

***COBB COUNTY BOARD OF COMMISSIONERS***

**Mike Boyce, Chairman  
Bob Weatherford, District 1  
Bob Ott, District 2  
JoAnn Birrell, District 3  
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***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!***

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**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–November 06, 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, September 4, 2018 and October 2, 2018 hearings until the November 6, 2018 Planning Commission 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; continued by staff until the November 6, 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 and October 2, 2018 Planning Commission hearings until the November 6, 2018 hearing)* **WITHDRAWN WITHOUT PREJUDICE BY STAFF.**

**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. *(Held by the Planning Commission until the November 6, 2018 hearing).*

## **REGULAR CASES --- NEW BUSINESS**

### **Rezoning**

**Z-61**            **EMAE, LLC** (America's Home Place, Inc., owner) requesting rezoning from **RA-5 to RA-5** for the purpose of a Single-Family Attached Subdivision in Land Lots 384 and 385 of the 18<sup>th</sup> District. Located on the west side of Factory Shoals Road, north of South Gordon Road.

**Z-62**            **MCCONNELL GREEN II, LLC** (Lisa Spillane, as Executor of the Estate of Jeffrey C. Spillane; Kevin T. Spillane, owners) requesting rezoning from **R-30 to RSL** for the purpose of a Non-supportive Residential Senior Community in Land Lots 83 and 84 of the 19<sup>th</sup> District. Located on the west side of Lost Mountain Road, south of Dallas Highway.

**Z-63**            **LOYD DEVELOPMENT SERVICES** (The Margaret A. Keheley Living Trust, owner) requesting rezoning from **R-20 to RSL** for the purpose of a Non-supportive Senior Living Subdivision in Land Lots 458, 479 and 480 of the 16<sup>th</sup> District. Located on the east side of Holly Springs Road, and on the south side of Davis Road.

- Z-64**            **NORTHSIDE HOSPITAL, INC. BY DENTONS US LLP** (Cooper Lake-Daniel, LLC, owner) requesting rezoning from **O&I and R-20** to **O&I** for the purpose of Medical Offices/Clinic in Land Lot 695 of the 17<sup>th</sup> District. Located on the north and east sides of Daniel Street, and on the west side of Cooper Lake Road.
- Z-65**            **FLONNIE WESTBROOK** (Westbrook & McGuire, LLC, owner) requesting rezoning from **NS** to **CRC** for the purpose of Retail in Land Lot 212 of the 16<sup>th</sup> District. Located on the east side of Bells Ferry Road, south of Hawkins Store Road.
- Z-67**            **KENT AHRENHOLD** (July Homes, Inc., owner) requesting rezoning from **R-20** to **NRC** for the purpose of an Office in Land Lot 109 of the 16<sup>th</sup> District. Located on the northeast corner of Woodstock Road and York Place.
- Z-68**            **TRATON HOMES, LLC** (Martha Sue Daniell, f/k/a Martha Sue Johnson, owner) requesting rezoning from **R-20 and NS** to **RM-8** for the purpose of a Townhouse Community in Land Lots 627, 631 and 632 of the 19<sup>th</sup> District. Located on the west side of Austell Road, and on the northeast side of Milford Church Road.
- Z-69**            **BROOKS CHADWICK CAPITAL, LLC** (Numerous Titleholders in the Rezoning Application, owners) requesting rezoning from **R-20** to **RM-12** for the purpose of a Townhouse Community in Land Lot 745 of the 17<sup>th</sup> District. Located on the east side of Atlanta Road, north and south sides of East Lee Road, across from Lee Road.
- Z-70**            **THE WASSERMAN GROUP, LLC** (Multiple Titleholders in Rezoning Application, owners) requesting rezoning from **R-30, R-20, and GC** to **RM-8 and RSL Non-supportive** for the purpose of an Age-restricted Residential Community in Land Lots 40 and 75 of the 20<sup>th</sup> District. Located on the west side of Acworth Dallas Road, south of Cedarcrest Road.

