



Cobb County...Expect the Best!

COBB COUNTY PLANNING COMMISSION

ZONING HEARING SUMMARY AGENDA

December 5, 2023

Withdrawn Cases			
District	Case	Applicant	
4	Z-43-2023	SUHEL KAZANI (Continued by staff from the October 3, 2023 Planning Commission hearing until the December 5, 2023 Planning Commission hearing). withdrawn without prejudice	

District	Case	Held and Continued cases (will not be heard)
3	Z-40-2023	ATLANTA REMEDIATION GROUP, LLC (Continued by staff from the October 3, 2023 and through December 5, 2023 Planning Commission hearings until the February 6, 2024 Planning Commission hearing).
3	Z-52-2023	1054 INVESTMENT GROUP L.L.C. (Held by the Planning Commission from the November 7, 2023 Planning Commission hearing until the December 5, 2023 Planning Commission hearing; Continued by Staff until the February 6, 2024 Planning Commission hearing).
1	Z-59-2023	SS DEVELOPERS, LLC (Continued by Staff from the December 5, 2023 Planning Commission hearing until the February 6, 2024 Planning Commission hearing).
3	Z-61-2023	DAVID PEARSON COMMUNITIES, INC. (Continued by Staff from the December 5, 2023 Planning Commission hearing until the February 6, 2024 Planning Commission hearing).
4	Z-64-2023	CEDAR REAL ESTATE GROUP IV, LLC (Continued by Staff from the December 5, 2023 Planning Commission hearing until the February 6, 2024 Planning Commission hearing).

District	Case	Consent Agenda
3	Z-47-2023	BENTLEY RESIDENTIAL PROPERTIES, LLC; SUMMEROUR PROPERTIES, LLLP (Continued by the Planning Commission from the November 7, 2023 Planning Commission hearing until the December 5, 2023 Planning commission hearing).
4	Z-55-2023	JUSCELIO TOLEDO CRUZ
4	Z-56-2023	JOSEPH FIDELIS
2	Z-58-2023	CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION
2	Z-62-2023	RACETRAC, INC.
3	Z-63-2023	MARTIN HUERTA
3	Z-65-2023	THE PKWY 750 KENNESAW, LLC; THE PKWY 760 KENNESAW, LLC
3	LUP-27-2023	MARLENE GRAHAM
4	LUP-28-2023	KAREN GOODEN
1	LUP-31-2023	THIAGO SANTOS

District	Case	Held and continued case - to be heard
3	Z-15-2023	SDP ACQUISITIONS, LLC (Continued by Staff from the May 2, 2023 through September 5, 2023 Planning Commission hearings until the October 3, 2023 Planning Commission hearing; Held by the Planning Commission from the October 3, 2023 and November 7, 2023 Planning Commission hearings until the December 5, 2023 Planning Commission hearing).

(continued on the next page)

District	Case	Held and continued case - to be heard (continued)
3	Z-30-2023	QUIKTRIP CORPORATION <i>(Held by the Planning Commission from the September 5, 2023 through November 7, 2023 Planning Commission hearings until the December 5, 2023 Planning Commission hearing).</i>
2	Z-48-2023	OSCAR FACTORY <i>(Continued by staff from the November 7, 2023 Planning Commission hearing until the December 5, 2023 Planning Commissioner hearing).</i>
2	Z-49-2023	DG EAST COBB GUTHRIES, LLC <i>(Continued by the Planning Commission from the November 7, 2023 Planning Commission hearing until the December 5, 2023 Planning commission hearing).</i>

District	Case	Regular cases
4	Z-57-2023	GORDON TODD SPENCER
3	Z-60-2023	MRE-CANTON, LLC
1	Z-66-2023	41 PARK A TOY & SELF STORAGE, INC.
4	LUP-29-2023	JAMES A. FRANK
4	LUP-30-2023	DONALD PERRY
1	LUP-32-2023	JULIA WELTON
1	SLUP-8-2023	41 PARK A TOY & SELF STORAGE, INC.

