



Cobb County...Expect the Best!

COBB COUNTY BOARD OF COMMISSOINERS

ZONING HEARING SUMMARY AGENDA

December 18, 2018

Continued or Held case by Staff or Planning Commission- not to be heard			
District	Case	Applicant	Pages
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 from the August 7, 2018 through December 4, 2018 Planning Commission hearings until the February 5, 2019 hearing)	28-45
4	Z-49-2018	KO MANAGEMENT, INC. (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 from the November 6, 2018 hearing until the December 4, 2018 hearing; continued by staff until the February 5, 2019 Planning Commission hearing).	48-64
4	Z-61-2018	EMAE, LLC (Continued by the Planning Commission until the December 4, 2018 hearing; continued by the Planning Commission until the February 5, 2019 Planning Commission hearing).	66-80
2	Z-64-2018	NORTHSIDE HOSPITAL, INC. BY DENTONS US LLP (Continued by staff until the February 5, 2019 Planning Commission hearing).	118-139
2	Z-67-2018	KENT AHRENHOLD (Continued by staff until the February 5, 2019 Planning Commission hearing).	142-156
1	Z-70-2018	THE WASSERMAN GROUP, LLC (Continued by the Planning Commission from the November 20, 2018 and December 4, 2018 hearings until the February 5, 2019 Planning Commission hearing).	200-219
3	Z-71-2018	POPE & LAND ENTERPRISES, INC. (Continued by staff until the February 5, 2019 Planning Commission hearing).	222-223
2	Z-76-2018	MOHAMMED VASIGH (Continued by staff until the February 5, 2019 Planning Commission hearing).	336-353
1	Z-77-2018	ACWORTH BAKER GROVE, LLC (Held by Planning Commission until the February 5, 2019 hearing).	356-379
4	Z-78-2018	DAVID HAMMONTREE (Continued by staff until the February 19, 2019 Board of Commissioners hearing).	382-397
4	Z-80-2018	EMBRY DEVELOPMENT COMPANY, LLC (Continued by the Planning Commission until the February 5, 2019 Planning Commission hearing.)	416-435
4	Z-82-2018	IGBO UNION ATLANTA (Continued by staff until the February 5, 2019 Planning Commission hearing).	462-490
1	Z-83-2018	BLAKE-WILDER STRATEGIES, LLC (Continued by staff until the February 5, 2019 Planning Commission hearing).	492-511
1	SLUP-12	ACWORTH BAKER GROVE, LLC (Held by Planning Commission until the February 5, 2019 hearing).	574-595
1	OB-50	6M PROPERTIES, LLC (Continued by staff until the February 19, 2019 Board of Commissioners hearing).	N/A
4	OB-75	NESTOR F. MENDOZA (Continued by staff until the February 19, 2019 Board of Commissioners hearing).	N/A
4	OB-80	ALAN BARAN (Continued by staff until the February 19, 2019 Board of Commissioners hearing).	N/A

Withdrawn cases			
District	Case	Applicant	Pages
3	OB-67	DUNCAN LAND INVESTMENTS, LLC <i>(withdrawn without prejudice by staff)</i>	N/A
2	OB-78	THE KROGER CO. <i>(withdrawn without prejudice by staff)</i>	N/A

Consent Agenda				
District	Case	Applicant	Oppose/Support	Pages
3	Z-72	JOSE R. MEDINA		248-266
2	Z-79	PORTICO PROPERTIES, INC.		400-413
1	LUP-13	GARFIELD MCCOOK		534-546
4	LUP-14	RENEIKA ROGAN		548-557
3	SLUP-11	VENUE HOLDINGS, LLC		562-572
3	SLUP-13	KENNESAW JEWISH CENTER INC.		598-608
2	OB-64	HIGOR DINIZ		N/A
3	OB-66	JAMES C. LANE, JR.		N/A
1	OB-69	PRESTON D. MORRIS AND CATHERINE R. MORRIS		N/A
1	OB-70	BARRETT ALF, LLC		N/A
3	OB-73	JOHN EARLEY (REGIONS BANK)		N/A
1	OB-76	RICHARD G. GABRIEL AND JUDITH W. GABRIEL		N/A

Continued or Held cases - to be heard			
District	Case	Applicant	Pages
1	OSC-01-2018	PROVINCE HOMES, LLC <i>(Held by the Planning Commission from the October 2, 2018 hearing; Continued by the Board of Commissioners from the November 20, 2018 Board of Commissioners hearing)</i>	226-244
1	Z-62-2018	MCCONNELL GREEN II, LLC <i>(Continued by the Board of Commissioners from the November 20, 2018 Board of Commissioners hearing).</i>	82-98
3	Z-63-2018	LOYD DEVELOPMENT SERVICES <i>(Continued by staff from the November 6, 2018 Planning Commission hearing until the December 4, 2018 Planning Commission hearing).</i>	100-116
4	Z-68-2018	TRATON HOMES, LLC <i>(Continued by the Planning Commission until the December 4, 2018 hearing).</i>	158-175
2	Z-69-2018	BROOKS CHADWICK CAPITAL, LLC <i>(Continued by staff from the November 6, 2018 Planning Commission hearing until the December 4, 2018 Planning Commission hearing).</i>	178-198

