



Cobb County...Expect the Best!

## COBB COUNTY BOARD OF COMMISSIONERS

### ZONING HEARING SUMMARY AGENDA

August 15, 2023

| District | Case        | Held and Continued cases (will not be heard)                                                                                                                                        |
|----------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3        | Z-15-2023   | <b>SDP ACQUISITIONS, LLC</b> (Continued by staff from the May 2, 2023 through August 1, 2023 Planning Commission hearings until the September 5, 2023 Planning Commission hearing). |
| 4        | LUP-18-2023 | <b>HALEY LOPEZ</b> (Continued by the Planning Commission from the August 1, 2023 Planning Commission hearing until the September 5, 2023 Planning Commission hearing)               |

| District | Case        | Consent Agenda                                                                                                                                                                            |
|----------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2        | Z-67-2022   | <b>S&amp;B INVESTMENTS, INC.</b> (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-23-2023   | <b>MIKE NORTON</b> (Continued by Staff from the July 5, 2023 Planning Commission hearing until the August 1, 2023 Planning Commission hearing).                                           |
| 3        | Z-26-2023   | <b>BERCHER HOMES, LLC</b>                                                                                                                                                                 |
| 4        | Z-27-2023   | <b>IMPACT WORSHIP CENTER</b>                                                                                                                                                              |
| 4        | LUP-16-2023 | <b>GIOVANNI R. LUCERO</b>                                                                                                                                                                 |
| 3        | LUP-17-2023 | <b>CAROL J. HICKS-VARGAS, MICHAEL E. VARGAS</b>                                                                                                                                           |
| 1        | OB-34-2023  | <b>POAG SHOPPING CENTERS, LLC</b>                                                                                                                                                         |
| 4        | OB-35-2023  | <b>STUART NAPSHIN</b>                                                                                                                                                                     |

| District | Case        | Held and continued cases - to be heard                                                                                                                                                                                                                                                                                               |
|----------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2        | Z-60-2022   | <b>BRANCH ACQUISITION COMPANY, LLC</b> (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). |
| 3        | Z-24-2023   | <b>SWI INVESTMENTS, LLC</b> (Continued by Staff from the July 5, 2023 Planning Commission hearing until the August 1, 2023 Planning Commission hearing).                                                                                                                                                                             |
| 2        | LUP-11-2023 | <b>RICK KUHLMAN</b> (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      | Regular cases          |
|----------|-----------|------------------------|
| 2        | Z-25-2023 | <b>TANER HAMZAWI</b>   |
| 4        | Z-28-2023 | <b>HERNAN GUERRERO</b> |

| Other Business cases |            |                                                                                                         |
|----------------------|------------|---------------------------------------------------------------------------------------------------------|
| District             | Case       | Applicant                                                                                               |
| 4                    | OB-33-2023 | <b>NEW OAK REAL ESTATE, LLC</b>                                                                         |
| 2                    | OB-36-2023 | <b>ROBERT KERR, RACHEL KERR, MAUREEN KERR AND THE WALTON CREEK ESTATES HOMEOWNERS ASSOCIATION, INC.</b> |



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### ZONING HEARING CONSENT AGENDA

August 15, 2023

#### Zoning Cases

**Z-67<sup>(2022)</sup>** **S&B INVESTMENTS, INC.** (S&B Investments, Inc., owner) requesting rezoning from **CF, R-80** to **NRC** for a retail coffee shop in Land Lots 73 and 81 of the 1<sup>st</sup> District. Located on the west side of Johnson Ferry Road, and on the north side of Paper Mill Road (31 Johnson Ferry Road). *(Continued by Staff from the October 4, 2022 through July 5, 2023 Planning Commission hearings until the August 1, 2023 Planning Commission hearing).* The Planning Commission recommends approval of Z-67<sup>'22</sup> to the **NRC** zoning district, subject to:

1. **Revised stipulation letter from Parks Huff dated July 20, 2023 (on file in the Zoning Division)**
2. **District Commissioner to approve the final elevations**
3. **Adherence to the Johnson Ferry Road Design Guidelines**
4. **Fire Department comments and recommendations**
5. **Water and Sewer Division comments and recommendations**
6. **Department of Transportation comments and recommendations**
7. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on August 15, 2023**

**Z-23<sup>(2023)</sup>** **MIKE NORTON** (Norton Management, LLC, owner, owner) requesting rezoning from **LRO, R-20** to **NRC** for a beauty salon in Land Lot 371 of the 16<sup>th</sup> District. Located on the south side of Chastain Corner Road, west of Canton Road (750 Chastain Corner Road). *(Previously continued by Staff from the July 5, 2023 Planning Commission hearing until the August 1, 2023 Planning Commission hearing).* The Planning Commission recommends deletion of Z-23 to the **NRC** and **R-20** zoning districts, subject to:

1. **Staff comments and recommendations**
2. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on August 15, 2023**

**Z-26<sup>(2023)</sup>** **BERCHER HOMES, LLC** (Bercher Homes, LLC, owner) requesting rezoning from **R-20** to **R-15** for single -family residences in Land Lots 330 and 331 of the 16<sup>th</sup> District. Located on the east side of Cochran Lake Road and north side of Fricks Road (3640 Cochran Lake Road). The Planning Commission recommends approval of Z-26 to the **R-15** zoning district, subject to:

(continued to the next page)

**Z-26<sup>(2023)</sup>      BERCHER HOMES, LLC (continued)**

1. Letter of agreeable conditions from Kevin Moore dated July 24, 2023 (on file in the Zoning Division)
2. Site plan received by the Zoning Division on May 31, 2023, with the District Commissioner approving minor modifications (on file in the Zoning Division)
3. Two driveways on Cochran Lake Road and one driveway on Frick's Road
4. Residences shall have a minimum of 3,000 square feet of heated space and shall consist of traditional architecture; letter from David Meyer dated December 20, 2016, (on file in the Zoning Division), striking number 13
5. Stormwater Management Division comments and recommendations
6. Water and Sewer Division comments and recommendations
7. Department of Transportation comments and recommendations
8. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on August 15, 2023

**Z-27<sup>(2023)</sup>      IMPACT WORSHIP CENTER** (Impact Worship Center, Inc, owner, owner) requesting rezoning from **R-20, GC** to **NRC** for retail in Land Lots 405, 406, 497, and 498 of the 18<sup>th</sup> District. Located on the west side of Queen Mill Road and on the north side of Mableton Parkway (Mableton Parkway). The Planning Commission recommends approval of Z-27, subject to:

1. Staff comments and recommendations
2. Letter from the Mableton Improvement Coalition dated July 26, 2023 (on file in the Zoning Division)
3. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on August 15, 2023

**LUP-16      GIOVANNI R. LUCERO** (Giovanni Raul Lucero and Gloriabel Lucero Gil, owners) requests a Temporary Land Use Permit to allow more vehicles and adults than the code allows in Land Lot 564 of the 19<sup>th</sup> District. Located on the southwest side of Sebring Court, west of Goodwood Drive (2327 Sebring Court). The Planning Commission recommends approval for 12 months subject to:

1. Code Enforcement to make quarterly visits to the property to ensure compliance

**LUP-17<sup>(2023)</sup> CAROL J. HICKS-VARGAS, MICHAEL E. VARGAS** (Carol Hicks-Vargas and Michael Vargas, owners) requests a Temporary Land Use Permit **(Renewal)** to allow more adults and vehicles than the code allows in Land Lot 80 of the 16<sup>th</sup> District. Located on the southwest side of the Rocky Top Court, north of Watkins Glenn Drive (230 Rocky Top Court). The Planning Commission recommends approval of LUP-17 for 24 months subject to:

1. **Maximum of seven related adults to reside in the house**
2. **Allow a maximum of five cars**
3. **All cars must be parked in the driveway, no parking in the street**
4. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on August 15, 2023**

### **Other Business Case**

#### **ITEM OB-34-2023**

To consider amending the site plan for Poag Shopping Centers, LLC regarding rezoning application Z-139 of 1999, for property located on the south side of Dallas Highway, east of Casteel Road in Land Lot 333 and 334 of the 20<sup>th</sup> District (3625 Dallas Highway). Staff recommends approval subject to:

1. Access drives and fire lanes shall not be modified and shall be always open.
2. Site plan received by the Zoning Division July 10, 2023 with the District Commissioner approving minor modifications.
3. Fire Department comments contained in the Other Business packet.
4. All previous zoning stipulations to remain in effect.

**ITEM OB-35-2023**

To consider a reduction of required minimum lot size from 20,000 square-feet to 10,846 square-feet for Stuart Napshin. The property located on the north side of Starling Drive in Land Lot 385 of the 18<sup>th</sup> District (6645 Starling Drive). Staff recommends approval subject to:

1. Lot size approved to be 10,846 square-feet.
2. The maximum house size to be 1,400 square-feet.
3. The variance is granted only for a home built by this applicant, Stuart Napshin or a contractor working for him.
4. Site Plan Review comments contained in the Other Business packet.
5. Cobb DOT comments contained in the Other Business packet.