



Cobb County...Expect the Best!

COBB COUNTY BOARD OF COMMISSIONERS

ZONING HEARING SUMMARY AGENDA

October 15, 2019

Withdrawn Cases			
District	Case	Applicant	Pages
2	Z-60-2019	LIBERTY INVESTMENT PROPERTIES, INC. (Withdrawn without prejudice by Staff).	264-284
2	SLUP-11-2019	MILESTONE HOTEL MANAGEMENT (Continued by Staff until the October 1, 2019 Planning Commission hearing). (Withdrawn without prejudice by Staff).	202-203
2	SLUP-13-2019	LIBERTY INVESTMENT PROPERTIES, INC. (Withdrawn without prejudice by Staff).	398-420
2	OB-35-2019	POAG SHOPPING CENTERS, LLC (Avenue East Cobb) (Continued by Staff until the October 15, 2019 Board of Commissioners hearing). (Withdrawn without prejudice by Staff).	N/A

Continued or Held cases - not to be heard			
District	Case	Applicant	Pages
3	Z-71-2018	POPE & LAND ENTERPRISES, INC. (Continued by Staff from the November 6, 2018 and December 4, 2018 Planning Commission hearings until the February 5, 2019 Planning Commission hearing; Continued by Staff from the February 5, 2019 through June 4, 2019 Planning Commission hearings until the August 6, 2019 Planning Commission hearing; Held by the Planning Commission until the October 1, 2019 Planning Commission hearing; Continued by Staff until the November 5, 2019 Planning Commission hearing).	24-42
3	SLUP-13-2018	KENNESAW JEWISH CENTER INC. (Continued by the Board of Commissioners from the December 18, 2018 and February 19, 2019 Board of Commissioners hearing until the March 19, 2019 Board of Commissioners hearing; Held by the Board of Commissioners from the March 19, 2019 and April 16, 2019 Board of Commissioners hearing; Held until the June 18, 2019 Board of Commissioners hearing; Continued by staff from the August 20, 2019 Board of Commissioners hearing through the October 15, 2019 Board of Commissioners hearings until the November 19, 2019 Board of Commissioners hearing).	44-54
4	Z-43-2019	EMBRY DEVELOPMENT COMPANY LLC (Continued by Staff from the July 2, 2019 through October 1, 2019 Planning Commission hearings until the November 5, 2019 Planning Commission hearing).	56-73
3	Z-45-2019	WS HOTELS LLC (Continued by Staff until the November 5, 2019 Planning Commission hearing).	94-117
4	Z-52-2019	WLM HOLDINGS, LLC (Continued by Staff until the October 1, 2019 Planning Commission hearing; Continued by Planning Commission until the November 5, 2019 Planning Commission hearing).	120-137
2	Z-53-2019	LAND DEVELOPMENT ASSOCIATES, LLC (Continued by Staff from the August 6, 2019 Planning Commission hearing through October 1, 2019 Planning Commission hearings until the November 5, 2019 Planning Commission hearing).	140-161

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Continued or Held cases - not to be heard (continued)			
4	Z-56-2019	KO MANAGEMENT, INC. (Continued by Staff until the October 1, 2019 Planning Commission hearing; Held by the Planning Commission until the November 5, 2019 Planning Commission hearing).	164-183
1	Z-59-2019	DAVEST ENTERPRISES, LLC (Continued by the Planning Commission until the November 5, 2019 Planning Commission hearing).	246-262
1	Z-61-2019	VAZCO PROPERTIES, LLC (Continued by Staff until the November 5, 2019 Planning Commission hearing).	286-303
4	Z-62-2019	EMBRY DEVELOPMENT COMPANY, LLC (Continued by Staff until the November 5, 2019 Planning Commission hearing).	306-330
3	SLUP-4-2019	A-1 AUTO CORES, LLC (Continued by Staff from the March 5, 2019 through October 1, 2019 Planning Commission hearings until the November 5, 2019 Planning Commission hearing).	186-200
2	SLUP-12-2019	GUNNISON TREE SPECIALISTS, INC. (Continued by Staff until the November 5, 2019 Planning Commission hearing).	374-396
4	OB-60	WLM HOLDINGS, LLC (Continued by Staff until the November 19, 2019 Board of Commissioners hearing).	N/A
1	OB-61	SARJIT PATEL (Continued by Staff until the November 19, 2019 Board of Commissioners hearing).	N/A

