

***COBB COUNTY BOARD OF COMMISSIONERS***

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Bob Ott, District 2  
JoAnn Birrell, District 3  
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***COUNTY MANAGER***

**Rob Hosack**

***COBB COUNTY PLANNING COMMISSION***

**Galt Porter  
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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–October 2, 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-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 19<sup>th</sup> 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; continued by Staff until the November 6, 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 17<sup>th</sup> 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; continued by Staff from the August 7, 2018 and September 4, 2018 Planning Commission hearings until their October 2, 2018 hearing)*

- Z-49**      **KO MANAGEMENT, INC.** (KO Management, Inc., owner) requesting rezoning from **NRC to RA-5** for the purpose of a Single-Family Residential Community in Land Lot 37 of the 17<sup>th</sup> District and Land Lot and 39 of the 18<sup>th</sup> District. Located at the northwest intersection of Mableton Parkway and Wood Valley Road. *(Previously continued by Staff from the August 7, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing; held by the Planning Commission from the September 4, 2018 hearing until their October 2, 2018 hearing)*
- Z-53**      **ELVIA BENITEZ** (Elvia Benitez, owner) requesting rezoning from **LRO to R-20** for the purpose of a Single-Family House in Land Lot 59 of the 17<sup>th</sup> District. Located on the north side of Michael Drive, east of Brackett Street. *(Continued by the Planning Commission from the September 4, 2018 Planning Commission hearing until their October 2, 2018 hearing)*
- Z-56**      **WRIGHT-OAKDALE, LLC** (Wright-Oakdale, LLC., owner) requesting rezoning from **GC and R-20 to RM-8** for the purpose of Townhouses in Land Lots 691 and 750 of the 17<sup>th</sup> District. Located on the southwest intersection of Oakdale Road and Wright Road. *(Continued by Staff from the September 4, 2018 Planning Commission hearing until the October 2, 2018 Planning Commission hearing)*
- Z-57**      **JOHN GASKIN** (Ballantry PMC Kyle, LLP, owner) requesting rezoning from **CS to CS** for the purpose of Modifying the current zoning stipulations in Land Lots 84, 137, 138, 139 and 159 of the 19<sup>th</sup> District. Located on the east side of Lost Mountain Road, south of Dallas Highway, across from Corner Road. *(Continued by Staff from the September 4, 2018 Planning Commission hearing until the October 2, 2018 Planning Commission hearing)*

- Z-58**      **BOBBY L. TERRELL** (Kaimari, LLC, owner) requesting rezoning from **R-20 to NRC** for the purpose of Retail in Land Lot 364 of the 16<sup>th</sup> District. Located on the northeast corner of Chastain Road and I-575 Ramp. *(Continued by the Planning Commission from the September 4, 2018 Planning Commission hearing until their October 2, 2018 hearing)*

## REGULAR CASES --- NEW BUSINESS

### Rezonings

- Z-60**      **LOYD DEVELOPMENT SERVICES** (David Gregory Weaver, owner) requesting rezoning from **R-20 to RA-5** for the purpose of a Single-Family Subdivision in Land Lot 81 of the 20<sup>th</sup> District. Located on the east side of Kemp Ridge Road, south of Lake Acworth Drive.
- Z-66**      **SCHAFFER ROAD CHURCH OF CHRIST** (Schaffer Road Church of Christ, Inc., owner) requesting rezoning from **R-20, PSC and CF to O&I** for the purpose of a Church with expansion of parking lot in Land Lot 85 of the 17<sup>th</sup> District. Located on the north side of Schaffer Road, between Austell Road and Favor Road.

## LAND USE PERMIT

- LUP-11**      **JAMES E. MCGUIRE** (James E. McGuire and Deborah S. McGuire, owners) requesting a **Land Use Permit (Renewal)** for the purpose of Poultry in Land Lots 1191 and 1258 of the 16<sup>th</sup> District. Located on the south side of Lakeshore Drive, west of Blackland Drive.

## **OPEN SPACE COMMUNITY**

**OSC-01**     **PROVINCE HOMES, LLC** (Wardlyn Mills Bassler and Wanda Mills Rademacher, owners) requesting a rezoning from **R-20** to **R-20/OSC** for the purpose of a Single-Family Subdivision in Land Lot 209 of the 19<sup>th</sup> District. Located on the north side of Luther Ward Road, and on the northwest and southeast sides of Midway Road.

