planning Commission hearing until the December 5, 2017 Planning Commission hearing)*
- Z-73 VENTURE HOMES, INC.** *(Previously held by the Board of Commissioners from their November 21, 2017 hearing until the December 19, 2017 Board of Commissioners hearing)*

REGULAR CASES

- Z-86 WALTON RIVERBEND, LLC**
Z-87 PETROPLEX JOINT VENTURE
LUP-26 BERTILIA MALDONADO

WITHDRAWN CASES

- Z-65** **VICTOR NWALA** (*Previously continued by Staff from the October 3, 2017 Planning Commission hearing, until the November 7, 2017 Planning Commission hearing; continued by Staff until the December 5, 2017 Planning Commission hearing*) - **WITHDRAWN WITHOUT PREJUDICE BY STAFF**
- Z-71** **LOYD DEVELOPMENT SERVICES** (*Previously continued by Staff from the November 7, 2017 Planning Commission hearing until the December 5, 2017 Planning Commission hearing*) - **WITHDRAWN WITHOUT PREJUDICE BY STAFF**
- OB-62** **PETINOS, LLC** - **WITHDRAWN WITHOUT PREJUDICE BY STAFF**

CONTINUED OR HELD CASES BY PLANNING COMMISSION OR STAFF-NOT TO BE HEARD

- Z-12** **SSP BLUE RIDGE, LLC** (*Previously continued by Staff from the April 4, 2017, May 2, 2017, June 6, 2017, July 6, 2017, August 1, 2017, September 7, 2017 and November 7, 2017 Planning Commission hearings until the December 5, 2017 Planning Commission hearing; held by the Planning Commission from their December 5, 2017 hearing until the February 6, 2018 Planning Commission hearing*)
- Z-56** **OAK HALL COMPANIES, LLC** (*Previously continued by Staff from the September 7, 2017, October 3, 2017 Planning and November 7, 2017 Planning Commission hearings until the February 6, 2018 Planning Commission hearing*)
- Z-75** **PROVINCE HOMES, LLC** (*Previously held by the Planning Commission from their November 7, 2017 hearing until the December 5, 2017 Planning Commission hearing; continued by the Planning Commission until the February 6, 2018 Planning Commission hearing*)
- Z-77** **ASHTON ATLANTA, LLC** (*Continued by the Planning Commission from their December 5, 2017 hearing until the February 6, 2018 Planning Commission hearing*)
- Z-81** **TODD LAVELLE** (*Continued by the Planning Commission from their December 5, 2017 hearing until the February 6, 2018 Planning Commission hearing*)
- Z-83** **LOYD DEVELOPMENT SERVICES** (*Held by the Planning Commission from their December 5, 2017 hearing until the February 6, 2018 Planning Commission hearing*)

CONTINUED OR HELD CASES BY PLANNING COMMISSION OR STAFF-NOT TO BE HEARD) (cont)

- Z-84** **RANDY E. PIMSLER** *(Continued by the Planning Commission from their December 5, 2017 hearing until the February 6, 2018 Planning Commission hearing)*
- Z-85** **RAHIM JASANI** *(Continued by Staff until the February 20, 2018 Board of Commissioners hearing)*
- SLUP-8** **SSP BLUE RIDGE, LLC** *(Previously continued by Staff from the, September 7, 2017 and November 7, 2017 Planning Commission hearings until the December 5, 2017 Planning Commission hearing; continued by the Planning Commission from their December 5, 2017 hearing until the February 6, 2018 Planning Commission hearing)*

OTHER BUSINESS CASE

- OB-40** **PULTE HOME COMPANY** *(Previously continued by Staff from the September 19, 2017, October 17, 2017, and November 21, 2017 Board of Commissioners hearings until the December 19, 2017 Board of Commissioners hearing)*

