



Cobb County...Expect the Best!

COBB COUNTY BOARD OF COMMISSIONERS

ZONING HEARING SUMMARY AGENDA

February 20, 2024

District	Case	Withdrawn Without Prejudice cases
3	Z-30-2023	QUIKTRIP CORPORATION (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; Held by the Board of Commissioners from the December 19, 2023 Board of Commissioners hearing until the February 20, 2024 Board of Commissioners hearing). Withdrawn without prejudice
4	LUP-30-2023	DONALD PERRY (Held by the Planning Commission from the December 5, 2023 Planning Commission until the February 6, 2024 Planning Commission hearing). Withdrawn without prejudice

District	Case	Held and Continued cases (will not 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 hearing; Held by the Board of Commissioners from the December 19, 2023 hearing until the February 20, 2024 hearing; Continued by Staff from the February 20, 2024 hearing until the March 19, 2024 Board of Commissioners hearing).
4	Z-36-2023	MICHESTER INC. (Held by the Board of Commissioners from the October 17, 2023 Board of Commissioners hearing until the November 21, 2023 Board of Commissioners hearing; Continued by Staff from the November 21, 2023 and December 19, 2023 Board of Commissioners hearings until the March 19, 2024 Board of Commissioners hearing).
3	Z-40-2023	ATLANTA REMEDIATION GROUP, LLC (Continued by staff from the October 3, 2023 through February 6, 2024 Planning Commission hearings until the March 5, 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 from the February 6, 2024 Planning Commission hearing to the March 5, 2024 hearing).
1	Z-59-2023	SS DEVELOPERS, LLC (Continued by Staff from the December 5, 2023 and February 6, 2024 Planning Commission hearings until the March 5, 2024 Planning Commission hearing).
3	Z-60-2023	MRE-CANTON, LLC (Held by the Planning Commission from the December 5, 2023 Planning Commission until the February 6, 2024 Planning Commission hearing; Continued by Staff from the February 6, 2024 Planning Commission hearing until the March 5, 2024 Planning Commission hearing).
3	Z-61-2023	DAVID PEARSON COMMUNITIES, INC. (Continued by Staff from the December 5, 2023 and February 6, 2024 Planning Commission hearings until the March 5, 2024 Planning Commission hearing).
4	Z-64-2023	CEDAR REAL ESTATE GROUP IV, LLC (Continued by Staff from the December 5, 2023 and February 6, 2024 Planning Commission hearings until the March 5, 2024 Planning Commission hearing; Please note this case will be shown as withdrawn without prejudice on the March agenda)
2	Z-2-2024	FLOURNOY DEVELOPMENT GROUP, LLC (Continued by Staff from the February 6, 2024 Planning Commission hearing until the March 5, 2024 Planning Commission hearing).

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District	Case	Held and Continued cases (will not be heard) continued
3	Z-3-2024	ASHWANI KUMAR KAURA (Continued by Staff from the February 6, 2024 Planning Commission hearing until the March 5, 2024 Planning Commission hearing).
3	Z-4-2024	BIG GYM THERAPY, LLC (Continued by Staff from the February 6, 2024 Planning Commission hearing until the March 5, 2024 Planning Commission hearing).
4	Z-6-2024	INLINE COMMUNITIES, LLC (Continued by Staff from the February 6, 2024 Planning Commission hearing until the March 5, 2024 Planning Commission hearing).
4	OB-40-2023	KERLEY FAMILY HOMES, LLC (Continued by the Board of Commissioners from the September 19, 2023 Board of Commissioners hearing until the October 17, 2023 Board of Commissioners hearing; Continued by Staff from the October 17, 2023 through February 20, 2024 Board of Commissioners hearings until the March 19, 2024 Board of Commissioners hearing).
4	OB-66-2023	CHICK-FIL-A INC. (Continued by the Board of Commissioners from the December 19, 2023 Board of Commissioners hearing until the February 20, 2024 Board of Commissioners hearing; Continued by Staff from the February 20, 2024 Board of Commissioners hearing until the March 19, 2024 Board of Commissioners hearing).
2	OB-68-2023	NOBLE STORAGE, LLC, ESTATE OF DOTY, AND DONALD K. NIX (Continued by Staff from the December 19, 2023 and February 20, 2024 Board of Commissioners hearings until the March 19, 2024 Board of Commissioners hearing).