- Z-71**            **POPE & LAND ENTERPRISES, INC.** (McCamy Investments, L.P.; McCamy Properties, LLC; BK Properties, L.P.; and VKEP-T LLC, owners) requesting rezoning from **R-20, RA-4, GC, O&I, and NS** to **RRC** for the purpose of Mixed-Use Development in Land Lots 364, 365, 428, and 429 of the 16<sup>th</sup> District. Located on the southwest corner of Chastain Road and Chastain Meadows Parkway, east of the I-575 off-ramp *(continued by staff until the December 4, 2018 Planning Commission hearing).*

### **LAND USE PERMIT**

- LUP-12**            **SPURS OF HOPE, INC.** (George Andrew Montgomery, Jr., owner) requesting a **Land Use Permit (Renewal)** for the purpose of Equine Therapy in Land Lot 715 of the 16<sup>th</sup> District. Located on the western terminus of Laura Lake Drive, west of Bells Ferry 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–November 20, 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 THE PLANNING COMMISSION, THE BOARD OF COMMISSIONERS OR STAFF (TO BE HEARD)**

- 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 through the November 6, 2018 Planning Commission hearing)*
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- 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; Continued by Staff until the November 20, 2018 hearing)*
- 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. *(Held by the Planning Commission until the November 6, 2018 hearing).*

#### **WITHDRAWN CASE**

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#### **OTHER BUSINESS CASES**

##### **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, 2018 Board of Commissioners hearing, this case was pending until the October 16, 2018 Board of Commissioners zoning hearing; the Board of Commissioners continued this pending case until the November 20, 2018 zoning hearing).*

**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 *(Continued by Staff until the November 20, 2018 Board of Commissioners hearing)*.

**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. *(Continued by the Board of Commissioners until the November 20, 2018 Board of Commissioners hearing)*.

**ITEM OB-057**

To consider a reduction of lot size for the Estate of Jere Furr for property located on the east side of Old Floyd Road at Center Street, in Land Lot 35 of the 17<sup>th</sup> District (5439 Old Floyd Road).

**ITEM OB-058**

To consider house moving application HM-1-18 for John Dollarhide regarding a house to be moved to 4075 Allegiance Avenue, in Land Lot 928 of the 19<sup>th</sup> District, which is currently located at 1898 Heathridge Court in Land Lot 667 of the 17<sup>th</sup> District.

**ITEM OB-059**

To consider amending the site plan and the stipulations for Steven W. Barnes, Sr. regarding rezoning application Z-18 of 2002 (Willoughby and Sewell Development Company, Inc.), for property located on the southeast side of Tanner Circle, east of Brookstone Walk in Land Lot 225 of the 20<sup>th</sup> District (1668 Tanner Circle).

**ITEM OB-060**

To consider a reduction of public road frontage for Ruby-Collins. Inc. for property located on the northeast side of Kenwood Road and off a private easement on the east side of Martin Court, in Land Lot 679 of the 17<sup>th</sup> District (4875 Martin Court).

**ITEM OB-061**

To consider amending the site plan for the Northwest Family YMCA (YCMA of Metropolitan Atlanta, Inc.) regarding application SLUP-21 of 1998, for property located on the east side of Dennis Kemp Lane, north of Stilesboro Road in Land Lots 195 and 224 of the 20th District (1700 Dennis Kemp Lane).

**ITEM OB-062**

To consider amending the site plan for Devereux Advanced Behavioral Health-Georgia (Devereux Georgia) regarding application SLUP-1 of 2002, for property located on the southerly side of Stanley Road, and on the north side of Barrett Parkway in Land Lots 242 and 243 of the 20th District (1291 Stanley Road).

**ITEM OB-063**

To consider amending the stipulations for the District at Windy Hill, LLC regarding rezoning application Z-89 of 2015, for property located on the northeast side of Interstate North Parkway West, south of Windy Hill Road in Land Lots 875, 876 and 919 of the 17th District (Interstate North Parkway West).

**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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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.