AMEND SOMETHING PREVIOUSLY ADOPTED

Section 25 of the Board of Commissioners' Zoning and Land Use Hearing Procedures adopted January 11, 1994 and last revised October 19, 2004 allows any commissioner to amend an action taken at a previous hearing. A second shall be required and full discussion shall be allowed. A majority vote shall be required for adoption of the amendment. This particular item would be to amend a zoning condition for Z-34 (Josh Thompson) as listed in the official minutes of the November 21, 2017 meeting. An additional stipulation letter needs to be referenced as well as a revision to that same letter. The revised zoning condition should read as follows:

2. Letters of agreeable conditions from Mr. Garvis L. Sams, Jr. dated September 25, 2017, September 29, 2017 and November 15, 2017 (attached and made a part of these minutes) with the following revisions to the September 25, 2017 letter: removal of items 4.c., 4.d., and 4.e.

COBB COUNTY BOARD OF COMMISSIONERS
ZONING HEARING *CONSENT* AGENDA
December 19, 2017

Zoning Cases

Z-76 QIN ZHANG (Qin Zhang, owner) requesting Rezoning from **R-20** to **O&I** for the purpose of an Office in Land Lot 1140 of the 19th District. Located on the southwest corner of Austell Road and Evergreen Drive. Staff recommends **APPROVAL** to the **O&I** zoning district subject to:

1. Site plan received by the Zoning Division on September 28 ~~29~~, 2017 with District Commissioner approving minor modifications (on file with the Zoning Division).
2. Professional office use *only*.
3. Landscape enhancement strip along Austell Road to be approved by the District Commissioner.
4. Fire Department comments and recommendations.
5. Water and Sewer Division comments and recommendations.
6. Stormwater Management Division comments and recommendations.
7. Department of Transportation comments and recommendations.
8. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.
9. Landscape enhancement along Austell Road to be approved by the District Commissioner.

Z-78 TIFANY B. VASQUEZ (Tifany Vasquez and Nayeli Cedillo Diaz, owners) requesting Rezoning from **RA-5** to **R-20** for the purpose of a Single-Family House (existing) in Land Lots 386 and 412 of the 18th District. Located on the north side of South Gordon Road, west of Mitchell Lane. Staff recommends **APPROVAL** to the **R-20** zoning district subject to:

1. Single family residential use *only*.
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. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

Z-79 DANIEL MOSTELLER AND OLIVIA MOSTELLER (Cole Mosteller, owner) requesting Rezoning from **LRO** to **R-20** for the purpose of Single-Family House in Land Lot 37 of the 16th District. Located on the southeast side of Old Mountain Road, east of Alabama Road. The Planning Commission recommends **APPROVAL** to the **R-20** zoning district subject to:

1. **Site plan received by the Zoning Division on October 4, 2017, with the District Commissioner approving all minor modifications (on file with the Zoning Division).**
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 December 19, 2017.**

Z-80 SOFIA JUAREZ (Sofia Juarez and Carlos A. Linares, owners) requesting Rezoning from **NS** to **R-12** for the purpose of a Single-Family House in Land Lot 147 of the 18th District. Located on the east side of South Gordon Road, north of Old Alabama Road. The Planning Commission recommends **APPROVAL** to the **R-12** zoning district subject to:

1. **District Commissioner to approve final architecture.**
2. **Removal of foundation for existing home, construction debris, and materials within 180 days of final Board of Commissioners' decision.**
3. **Any fence or other unapproved improvements located in the right-of-way to be removed within 180 days of final Board of Commissioners' decision.**
4. **Staff comments and recommendations, *not otherwise in conflict*.**
5. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of December 19, 2017.**

Z-82 INTERPLAN, LLC C/O CHICK-FIL-A, INC. (Woodlawn Square Limited Partnership, owner) requesting Rezoning from **NS and CRC** to **NS** for the purpose of a Restaurant in Land Lots 13 and 14 of the 1st District. Located on the southwest corner of Johnson Ferry Road and Woodlawn Parkway. The Planning Commission recommends **APPROVAL** to the **NS** zoning district subject to:

1. Site plan received by the Zoning Division on October 5, 2017, with the District Commissioner approving minor modifications (on file in the Zoning Division).
2. The architecture of the canopy and building to be approved by the District Commissioner.
3. All construction, delivery, and worker vehicles must be confined to the work site and at no time be stacked on or allowed to block Johnson Ferry Road or Woodlawn Parkway.
4. Fire Department comments and recommendations.
5. Water and Sewer Division comments and recommendations.
6. Stormwater Management Division comments and recommendations.
7. Department of Transportation comments and recommendations.
8. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of December 19, 2017.

