

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
JUNE 18, 2024
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, June 18, 2024, in the second-floor public meeting room of Cobb County Building A, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Board were:

Lisa Cupid, Chairwoman
Commissioner JoAnn Birrell
Commissioner Keli Gambrill
Commissioner Jerica Richardson
Commissioner Monique Sheffield

CALL TO ORDER – CHAIRWOMAN CUPID

Chairwoman Cupid called the hearing to order at 9:01 a.m.

Commissioner Birrell presented the following *revised* statement dated 5/14/24 to the Clerk which was attached to each vote taken at today's hearing (attached and made a part of these minutes):

In light of the Supreme Court's ruling last week regarding Standing on the Home Rule issue, my position regarding the home rule challenge still stands.

I do not support the Home Rule Challenge of the majority of this board. It is unconstitutional and illegal. I voted against the amended map three times in 2022 (1/25/22, 10/11/22 and 10/25/22).

I have a duty to represent my constituents and will not have my vote suppressed as I was duly elected on November 8, 2022, under the state map (HB 1154) voted on by the Georgia General Assembly in February 2022 and signed into law by Governor Kemp on March 2, 2022 and certified by the Cobb Board of Elections on November 15, 2022.

In addition, I do support the Order on Cross Motions for Summary Judgment (Civil Action File No. 23-1-02428-56) from Judge Ann B. Harris in the Superior Court of Cobb County dated January 8, 2024 which finds the County's Amendment to Act 562 (the "Amendment or Amended Act") is an act excluded from the County's Home Rule authority granted in the Georgia Constitution, and therefore is void.

At the June 11, 2024, BOC Meeting, Commissioner Gambrill submitted a statement and an amicus brief and asked that the following statement be attached to each vote taken at today's hearing (attached and made a part of these minutes):

When the Board first entered Executive Session in March 2022 to discuss the "Home Rule" challenge, I challenged the County Attorney's Office on the premise and requested outside counsel to be sought.

While the County Attorney's Office claims the Association of County Commissioners of Georgia (ACCG) provided legal advice, I too am in receipt of the documents from the ACCG regarding Home Rule, to which it clearly defines the limit of this Board's Constitutional powers as to redistricting. I also contend that the Board of Commissioners did not follow the Home Rule challenge in its entirety.

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Commissioner Gambrill's statement (cont.)

In addition, the Georgia Supreme Court has ruled that the GA Constitution limits legislative action by the Board of Commissioners to matters for which no provision has been made by general law. Furthermore, the "Home Rule" powers granted to the Board of Commissioners do not extend to any matters which the Georgia General assembly by general law has preempted, like the redistricting map here in Cobb Co. Commissioners of Wayne Co. v. Smith 240 Ga. 540 (1978); Brophy v. McCranie 264 Ga. 187 (1994).

In fact, even in Federal Court in Georgia, the court has ruled the General Assembly is the only legislative body with the power to enact redistricting legislation for the counties; therefore, where the General Assembly failed to enact reapportionment legislation for a certain county, although it was entitled to consideration as an expression of county policy, a reapportionment plan proposed by a county was not a legislatively enacted plan requiring deferential treatment and the district court was required to fashion a reapportionment plan. Bodker v. Taylor, 2002 U.S. Dist. LEXIS 27447 (N.D. Ga. June 5, 2002). In January, Georgia State Attorney General, Chris Carr stated that the Cobb County Commission's move to amend its electoral redistricting map is "inappropriate and not legally binding."

Per the letter dated December 22, 2022, from C. Ryan Germany, General Counsel for the Office of the Secretary of State, "you should not consider the ministerial function of filing the Amendment with our office or the publishing of the Amendment to the comment on whether the Amendment is allowable under state law or a proper exercise of the authority by the Cobb County Commission, nor should you rely on this to attempt to establish the validity of the Amendment." "In fact" he continues "it appears that the Amendment is very likely an unauthorized exercise of authority by the Cobb County Commissioner that does not comply to Georgia Law or the State Constitution.

With the majority of this Board actions on October 25, 2022 and the resulting filing and recording with the Office of the Secretary of State on October 26, 2022, the boundaries of the districts from which county commissioners were elected in Districts 1 and 3 were changed (14) days prior to the General Election, and eight (8) days after early voting had begun using district boundaries for Districts 1 and 3 as approved by the Governor.

Furthermore, the Board of Elections certified the election of Commissioners in District 1 and 3 using the map as approved by the Governor on March 2, 2022 on November 15, 2022 and not the maps that the Board of Commissioners made effective on October 26, 2022.

In a letter dated October 3, 2022 Deputy Legislative Counsel D. Stuart Morelli, "It is practically indisputable that a county home rule resolution or ordinance changing the boundaries of the districts from which county commissioners are elected would be an action affecting the procedure for the election of the county's governing authority. O.C.G.A. 36-35-4.1, no such statutory authority exists for Georgia counties.

In January, I was unjustifiably removed from this dais and prevented from representing my constituents and carrying out the duties I was elected to perform, based on an opinion that is not supported by law or policies of this Board.

Quotes by DaShanne Stokes, "Leadership by deception isn't leadership. It's fraud. Truth is hard, propaganda is cheap."

While I am here representing my constituents and fulfilling my duties as an elected official, I hereby request the clerk to attach this statement to each vote that is recorded herein.

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Mr. John Pederson, Zoning Division Manager, reviewed the hearing procedures and announced the following cases which were *withdrawn, held, or continued*.

WITHDRAWN, HELD, AND CONTINUED CASES

- Z-17** **RESIBUILT** (Techsoft Consulting, LLC, owner) requesting rezoning from **PVC** to **PVC** for a townhome community in land lots 25, 26, 47, and 48 of the 17th district. Property is located on the east side of Hicks Road, on the south side of the East-West Connector, and on the west side of Barnes Meadow Road (4061 and 4085 Hicks Road). *(Previously continued by the Planning Commission (PC) from the April 2, 2024, PC hearing until the May 7, 2024, PC hearing; continued by Staff from the May 7, 2024, PC hearing until the June 4, 2024, PC hearing).* **WITHDRAWN WITHOUT PREJUDICE**
- SLUP-5** **SUG REAL ESTATE, LLC** (SUG Real Estate, LLC, owner) requesting a **Special Land Use Permit** for a waste transfer station for special contractor in land lot 733 of the 16th district. Property is located on the east side of Canton Road, north of Dorsey Road (2024 Canton Road). *(Previously continued by Staff from the April 2, 2024, and May 7, 2024, Planning Commission (PC) hearings until the June 4, 2024, PC hearing).* **WITHDRAWN WITHOUT PREJUDICE**
- O.B. 15** To consider a stipulation and site plan amendment for Riverview Associates, Ltd. regarding cases Z-49 of 2008 and Z-102 of 2016. Property is located at the northwesterly intersection of Cobb Parkway and Paces Mill Road in land lots 976, 977, 1016, and 1017 of the 17th district (3300 Cobb Parkway). *(Previously continued by Staff from the April 16, 2024, and May 21, 2024, Board of Commissioners' (BOC) Zoning hearings until the June 18, 2024, BOC Zoning hearing).* **WITHDRAWN WITHOUT PREJUDICE**
- O.B. 35** To consider amending the site plan and stipulations for O'Dwyer Properties regarding rezoning application Z-34 of 2016. Property is located at the north side of Hickory Grove Road, west of Hickory Grove Place in land lots 54 and 55 of the 20th district (Hickory Grove Road). **WITHDRAWN WITHOUT PREJUDICE**
- Z-15'²³** **SDP ACQUISITIONS, LLC** (McCamy Investments, L.P.; McCamy Properties, LLC; BK Properties, L.P.; VKEP-B, LLC owners) requesting rezoning from **R-20, RA-4, GC, O&I, NS, and OS** to **PVC** and **OS** for a mixed-use development consisting of townhomes, multifamily residential, office, retail, and wholesale distribution in land lots 364, 365, 428, and 429 of the 16th district. Property is located on the south side of Chastain Road, on the west side of Chastain Meadows Parkway (Chastain Road, Chastain Meadows Parkway). *(Previously continued by Staff from the May 2, 2023, through the September 5, 2023, Planning Commission (PC) hearings until the October 3, 2023, PC hearing; held by the PC from the October 3, 2023,*

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-15²³ SDP ACQUISITIONS, LLC (CONT.)

and November 7, 2023, PC hearings until the December 5, 2023, PC hearing; held by the Board of Commissioners (BOC) from the December 19, 2023, BOC Zoning hearing until the February 20, 2024, BOC Zoning hearing; continued by Staff from the February 20, 2024, through the June 18, 2024, BOC Zoning hearing until the July 16, 2024, BOC Zoning hearing; therefore, was not considered at this hearing).

