



Cobb County...Expect the Best!

COBB COUNTY BOARD OF COMMISSIONERS

ZONING HEARING SUMMARY AGENDA

August 21, 2018 (last revised 8-17-18)

Withdrawn Case			
District	Case	Applicant	Pages
2	Z-20-2018	ELEVATION DEVELOPMENT GROUP, LLC (Previously continued by Staff from the April 3, 2018 and May 1, 2018 Planning Commission hearings until the August 7, 2018 Planning Commission hearing) WITHDRAWN WITHOUT PREJUDICE	71-91

Continued or Held cases by Planning or Staff- not to be heard			
District	Case	Applicant	Pages
4	Z-26-2018	AUSTELL COSMETIC DENTISTRY (Previously continued by Staff from the May 1, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing; continued by Planning Commission until their September 4, 2018 hearing)	127-144
2	Z-37-2018	WINCHESTER PARKWAY, LLC (Previously held by the Planning Commission hearing from their July 3, 2018 hearing until the August 7, 2018 Planning Commission hearing; continued by Staff until the September 4, 2018 Planning Commission hearing)	183-201
3	Z-40-2018	JIM CHAPMAN COMMUNITIES (Continued by Staff from the July 3, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)	225-245
1	Z-44-2018	TRATON HOMES, LLC (Previously continued by Staff from the July 3, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing; held by the Planning Commission until their September 4, 2018 hearing)	283-301
4	Z-49-2018	KO MANAGEMENT, INC. (Continued by Staff from the August 7, 2018 Planning Commission hearing until the September 4, 2018 Planning hearing)	363-381
4	Z-51-2018	THE SILVER MANOR, LLC (Continued by Planning Commission from their August 7, 2018 hearing until the September 4, 2018 Planning Commission hearing)	403-421
3	LUP-9-2018	CECILE FERGUSON (Continued by Staff from the August 7, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)	425-437
3	OB-38-2018	CECILE FERGUSON (Continued by Staff from the August 21, 2018 hearing until the September 18, 2018 hearing)	N/A
1	OB-40-2018	JOHN AND MONA LOYD (Continued by Staff from the August 21, 2018 hearing until the September 18, 2018 hearing)	N/A

Consent Agenda cases				
District	Case	Applicant	Oppose/ Support	Pages
4	Z-30-2018	THE KEY AUTO COLLISION <i>(Previously continued by Staff from the June 5, 2018 Planning Commission hearing; continued by the Board of Commissioners from their July 17, 2018 hearing until the August 21, 2018 Board of Commissioners hearing)</i>		145-162
3	Z-48-2018	TODD CHAPMAN		343-361
2	Z-50-2018	TITANZ FITNESS, LLC		383-401
3	SLUP-7-2018	APSILON HOTELS, LLC		441-460
4	SLUP-8-2018	HOME STAR STORAGE, LLC		461-482
4	OB-32-2018	GURSHARAN S. PANNU <i>(Continued by Staff from the July 17, 2018 hearing until the August 21, 2018 hearing)</i>		N/A
1	OB-34-2018	TCP INVESTMENTS, LLC <i>(Continued by Staff from the July 17, 2018 hearing until the August 21, 2018 hearing)</i>		N/A
3	OB-41-2018	ATLANTA REAL ESTATE ACQUISITIONS, LLC		N/A
2	OB-42-2018	EAH WR, LLC		N/A
1	OB-43-2018	HD DEVELOPMENT OF MARYLAND, INC.		N/A