LUP-25 MARLENE GRAHAM (Marlene Graham and Clenton Dayes, owners) requesting **Land Use Permit (Renewal)** for the purpose of a Personal Care Home for Ten Residents in Land Lot 561 of the 16th District. Located on the northeast side of Piedmont Road, northwest of Shaw Road. Staff recommends **APPROVAL** for **24 months** subject to:

1. Maximum of 10 residents.
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 December 19, 2017.

LUP-27 KOSTA AT SMRYNA (Stephen Mark Daleas, owner) requesting **Land Use Permit (Renewal)** for the purpose of a Personal Care Home in Land Lot 50 of the 17th District. Located on the north side of Hurt Road, east of Fred Walker Road. Staff recommends **APPROVAL** for **24 months** subject to:

1. **Maximum of 6 residents.**
2. **All conditions of previous LUP's to remain in effect, *not otherwise in conflict.***
3. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of December 19, 2017.**

LUP-28 OPEN ARMS GROUP HOME (James B. Barnes and Terri L. Barnes, owners) requesting **Land Use Permit (Renewal)** for the purpose of a Group Home for up to Six Residents in Land Lot 1272 of the 19th District. Located on the west side of Lindsey Drive, north of Jamestowne Court. Staff recommends **APPROVAL** for **24 months** subject to:

1. **Allowed for DFACS children *only.***
2. **Water and Sewer comments and recommendations.**
3. **Department of Transportation comments and recommendations.**
4. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing of December 19, 2017.**

ITEM OB-061

To consider a site plan amendment for Loyd Development Services, LLC regarding rezoning application Z-11 of 2017 for property located on the southeast side of Lee Waters Road, south of Jamerson Road, in Land Lot 131 of the 16th District. Staff recommends approval subject to:

1. **Site plan received November 14, 2017, with the District Commissioner approving minor modifications.**

ITEM OB-063

To consider a stipulation and a site plan amendment for Jim Chapman Communities, Inc. regarding rezoning application Z-22 of 2016 for property located on the north side of Cooper Lake Road, west of Atlanta Road, in Land Lot 696 of the 17th District. Staff recommends approval subject to:

- 1. Stormwater Management comments.**
- 2. Front setback for lot 7 be reduced to 15’.**
- 3. Applicant and/or the developer to submit a landscape plan to buffer the detention pond to the District Commissioner for final approval.**
- 4. All previous stipulations not in conflict with this amendment.**

ITEM OB-064

To consider a site plan and stipulation amendment for Griffin Fine Living, LLC regarding rezoning application Z-102 of 2015 for property located on the northwest side of Mars Hill Road, northeast of Brookstone Drive, in Land Lot 195 of the 20th District. Staff recommends approval subject to:

- 1. Letters from Mr. James Balli dated November 14, 2017 and December 13, 2017, including the proposed site plan and architectural renderings.**
- 2. All previous stipulations not in conflict with this amendment.**

ITEM OB-065

To consider granting a Special Exception for a reduction of road frontage as recommended by the Board of Zoning Appeals from their November 15, 2017 Variance Hearing regarding Variance Application V-119 Wilbur and Andrea Radford. Staff recommends approval subject to:

- 1. Board of Zoning Appeals minutes from November 15, 2017.**

ITEM OB-066

To consider granting a Special Exception for a reduction of minimum lot size as recommended by the Board of Zoning Appeals from their November 15, 2017 Variance Hearing regarding Variance Application V-121 Hurt Road Baptist Church. Staff recommends approval subject to:

- 1. Board of Zoning Appeals minutes from November 15, 2017.**