Z-2 FLOURNOY DEVELOPMENT GROUP, LLC (Cobb County, owner) requesting rezoning from **GC** to **RRC** for a multifamily residential building in land lots 763 and 764 of the 17th district. Property is located on the west side of Atlanta Road and on the east side of I-285, south of the intersection of I-285 and Atlanta Road (4600 Atlanta Road). *(Previously continued by Staff from the February 6, 2024, through the May 7, 2024, Planning Commission (PC) hearings until the July 2, 2024, PC hearing; therefore, was not considered at this hearing).*

Z-9 THOMAS OROK (Florence Odang Okonta, owner) requesting rezoning from **CRC** and **R-20** to **RM-8** for a townhome community in land lot 1300 of the 19th district. Property is located on the north side of Veterans Memorial Highway and on the west side of Burrus Road (1558 Veterans Memorial Highway). *(Previously continued by Staff from the March 5, 2024, through the May 7, 2024, Planning Commission (PC) hearings until the June 4, 2024, PC hearing; held by the PC from the June 4, 2024, PC hearing until the July 2, 2024, PC hearing; therefore, was not considered at this hearing).*

Z-25 LCD ACQUISITIONS, LLC; TOWNPARK RENAISSANCE, LLC (Townpark Renaissance, LLC, owner) requesting rezoning from **OMR** to **RRC** for purpose-built student housing in land lots 358 and 363 of the 16th district. Property is located on the east side of Townpark Drive, north of Townpark Lane (112 Townpark Drive). *(Continued by Staff from the May 7, 2024, Planning Commission (PC) hearing until the June 4, 2024, PC hearing; held by the PC from the June 4, 2024, PC hearing until the July 2, 2024, PC hearing; therefore, was not considered at this hearing).*

Z-26 NGC Holdings, LLC (BK Canton, LLC, owner) requesting rezoning from **GC** to **NRC** for a convenience store with fuel sales and retail in land lot 60 of the 16th district. Property is located on the south side of Jamerson Road, and the west side of Canton Road (4815 Canton Road). *(Continued by Staff from the May 7, 2024, Planning Commission (PC) hearing until the June 4, 2024, PC hearing; held by the PC from the June 4, 2024, PC hearing until the July 2, 2024, PC hearing; therefore, was not considered at this hearing).*

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

- Z-27** **RICHARD BOROWIEC, RICHIE BS LLC** (Richie B's, LLC, owner) requesting rezoning from **O&I** to **NRC** for a professional office (contractor) and warehouse in land lot 493 of the 16th district. Property is located on the southwest side of Chance Road and on the north side of Shaw Park Road (Chance Road). *(Continued by Staff from the June 4, 2024, Planning Commission (PC) hearing until the July 2, 2024, PC hearing; therefore, was not considered at this hearing).*
- Z-29** **CREATOR'S GROUP INVESTMENTS 1, LLC** (The Henson Family Trust, Connie Petty, Stanley Henson, James Max Henson, Linda Baggett, owners) requesting rezoning from **R-20** to **RSL** for residential senior living, non-supportive residential units in land lot 18 of the 20th district. Property is located on the east side of Wade Green Road, north of Meadow Oaks Drive (4856 Wade Green Road). *(Continued by the Planning Commission (PC) from the June 4, 2024, PC hearing until the July 2, 2024, PC hearing; therefore, was not considered at this hearing).*
- LUP-12** **REGINALD A. RUTHERFORD** (Reginald Allen Rutherford, owner) requesting a **Temporary Land Use Permit** to allow a business and related vehicle parking in land lots 1244, 1245, 1272, 1273, and 1319 of the 19th district. Property is located on the south side of Hiram Lithia Springs Road, east of Holloman Road (5280 Hiram Lithia Springs Road). *(Previously held by the Planning Commission (PC) from the April 2, 2024, through the June 4, 2024, PC hearings until the July 2, 2024, PC hearing; therefore, was not considered at this hearing).*
- SLUP-6** **LCD ACQUISITIONS, LLC; TOWNPARK RENAISSANCE, LLC** (Townpark Renaissance, LLC, owner) requesting a **Special Land Use Permit** for purpose-built student housing in land lots 358 and 363 of the 16th district. Property is located on the east side of Townpark Drive, north of Townpark Lane (112 Townpark Drive). *(Continued by Staff from the May 7, 2024, Planning Commission (PC) hearing until the June 4, 2024, PC hearing; held by the PC from the June 4, 2024, PC hearing until the July 2, 2024, PC hearing; therefore, was not considered at this hearing).*
- O.B. 8** To consider a reduction of required lot size from 20,000 square-feet to 16,289 square-feet for Terry Kastner. Property is located on the south side of West Pointe Drive, east of Liberty Lane in land lot 258 of the 20th district (West Pointe Drive). *(Previously held by the Board of Commissioners (BOC) from the March 19, 2024, BOC Zoning hearing until the April 16, 2024, BOC Zoning hearing; continued by Staff from the April 16, 2024, through the June 18, 2024, BOC Zoning hearings until the July 16, 2024, BOC Zoning hearing; therefore, was not considered at this hearing).*

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WITHDRAWN, HELD, AND CONTINUED CASES (CONT.)

Z-15 **DILLON INVESTMENTS, LLC** (Dillon Investments, LLC, owner) requesting rezoning from **LRO** and **R-80** to **LRO** and **R-80** for a professional office and single-family residence in land lot 428 of the 19th district. Property is located on the north side of Macland Road and on the west side of Villa Rica Road (2080 Villa Rica Road). *(Previously held by the Planning Commission (PC) from the April 2, 2024, PC hearing until the May 7, 2024, PC hearing; continued by Staff from the May 7, 2024, PC hearing until the June 4, 2024, PC hearing).*

Mr. Pederson presented the Applicant's request for a continuance of Z-15; thereafter, the following motion was made:

MOTION: Motion by Gambrill, second by Birrell, to **continue** Z-15 until the July 16, 2024, Board of Commissioners' Zoning Hearing.

VOTE: **ADOPTED** 5-0 *(Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.)*

O.B. 31 To consider amending the site plan and stipulations for Whataburger regarding rezoning application Z-115 of 1998 and Z-116 of 1996, for property located at the southeast intersection of Sandy Plains Road and Shallowford Road in land lots 386 and 387 of the 16th district (3550 Sandy Plains Road).

Mr. Pederson presented the Applicant's request for a continuance of O.B. 31; thereafter, the following motion was made:

MOTION: Motion by Birrell, second by Sheffield, to **continue** O.B. 31 until the July 16, 2024, Board of Commissioners' Zoning Hearing.

VOTE: **ADOPTED** 5-0 *(Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.)*

Mr. Pederson made the following announcement and read in the cases for the Consent Agenda:

INFORMATION REGARDING ZONING CASES

All information regarding zoning cases must be turned in to the Zoning Office on the Wednesday prior to the zoning hearing for consideration. If said information is turned in past the deadline, then it is at the Board's discretion as to whether the information will be considered.

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CONSENT AGENDA

MOTION: Motion by Cupid, second by Richardson, to **approve** the following cases on the Consent Agenda, *as revised*:

Z-10 **PAUL A EDJUA (POPOL LLC)** (POPOL, LLC, owner) requesting rezoning from **GC** and **R-15** to **NRC** for a retail center in land lot 1140 of the 19th district. Property is located on the west side of Austell Road and on the south side of Warren Drive (4878 Austell Road, Warren Drive). *(Previously held by the Planning Commission (PC) from the April 2, 2024, and May 7, 2024, PC hearings until the June 4, 2024, PC hearing).*

To **approve** Z-10 to the **NRC** zoning district, subject to:

1. **Final Site Plan dated May 24, 2024 (attached and made a part of these minutes)**
2. **Variance to reduce the major side yard setback from 35-feet to 15-feet**
3. **Final Landscaping Plan to be approved by the District Commissioner**
4. **Landscaping Plan to include an eight-foot privacy fence and evergreen plantings adjacent to the residentially zoned property to the west**
5. **No outdoor storage or display of merchandise**
6. **The exterior of the structure shall consist of glazing, stucco, masonry, stacked rock, or some combination thereof, and the District Commissioner shall approve the final architectural elevation**
7. **Applicant to provide a Lighting Plan**
8. **Fire Department comments and recommendations**
9. **Water and Sewer Division comments and recommendations**
10. **Stormwater Management Division comments and recommendations**
11. **Department of Transportation comments and recommendations**
12. **Adherence to the Austell Road Design Guidelines**
13. ***Prohibited uses* to include the following:**
 - A. **Smoke, vape, and CBD oil shops**
 - B. **Check cashing establishments**
 - C. **Massage parlors**
 - D. **Adult entertainment businesses**
14. **Dumpster enclosure shall consist of masonry materials consistent with the primary structure with a steel or metal gate and to be closed when not in use; dumpsters are not to be stored outside the enclosure**
15. **Construction hours shall be Monday through Friday, 7:00 a.m. until 7:00 p.m.; Saturday, 8:00 a.m. until 7:00 p.m.; and no construction on Sunday**

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CONSENT AGENDA (CONT.)

