



Cobb County...Expect the Best!

COBB COUNTY BOARD OF COMMISSIONERS

ZONING HEARING SUMMARY AGENDA

July 18, 2023

District	Case	Withdrawn cases
4	Z-12-2023	FERNANDO CHAVARRIA (Continued by Staff from the May 2, 2023 and June 6, 2023 Planning Commission hearings until the July 5, 2023 Planning Commission hearing). (WITHDRAWN WITHOUT PREJUDICE)
4	Z-19-2023	KENNETH G. CLARK (WITHDRAWN WITHOUT PREJUDICE)
2	Z-22-2023	MRE PROPERTIES & INVESTMENTS, LLC (WITHDRAWN WITHOUT PREJUDICE)

District	Case	Held and Continued cases (will not be heard)
2	Z-60-2022	BRANCH ACQUISITION COMPANY, LLC (Continued by Staff from the September 6, 2022 through June 6, 2023 Planning Commission hearings until the July 5, 2023 Planning Commission hearing; Held by the Planning Commission from the July 5, 2023 Planning Commission hearing until the August 1, 2023 Planning Commission hearing).
2	Z-67-2022	S&B INVESTMENTS, INC. (Continued by Staff from the October 4, 2022 through the July 5, 2023 Planning Commission hearings until the August 1, 2023 Planning Commission hearing).
3	Z-15-2023	SDP ACQUISITIONS, LLC (Continued by staff from the May 2, 2023 through July 5, 2023 Planning Commission hearings until the August 1, 2023 Planning Commission hearing).
3	Z-23-2023	MIKE NORTON (Continued by Staff from the July 5, 2023 Planning Commission hearing until the August 1, 2023 Planning Commission hearing).
3	Z-24-2023	SWI INVESTMENTS, LLC (Continued by Staff from the July 5, 2023 Planning Commission hearing until the August 1, 2023 Planning Commission hearing).
2	LUP-11-2023	RICK KUHLMAN (Held by the Planning Commission from the June 6, 2023 Planning Commission hearing until the July 5, 2023 Planning Commission hearing; Continued by Staff from the July 5, 2023 Planning Commission hearing until the August 1, 2023 Planning Commission hearing).

District	Case	Consent Agenda
1	Z-13-2023	MATTHEW C. FLOURNOY (Continued by the Planning Commission from the May 2, 2023 and June 6, 2023 Planning Commission hearings until the July 5, 2023 Planning Commission hearing).
2	Z-20-2023	JACOB LEE
4	LUP-13-2023	DONNA JORDAN
1	LUP-15-2023	BURNT HICKORY CHURCH OF CHRIST, INC.
1	OB-30-2023	TRIPLE J HOMES, LLC

District	Case	Held and continued cases - to be heard
4	Z-9-2023	AGUAS VIVAS CENTRO FAMILIAR DE ADORACION INC. (Held by the Planning Commission from the April 4, 2023 through June 6, 2023 Planning Commission hearing until the July 5, 2023 Planning Commission hearing).
4	Z-18-2023	ICON RENOVATIONS, LLC (Continued by Staff from the June 6, 2023 Planning Commission hearing until the July 5, 2023 Planning Commission hearing).
4	SLUP-6-2023	CLARKDALE VENTURES, LLC (Continued by Staff from the June 6, 2023 Planning Commission hearing until the July 5, 2023 Planning Commission hearing).

District	Case	Regular cases
4	Z-21-2023	CLARKDALE VENTURES LLC
3	LUP-14-2023	MIGUEL MACIEL

Other Business cases		
District	Case	Applicant
2	OB-31-2023	COLE ISBAN
3	OB-32-2023	CAR BAR ATLANTA



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ZONING HEARING CONSENT AGENDA

July 18, 2023

Zoning Cases

Z-13 **MATTHEW C. FLOURNOY** (Robert E. Flournoy, III, Matthew C. Flournoy, Gwynn Flournoy Ross and Natalie Flournoy Boss, owners) requesting rezoning from **R-30** to **R-20** for a single-family subdivision in Land Lot 341 of the 20th District. Located on the east side of Antioch Road, at the terminus of Armor Drive (Antioch Road). *(Continued by the Planning Commission from the May 2, 2023 and June 6, 2023 Planning Commission hearings until the July 5, 2023 Planning Commission hearing).* The Planning Commission recommends approval of Z-13 to the **R-20** zoning district, subject to:

1. All Staff comments and recommendations shall apply and supersede any other conditions or stipulations including those in the June 26, 2023, stipulation letter; subject only to the superseding conditions stated below.
2. Site Plan dated June 6, 2023 (on file in the Zoning Division) is to be revised and submitted for Board of Commissioners' approval, with review by the neighbors the Applicant's representative has been meeting with, with final approval by the District Commissioner
3. Letter of agreeable conditions from Kevin Moore dated June 26, 2023 (on file in the Zoning Division), with the following changes:
 - A. Item No. 1 – revise to read: *"All Staff comments shall apply and govern."*
 - B. Item No. 2 – revise to read: *"Site Plan is to be revised to incorporate the following comments in a letter from Richard Hintze:*
 - a. *Plant hedgerow trees along the property line on the Sonnebogen's and Coomb's properties leaving a construction buffer around the perimeter of the subject property*
 - b. *Position the homes towards the center of the lots thereby creating larger rear yards*
 - c. *Change the plan to include cul-de-sacs in lieu of the original 'loop' plan*
 - d. *Construction of homes to be at least three-sides brick, stone, and hardy-board*
 - e. *Plant hedgerow trees along Antioch Road as a view shed with respect to the detention pond and the rear of the houses"*
 - C. Item No. 4 – add to the end: *"Specifying the use of certain materials, those materials must appear/cover a minimum of three sides on each building built on the tract."*
 - D. Item No. 7 – add to the end: *"The Covenants referenced should include a prohibition against having more than 10% of the units in rental."*
 - E. Item No. 14 – deleted in its entirety

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Z-13 MATTHEW C. FLOURNOY (continued)

- F. Items No. 18 & 19 – add to the end: *“Submission of the proposed plan to the County Arborist, with the District Commissioner to have final approval over the placement of the planting of the trees.”*
- G. Item No. 21 – add to the end: *“The mailbox kiosk should be constructed with the same materials as those indicated in Item No. 4.”*
- 4. Entrance and landscaping appearance shall appear per the attachment to the email dated June 26, 2023, from Carolyn Cook on behalf of Kevin Moore (on file in the Zoning Department)
- 5. If gravity flow sewer is not available to service all lots, then any lot not serviced by gravity flow sewer, must be a minimum of 80,000 square feet
- 6. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing on July 18, 2023

Z-20 JACOB LEE (Jacob Lee and Taylor McLendon, owners) requesting rezoning from **R-20** to **R-15** for single -family residences in Land Lot 699 of the 17th District. Located on the southeast side of Ridge Road, across from Ivy Ridge Road (3581 Ridge Road). The Planning Commission recommends approval of Z-20 to the **R-15** zoning district, subject to:

- 1. District Commissioner to approve the final Site Plan
- 2. Variances as stated in the Zoning Division comments and recommendations
- 3. Fire Department comments and recommendations
- 4. Water and Sewer Division comments and recommendations
- 5. Stormwater Management Division comments and recommendations
- 6. Department of Transportation comments and recommendations
- 7. Site Plan Review comments and recommendations
- 8. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing on July 18, 2023

LUP-13 DONNA JORDAN (Mildred Sharlene Mahaffey, Willie Gene Abernathy and Donna Marie Jordan, owners) requests a Temporary Land Use Permit (**Renewal**) to allow two houses on one lot in Land Lot 42 of the 18th District. Located on the north side of Lee Road, west of Veterans Memorial Highway (264 Lee Road). The Planning Commission recommends approval of LUP-13 for 24 months subject to:

- 1. Site Plan received by the Zoning Division on May 1, 2023 (on file in the Zoning Division)

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LUP-13 DONNA JORDAN (continued)

2. For this Applicant and current family use *only*
3. If the property is sold to another party, or the applicant or their family cease use of the second house, then the second house shall be converted to a storage building
4. Second house not to be used as a rental unit
5. Code Enforcement Staff shall be granted full access to inspect the property on a quarterly basis to ensure compliance during the 24-month period
6. All vehicles shall be parked in the driveway on a hardened surface and shall have current registrations
7. No vehicles shall be parked in the backyard for any length of time or for any reason
8. The use of campers or recreational vehicles for living space is prohibited
9. Items stored on the property shall be stored in an enclosed structure
10. Applicant must contact Cobb County Code Enforcement and schedule a follow-up visit every six months, with the first visit no later than December 2023
11. All Staff comments and recommendations, *not otherwise in conflict*
12. All vehicles must have current registrations and be in running order and remain uncovered by tarps
13. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on July 18, 2023

LUP-15 BURNT HICKORY CHURCH OF CHRIST, INC. (Burnt Hickory Church of Christ, Inc., owner) requests a Temporary Land Use Permit **(Renewal)** for a daycare, preschool facility in Land Lot 291 of the 20th District. Located on the north side of Burnt Hickory Road, west of New Salem Road (2330 Burnt Hickory Road). The Planning Commission recommends approval of LUP-15 for 24 months subject to:

1. Site Plan received by the Zoning Division on May 4, 2023 (on file in the Zoning Division), with the District Commissioner approving minor modifications
2. Daycare related banner sign to be no larger than three feet by five feet
3. Department of Transportation comments and recommendations
4. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on July 18, 2023

Other Business Cases

ITEM OB-30-2023

To consider a reduction of required minimum road frontage from 75-feet to 69-feet for Lot 2 and to 56-feet for lot 3 for Triple J Homes, LLC. The property located on the northeasterly side of Old 41 Highway, north of Blue Springs Road n Land Lot 86 of the 20th District (3612 Old 41 Highway).

1. Solid wooden privacy fence six-feet in height to be installed along the western side of Lot 1 a distance of 250 feet from the right of way.
2. All three lots to have one shared access point.
3. Cobb DOT comments contained in the Other Business Packet.
4. Stormwater Management comments.
5. Site Plan Review comments.
6. Fire Department comments.