Regular cases				
District	Case	Applicant	Oppose/ Support	Pages
3	Z-73	DUNCAN LAND INVESTMENTS, LLC		268-283
4	Z-74	ARENA CONSULTING, LLC		286-312
1	Z-75	825 MARS HILL, LLC		314-334
1	Z-81	WESLEY C. STAGGS		438-459
1	Z-84	TIPPINS FAMILY PROPERTIES, LLC		514-529

Other Business cases				
District	Case	Item	Oppose/Support	Pages
1	OB-40	JOHN AND MONA LOYD		N/A
3	OB-65	VASIL VASILEV		N/A
3	OB-68	JENNIFER PAQUIN		N/A
3	OB-71	MT. BETHEL CHRISTIAN ACADEMY, INC.		N/A
1	OB-72	RESIDENTS IN MCCLURE FARMS SUBDIVISION		N/A
2	OB-74	PREMIER AUTO XPRESS, INC.		N/A
2	OB-77	SID AND MARLA DAVIS		N/A
1	OB-79	MCCONNELL GREEN, LLC		N/A



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ZONING HEARING CONSENT AGENDA

December 18, 2018

Zoning Cases

Z-72 **JOSE R. MEDINA** (Jose R. Medina, owner) requesting rezoning from **TS** to **LI** for the purpose of a Contractor (Pool Maintenance Company) in Land Lots 370 and 423 of the 17th District. Located on the southwest side of Atlanta Road, northwest of Mozley Drive (1782 Atlanta Road). Staff recommends approval subject to:

1. Landscape buffer/privacy fencing to be installed on the rear southwest portion of the property adjacent to the residentially zoned properties subject to County Arborist approval
2. Parking plan to be approved by the Zoning Division and striped within 90 days of the Board of Commissioners' final decision
3. Pool maintenance company only, with the District Commissioner approving other uses
4. No outdoor storage and no outdoor display of merchandise
5. No automotive repair uses or tire stores
6. Fire Department comments and recommendations
7. Water and Sewer Division comments and recommendations
8. Stormwater Management Division comments and recommendations
9. Department of Transportation comments and recommendations
10. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on December 18, 2018

Z-79 **PORTICO PROPERTIES, INC.** (Sheri C. Veal and Randy A. Veal, owners) requesting rezoning from **R-20** to **R-15** for the purpose of Two Single-family houses in Land Lots 698 & 699 of the 17th District. Located on the southeast side of Carson Lane and on the east side of Wheeler Road (3617 Carson Lane). Staff recommends approval subject to:

1. Applicant to save the trees located within the 30' rear setback
2. Upon commencement of construction, the Applicant is to remove the two sheds located at the rear property line
3. Final building elevations to be approved by the District Commissioner

(Continued on the next page)

Z-79 PORTICO PROPERTIES, INC. (continued)

4. Construction/land development work to be limited to the following hours: Monday through Friday from 7:00 a.m. until 6:00 p.m.; Saturday from 8:00 a.m. until 4:00 p.m.; and no work on Sunday or holidays
5. The District Commissioner may make minor modifications to the approved zoning, *except for those that*:
 - A. Increase the density of the project
 - B. Reduce the size or composition of an approved buffer
 - C. Relocate a structure closer to the property line
 - D. Increase the height of a building
 - E. Change an access location to a different roadway
 - F. Would be in direct conflict with or a direct contradiction to the Cobb County Code of Ordinances or Zoning Ordinance
 - G. Require a variance waiving applicable regulations of the Cobb County Zoning Ordinance
6. Water and Sewer Division comments and recommendations
7. Stormwater Management Division comments and recommendations
8. Department of Transportation comments and recommendations
9. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on December 18, 2018

Land Use Permits

LUP-13 GARFIELD MCCOOK (Garfield McCook and Andrea McCook, owners) requesting a **Land Use Permit (Renewal)** for the purpose of a Personal Care Home in Land Lot 222 of the 20th District. Located on the south side of Stilesboro Road, west of Allatoona Lane (4549 Stilesboro Road). The Planning Commission recommends approval for 12 months subject to:

1. Maximum of 10 residents
2. Maintain turn around capabilities of driveway so that vehicles can exit the property frontwards

(Continued on the next page)

LUP-13 GARFIELD MCCOOK (continued)

3. No exterior signs
4. Maintain all State and County required permits
5. Maintain size of the lot as it exists currently
6. Site Plan Review comments and recommendations
7. Department of Transportation comments and recommendations
8. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on December 18, 2018

LUP-14 RENEIKA ROGAN (Bavan Properties, Inc., owner) requesting a **Land Use Permit (Renewal) for the purpose of a Personal Care Home in Land Lot 1142 of the 19th District. Located at the northeast corner of Clay Road and Golden Circle (4945 Golden Circle). The Planning Commission recommends approval for 12 months subject to:**