LUP-17 **FOUST PROPERTIES, LLC** (Foust Properties, LLC, owner) requesting a **Temporary Land Use Permit** for an auto broker in land lots 59 and 94 of the 20th district. Property is located on the south side of Shiloh Road and on the west side of I-75, east of Cherokee Street (1275 Shiloh Road, Suites 2410, 2411).

To **approve** LUP-17 for **24 months**, subject to:

- 1. Auto Broker office use *only***
- 2. No vehicles shown or exchanged onsite**

LUP-18 **C. SUSAN VELASQUEZ** (Genesis Ministries, Inc., owner) requesting a **Temporary Land Use Permit** for a personal care home in land lot 210 of the 16th district. Property is located on the south side of Hawkins Store Road, east of Bells Ferry Road (262 Hawkins Store Road).

To **approve** LUP-18 for **24 months**, subject to:

- 1. Site Plan received by the Zoning Division on April 1, 2024 (attached and made a part of these minutes)**
- 2. Fire Department comments and recommendations**
- 3. Water and Sewer Division comments and recommendations**
- 4. Stormwater Management Division comments and recommendations**
- 5. Department of Transportation comments and recommendations**

LUP-19 **JAMIE WHITEHEAD** (Kimala Whitehead, owner) requesting a **Temporary Land Use Permit** for dog grooming in land lots 1229 and 1288 of the 19th district. Property is located on the south side of Gherry Drive, west of Ledford Drive (2041 Gherry Drive).

To **approve** LUP-19 for **24 months**, subject to:

- 1. Hours of operation to be from 8:00 a.m. until 6:00 p.m., Saturday *only***
- 2. Maximum of three customers per week**
- 3. All customers by appointment *only***
- 4. No boarding of dogs**
- 5. Dogs are to be hand walked, with no outdoor runs or enclosures**
- 6. No signs or outside storage**
- 7. All parking to be on the driveway**
- 8. Applicant to be the only employee; no independent contractors**
- 9. Fire Department comments and recommendations**
- 10. Department of Transportation comments and recommendations**
- 11. Staff comments and recommendations, *not otherwise in conflict***

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CONSENT AGENDA (CONT.)

OTHER BUSINESS

- O.B. 20** To consider a site plan and stipulation amendment for Kerley Family Homes, LLC regarding rezoning application Z-84-2021. Property is located on the south side of Fords Road, west of Red Rock Road in land lot 265 of the 20th district (5885 Fords Road). *(Previously continued by the Board of Commissioners (BOC) from the May 21, 2024, BOC Zoning hearing until the June 18, 2024, BOC Zoning hearing).*

To **approve** O.B. 20, subject to:

- 1. Revised Site Plan received by the Zoning Division on June 6, 2024 (attached and made a part of these minutes)**
- 2. Site Plan Review comments and recommendations**
- 3. Fire Department comments and recommendations**
- 4. Cobb DOT comments and recommendations**
- 5. All previous stipulations and conditions, *not otherwise in conflict with this amendment*, to remain in effect**

- O.B. 32** To consider a reduction of required public road frontage from 75-feet to 0-feet for Tract 2 and to consider variances as shown on the application and proposed site plan for Harry W. Underwood, Jr. Property is located on the north side of Kirk Lane, west of New Salem Road in land lot 280 of the 20th district (2420 Kirk Lane).

To **approve** O.B. 32, subject to:

- 1. No further subdivision of the property**
- 2. Variances as stated in the Other Business Item**
- 3. Stormwater Management Division comments and recommendations**
- 4. Water and Sewer Division comments and recommendations**
- 5. Fire Department comments and recommendations**
- 6. Cobb DOT comments and recommendations**
- 7. Site Plan Review comments and recommendations**

- O.B. 33** To consider a reduction of required public road frontage from 75-feet to 0-feet for Tract 2 and to consider variances as shown on the application and proposed site plan for Tract 1 for Perry Brady. Property is located on the east side of Corner Road, north of Macland Road in land lot 436 of the 19th district (2001 Corner Road).

To **approve** O.B. 33, subject to:

- 1. No further subdivision of the property**
- 2. Variances as stated in the Other Business Item**
- 3. Stormwater Management Division comments and recommendations**

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CONSENT AGENDA (CONT.)

OTHER BUSINESS (CONT.)

O.B. 33 (CONT.)

- 4. Water and Sewer Division comments and recommendations**
- 5. Fire Department comments and recommendations**
- 6. Cobb DOT comments and recommendations**
- 7. Site Plan Review comments and recommendations**

At the call for O.B. 34 (Juscelio Cruz), opposition was present; therefore, O.B. 34 was pulled from the Consent Agenda and heard later in the hearing in its numerical order (see page 16 of these minutes).

O.B. 36 To consider a reduction of required lot size from 30,000 square-feet to 24,379 square-feet for Stetson Holdings III, and to consider variances for setbacks and a gravel driveway. Property is located at the northeast intersection of Pitner Road and Cheatham Road in land lot 153 of the 20th district (2586 Pitner Road).

To **approve** O.B. 36, subject to:

- 1. Lot size is approved to be 24,379 square-feet**
- 2. Fire Department comments and recommendations**
- 3. Cobb DOT comments and recommendations**
- 4. Variance is approved for the gravel driveway subject to Cobb DOT comments and recommendations**
- 5. Historic Preservation comments and recommendations**
- 6. Applicant/owner to place the house on the Local Register of Historic Places within 12 months**

Prior to approving the Consent Agenda, Commissioner Sheffield requested that O.B. 27 (Mitchell Galloway) be added to Consent. However, due to opposition being present for the case, O.B. 27 remained in its numerical order.

CONSENT VOTE: ADOPTED 5-0 *(Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.)*

REGULAR AGENDA

Z-40²³ **ATLANTA REMEDIATION GROUP, LLC** (Vanessa Pichardo, owner) requesting rezoning from **R-20** to **LI** for a specialty contractor and parking of RVs and boats in land lot 204 of the 16th district. Property is located on the south side of Shallowford Road, east of Canton Road (1018 Shallowford Road). *(Previously continued by Staff from the October 3, 2023, through the May 7, 2024, Planning Commission (PC) hearings until the June 4, 2024, PC hearing).*

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REGULAR AGENDA (CONT.)

Z-40^{'23} ATLANTA REMEDIATION GROUP, LLC (CONT.)

The public hearing was opened; Adam Rozen, Carol Brown, Brandon Duck, and Janice Duck Love addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Sheffield, to **delete** Z-40^{'23} to the NRC zoning district *with a specialty contractor use for Atlanta Remediation Group, LLC*, subject to:

1. Conditions and list of prohibited uses as stated in the letter from Canton Road Neighbors dated June 12, 2024 (attached and made a part of these minutes)
2. Planning Commission (PC) recommendations from the June 4, 2024, PC hearing (attached and made a part of these minutes)
3. Letter of conditions from Adam Rozen dated May 28, 2024 (attached and made a part of these minutes)
4. Additional building limited to 850 square feet
5. Any other uses under NRC, not on the *prohibited list*, to be reviewed by the neighbors that border this property and Canton Road Neighbors, prior to final approval by the District Commissioner
6. Sidewalks to be installed along Old Shallowford Road upon redevelopment or if the road is opened in the future
7. Fence and Landscape Plan to be approved by the County Arborist and the District Commissioner; fence to be installed higher up in the topology (buffer) to provide better screening
8. All other Staff comments and recommendations, *not otherwise in conflict*

VOTE: **ADOPTED 5-0** (*Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

Z-52^{'23} 1054 INVESTMENT GROUP, LLC (1054 Investment Group, LLC; James Vincent Manley, owners) requesting rezoning from **R-20** to **LI** for a contractor office and parking of vehicles on land lot 204 of the 16th district. Property is located on the south side of Shallowford Road, east of Old Shallowford Road (1022, 1028, and 1054 Shallowford Road). (*Previously held by the Planning Commission (PC) from the November 7, 2023, PC hearing until the December 5, 2023, PC hearing; continued by Staff from the December 5, 2023, and February 6, 2024, PC hearings until the March 5, 2024, PC hearing; held by the PC from the March 5, 2024, PC hearing until the April 2, 2024, PC hearing; continued by Staff from the April 2, 2024, and May 7, 2024, PC hearings until the June 4, 2024, PC hearing.*)

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REGULAR AGENDA (CONT.)