Continued and Held cases - To be Heard				
District	Case	Applicant		Pages
3	Z-56-2017	OAK HALL COMPANIES, LLC (Previously continued by Staff from the September 7, 2017, October 3, 2017, November 7, 2017, December 5, 2017, February 6, 2018, March 6, 2018, April 3, 2018 Planning Commission hearings until the May 1, 2018 Planning Commission hearing; held by the Planning Commission until the July 3, 2018 Planning Commission hearing; continued by Staff until the August 7, 2018 Planning Commission hearing)		21-53
1	Z-8-2018	LOYD DEVELOPMENT SERVICES (Previously continued by Staff from the March 6, 2018 through the July 3, 2018 Planning Commission hearings until the August 7, 2018 Planning Commission hearing)		55-70
1	Z-21-2018	W. REED KONIGSMARK (Previously continued by Staff from the April 3, 2018, May 1, 2018, June 5, 2018 and July 3, 2018 Planning Commission hearings, until the August 7, 2018 Planning Commission hearing)		93-125
4	Z-32-2018	INLINE COMMUNITIES, LLC (Previously continued by Staff from the June 5, 2018 and the July 3, 2018 Planning Commission hearings until the August 7, 2018 Planning Commission hearing)		163-181
4	Z-39-2018	MABLETON CENTER, INC. (Previously continued by Staff from the July 3, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing)		203-224
2	Z-42-2018	CHANCE POWERS FERRY, LLC (Previously held by the Planning Commission hearing from their July 3, 2018 hearing until the August 7, 2018 Planning Commission hearing)		247-262
1	Z-43-2018	CENTURY COMMUNITIES OF GEORGIA, LLC (Previously continued by Staff from the July 3, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing)		263-280

Regular case				
District	Case	Applicant	Oppose/ Support	Pages
2	Z-47-2018	POWERS FERRY ROAD PROJECT, LLC		305-341

Other Business cases				
District	Case	Applicant	Oppose/ Support	Pages
2	OB-28-2018	REYES MORALES <i>(Continued by Staff from the June 19, 2018 and July 17,2018 hearings until the August 21, 2018 hearing)</i>		N/A
4	OB-35-2018	BUCKNER CROSSROADS, LLC <i>(Continued by Staff from the July 17,2018 hearing until the August 21, 2018 hearing)</i>		N/A
3	OB-39-2018	KIMBERLY AND JAMES GASTER		N/A

Motion to Rescind case				
District	Case	Applicant	Oppose/ Support	Pages
3	Z-36-2018	EDGARDO RIVERA AGUILERA		N/A



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COBB COUNTY BOARD OF COMMISSIONERS

ZONING HEARING CONSENT AGENDA

August 21, 2018

Zoning Cases

Z-30 THE KEY AUTO COLLISION (Jimmy R. Harrison, owner) requesting Rezoning from **GC and R-20** to **HI** for the purpose of an Auto Body Collision Shop in Land Lot 34 of the 18th District. Located on the west side of Powell Drive, south of Sydney Ann Boulevard. *(Previously continued by Staff from the June 5, 2018 Planning Commission hearing until the July 3, 2018 Planning Commission hearing; Continued by the Board of Commissioners from the July 17, 2018 hearing).* The Planning Commission recommends deletion to **NRC** subject to:

1. Site plan received by the Zoning Division on February 28, 2018, (on file in the Zoning Division), with the following changes:
 - A. The abandoned gas pump and underground storage tank to be removed within 60 days of Board of Commissioners' final decision
 - B. The metal trailer, fenced frame awning and wood shed in the northwest corner of the site to be removed within 60 days of Board of Commissioners' final decision
 - C. The area covered by awning attached to the east of the main building may be converted to an enclosed building; NOTE: building permits are required for the conversion
2. For the following uses *only*:
 - A. Light automotive repair establishment
 - B. Emissions and inspection stations
 - C. Nonautomotive repair service establishments
 - D. Office service and supply establishments
 - E. Special exception use of Specialized Contractors, with District Commissioner approval of occupants
 - F. Special exception use of Automotive Paint and Body Repair Shop for Applicant *only*
3. If Code Enforcement issues a notice of violation related to the Automotive Paint and Body Repair Shop use and code violations are not corrected within 10 days, then the Zoning Division Manager may post the property and schedule a Show Cause hearing before the Board of Commissioners to consider additional restrictions or elimination of the special exception uses
4. Outdoor storage allowed only under the canopy area attached to the western portion of the building; the area to be fenced to contain storage under the roof; outdoor storage is only for the temporary storage of scrap materials awaiting pickup for recycling

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Z-30 THE KEY AUTO COLLISION (continued)