District	Case	Consent Agenda cases
1	Z-66-2023	41 PARK A TOY & SELF STORAGE, INC. (Held by the Planning Commission from the December 5, 2023 Planning Commission until the February 6, 2024 Planning Commission hearing).
1	LUP-32-2023	JULIA WELTON (Held by the Planning Commission from the December 5, 2023 Planning Commission until the February 6, 2024 Planning Commission hearing).
1	SLUP-8-2023	41 PARK A TOY & SELF STORAGE, INC. (Held by the Planning Commission From the December 5, 2023 Planning Commission until the February 6, 2024 Planning Commission hearing).
2	Z-5-2024	MARIANNA KOVITCH
1	LUP-1-2024	CHRISTEL Y. HERRERA, JR.
2	LUP-4-2024	CONGREGATION ETZ CHAIM
1	LUP-5-2024	YOLANDA CASTILLO
4	LUP-6-2024	EARLY EDUCATION, LLC
1	OB-1-2024	SCOTT AND JUDIE EBERT
3	OB-3-2024	JANET AND DENNIS WELLS
4	OB-4-2024	LUKE WEMETTE
3	OB-5-2024	FIFTH THIRD BANK

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District	Case	Held and Continued cases - to be heard
4	Z-57-2023	GORDON TODD SPENCER <i>(Held by the Planning Commission from the December 5, 2023 Planning Commission until the February 6, 2024 Planning Commission hearing).</i>

District	Case	Regular cases
4	Z-1-2024	MIRNA ARACELY TORRES CASTRO
3	LUP-2-2024	RONALD MCDOWELL
4	LUP-3-2024	FASILAT ADESINA

District	Case	Other Business case
3	OB-2-2024	360 PROPERTY SOLUTIONS LLC



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COBB COUNTY BOARD OF COMMISSIONERS

ZONING HEARING CONSENT AGENDA

February 20, 2024

Zoning Cases

Z-66⁽²⁰²³⁾ **41 PARK A TOY & SELF STORAGE, INC.** (41 Park A Toy & Self Storage, Inc., owners) requesting rezoning from **GC and R-20** to **LI** for a climate controlled self storage facility in Land Lots 2 and 37 of the 20th District. Located on the east side of Cobb Parkway, south of Third Army Road (4820 Cobb Parkway). *(Previously held by the Planning Commission from the December 5, 2023 Planning Commission hearing until the February 6, 2023 Planning Commission hearing)*. The Planning Commission recommends deletion of Z-66^{'23} to the **NRC** zoning district, subject to:

1. Letter of agreeable conditions from Parks Huff dated January 31, 2024 (on file in the Zoning Division), which includes the *revised* Site Plan
2. Fire Department comments and recommendations
3. Water and Sewer Department comments and recommendations
4. Stormwater Management Division comments and recommendations
5. Cobb DOT comments and recommendations
6. Any and all changes to go back to the Board of Commissioners for approval
7. No on-site servicing or repairs of boats, RVs, four-wheelers, or other "Toys", as they are called, parked there; and specifically, no oil changes
8. All other stipulations, *not otherwise in conflict*, including those stated in the September 11, 2003, stipulation letter from Garvis Sams, Jr. (on file in the Zoning Division), will apply
9. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on February 20, 2024

LUP-32⁽²⁰²³⁾ **JULIA WELTON** (Julia D. Welton, owner) requests a Temporary Land Use Permit to allow dog boarding and daycare in Land Lot 148 of the 20th District. Located on the northeast side of Hill Road and on the northwest side of Mars Hill Road (4990 Hill Road). *(Previously held by the Planning Commission from the December 5, 2023 Planning Commission hearing until the February 6, 2023 Planning Commission hearing)*. The Planning Commission recommends approval of LUP-32^{'23} for 12 months subject to:

1. Maximum number of dogs to be boarded is 10
2. Hours of operation for doggy daycare (for non-boarding activities) to be Monday through Friday from 8:00 a.m. until 6:00 p.m.
3. There shall be no unattended dogs on the site
4. Fire Department comments and recommendations
5. Stormwater Management 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 February 20, 2024

SLUP-8⁽²⁰²³⁾ 41 PARK A TOY & SELF STORAGE, INC. (41 Park A Toy & Self Storage, Inc., owner) requests a Special Land Use Permit for a climate controlled self storage facility in Land Lots 2 and 37 of the 20th District. Located on the east side of Cobb Parkway, south of Third Army Road (4820 Cobb Parkway). *(Previously held by the Planning Commission from the December 5, 2023 Planning Commission hearing until the February 6, 2023 Planning Commission hearing)*. The Planning Commission recommends approval of SLUP-8^{'23}, subject to:

1. Letter of agreeable conditions from Parks Huff dated January 31, 2024 (on file in the Zoning Division), which includes the *revised* Site Plan
2. Fire Department comments and recommendations
3. Water and Sewer Department comments and recommendations
4. Stormwater Management Division comments and recommendations
5. Cobb DOT comments and recommendations
6. Any and all changes to go back to the Board of Commissioners for approval
7. No on-site servicing or repairs of boats, RVs, four-wheelers, or other “Toys”, as they are called, parked there; and specifically, no oil changes
8. All other stipulations, *not otherwise in conflict*, including those stated in the September 11, 2003, stipulation letter from Garvis Sams, Jr. (on file in the Zoning Division), will apply
9. Inclusion on the Consent Agenda for the Board of Commissioners’ Zoning Hearing on February 20, 2024

Z-5⁽²⁰²⁴⁾ MARIANNA KOVITCH (Mt. Bethel Church, Inc., owner) requesting rezoning from **RA-4** to **LRO** for a medical office in Land Lots 9 and 10 of the 1st District. Located on the south side of Lower Roswell Road, west of Woodlawn Drive (4608 Lower Roswell Road). The Planning Commission recommends deletion of Z-5 to the **LPSP (Limited Professional Services Permit)**, zoning district, subject to:

1. Site Plan dated January 2, 2024, with District Commissioner approving minor modifications (on file in the Zoning Division)
2. Health practitioner or professional office use *only*, with specific users subject to District Commissioner approval
3. Landscape Plan, which includes a 10-foot buffer adjacent to existing residential properties, to be approved by the District Commissioner
4. Department of Transportation comments and recommendations
5. Fire Department comments and recommendations

Z-5⁽²⁰²⁴⁾ MARIANNA KOVITCH (continued)

6. Stormwater Management Division comments and recommendations
7. Water and Sewer Division comments and recommendations
8. Letter of agreeable conditions from Kevin Moore dated January 29, 2024 (on file in the Zoning Division)
9. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on February 20, 2024

LUP-1⁽²⁰²⁴⁾ CHRISTEL Y. HERRERA, JR. (Christel Y. Herrera, Jr., owner) requests a Temporary Land Use Permit to allow more vehicles than the code allows in Land Lot 216 of the 20th District. Located on the south side of Hood Circle and on the east side of Kennesaw Due West Road (2562 Hood Circle). The Planning Commission recommends approval of LUP-1 for 24 months subject to:

1. The car that has its wheels removed is to be moved into the garage within 30 days from the approval date by the Board of Commissioners
2. There is to be a maximum of four vehicles parked in the driveway on a regular basis
3. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on February 20, 2024

LUP-4⁽²⁰²⁴⁾ CONGREGATION ETZ CHAIM (Congregation Etz Chaim, Inc., owner) requests a Temporary Land Use Permit (**Renewal**) for a daycare in Land Lot 969 of the 16th District. Located on the south side of Roswell Road and on the north side of Fairfield Drive, east of Indian Hills Parkway (1190 Indian Hills Parkway). The Planning Commission recommends approval of LUP-4 for 24 months subject to:

1. Site Plan received by the Zoning Division on November 15, 2023 (on file in the Zoning Division)
2. Fire Department comments and recommendations
3. Department of Transportation comments and recommendations
4. All previous stipulations from LUP-10 of 2010 and LUP-12 of 2012, including letter of agreeable conditions from Park Huff dated March 15, 2010 (on file in the Zoning Division)
5. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on February 20, 2024

LUP-5⁽²⁰²⁴⁾ **YOLANDA CASTILLO** (Yolanda Castillo, owner) requests a Temporary Land Use Permit to allow more vehicles and adults than the code allows in Land Lot 64 of the 17th District. Located on the south side of Lowell Drive, east of Cunningham Road (689 Lowell Drive). The Planning Commission recommends approval of LUP-5 for 24 months subject to:

1. **No parking of vehicles on the right-of-way on an overnight basis**
2. **All vehicles owned by the permanent residents be parked in the driveway**
3. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on February 20, 2024**

LUP-6⁽²⁰²⁴⁾ **EARLY EDUCATION, LLC** (Early Education, LLC, owner) requests a Temporary Land Use Permit (**Renewal**) for a daycare in Land Lots 50, 51, 94 and 95 of the 17th District. Located on the west side of Hurt Road, north of Plantation Road (488 Hurt Road). The Planning Commission recommends approval of LUP-6 for 24 months subject to:

1. **The maximum number of students permitted by state and fire codes**
2. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on February 20, 2024**

Other Business Cases

ITEM OB-1-2024

To consider a reduction of public road frontage from 75-feet to zero-feet and a setback variance for an existing accessory structure for Scott and Judie Ebert. The property located on the north end of Trail Road, south of Due West Road in Land Lot 298 of the 20th District (4541 Due West Road). Staff recommends approval subject to:

1. **Road frontage to zero-feet and accessory structure variance approved;**
2. **Stormwater Management comments; and**
3. **Fire Department comments.**

ITEM OB-3-2024

To consider a reduction of public road frontage from 75-feet to 0-feet for Janet and Dennis Wells, and to allow setback and location variances for accessory structures for Glen and Kathleen Barnett. The property located at the end of Paris Lane in Land Lot 871 of the 16th District (41 and 42 Paris Lane). Staff recommends approval subject to:

1. **41 Paris lane approved for zero-feet of public road frontage; and**
2. **42 Paris lane approved for accessory structures as shown on the site plan received January 17, 2024.**

ITEM OB-4-2024

To consider amending the site plan and stipulations for Luke Wemette regarding applications Z-83 and SLUP-14 of 2016, for property located on the south side of Powder Springs Road, east of Sanders Road in Land Lots 838 and 865 of the 19th District (2951 Powder Springs Road). Staff recommends approval subject to:

1. **Site plan received January 17, 2024, with the District Commissioner approving minor modifications;**
2. **Stormwater Management comments;**
3. **Fire Department comments;**
4. **Cobb DOT comments;**
5. **Building elevation contained in the Other Business packet with the final elevation to be approved by the District Commissioner; and**
6. **All previous stipulations not in conflict to remain in effect.**

ITEM OB-5-2024

To consider amending the site plan and stipulations for Fifth Third Bank regarding rezoning application Z-223 of 1988 and Z-95 of 1990, for property located on the west side of Gordy Parkway, and on the north side of Shallowford Road in Land Lots 335 and 386 of the 16th District (Gordy Parkway).

1. **Site plan received January 16, 2024;**
2. **District Commissioner to approve the final building elevations, signage, tree save plan, and landscaping plans after Architecture Control Committee review;**
3. **Stormwater Management comments;**
4. **Fire Department comments;**
5. **Cobb DOT comments; and**
6. **All previous stipulations not in conflict to remain in effect.**