Z-52'²³ 1054 INVESTMENT GROUP, LLC (CONT.)

The public hearing was opened; Kevin Moore, Carol Brown, Brandon Duck, and Janice Duck Love addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Sheffield, to **delete** Z-52'²³ to the NRC zoning district **for Professional Offices and Retail *only***, no specialty contractor use, subject to:

1. **Planning Commission (PC) list of *prohibited uses and conditions* numbered 1 through 17 from the June 4, 2024, PC hearing (attached and made a part of these minutes)**
2. **No outside storage**
3. **All Staff comments and recommendations, *not otherwise in conflict***
4. **Landscape Plan and fencing to be approved by the County Arborist and the District Commissioner**
5. **All currently parked cars, RVs, boats, heavy machinery, dump trucks, tires, containers, slide-off containers to be removed from the site and all operations to come into compliance within 60 days**

VOTE: **ADOPTED** 5-0 (*Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

Chairwoman Cupid called for a brief recess from 10:43 a.m. until 10:53 a.m.

Z-11 SALT SPRINGS, LLC (Salt Springs, LLC, owner) requesting rezoning from **NS** to **LI** for an office and warehouse in land lot 35 of the 17th district. Property is located on the west side of Old Floyd Road and on the north side of Center Street (5420 Old Floyd Road). (***Previously held by the Planning Commission (PC) from the April 2, 2024, and May 7, 2024, PC hearings until the June 4, 2024, PC hearing.***)

At the call for Z-11, the Applicant was not present, but there was opposition present. Commissioner Sheffield wanted to hear from the opposition; therefore, the public hearing was opened, and Steve Jungk addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Birrell, to **deny** Z-11.

VOTE: **ADOPTED** 5-0 (*Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

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JUNE 18, 2024
PAGE 13**

REGULAR AGENDA (CONT.)

Z-18 **SUG REAL ESTATE, LLC** (SUG Real Estate, LLC, owner) requesting rezoning from **GC** to **LI** for a contractor (special) in land lot 733 of the 16th district. Property is located on the east side of Canton Road, north of Dorsey Road (2024 Canton Road). *(Previously continued by Staff from the April 2, 2024, and May 7, 2024, Planning Commission (PC) hearings until the June 4, 2024, PC hearing).*

The public hearing was opened; Adam Rozen, Carol Brown, and Carson Gibson addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Sheffield, to delete Z-18 to the NRC zoning district *for a specialty contractor use*, subject to:

1. *Prohibited uses* listed in the letter from Adam Rozen dated May 28, 2024 (attached and made a part of these minutes)
2. Planning Commission (PC) list of *prohibited uses* and conditions numbered 1 through 14 from the June 4, 2024, PC hearing (attached and made a part of these minutes)
3. No heavy equipment over 12,500 lbs.
4. No outdoor storage
5. Employee parking to be striped
6. Work areas to be paved
7. Fee in lieu of sidewalks to be paid within 90 days of Zoning approval
8. Limit dumpster size on-site to 6 yards; for office waste *only*
9. Fence should be completely screened
10. No junk or debris to be brought back to the site
11. No promotional yard signs within the public right-of-way
12. Hours of operation shall be Monday through Saturday, 7:00 a.m. until 6:00 p.m., and closed on Sunday
13. All Planning Commission comments and recommendations, *not otherwise in conflict*
14. All Staff comments and recommendations, *not otherwise in conflict*

VOTE: **ADOPTED 5-0** *(Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.)*

LUP-14 **FLORA ESMERALDA GONZALEZ** (Flora Esmeralda Gonzalez, owner) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 55 of the 20th district. Property is located on the south side of Hickory Cove, west of Hickory Chase (1607 Hickory Cove). *(Continued by the Planning Commission (PC) from the May 7, 2024, PC hearing until the June 4, 2024, PC hearing).*

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
JUNE 18, 2024
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REGULAR AGENDA (CONT.)

LUP-14 FLORA ESMERALDA GONZALEZ (CONT.)

The public hearing was opened; Laura Notero (translator for the Applicant) and Flora Gonzalez addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Gambrill, second by Richardson, to **approve** LUP-14, subject to:

- 1. Approval of eight vehicles until October 1, 2024; after October 1, 2024, Applicant shall be approved for five vehicles (four personal and one work), allowing the Applicant to come into compliance with the occupational home business code which allows for only one work vehicle onsite; the other three work vehicles will have to be removed from the property**
- 2. By October 1, 2024, Applicant must remove the second driveway (gravel) (facing the house, this driveway is on the left-hand side of the property) and have the area replaced with sod**
- 3. By October 1, 2024, the Applicant to come into compliance with the carport and the shed (verify that the Applicant is not exceeding the existing 40% impervious with the existing driveway) by visiting the Zoning Division and apply for a zoning variance application where the Board of Zoning Appeals (BZA) shall consider a variance for the accessory structures**

VOTE: **ADOPTED** 5-0 (*Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

Chairwoman Cupid called for a lunch recess from 12:15 p.m. until 1:16 p.m. Following the recess, Mr. Pederson announced that issues with the opposition for O.B. 27 (Mitchell Galloway) had been resolved; therefore, O.B. 27 was added to the Consent Agenda.

CONSENT AGENDA (CONT.)

O.B. 27 To consider a reduction of required public road frontage from 75-feet to 0-feet and to consider a variance to allow a gravel driveway for Mitchell Galloway. Property is located on the north side of Sullivan Road, east of Sullivan Point Drive in land lot 14 of the 18th district (Behind 4410 Sullivan Road).

To **approve** O.B. 27, subject to:

- 1. The property to be utilized as a residential R-20 property *only***
- 2. No construction equipment or materials *except for those used to build the house* shall be stored on the property**

**MINUTES OF ZONING HEARING
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CONSENT AGENDA (CONT.)

O.B. 27 (CONT.)

MOTION: Motion by Sheffield, second by Birrell, to **add** O.B. 27 to the Consent Agenda, as previously read in.

VOTE: **ADOPTED** 5-0 (*Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

MOTION: Motion by Cupid, second by Sheffield, to **approve** the Consent Agenda, *as revised*

VOTE: **ADOPTED** 5-0 (*Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

Following the vote, there was a question as to the how the property in O.B. 27 was residentially zoned. The Chairwoman called for a brief recess at 1:19 p.m. to get clarification. Following the recess, Commissioner Sheffield revised her previous motion for O.B. 27 to change/add stipulations as follows:

MOTION: Motion by Sheffield, second by Birrell, to **amend** the Consent Agenda to change/include the following stipulations to O.B. 27:

- 1. The property to be utilized as a residential property only**
- 2. No construction equipment or materials *except for those used to build the house* shall be stored on the property**
- 3. The parcel may not be subdivided in the future**
- 4. The parcel is restricted to a single-family home**
- 5. All other Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED** 5-0 (*Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

REGULAR AGENDA (CONT.)

Z-28 MARSHALL E. DRINKARD (China Drinkard and Marshall Drinkard, owners) requesting rezoning from **R-20** to **LI** for a light automotive repair in land lots 504 and 505 of the 18th district. Property is located on the north side of Six Flags Parkway, west of Queensferry Drive (469 Six Flags Parkway).

**MINUTES OF ZONING HEARING
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REGULAR AGENDA (CONT.)

Z-28 MARSHALL E. DRINKARD (CONT.)

The public hearing was opened; Marshall Drinkard and Steve Jungk addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Birrell, to **deny** Z-28.

VOTE: **ADOPTED** 5-0 (*Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

OTHER BUSINESS

O.B. 30 To consider a reduction of required public road frontage from 75-feet to 18-feet for Porfiria A. Rodriguez. Property is located on the north side of Clay Road in land lot 1220 of the 19th district (Behind 1184 Clay Road).

The public hearing was opened; Jason Jimenez, Mitsi Rodriguez, and John Skelton addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Birrell, to **approve** O.B. 30, subject to:

- 1. Parcel is restricted to a single-family home**
- 2. Final Site Plan and elevations to be approved by the District Commissioner**
- 3. Construction hours to be in compliance with the Development Standards**
- 4. Staff comments and recommendations, *not otherwise in conflict***
- 5. Parcel is not to be subdivided**

VOTE: **ADOPTED** 5-0 (*Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

O.B. 34 To consider a reduction of required lot size from 20,000 square-feet to 18,015 square-feet for Juscelio Cruz. Property is located on the south side of Boggs Road, east of Pisgah Road in land lot 192 of the 18th district (Boggs Road).