5. **Parking plan to be submitted for approval by the Zoning Division Manager within 30 days of Board of Commissioners' final decision; parking lot to be patched as needed and striped in accordance with the approved parking plan within 60 days of the Board of Commissioners' final decision; all vehicles to be parked in striped spaces in accordance with county ordinance**
6. **All vehicles parked outside to have current registration with the exception that up to three vehicles which do not have current registration may be parked on the property for a maximum of 30 days; all vehicles currently located on the property that don't have current registration to be removed within 30 days of the Board of Commissioners' final decision**
7. **All dumpsters to be located within a masonry dumpster enclosure with steel gates which conform to county Development Standards**
8. **All repair work and painting to be done inside the building; the paint booth to be located inside the enclosed portion of the building**
9. **Waive side setback from required 15 feet to four feet adjacent to the northern property line for existing building *only***
10. **Waive the maximum allowable impervious surface from 70% to 99% for existing improvements *only***
11. **No vehicle storage allowed on the property**
12. **The District Commissioner may approve minor modifications, *except* for those that:
 - A. **increase the overall building square footage**
 - B. **change that is in conflict with an expressed stipulation or condition of zoning**
 - C. **requires a variance or violates Cobb County Ordinance****
13. **Staff comments and recommendations, *not otherwise in conflict***
14. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on July 17, 2018**

Z-48 TODD CHAPMAN (Dolores Cain, Jane A. Shelley and James Glenn Andrews, owners) requesting Rezoning from **R-20 to LI** for the purpose of a Specialty Contractor and Office in Land Lots 84 and 85 of the 16th District. Located on the northeast side of Shallowford Road, northwest of Gettysburg Trail, at the end of the right-of-way of Old Noonday School House Road. The Planning Commission recommends deletion to NRC subject to:

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Z-48 **TODD CHAPMAN** (continued)

1. **Revised site plan dated July 30, 2018 (on file in the Zoning Division)**
2. **Letter of agreeable conditions from Mr. Adam Rozen dated July 30, 2018 (on file in the Zoning Division)**
3. **All tenants of the subject property shall be subject to the heavy equipment restrictions contained in Item No. 6 of the stipulation letter from Mr. Adam Rozen dated July 30, 2018**
4. **No tree grinding on the subject property**
5. **Applicant is prohibited from permitting any planting or side activity to be installed in a way as to block a driveway access to the residential neighbor located at 899 Old Noonday School House Road**
6. **Water and Sewer Division comments and recommendations**
7. **Stormwater Management Division comments and recommendations**
8. **Department of Transportation comments and recommendations; and**
9. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on August 21, 2018**

Z-50 **TITANZ FITNESS, LLC** (AMC Cobb Holdings, LLC, owner) requesting Rezoning from **HI to HI With Stipulations** for the purpose of Indoor Recreation in Land Lots 619 and 678 of the 17th District. Located on the south side of South Cobb Industrial Boulevard, west of Martin Court. The Planning Commission recommends approval subject to:

1. **Site plan received by the Zoning Division on May 3, 2018, with the District Commissioner approving minor modifications (on file in the Zoning Division)**
2. **Variances listed in the Zoning comments and recommendations**
3. **Fire Department comments and recommendations**
4. **Site Plan Review 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; and**
8. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning hearing on August 21, 2018**

SPECIAL LAND USE PERMIT

SLUP-7 **APSILOH HOTELS, LLC** (Anshasi Properties, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Suite Hotel in Land Lot 579 of the 16th District. Located on the east side of George Busbee Parkway, west side of Ring Road, south side of Mall 2 Road. The Planning Commission recommends approval subject to:

1. **Site plan to be approved by the Board of Commissioners (on file in the Zoning Division)**
2. **Variances listed in the Zoning comments and recommendations**
3. **Fire Department comments and recommendations**
4. **Site Plan Review 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; and**
8. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on August 21, 2018**

SLUP-8 **HOME STAR STORAGE, LLC** (MSC Veterans Memorial, LLC., owner) requesting a **Special Land Use Permit** for the purpose of a Climate-Controlled Self-Service Storage Facility in Land Lots 41 and 109 of the 17th and 18th District. Located on the south side of Veterans Memorial Highway, on the west side of Garner Road, on the north side of Lee Road, and on the east side of Glore Drive. The Planning Commission recommends approval subject to:

1. **Letter of agreeable conditions from Mr. Kevin Moore dated August 6, 2018 (on file in the Zoning Division), *not otherwise in conflict*, with the following changes:**
 - A. **Item No. 2 – after sentence ending in May 3, 2018, add the following corrections to the site plan:**
 - i. **In the large portion zoned CRC, there is an area of approximately 9000 SF shown as paved with parking that does not exist and is not required for this use; the area is directly behind the parcel with the small office/retail building**

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SLUP-8 HOME STAR STORAGE, LLC (Continued)

- ii. There is existing paving to the west of the two warehouse buildings that are not shown on the site plan
 - iii. The existing building on the site plan in the southeast portion of the property has been demolished; additionally, the circular driveway that served that building is to be removed
- B. Item No. 4 – add to the end: *“The exterior of the buildings to be renovated. Particular attention is to be paid to the front of the buildings that front Veterans Memorial, the western wall of the office/retail building, and the eastern wall of the first warehouse building. At a minimum, brick or stacked stone to be used on the front elevations, architectural features on the referenced side walls and a new façade to conceal the existing roof line to be installed on the office/retail building. Renovations to be completed prior to certificate of occupancy being issued.”*
- C. Item No. 10, second sentence – replace: *“Stormwater Management will perform”*, with: *“Applicant shall have a qualified professional engineer perform”*
- D. Item No. 13, subset (f) – replace: *“rezoning”*, with *“special land use permit”*
- E. Item No. 20 – add to the end: *“The Architectural Review Committee shall review, with the District Commissioner having approval, any fencing or gates on the small parcels which front Veterans Memorial Highway.”*
- F. Item No. 23 – revise to read: *“...the Site Plan, as corrected in Item No. 2, to be...”*
- 2. Staff comments and recommendations, *not otherwise in conflict*
 - 3. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing on August 21, 2018

OTHER BUSINESS CASES

ITEM OB-032

To consider a stipulation amendment for Gursharan S. Pannu regarding rezoning application Z-57 of 1997 for property located on the southwesterly side of Veterans Memorial Highway, north of Hickory Trail in Land Lot 69 of the 18th District (*Continued by Staff from the July 17, 2018 hearing until the August 21, 2018 hearing*). Staff recommends approval subject to:

1. Allowance of floor and counter business.
2. Letter from the Mableton Improvement Coalition dated August 13, 2018.
3. All previous stipulations not in conflict with this amendment to remain in effect.

ITEM OB-034

To consider a reduction of minimum lot size for proposed lot #5, from 30,000 square-feet to 25,281 square-feet for TCP Investments, LLC for property located on the north side of Holland Road, south of Sunburst Drive, in Land Lot 340 of the 20th District (*Continued by Staff from the July 17, 2018 hearing until the August 21, 2018 hearing*). Staff recommends approval subject to:

1. Stormwater Management comments.
2. Cobb DOT comments.

ITEM OB-041

To consider a site plan amendment for Atlanta Real Estate Acquisitions, LLC regarding rezoning application Z-148 of 2006 for property located on the east side of Maner Street, north of Cooper Lake Road in Land Lot 694 of the 17th District (4243 Maner Street). Staff recommends approval subject to:

1. Site plan received July 16, 2018.
2. Water and Sewer comments.
3. Stormwater Management comments.
4. Cobb DOT comments.
5. All previous stipulations not in conflict with this amendment to remain in effect.

ITEM OB-042

To consider a stipulation amendment for EAH WR, LLC regarding rezoning application Z-69 of 2017 for property located on the southwest side of Jamerson Road, and at the northwestern intersection of Wigley Road and Jims Road in Land Lots 98 and 119 of the 16th District (Wigley Road). **Staff recommends approval subject to:**

1. **Detention pond to have a brick or stone cap.**
2. **All previous stipulations not in conflict with this amendment to remain in effect.**

ITEM OB-043

To consider a site plan amendment for HD Development of Maryland, Inc. regarding rezoning application Z-80 of 1997 for property located on the north side of Dallas Highway, east of Barrett Parkway in Land Lot 329 of the 20th District (2350 Dallas Highway). **Staff recommends approval subject to:**

1. **Site plan received July 17, 2018.**
2. **All previous stipulations not in conflict with this amendment to remain in effect.**