**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.

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**COBB COUNTY**  
**ZONING HEARING AGENDA**  
**Board of Commissioners–October 16, 2018**

**NOTE:** *Some of these petitions may not be heard by the Board of Commissioners. The Planning Commission or Staff 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)**

- 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 17<sup>th</sup> 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; continued by Staff from the August 7, 2018 and September 4, 2018 Planning Commission hearings until their October 2, 2018 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 17<sup>th</sup> District. Located on the west side of Shadowood Parkway, south of Powers Ferry Road. *(Previously held by the Planning Commission from their July 3, 2018 hearing until the August 7, 2018 Planning Commission hearing; continued by the Board of Commissioners from their August 21, 2018 and September 18, 2018 hearings until their October 16, 2018 hearing)*
- Z-49**      **KO MANAGEMENT, INC.** (KO Management, Inc., owner) requesting rezoning from **NRC** to **RA-5** for the purpose of a Single-Family Residential Community in Land Lots 37 and 39 of the 17<sup>th</sup> and 18<sup>th</sup> District. Located at the northwest intersection of Mableton Parkway and Wood Valley Road. *(Previously continued by Staff from the August 7, 2018 Planning Commission hearing until the September 4, 2018 Planning Commission hearing; held by the Planning Commission from the September 4, 2018 hearing until their October 2, 2018 hearing)*

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

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**REGULAR CASES --- NEW BUSINESS**

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## **OTHER BUSINESS CASES**

### **ITEM OB-035**

To consider a site plan and stipulation amendment for Buckner Crossroads, LLC 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 18<sup>th</sup> District. **(Previously continued by Staff from the July 17, 2018 hearing until the August 21, 2018 hearing; continued by the Board of Commissioners from the August 21, 2018 and September 18, 2018 hearings until the October 16, 2018 hearing)**

### **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 20<sup>th</sup> District (5257 Hadaway Road). **(Continued by Staff from the August 21, 2018 hearing until the September 18, 2018 hearing date; Due to a tie vote (2-2) at the September 18, 2016 Board of Commissioners hearing, this case is pending until the October 16, 2018 Board of Commissioners zoning hearing).**

### **ITEM OB-048**

To consider a reduction of required lot size for livestock (racing pigeons) from two-acres to 0.254-acres for Hristo Kolev for property located on the south side of Shallow Ridge Road, west of Cypress Court, in Land Lot 67 of the 16<sup>th</sup> District (4750 Shallow Ridge Road).

### **ITEM OB-049**

To consider amending the site plan and zoning stipulations for Michael Cronauer regarding rezoning application Z-20 (Yancey Development) of 2003, for property located at 1951 Heatherbrooke Lane in Land Lot 194 of the 20<sup>th</sup> District.

**ITEM OB-050**

To consider a reduction of minimum lot size and a reduction of public road frontage for proposed lots #5 and #6, for 6M properties, LLC for property located on the west side of Acworth Due West Road, north of Brigade Trail, in Land Lot 259 of the 20<sup>th</sup> District.

**ITEM OB-051**

To consider a site plan and stipulation amendment for Dimitar S. Dimitrov regarding rezoning application Z-12 of 2013 for property located on the south side of Post Oak Tritt Road, east of Sandy Plains Road in Land Lot 557 of the 16<sup>th</sup> District (2118 Post Oak Tritt Road).

**ITEM OB-052**

To consider a stipulation amendment for ALDI, Inc. regarding rezoning application Z-54 of 2001 for property located at the southeast intersection of Floyd Road and Joseph Club Drive, and on the north side of Patterns Drive in Land Lot 32 of the 17<sup>th</sup> District (5020 Floyd Road).

**ITEM OB-053**

To consider a stipulation amendment for 3757 Floyd Road Property, LLC regarding rezoning application Z-43 of 2017 for property located on the north side of Hurt Road, and on the east side of Floyd Road in Land Lots 848 and 849 of the 19<sup>th</sup> District (Floyd Road).

**ITEM OB-054**

To consider a site plan and stipulation amendment for Beazer Gain, LLC regarding rezoning application Z-73 of 2017 for property located on the southwest side of Wooten Lake Road, and on the east side of Wade Green Road in Land Lots 55 and 56 of the 20<sup>th</sup> District (Wooten Lake Road).

**ITEM OB-055**

To consider a site plan and stipulation amendment for Grayco Stillhouse Land, LLC regarding rezoning applications Z-121 of 2005 and Z-8 of 2012 for property located on the southeast intersection of Stillhouse Lane and Cumberland Boulevard in Land Lots 949 and 950 of the 17<sup>th</sup> District (Cumberland Boulevard).

**ITEM OB-056**

To consider a site plan and stipulation amendment for Edison Chastain Office, LLC regarding rezoning application Z-20 of 2015 for property located on the west side of Bells Ferry Road and on the east side of Chastain Meadows Parkway in Land Lots 498, 499, 510 and 511 of the 16<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.”**

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