The public hearing was opened; Juscelio Cruz, Barbara Gray, and Dell Garner addressed the Board. Following the presentation and discussion, the following motion was made:

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OTHER BUSINESS (CONT.)

O.B. 34 (CONT.)

MOTION: Motion by Sheffield, second by Birrell, to **approve** O.B. 34, subject to:

- 1. Final Site Plan to be approved by the District Commissioner**
- 2. Home is to be used as a single-family residential property *only***
- 3. Elevations to be approved by the District Commissioner**
- 4. All other Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED 5-0** (*Statements previously submitted by Commissioner Birrell and Commissioner Gambrill are attached and made a part of these minutes.*)

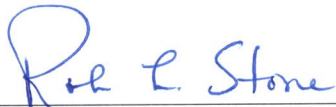
After the last case, the following motion was made for the Board of Commissioners to enter into Executive Session:

MOTION: Motion by Richardson, second by Birrell, to **approve** the call of an Executive Session to discuss matters which may be discussed in Executive Session.

VOTE: **ADOPTED 5-0**

ADJOURNMENT

The hearing adjourned at 2:38 p.m.



Robin L. Stone, Deputy County Clerk
Cobb County Board of Commissioners

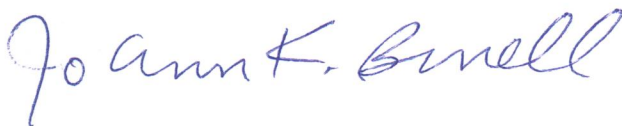
Commissioner Birrell's Statement - Revised 5/14/24

In light of the Supreme Court's ruling last week regarding Standing on the Home Rule issue, my position regarding the home rule challenge still stands.

I do not support the Home Rule Challenge of the majority of this board. It is unconstitutional and illegal. I voted against the amended map three times in 2022 (1/25/22, 10/11/22 and 10/25/22).

I have a duty to represent my constituents and will not have my vote suppressed as I was duly elected on November 8, 2022 under the state map (HB 1154) voted on by the Georgia General Assembly in February 2022 and signed into law by Governor Kemp on March 2, 2022 and certified by the Cobb Board of Elections on November 15, 2022.

In addition, I do support the Order on Cross Motions for Summary Judgement (Civil Action File No. 23-1-02428-56) from Judge Ann B. Harris in the Superior Court of Cobb County dated January 8, 2024 which finds the County's Amendment to Act 562 (the "Amendment or Amended Act") is an act excluded from the County's Home Rule authority granted in the Georgia Constitution, and therefore is void.



Jo Ann K. Birrell
District 3 Commissioner

Commissioner Gambrell's statement

When the Board first entered Executive Session in March 2022 to discuss the "Home Rule" challenge, I challenged the County Attorney's Office on the premise and requested outside counsel to be sought.

While the County Attorney's Office claims the Association of County Commissioners of Georgia (ACCG) provided legal advice, I too am in receipt of the documents from the ACCG regarding Home Rule, to which it clearly defines the limit of this Board's Constitutional powers as to redistricting. I also contend that the Board of Commissioners did not follow the Home Rule challenge in its entirety.

In addition, the Georgia Supreme Court has ruled that the GA Constitution limits legislative action by the Board of Commissioners to matters for which no provision has been made by general law. Furthermore, the "Home Rule" powers granted to the Board of Commissioners do not extend to any matters which the Georgia General Assembly by general law has preempted, like the redistricting map here in Cobb Co. Commissioners of Wayne Co. v. Smith 240 Ga. 540 (1978); Brophy v. McCranie 264 Ga. 187 (1994).

In fact, even in Federal Court in Georgia, the court has ruled the General Assembly is the only legislative body with the power to enact redistricting legislation for the counties; therefore, where the General Assembly failed to enact reapportionment legislation for a certain county, although it was entitled to consideration as an expression of county policy, a reapportionment plan proposed by a county was not a legislatively enacted plan requiring deferential treatment and the district court was required to fashion a reapportionment plan. Bodker v. Taylor, 2002 U.S. Dist. LEXIS 27447 (N.D. Ga. June 5, 2002). In January, Georgia State Attorney General, Chris Carr stated that the Cobb County Commission's move to amend its electoral redistricting map is "inappropriate and not legally binding."

Per the letter dated December 22, 2022, from C. Ryan Germany, General Counsel for the Office of the Secretary of State, "you should not consider the ministerial function of filing the Amendment with our office or the publishing of the Amendment to the a comment on whether the Amendment is allowable under state law or a proper exercise of the authority by the Cobb County Commission, nor should you rely on this to attempt to establish the validity of the Amendment." "In fact" he continues "it appears that the Amendment is very likely an unauthorized exercise of authority by the Cobb County Commissioner that does not comply to Georgia Law or the State Constitution.

With the majority of this Board's actions on October 25, 2022 and the resulting filing and recording with the Office of the Secretary of State on October 26, 2022, the boundaries of the districts from which county commissioners were elected in Districts 1 and 3 were changed (14) days prior to the General Election, and eight (8) days after early voting had begun using district boundaries for Districts 1 and 3 as approved by the Governor.

Furthermore, the Board of Elections certified the election of Commissioners in District 1 and 3 using the map as approved by the Governor on March 2, 2022 on November 15, 2022 and not the maps that the Board of Commissioners made effective on October 26, 2022.

In a letter dated October 3, 2022 Deputy Legislative Counsel D. Stuart Morelli, "It is practically indisputable that a county home rule resolution or ordinance changing the boundaries of the districts from which county commissioners are elected would be an action affecting the procedure for the election of the county's governing authority. O.C.G.A. 36-35-4.1, no such statutory authority exists for Georgia counties.

In January, I was unjustifiably removed from this dais and prevented from representing my constituents and carrying out the duties I was elected to perform, based on an opinion that is not supported by law or policies of this Board.

Quotes by DaShanne Stokes, "Leadership by deception isn't leadership. It's fraud. Truth is hard, propaganda is cheap."

While I am here representing my constituents and fulfilling my duties as an elected official, I hereby request the clerk to attach this statement to each vote that is recorded herein.

Canton Road Neighbors, Inc.

Commissioner JoAnn Birrell
Honorable Members Cobb Board of Commissioners
100 Cherokee St.
Marietta, GA 30090

June 12, 2024

Re: Atlanta Remediation Group, LLC, 1018 Shallowford, Application to zone 1.1 acre from R-20 to LI for Specialty Contractor, Parking for RVs & Boats

Dear Commissioner Birrell,

This application is now in its 8th month and has gone through multiple revisions. The Planning Commission motion was lengthy and the final version is not yet available to the public.

It is therefore somewhat difficult to simply write a brief note saying I support the Planning Commission recommendations without making some revisions to my own letter dated April 28th.

My suggestion was to delete from LI to NRC for retail and professional office, including contractor's office

With the motion to recommend approval to NRC for Specialty Contractor, it is the same as approving to NRC for Contractor as a Special Exception in NRC. The term 'specialty contractor' is regarded by Staff as having the same meaning as Contractor, Special Exception, and NOT as a professional office such as insurance contractor, mentioned in NRC.

It is clear from the Planning Commission motion that this is meant to be a very limited use of Contractor, due to the proximity to residential properties and to the additional uses requested by Mr. Rozen for the site. It also seems evident that the Planning Commission recommends limiting this application to one use only for American Remediation, which is Contractor, with limiting stipulations.

Some of these requests may be redundant or overlap with the PC motion but I will list them for clarification,

Canton Road Neighbors would support this rezoning subject to the following;

1. Deletion to NRC for Specialty Contractor for Atlanta Remediation
2. Contractor to be the only use on subject property
3. No outside storage
4. No heavy equipment (greater than 12,500 lbs)
5. No automotive uses including auto repair
6. Accessory structure/garage to be no larger than 850 Sq ft. and no higher than the roof line of the existing house. Structure to be covered with fiber cement or wood and to match the color and architecture of the existing building.
7. No parking behind the house/office
8. No work to be performed outside
9. Sidewalk, curb and gutter to be installed along the frontage of Old Shallowford within 6 months of BoC approval
10. 40' landscaped buffer along the southern property line contiguous to residential
11. A change of use, amendments to stipulations or amended site plan shall come to Board of Commissioners as Other Business
12. Planning Commission recommendation, not otherwise in conflict
13. Staff Comments and Recommendations, not otherwise in conflict

Petition No. Z-40 (2023)
Meeting Date 6-18-2024
Continued

We ask for your favorable consideration.

Respectfully submitted,

Carol Brown MA, MRP
Canton Road Neighbors, Inc.

cc: Cobb County Board of Commissioners
Mr. John Pederson
Ms. Jeannie Peyton
Mr. Adam Rozen
Mr. Brandon Duck

MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
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Min. Bk. 99 Petition No. Z-40(2023)
Doc. Type 6-4-2024 Planning Commission
Comments & recommendations for Z-40(2023)
Meeting Date 6-18-2024

CONSENT AGENDA (CONT.)

