
ZONING ANALYSIS

Planning Commission Public Hearing

August 7, 2018

Board of Commissioners' Public Hearing

August 21, 2018

Prepared by:
COBB COUNTY
PLANNING AND ZONING DIVISIONS

COBB COUNTY BOARD OF COMMISSIONERS

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Bob Weatherford, District 1
Bob Ott, District 2
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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!

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–August 7, 2018**

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-56^{'17} **OAK HALL COMPANIES, LLC** (Audrey Mae Wigley, By Gloria Wigley as Administrator for the Estate of Audrey Wigley, owner) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Single-family Subdivision in Land Lots 26, 27, 46 and 47 of the 16th District. Located on the east and west sides of Wigley Road, north of Summitop Road. *(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)*

Z-8 **LOYD DEVELOPMENT SERVICES** (Item Six Residuary Trust, owner) requesting Rezoning from **SC** to **RA-5 (detached)** for the purpose of a Residential Subdivision in Land Lots 339 and 402 of the 19th District. Located off a private easement on the east side of John Ward Road, west of Powder Springs Road, and on the north side of Macland Road. *(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)*

- Z-20** **ELEVATION DEVELOPMENT GROUP, LLC** (Overlook Partners, LLC, owner) requesting Rezoning from **O&I** to **RRC** for the purpose of a Mixed-Use Development in Land Lots 782 and 783 of the 17th District. Located on the southeast side of Terrell Mill Road, across from Waterfall Village Drive, and the west side and west terminus of Water Place. *(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**
- Z-21** **W. REED KONIGSMARK** (Jaynie B. Pickens, Isaac Watson, owners) requesting Rezoning from **R-30** to **R-20/OSC** for the purpose of a Single-Family Subdivision in Land Lots 80, 143 and 144 of the 19th District. Located on the southeast side of Dallas Highway, and on the northwest side of Poplar Springs Road. *(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)*
- Z-26** **AUSTELL COSMETIC DENTISTRY** (Austell Cosmetic Dentistry, owner) requesting Rezoning from **NRC and LRO** to **RSL** for the purpose of Senior Independent Living in Land Lots 993 and 1006 of the 19th District. Located on the east side of Austell Road, south of Anderson Mill Road. *(Previously continued by Staff from the May 1, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing)*
- Z-32** **INLINE COMMUNITIES, LLC** (Barbara Brickley Taylor, owner) requesting Rezoning from **R-20** to **RSL** for the purpose of Residential Senior Living (Non-Supportive) in Land Lots 579, 605 and 606 of the 19th District. Located on the east side of Old Lost Mountain Road, on the north side of Meek Road, and south of Gaydon Meadows Drive. *(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)*

- Z-37** **WINCHESTER PARKWAY, LLC** (Winchester Partners, L.P, owner) requesting Rezoning from **O&I and UVC** for the purpose of Mixed-Use/Retail and Residential in Land Lot 765 of the 17th District. Located on the east side of Winchester Parkway, north of Atlanta Road, and on the west side of I-285. *(Previously held by the Planning Commission hearing from their July 3, 2018 hearing until the August 7, 2018 Planning Commission hearing)*
- Z-39** **MABLETON CENTER, INC.** (Jimmy D. Hester, owner) requesting Rezoning from **R-20 and GC** to **NRC** for the purpose of a Place of Worship, Retail or Office in Land Lots 189 and 190 of the 18th District. Located on the east side of Mableton Parkway, north of Community Drive. *(Previously continued by Staff from the July 3, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing)*
- Z-40** **JIM CHAPMAN COMMUNITIES** (Multiple Titleholders on file in the Zoning Division) requesting Rezoning from **R-20** to **RSL** (Non-Supportive) for the purpose of Age Restricted/Independent Senior Living in Land Lots 284 and 285 of the 16th District. Located on the north side of North Booth Road, the west side of Bells Ferry Road, and the southeasterly side of I-575. *(Previously continued by Staff from the July 3, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)*
- Z-42** **CHANCE POWERS FERRY, LLC** (Powers Ferry Woods Office Limited Partnership, J. Houston Lennard and Celeste Coggin Lennard, owners) requesting Rezoning from **O&I to RRC** for the purpose of a Mixed-Use Development in Land Lots 1008 and 1009 of the 17th District. Located on the west side of Shadowood Parkway, south of Powers Ferry Road. *(Previously held by the Planning Commission hearing from their July 3, 2018 hearing until the August 7, 2018 Planning Commission hearing)*