Consent Agenda				
District	Case	Applicant	Oppose/Support	Pages
2	Z-57-2019	ERIK KLEIN/RITA KLEIN		208-228
2	Z-58-2019	ROBERT HAAG		230-243
4	LUP-20-2019	OPEN ARMS GROUP HOME		346-357
1	LUP-21-2019	YOUNG S. UTASH		360-369
3	SLUP-14-2019	DOBBINS MILL PHASE II, LLC		422-435
4	OB-57	A-1 MINI STORAGE (Held by the Board of Commissioners from the September 17, 2019 Board of Commissioners hearing until the October 15, 2019 Board of Commissioners hearing).		N/A
4	OB-59	MERITAGE HOMES OF GEORGIA, INC.		N/A
4	OB-62	PROVIDENCE NLS, LLC		N/A
3	OB-63	KAT ALVEREZ		N/A

Continued or Held case - to be heard				
4	Z-44-2019	KERLEY FAMILY HOMES, LLC <i>(Continued by Staff from the June 4, 2019 Planning Commission hearing until the July 2, 2019 Planning Commission hearing; Continued by Staff until the August 6, 2019 Planning Commission hearing; Held by the Planning Commission from the August 6, 2019 Planning Commission hearing until the September 3, 2019 Planning Commission hearing; Continued until the October 15, 2019 Board of Commissioners hearing).</i>		76-91

Regular case				
District	Case	Applicant	Oppose/ Support	Pages
3	LUP-19-2019	RICHARD PICKERING, PICKERING PROPERTIES, LLC		334-344

Other Business case				
District	Case	Applicant	Oppose/ Support	Pages
1	OB-64	ELLIS LAKE INVESTMENTS, LLC		N/A



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ZONING HEARING CONSENT AGENDA

October 15, 2019

Zoning Cases

Z-57 **ERIK KLEIN/RITA KLEIN** (ASAL Properties, LLC, owner) requesting rezoning from **R-20** to **CRC** for the purpose of a professional office in Land Lot 898 of the 16th District. Located on the southwest side of Providence Road, east of Roswell Road (4198 Providence Road). **The Planning Commission recommends APPROVAL to the CRC zoning district subject to:**

1. Site plan received by the Zoning Division on June 28, 2019, with the District Commissioner approving minor modifications (on file in the Zoning Division)
2. Final site plan and elevations to be approved by the District Commissioner
3. Professional offices *only*
4. Variance listed in Zoning comments section
5. Second story to be used for storage *only*, as indicated in the rezoning application
6. Maximum building height shall be limited to 35 feet
7. There shall be a single sign conforming to the Cobb County Sign Ordinance to identify both buildings utilizing the shared entrance
8. No construction parking or equipment or material loading or unloading on Providence Road
9. Construction/land development work to be limited to the following hours:
 - A. Monday through Friday from 7:00 a.m. until 6:00 p.m.
 - B. Saturday from 8:00 a.m. until 4:00 p.m.
 - C. No work on Sunday or Holidays
10. The District Commissioner may make minor modifications to the approved zoning, *except* for those that:
 - A. Increase the density of a project
 - B. Reduce the size or composition of an approved buffer
 - C. Relocate a structure closer to a 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
11. Fire Department comments and recommendations
12. Stormwater Management Division comments and recommendations
13. Water and Sewer Division comments and recommendations

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Z-57 ERIK KLEIN/RITA KLEIN (CONTINUED)

- 14. Department of Transportation comments and recommendations
- 15. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on October 15, 2019

Z-58 ROBERT HAAG (Robert C. Haag and Margaret M. Haag, owners) requesting rezoning from **R-80** to **R-40** for the purpose of a single-family house in Land Lot 1002 of the 17th District. Located on the East side of Timberland Drive, north of Beechwood Drive (1145 Timberland Drive). **The Planning Commission recommends APPROVAL to the R-40 zoning district subject to:**

- 1. Final site plan and elevations to be approved by the District Commissioner
- 2. *Proposed* garage to be architecturally compatible with existing home
- 3. Single family use *only*
- 4. Variances listed in the Zoning comments section
- 5. Structure not to exceed 1196 square feet total (23' x 26'; 2 story)
- 6. Structure may not be used as a residence or guest house
- 7. No construction parking or equipment or material loading or unloading on Timberland Drive
- 8. Construction/land development work to be limited to the following hours:
 - A. Monday through Friday from 8:00 a.m. until 6:00 p.m.
 - B. Saturday from 8:00 a.m. until 4:00 p.m.
 - C. No work on Sunday or Holidays
- 9. The District Commissioner may make minor modifications to the approved zoning, *except* for those that:
 - A. Increase the density of a project
 - B. Reduce the size or composition of an approved buffer
 - C. Relocate a structure closer to a 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
- 10. Stormwater Management Division comments and recommendations
- 11. Department of Transportation comments and recommendations
- 12. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on October 15, 2019