District	Case	Other Business
	OB-1-2023	To adopt a resolution for the dates and time of the Planning Commission Zoning Hearings for the Calendar Year 2024



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COBB COUNTY PLANNING COMMISSION

ZONING HEARING CONSENT AGENDA

December 5, 2023

Zoning Cases

Z-47⁽²⁰²³⁾ **BENTLEY RESIDENTIAL PROPERTIES, LLC; SUMMEROUR PROPERTIES, LLLP** (Bentley Residential Properties, LLC; Summerour Properties, LLLP, owners) requesting rezoning from **R-20, R-15** to **LI** for a landscaping and tree service in Land Lot 1137 of the 16th District. Located north of Gresham Road and east of Fairview Street (0, 1306, 1330 Gresham Road). *(Previously continued by the Planning Commission from the November 7, 2023 Planning Commission hearing until the December 5, 2023 Planning Commission hearing)*. Staff recommends approval subject to:

1. Site plans received by the Zoning Division on September 6, 2023, with District Commissioner approving final plan;
2. Variances identified in the Zoning comments;
3. Reduction of buffer from required minimum 50' to 20' adjacent to residentially zoned property;
4. Applicant to install a 10-foot landscape buffer and/or fencing along the public roads to provide screening;
5. Letter from George E. Bentley dated November 29, 2023;
6. Fire Department comments and recommendations; and
7. Department of Transportation comments and recommendations.

Z-55⁽²⁰²³⁾ **JUSCELIO TOLEDO CRUZ** (JP Realty Investments, LLC, owner) requesting rezoning from **NS** to **R-15** for a single-family residence in Land Lot 131 of the 17th District. Located on the north side of Zelma Street, west of Pinetree Lane (322 Zelma Street). Staff recommends approval subject to:

1. Construction hours limited to Monday – Friday from 7:00 A.M. to 6:00 P.M., and Saturday & Sunday from 8:00 A.M. to 5:00 P.M.;
2. District Commissioner to approve final architectural elevations;
3. Fire Department comments and recommendations; and
4. Department of Transportation comments and recommendations.

Z-56⁽²⁰²³⁾ **JOSEPH FIDELIS** (Joseph Fidelis, owner) requesting rezoning from **R-30** to **R-20** for a Single-family subdivision in Land Lot 1173 of the 19th District. Located on the west side of Holloman Road and on the south side of Hiram Lithia Springs Road (5052 Hiram Lithia Springs Road). Staff recommends approval subject to:

1. Site plan received by the Zoning Division dated July 21, 2023;
2. The minimum house size is 2,200 square-feet for homes in the proposed development of heated and cooled living space, and shall have a minimum two-car garage;
3. Homes in the proposed development shall contain exterior materials of brick, stone, stacked stone, cedar shake, board and batton, traditional lap-siding, hardi-plank, or any combination thereof;
4. Construction hours limited to Monday – Friday from 7:00 A.M. to 6:00 P.M., and Saturday & Sunday from 8:00 A.M. to 5:00 P.M.;
5. Fire Department comments and recommendations;
6. Water and Sewer Division comments and recommendations;
7. Stormwater Management Division comments and recommendations;
8. Department of Transportation comments and recommendations;
9. Site Plan Review comments and recommendations; and
10. Planning Division comments and recommendations.

Z-58 **CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION** (WB Holdings-Delk Road, LLC, owner) requesting rezoning from **GC** to **LI** for heavy automotive repair in Land Lot 869 of the 17th District. Located on the north side of Delk Road, west of Powers Ferry Road (2739 Delk Road). Staff recommends deletion to CRC subject to:

1. Site Plan received by the Zoning Division on October 5, 2023, District Commissioner approving minor modifications;
2. Letter from Kevin Moore dated November 27, 2023;
3. Variances stated in the Zoning comments;
4. Fire Department comments and recommendations;
5. Stormwater Management Division comments and recommendations;
6. Planning Division comments and recommendations;
7. Water and Sewer Division comments and recommendations;
8. Department of Transportation comments and recommendations;
9. All vehicles to be parked in striped parking spaces;
10. Any heavy automotive repair be done inside the building;
11. No outdoor storage of vehicle parts; and
12. No outdoor display of merchandise.