- Z-43** **CENTURY COMMUNITIES OF GEORGIA, LLC** (Estate of Bernard E. Inhulsen; Karen Savage Landers, owners) requesting Rezoning from **R-80** to **RSL** (Non-Supportive) for the purpose of a Residential Senior Living Subdivision in Land Lots 386 and 429 of the 19th District. Located on the northeast side of Lost Mountain Road, north of Macland Road. *(Previously continued by Staff from the July 3, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing)*
- Z-44** **TRATON HOMES, LLC** (Estate of Leone Hall Price, a/k/a Leone Hall Johnson, owner) requesting Rezoning from **R-20/OSC and R-30/OSC** to **RSL** (Non-Supportive) for the purpose of a Residential Senior Living Subdivision in Land Lots 195 and 196 of the 20th District. Located on the east side of Mars Hill Road, north of Stilesboro Road. *(Previously continued by Staff from the July 3, 2018 Planning Commission hearing until the August 7, 2018 Planning Commission hearing)*

REGULAR CASES --- NEW BUSINESS

Rezonings

- Z-47** **POWERS FERRY ROAD PROJECT, LLC** (1927-1931-1935 Powers Ferry Road Investors, LLC; 1945 Powers Ferry Road Investors, LLC, owners) requesting rezoning from **GC** to **RRC** for the purpose of a Mixed-Use Development in Land Lots 941, 942, 985 and 986 of the 17th District. Located on the north side of Powers Ferry Road, on the south side of Windy Ridge Extension, south of Windy Hill Road and on the northwest side of Windy Ridge Parkway.

- 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.
- Z-49** **KO MANAGEMENT, INC.** (KO Management, Inc., owner) requesting rezoning from **NRC** to **RA-5** for the purpose of a Single-Family Residential in Land Lots 37 and 39 of the 17th and 18th District. Located at the northwest intersection of Mableton Parkway and Wood Valley Road.
- 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.
- Z-51** **THE SILVER MANOR, LLC** (Silver Comet Enterprises, LLC., owner) requesting rezoning from **NRC** to **CRC** for the purpose of an Assembly Hall for Special Events with Ancillary Offices in Land Lots 1000 and 1001 of the 19th District. Located on the northeast side of Floyd Road, southeast of Floyd Drive.

LAND USE PERMIT

LUP-9 **CECILE FERGUSON** (Cecile E. Ferguson, owner) requesting a **Land Use Permit** for the purpose of Backyard Chickens/Poultry in Land Lot 344 of the 16th District. Located on the south side of Blackwell Road, west of Knight Road. *(Continued by Staff from the August 7, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing)*

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.

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 the east side of Glore Drive.

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–August 21, 2018

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)

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- 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; Continued by the Board of Commissioners from their July 17, 2018 hearing until the August 21, 2018 Board of Commissioner hearing)*
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- 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 Lot 109 of the 17th District and Land Lot 41 of the 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 the east side of Glore Drive.

OTHER BUSINESS CASES

ITEM OB-028

To consider a stipulation amendment for Reyes Morales regarding rezoning application #59 of 1981 for property located on the west side of Clearwater Drive and on the north side of Hamilton Place in Land Lot 720 of the 17th District (1977 Hamilton Place). *(Continued by staff from the June 19, 2018 and July 17, 2018 hearing until the August 21, 2018 hearing)*

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)*

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)*

ITEM OB-035

To consider a site plan and stipulation amendment for Buckner Crossroads, LCC regarding rezoning application Z-24 of 2009 for property located at the northwesterly intersection of Veterans Memorial Highway and Buckner Road in Land Lots 68 and 165 of the 18th District. *(Continued by Staff from the July 17, 2018 hearing until the August 21, 2018 hearing)*

ITEM OB-038

To consider a reduction of required lot size for livestock from two-acres to 0.762-acres for Cecile Ferguson for property located on the south side of Blackwell Road, east of Mountain Ridge Drive, in Land Lot 344 of the 16th District (1632 Blackwell Road). *(Continued by Staff from the August 21, 2018 hearing until the September 18, 2018 hearing)*

ITEM OB-039

To consider amending the zoning stipulations regarding impervious surface for lot 52 (from 35% to 39% maximum impervious surface) for Kimberly and James Gaster for property located on the south side of Lulworth Lane, south of Barnhill Drive, in Land Lot 601 of the 16th District (2563 Lulworth Lane).

ITEM OB-040

To consider a reduction of public road frontage for proposed lots 1-3 from 75' to 7' per lot for John and Mona Loyd for property located on the south side of Hadaway Road, east of Oak Mountain Road, in Land Lots 270 and 271 of the 20th District (5257 Hadaway Road).

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).

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).

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).

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.”

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