LUP-20 OPEN ARMS GROUP HOME (James B. Barnes and Terri L. Barnes, owners) requesting a **Land Use Permit (RENEWAL)** for the purpose of group home for teenage boys in Land Lot 1272 of the 19th District. Located on the west side of Lindsey Drive, north of Jamestowne Court (4474 Lindsey Drive). **The Planning Commission recommends APPROVAL FOR 24 MONTHS subject to:**

1. Allowance is for Department of Family And Children's Services (DFACS) *children only*
2. Department of Transportation comments and recommendations
3. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on October 15, 2019

LUP-21 YOUNG S. UTASH (Michael J. Utash and Young S. Utash, owners) requesting a **Land Use Permit** for the purpose of bridal gown sales/alterations in Land Lot 126 of the 20th District. Located on the east side of Kimberly Road, north of Old 41 Highway (3230 Kimberly Road). **The Planning Commission recommends APPROVAL FOR 12 MONTHS subject to:**

1. Maximum number of truck deliveries is to be two per day
2. Maximum number of customers is to be three per day and by *appointment only*
3. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on October 15, 2019

SLUP-14 DOBBINS MILL PHASE II, LLC (Dobbins Mill Phase II, LLC, owner) requesting a **Special Land Use Permit** for the purpose of a used auto sales (in the interior of the building, 8 only) in Land Lot 283 of the 17th District. Located on the Terminus of Dunn Avenue, west of West Atlanta Street (1092 West Atlanta Street). **The Planning Commission recommends APPROVAL subject to:**

1. Site plan received by the Zoning Division on July 5, 2019, with the District Commissioner approving minor modifications (on file in the Zoning Division)
2. Vehicles to be inside Building 8 *only*
3. No junk or inoperative vehicles kept on-site
4. No outdoor storage
5. No parking or unloading vehicles in the right-of-way
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SLUP-14 DOBBINS MILL PHASE II, LLC (CONTINUED)

6. Any vehicle repairs to be done inside the building
7. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on October 15, 2019

Other Business Items

ITEM OB-57-2019

To consider a stipulation amendment for A-1 Mini Storage regarding rezoning application #386 of 1985, for property located on the south side of Riverside Parkway, and on the north side of I-20 in Land Lot 591 of the 18th District (361 Riverside Parkway). *(Held by the Board of Commissioners from the September 17, 2019 Board of Commissioners Zoning hearing until the October 15, 2019 Board of Commissioners hearing)*. Staff recommends APPROVAL subject to:

1. Maximum of five rental trucks on the property for lease at any one time.
2. District Commissioner approve the locations of where the five rental trucks are parked.
3. All previous stipulations not in conflict with the amendment to remain in effect.

ITEM OB-59

To consider a stipulation amendment for Meritage Homes of Georgia, Inc. regarding rezoning application Z-44 of 2017 for property located at the southwest intersection of Floyd Road and Glore Road, at the northern terminus of Green Valley Road in Land Lots 29, 30, 1073, 1074 and 1147 of the 17th and 19th Districts (4730 Floyd Road). Staff recommends APPROVAL subject to:

4. Letter of stipulations from Adam Rozen dated October 8, 2019.
5. All previous stipulations not in conflict with the amendment to remain in effect.

ITEM OB-62-2019

To consider a site plan amendment for Providence NLS, LLC and Providence 203, LLC regarding rezoning application Z-37 of 2003 for property located on the north side of Veterans Memorial Highway at Queen Mill Road in Land Lots 165 and 166 of the 18th District (1025 Veterans Memorial Highway). Staff recommends APPROVAL subject to:

1. The District Commissioner approving the final plan.
2. Water and Sewer comments.
3. Stormwater Management comments

ITEM OB-63-2019

To consider a site plan amendment for Kat Alvarez regarding rezoning application Z-74 of 2014 for property located on the south side of Shallowford Road, east of Sandy Plains Road in Land Lot 387 of the 16th District (3040 Shallowford Road). Staff recommends APPROVAL subject to:

1. Proposed plans contained in the Other Business packet.
2. All previous stipulations not in conflict with this amendment to remain in effect.