Z-62⁽²⁰²³⁾ **RACETRAC, INC.** (B&N RT Partners, LLC, owner) requesting rezoning from **GC, NS** to **CRC** for a convenience store with fuel sales in Land Lots 948 and 949 of the 17th District. Located on the south side of Cobb Parkway, on the east side of Akers Mill Road, at the southeast intersection of Cobb Parkway and Akers Mill Road (2952 Cobb Parkway). Staff recommends approval subject to:

1. Site plan received, stamped October 5, 2023, with the District Commissioner approving the final site plan;
2. Variance as identified in the Zoning Division comments;
3. Fire Department comments and recommendations;
4. Stormwater Management comments and recommendations;
5. Water and Sewer Comments and recommendations; and
6. Department of Transportation comments and recommendations.

Z-63⁽²⁰²³⁾ **MARTIN HUERTA** (Martin Huerta, owner) requesting rezoning from **R-20, GC** to **GC** for a contractor (special), tree/landscaping, parking and storage in Land Lot 211 of the 17th District. Located on the east side of Sandtown Road, north of Gann Road (1119 Sandtown Road).

1. Site plan received by the Zoning Division on October 5, 2023;
2. Variances identified in the Zoning comments;
3. Fire Department comments and recommendations;
4. Site Plan Review comments and recommendations;
5. Department of Transportation comments and recommendations;
6. Tree service and landscaping contractor only. Any other use to be approved as an Other Business Item;
7. Applicant and/or owner install a 10-foot landscape buffer with six-foot solid wooden privacy fence along the road frontage and
8. District Commissioner approved the final building elevations.

Z-65⁽²⁰²³⁾ **THE PKWY 750 KENNESAW, LLC; THE PKWY 760 KENNESAW, LLC** (The Inn at Lithia Springs LLC; The Lodge in Kennesaw, LLC, owners) requesting rezoning from **CRC** to **RRC** for a mixed-use development consisting of apartments and hotel in Land Lots 651 and 718 of the 16th District. Located at the terminus of Cobb Place Boulevard, east of Ernest Barrett Parkway (745, 755, 765 Cobb Place Boulevard). Staff recommends approval subject to:

1. Site plan received October 5, 2023, with District Commissioner approving minor modifications;
2. Parking variance identified in the Zoning Division Comments;
3. Department of Transportation comments and recommendations;
4. Fire Department comments and recommendations;
5. Stormwater Management Division comments and recommendations; and
6. Water and Sewer Division comments and recommendations.

LUP-27⁽²⁰²³⁾ MARLENE GRAHAM (Marlene Graham and Clenton Dayes, owners) requests a Temporary Land Use Permit (**Renewal**) for a personal care home in Land Lot 561 of the 16th District. Located on the north side of Piedmont Road, west of Shaw Road (1371 Piedmont Road). Staff recommends approval for 24 months subject to:

1. Site plan received on September 25, 2023;
2. Fire Department comments and recommendations;
3. Water and Sewer Division comments and recommendations and
4. Stormwater Management Division comments and recommendations.

LUP-28⁽²⁰²³⁾ KAREN GOODEN (Edward J. Gooden and Karen L. Gooden, owners) requests a Temporary Land Use Permit (**Renewal**) for a hair salon in Land Lots 622 and 637 of the 19th District. Located at the terminus of Foxcroft Court, east of Valley Brook Drive (1910 Foxcroft Court). Staff recommends approval for 24 months subject to:

1. Hours of operation to be from 10:00 am to 7:00 pm, Monday, Thursday, and Friday only;
2. All parking to be on a hardened surface;
3. Applicant to be the only employee; no independent contractors and
4. Staff comments and recommendations, not otherwise in conflict.

LUP-31⁽²⁰²³⁾ THIAGO SANTOS (Thiago Santos and Kellyta Santos, owners) requests a Temporary Land Use Permit (**Renewal**) to allow outdoor photography in Land Lots 103 and 126 of the 20th District. Located on the north side of Old 41 Highway, west of Kimberly Road (3178 Old 41 Highway). Staff recommends approval for 24 months subject to:

1. Final Site Plan submitted on October 4th, 2023 (attached and made a part of these minutes);
2. Maximum of two employees;
3. One sign up to six square feet;
4. Clients by appointment only, with the maximum of three clients per day;
5. Fire Department comments and recommendations; and
6. Department of Transportation comments and recommendations.