~~LUP-19 JAMIE WHITEHEAD (CONT.)~~

- ~~9. Fire Department comments and recommendations~~
- ~~10. Department of Transportation comments and recommendations~~
- ~~11. Staff comments and recommendations, *not otherwise in conflict*~~
- ~~12. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on June 18, 2024~~

~~CONSENT VOTE: ADOPTED 4-0, Vault not present~~

REGULAR AGENDA

Z-40'²³

ATLANTA REMEDIATION GROUP, LLC (Vanessa Pichardo, owner) requesting rezoning from R-20 to LI for a specialty contractor and parking of RVs and boats in land lot 204 of the 16th district. Property is located on the south side of Shallowford Road, east of Canton Road (1018 Shallowford Road). *(Previously continued by Staff from the October 3, 2023, through the May 7, 2024, Planning Commission (PC) hearings until the June 4, 2024, PC hearing).*

The public hearing was opened; Adam Rozen, Carol Brown, Brandon Duck, and Janice Duck Love addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Lindstrom, second by Beloin, to recommend deletion of Z-40'²³ to the NRC zoning district *with special exception use for a specialty contractor*, subject to:

1. Letter of agreeable conditions from Adam Rozen dated May 28, 2024 (on file in the Zoning Division), with the following changes:
 - A. Paragraph 3, sentence 2 – strike and replace with, *“The application to read, Delete to NRC for Neighborhood and Office and one operation only.”*
 - B. Paragraph 4, item 2 – strike and replace with, *“The rezoning to NRC shall allow for one professional contractor’s office and their operations only. A limit of five contractor light trucks/vans of that one contractor’s office are allowed to park directly along the east side of the house only on existing gravel and using commercial parking blocks to distinguish the five spaces. No parking is allowed behind the house.”*
 - C. Paragraph 4, item 3 – Total list of prohibited uses include the following:
 1. Billiards or pool halls
 2. Vape and smoke shops
 3. Gun shops

REGULAR AGENDA (CONT.)

Z-40'²³

ATLANTA REMEDIATION GROUP, LLC (CONT.)

4. Pawn shops
5. Massage parlors
6. Recycling collection location
7. Used car sales, auto/light truck repair
8. Dog runs
9. Contractor as a special exception with heavy equipment (12,500 lbs. or greater)
10. Diesel repairs
11. Welding or fabrication businesses
12. Transfer stations
- D. Paragraph 3, item 4 – add to the end: *“Landscaping along the back borders to be maintained as long as a residential area behind the borders exist. The County Arborist and District Commissioner will have final approval of any landscaping done.”*
2. No construction debris is to be on the site
3. No outdoor work, all work to be performed within an enclosed garage
4. Any landscaping along the road frontage as recommended by the County Arborist and approved by the District Commissioner
5. Hours of operation to be Monday through Friday, 7:00 a.m. until 6:00 p.m.; Saturday, 8:00 a.m. until 2:00 p.m.; Sunday is closed
6. A new, eight-foot, black vinyl-coated chain link fence to replace the current chain link fence separating the residents' properties to those properties backing up directly to the residences
7. The storage container located on the east side of the property to remain
8. Signage to be discussed and approved by the District Commissioner
9. Staff comments and recommendations, *not otherwise in conflict*
10. Size of garage shall be no greater than 850 square feet

VOTE: **ADOPTED** 4-0, Vault not present

~~Z-52'²³~~

~~**1054 INVESTMENT GROUP L.L.C.** (1054 Investment Group, LLC; James Vincent Manley, owners) requesting rezoning from **R-20** to **LI** for contractor offices and parking of vehicles on land lot 204 of the 16th district. Property is located on the south side of Shallowford Road, east of Old Shallowford Road (1022, 1028, and 1054 Shallowford Road). *(Previously held by the Planning Commission (PC) from the November 7, 2023, PC hearing until the December 5, 2023, PC hearing; continued by Staff from the December 5, 2023, and February 6, 2024, PC hearings until the March 5, 2024, PC hearing; held by the PC from the March 5, 2024, PC hearing until the April 2, 2024, PC hearing; continued by Staff from the April 2, 2024, and May 7, 2024, PC hearings until the June 4, 2024, PC hearing).*~~

Min. Bk. 99 Petition No. Z-40(2023)
Doc. Type letter
Meeting Date 6-18-2024



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Injury, Land
Use,
Criminal
Defense,
Domestic
& Business

May 28, 2024

VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

Re: Application of Atlanta Remediation Group, LLC to Rezone a 1.1 Acre Tract from
R-20 to LI - Land Lot 204, 16th District, 2nd Section, Cobb County, Georgia; Z-40

Dear John:

This firm is engaged by and represents the applicant Atlanta Remediation Group, LLC concerning the above-captioned Application for Rezoning known as Z-40. The Application is scheduled to be heard by the Planning Commission on June 4, 2024 and for final action by the Cobb County Board of Commissioners ("BOC") on June 18, 2024.

The Subject Property is located off of the south side of Shallowford Road on the south side of Old Shallowford, east of Canton Road. To the west of the Subject Property is vacant land zoned General Commercial, north of the Subject Property is a pine straw business distributing from parked tractor trailers and a landscape supply company with outside storage and east is property zoned R-20 operating various special contractor uses. Just east along Shallowford Road is are properties zoned Light Industrial ("LI") and Heavy Industrial ("HI").

Recognizing the industrial nature of the surrounding area but adjoining residential homes to its south, the Applicant originally proposed to operate its contractor business on the northern

ROZEN, ROZEN & REILLY, LLP
A LIMITED LIABILITY PARTNERSHIP

Petition No. Z-40 (2023)
Meeting Date 6-18-2024
Continued

VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

May 28, 2024
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end of the Subject Property while utilizing the remaining area for boat and RV storage as a quiet use buffered by a forty foot (40') landscape buffer. However, at this time, the Applicant requests the Application be amended to NRC so long as such zoning allows for the Applicant's contractor office, parking and operations while allowing for other uses permitted under NRC subject to the stipulations in this letter.

With respect to the foregoing, this Stipulation Letter will constitute the Applicant's agreement with the following stipulations which shall become conditions and a part of the grant of the requested rezoning, and binding upon the subject property thereafter. The referenced stipulations are as follows:

- (1) The rezoning of the Subject Property from the existing zoning district of R-20 to Neighborhood Retail Commercial ("NRC") which represents the deletion from LI as originally requested. The Applicant hereby amends its Application to reflect the same by the filing of this letter. ¹
- (2) The rezoning to NRC shall also permit the use of the Subject Property for Professional Office for contractor with the additional allowance of the parking of vans and passenger trucks customary for Professional Office contractor uses such as a remediation contractor.
- (3) The following uses are prohibited:
 - a. Billiards or Pool Halls
 - b. Vape and smoke shops
 - c. Gun shops
 - d. Pawn shops
 - e. Massage parlors
 - f. Recycling collection location
 - g. Used car sales
 - h. Auto / Light truck repair unless conducted more than one hundred thirty feet (130') north of the Southern Residential Boundary.

¹ The Applicant will submit a revised Site Plan reflecting the herein conditions under separate cover.

ROZEN, ROZEN & REILLY, LLP

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

May 28, 2024

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-
- i. Dog runs
 - j. Contractor as a special exception with heavy equipment (12,500 lbs. or greater)
 - k. Diesel repairs.
 - l. Welding or fabrication.
 - m. Transfer Stations
- (4) A forty-foot (40') landscape buffer shall be installed and maintained along the southern boundary of the Subject Property so long as it adjoins residentially zoned property and specifically against properties commonly known as 1009 and 1021 Judy Ann Lane ("Southern Residential Boundary"). The buffer shall consist of two rows of evergreen plantings to be a mix of evergreen trees and shrubs, shall be a minimum of five feet (5') for trees and two feet (2') for shrubs at installation, and should provide a visual barrier to a height of six feet (6') within two (2) years of planting ("Buffer"). Existing mature trees within the Buffer area shall remain and the new Buffer planting should supplement the existing mature trees with the intention of providing additional screening against the Southern Residential Boundary but providing enough spacing for plant viability.
- (5) An eight-foot (8') privacy fence shall be installed and maintained along the Southern Residential Boundary.
- (6) The granting of the additional contemporaneous variances identified in the Zoning Staff Analysis to:
- (a) Reduce the rear and side setbacks to ten feet (10') for new structure labeled 'new garage building' to the rear of the existing building;
 - (b) Reduce the front setback to forty feet (40') to accommodate the location of the existing building;
 - (c) Allow parking on gravel for a portion of the site.
- (7) Entrance aprons shall be installed at both entrances and shall be paved, in combination with the partially paved parking area for a distance no less than up to the rear of the existing structure with parking areas on the front and sides of the

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VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

May 28, 2024

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existing structure to be paved. The remaining drive and parking areas are permitted to remain gravel.