1. Maximum of six residents
2. Carport for vehicle parking *only*
3. Parking to be provided in existing driveway and carport; no on-street parking allowed by residents, employees, or guests; if additional parking is needed, a Parking Plan must be submitted for approval by the Zoning Division Manager and the District Commissioner
4. Landscaping to be provided for beautification of the property; landscaping to include robust landscape beds around the house, including the front and rear, with shrubs and other landscaping; Landscape plan to be submitted for approval by the County Arborist and District Commissioner
5. The property grounds to be kept neat, maintained and free of debris; dead plants, trees, or shrubs to be replaced within 90 days
6. Staff comments and recommendations, *not otherwise in conflict*
7. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on December 18, 2018

Special Land Use Permits

SLUP-11 **VENUE HOLDINGS, LLC** (JCB, Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Used Automobile Dealership in Land Lot 171 of the 20th District. Located on the west side of Barrett Lakes Boulevard, north of Cobb Place Boulevard (2679 Barrett Lakes Boulevard). Staff recommends approval subject to:

1. Stormwater Management Division comments and recommendations
2. Department of Transportation comments and recommendations
3. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on December 18, 2018

SLUP-13 **KENNESAW JEWISH CENTER INC.** (Kennesaw Jewish Center Inc., owner) requesting a **Special Land Use Permit** for the purpose of a Student Center for Students of the Jewish Faith Attending Kennesaw State University in Land Lots 94 and 97 of the 20th District. Located on the east side of Frey Lake Road, northwest of Campus Loop Road (3590 Frey Lake Road). Staff recommends approval subject to:

1. Final site plan to show retention pond location and to include elevations, and to be approved by the District Commissioner to ensure the tree ordinance is met
2. Letter of agreeable conditions from Mr. Kevin Moore dated December 3, 2018 (on file in the Zoning Division)
3. Final Detention and Stormwater to be approved by Cobb County Stormwater Management Division
4. Applicant to install a 10-foot landscape buffer along Frey Lake Road
5. District Commissioner to approve the landscape plan
6. District Commissioner to approve the building architecture and colors of the building
7. Hours of operation are to be consistent with Kennesaw State University operating hours
8. No outside speakers or amplified sound
9. No access to Frey Lake Road

(Continued on the next page)

SLUP-13 KENNESAW JEWISH CENTER INC. (continued)

10. Fire Department comments and recommendations
11. Site Plan Review comments and recommendations
12. Stormwater Management Division comments and recommendations
13. Department of Transportation comments and recommendations
14. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on December 18, 2018

Other Business

ITEM OB-064

To consider a reduction of minimum lot size for Higor Diniz for property located on the eastern side of Woodland Brook Drive, south of Rebel Valley View, in Land Lot 892 of the 17th District (4641 Woodland Brook Drive). Staff recommends approval subject to:

1. Stormwater Management comments;
2. Water and Sewer comments; and
3. Cobb DOT comments.

ITEM OB-066

To consider amending the stipulations for James C. Lane, Jr. regarding rezoning application Z-84 of 2016, for property located at the northeast intersection of Fricks Road and Cochran Lake Road in Land Lots 330 and 331 of the 16th District (3640 Cochran Lake Road). Staff recommends approval subject to:

1. Reversion clause be extended to December 22, 2020; and
2. All stipulations not in conflict with this amendment to remain in effect.

ITEM OB-069

To consider a reduction of minimum public road frontage for lot 2 for Preston D. Morris and Catherine R. Morris for property located at the western terminus of Placid Drive, in Land Lots 359 and 382 of the 19th District (4651 Placid Drive). Staff recommends approval subject to:

4. Lot 2 to have 58-feet of public road frontage.

ITEM OB-070

To consider amending the stipulations for Barrett ALF, LLC regarding rezoning application Z-52 of 2016, for property located on the west side of Ernest Barrett Parkway, south of Zachary Woods Drive in Land Lot 329 of the 20th District (3292, 3312 and 3322 Ernest Barrett Parkway). Staff recommends approval subject to:

1. Renderings contained in the Other Business packet (pages 1-5);
2. Applicant submit site details to Cobb DOT for coordination with Cobb County Airport Manager to determine potential need for a FAA study; and
3. All stipulations not in conflict with this amendment to remain in effect.

ITEM OB-073

To consider a site plan amendment for John Earley (Regions Bank) regarding rezoning application Z-116 of 1996. The property is located on the south side of Shallowford Road, east of Sandy Plains Road, in Land Lot 387 of the 16th District (3028 Shallowford Road). Staff recommends approval subject to:

1. Proposed site plan contained in the Other Business packet with the District Commissioner approving the final site plan;
2. Architectural Control Committee to approve the final building architecture, colors, lighting, landscaping and signage;
3. Subject to Stormwater Management approval at Plan Review; and
4. All stipulations not in conflict with this amendment to remain in effect.

ITEM OB-076

To consider a reduction of minimum public road frontage for Richard G. Gabriel and Judith W. Gabriel for property located on the south side of Old Trace Road, in Land Lots 20 and 55 of the 19th District (Old Trace Road). Staff recommends approval subject to:

1. Proposed site plan contained in the Other Business packet; and
2. Stormwater Management to approve the grading plan for the new residence.