- (8) All setbacks, landscape, and buffer areas may be penetrated for purposes of access, utilities, and stormwater management; including, but not limited to, detention/retention facilities, drainage facilities, surface parking, and any and all slopes or other required engineering features of the foregoing.
- (9) All outside lighting to be downcast to limit light intrusion to residential neighbors.
- (10) Recognizing that the Subject Property represents approximately one hundred eighty feet (180') of the approximately two hundred fifty feet (250') of dead-end right of way of Old Shallowford Road, the waiver of any requirement to install sidewalk, curb and gutter.
- (11) Recognizing the dead-end nature of Old Shallowford Road and the desire to protect the residential community to the south of the Subject Property by confining as much of the commercial activity to the northern portion of the Subject Property, the waiver of the requirement to provide uninterrupted access to a minimum of fifty feet (50') from the edge of the right of way line as such requirement would eliminate parking to the front of the existing building.
- (12) Compliance with the Comments and Recommendations made by the Zoning Staff and other Professional Departments where not otherwise in conflict.
- (13) Minor modifications may be approved by the District Commissioner except for those that:
 - (a) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (b) Would be in direct contradiction or conflict with any of the stipulations of this rezoning; or
 - (c) Would be in direct contradiction or conflict with Cobb County Code and Ordinances;

Petition No. Z-40 (2023)
Meeting Date 6-18-2024
Continued

ROZEN, ROZEN & REILLY, LLP

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

May 28, 2024

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With the foregoing, we believe the Applicant is providing for a means to protect the character and future of the Canton Road Corridor but recognizing the mixture of residential, industrial and commercial nature of the immediate and surrounding area. Please do not hesitate to contact me should you or your staff have any questions or require any additional information or documentation. Thank you.

Sincerely,

ROZEN, ROZEN & REILLY, LLP

/s/ Adam J. Rozen

Adam J. Rozen
ajrozen@rozenandrozen.com

AJR/srb

cc: Chris Lindstrom, District Planning Commissioner
Canton Road Neighbors
Atlanta Remediation Group, LLC

MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
JUNE 4, 2024
PAGE 5

Min. Bk. 99 Petition No. Z-52(2023)
Doc. Type 6-4-2024 Planning Commission
Comments & Recommendations for Z-52(2023)
Meeting Date 6-18-2024

REGULAR AGENDA (CONT.)

~~Z-48^{'23} ATLANTA REMEDIATION GROUP, LLC (CONT.)~~

- ~~4. Pawn shops~~
- ~~5. Massage parlors~~
- ~~6. Recycling collection location~~
- ~~7. Used car sales, auto/light truck repair~~
- ~~8. Dog runs~~
- ~~9. Contractor as a special exception with heavy equipment (12,500 lbs. or greater)~~
- ~~10. Diesel repairs~~
- ~~11. Welding or fabrication businesses~~
- ~~12. Transfer stations~~
- ~~D. Paragraph 3, item 4 – add to the end: “Landscaping along the back borders to be maintained as long as a residential area behind the borders exist. The County Arborist and District Commissioner will have final approval of any landscaping done.”~~
- ~~2. No construction debris is to be on the site~~
- ~~3. No outdoor work, all work to be performed within an enclosed garage~~
- ~~4. Any landscaping along the road frontage as recommended by the County Arborist and approved by the District Commissioner~~
- ~~5. Hours of operation to be Monday through Friday, 7:00 a.m. until 6:00 p.m.; Saturday, 8:00 a.m. until 2:00 p.m.; Sunday is closed~~
- ~~6. A new, eight-foot, black vinyl-coated chain link fence to replace the current chain link fence separating the residents’ properties to those properties backing up directly to the residences~~
- ~~7. The storage container located on the east side of the property to remain~~
- ~~8. Signage to be discussed and approved by the District Commissioner~~
- ~~9. Staff comments and recommendations, not otherwise in conflict~~
- ~~10. Size of garage shall be no greater than 850 square feet~~

~~VOTE: **ADOPTED** 4-0, Vault not present~~

Z-52^{'23}

1054 INVESTMENT GROUP L.L.C. (1054 Investment Group, LLC; James Vincent Manley, owners) requesting rezoning from **R-20** to **LI** for contractor offices and parking of vehicles on land lot 204 of the 16th district. Property is located on the south side of Shallowford Road, east of Old Shallowford Road (1022, 1028, and 1054 Shallowford Road). *(Previously held by the Planning Commission (PC) from the November 7, 2023, PC hearing until the December 5, 2023, PC hearing; continued by Staff from the December 5, 2023, and February 6, 2024, PC hearings until the March 5, 2024, PC hearing; held by the PC from the March 5, 2024, PC hearing until the April 2, 2024, PC hearing; continued by Staff from the April 2, 2024, and May 7, 2024, PC hearings until the June 4, 2024, PC hearing).*

REGULAR AGENDA (CONT.)

Z-52'²³ 1054 INVESTMENT GROUP L.L.C. (CONT.)

The public hearing was opened; Kevin Moore, Carol Brown, Brandon Duck, and Janice Duck Love addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Lindstrom, second by Beloin, to recommend **deletion** of Z-52'²³ to the **NRC** zoning district *for Neighborhood Retail and Professional uses only*, subject to:

1. The list of *prohibited uses* to include the following:
 - A. Billiards or pool halls
 - B. Vape and smoke shops
 - C. Heavy truck repair
 - D. Gun shops
 - E. Pawn and title shops
 - F. Massage parlors
 - G. Convenient stores with fuel sales
 - H. Recycling collection location
 - I. Used car sales
 - J. Contractor with heavy equipment (12,500 lbs. or greater)
 - K. Auto or Diesel repairs
 - L. Welding or fabrication
 - M. Transfer stations
2. No outside storage, including autos, RVs, trucks, boats, containers, roll-offs, machinery, and garden debris
3. No work to be done outside
4. If the house is to remain, parking for customers and employees to be clearly lined and clean on a level impervious surface near the house
5. If a dumpster is required in the future, the dumpster shall be enclosed, on a pad, out of sight, and emptied weekly and follow Cobb County requirements; dumpster size should be no more than six yards
6. No business which emits odors, noxious fumes, or sounds
7. No roll-off containers or bins shall be dropped off and stored on the properties
8. Landscaping along the road frontage shall be consistent with its neighbor, Z-40'²³, as recommended by the County Arborist and approved by the District Commissioner
9. Impervious surface not to exceed 70%
10. Sidewalk shall be installed along all frontage areas connecting property at Z-40'²³ to the existing car wash located past property at Z-52'²³

REGULAR AGENDA (CONT.)

Z-52'²³

1054 INVESTMENT GROUP L.L.C. (CONT.)

11. Hours of operation to be Monday through Friday, 7:00 a.m. until 6:00 p.m.; Saturday, 8:00 a.m. until 2:00 p.m.; Sunday is closed
12. No chain-link or barbed wire fencing anywhere in the front or middle of the property
13. Removal of all existing sheds and metal buildings
14. Stormwater detention pond shall be added to the property
15. The following stipulations shall apply to those three parcels whose rear borders face residences along Judy Ann Lane:
 - A. The neighbors request a new, black, vinyl-coated, eight-foot, chain link fence along residences property lines; all old fencing, wood or chain-link, shall be removed from the property
 - B. Landscaping shall be installed within the buffer along the borderline backing up to the residences and maintained in perpetuity; the landscaping shall be approximately four feet high which can reach the height of six feet within two years; while two rows of Thuja Green Giant Arborvitae are recommended, the County Arborist and District Commissioner shall have final approval of any proposed landscaping
 - C. The front and side setbacks to remain as they currently are (per NRC code, no variances)
 - D. The rear buffer shall be 40 feet from the rear property line
16. All currently parked cars, RVs, boats, heavy machinery, dump trucks, tires, slide off containers to be removed from the site within 60 days; after the 60 days, Code Enforcement to inspect the four parcels every three months for one year
17. Random surface soil testing shall be performed on the property within 60 days of the Board of Commissioners' (BOC) approval; any petroleum or chemical pollutants found to be removed in compliance with Federal and State rules

VOTE: **ADOPTED** 3-1, Anderson opposed and Vault not present

Vice Chairman Hughes called for a brief recess from 10:57 a.m. until 11:08 a.m.

~~Z-9~~

~~THOMAS OROK (Florence Odang Okonta, owner) requesting rezoning from CRC and R-20 to RM-8 for a townhome community in land lot 1300 of the 19th district. Property is located on the north side of Veterans Memorial Highway and on the west side of Burrus Road (1558 Veterans Memorial Highway). (Previously continued by Staff from the March 5, 2024, through the May 7, 2024, Planning Commission (PC) hearings until the June 4, 2024, PC hearing).~~

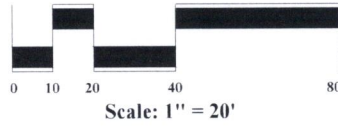
Rezoning Plat

4878 Austell Road

Cobb County, Georgia Land Lot 1140, 19th District, 2nd Section

prepared for:

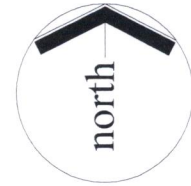
Popol, LLC
 1360 Little Willeo Road
 Marietta, Georgia 30068



May 2024

Site Data

Total Site Area: .641 AC
 Existing Zoning: R-15 & GC
 Proposed Zoning: NRC
 Building Area Shown : 5250 SF
 Parking Shown : 28
 NRC Building Lines:
 Front: 50' BL
 Side: 15 BL (Variance Requested)
 Rear: 30'



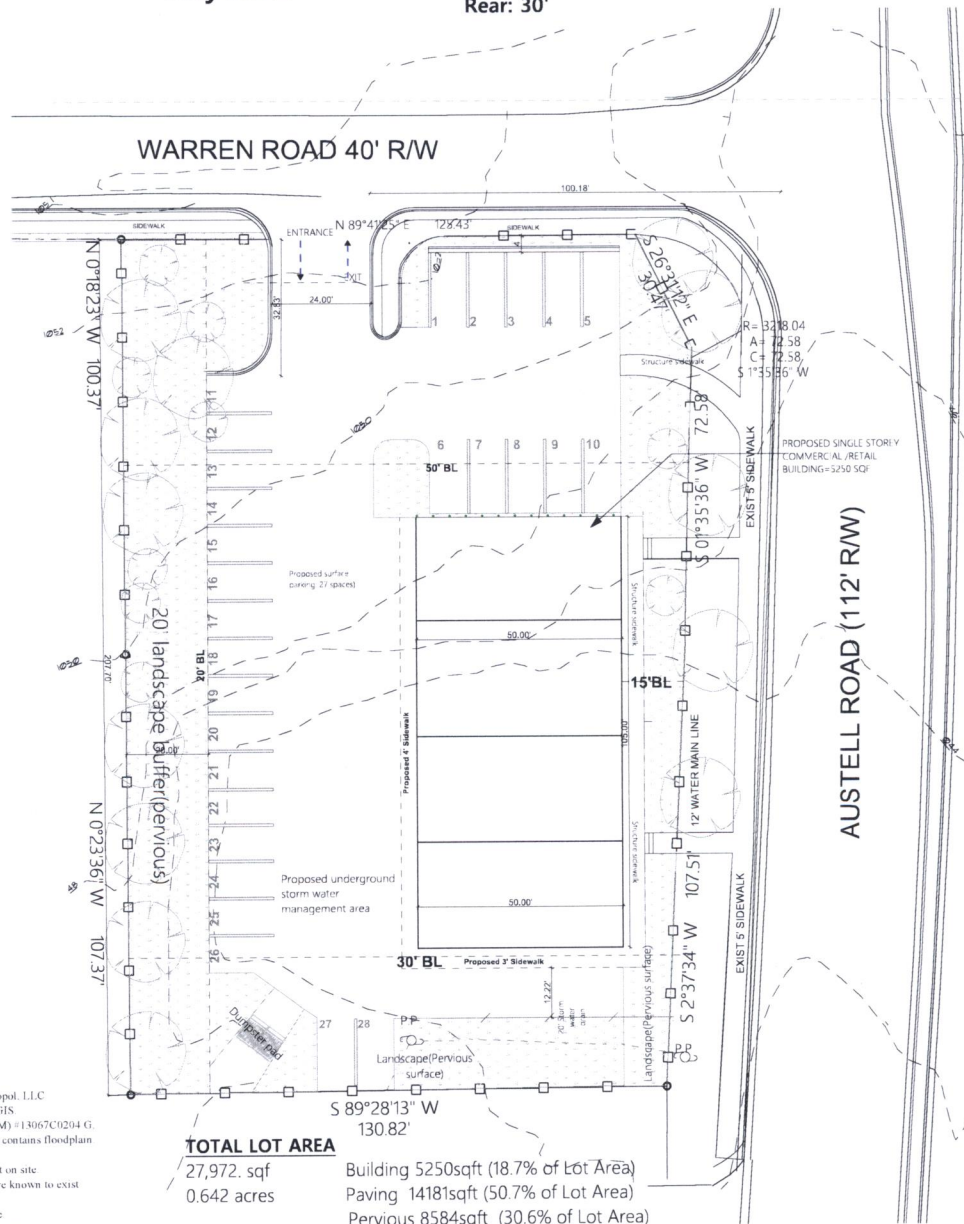
Ebai Edjua
 Digitally signed by Ebai Edjua
 DN: cn=Ebai Edjua, o=Cobb County, ou=Georgia, email=Ebai.Edjua@cobbcountyga.gov, c=US
 Date: 2024.05.10 10:10:00 -0400

LEGEND

- storm water drain
- Building line
- Previous ground
- P.P. Power Pole
- OHP Overhead powerline

General Notes:

- Boundary taken from Combination Plat for Popol, LLC
- Topographic information from Cobb County GIS
- According to Flood Insurance Rate Map (FIRM) #13067C0204 G, December 16, 2008, no portion of this site contains floodplain
- No cemeteries are known to exist on site
- No streams and/or wetlands are known to exist on site
- No archeological or architectural landmarks are known to exist on site
- No utility easements are known to exist on site
- Stormwater management and water quality structures are conceptual in size and will be revised based on hydrologic study



TOTAL LOT AREA

27,972. sqft
 0.642 acres

Building 5250sqft (18.7% of Lot Area)
 Paving 14181sqft (50.7% of Lot Area)
 Pervious 8584sqft (30.6% of Lot Area)

Impervious 19412sqft (69.4% of Lot Area)

Min. Bk. 99 Petition No. Z-18
Doc. Type "Prohibited Uses" listed
in the Adam Rozen letter
Meeting Date 6-18-2024



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Injury, Land
Use,
Criminal
Defense,
Domestic
& Business

May 28, 2024

VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

Re: Application of SUG Real Estate, LLC to Rezone a .514 Acre Tract from GC to LI -
Land Lot 733, 16th District, 2nd Section, Cobb County, Georgia; Z-18 & SLUP 5

Dear John:

This firm is engaged by and represents the applicant SUG Real Estate, LLC concerning the above-captioned Application for Rezoning known as Z-18. The Application is scheduled to be heard by the Planning Commission on June 4, 2024 and for final action by the Cobb County Board of Commissioners ("BOC") on June 18, 2024.

The Subject Property is located along east side of Canton Road, north of Dorsey Road and at the split of Canton Road and the Canton Road Connector. The Subject Property is within a Neighborhood Activity Century future land use designation however, like the Subject Property, many of the properties within this island, and many in the immediate area, are zoned and operate with long term heavy commercial and industrial uses. The Subject Property is bounded on the west by Canton Road and entirely on the east by the industrial park of Dorsey Road and is separated from this industrial park to its east by a CSX rail line. The Subject Property is in a strip of five (5) properties zoned general commercial to its north and south and is approximately three hundred feet (300') from the nearest residential property.

ROZEN, ROZEN & REILLY, LLP

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

May 28, 2024

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Recognizing the industrial nature and heavier commercial nature of the immediate area, particularly special contractor (HVAC contractor to the immediate north and truck sales to the immediate south), the Applicant purchased the Subject Property for its Stand Up Guys location.

With respect to the foregoing, this Stipulation Letter will constitute the Applicant's agreement with the following stipulations which shall become conditions and a part of the grant of the requested rezoning, and binding upon the subject property thereafter. The referenced stipulations are as follows:

- (1) The rezoning of the Subject Property from the existing zoning district of R-20 to Neighborhood Retail Commercial ("NRC") with the special exception for and additional use of special contractor which represents the deletion from LI as originally requested. The Applicant hereby amends its Application to reflect the same by the filing of this letter.
- (2) The following uses are prohibited:
 - a. Billiards or Pool Halls
 - b. Vape and smoke shops
 - c. Gun shops
 - d. Pawn shops
 - e. Massage parlors
 - f. Recycling collection location
 - g. Used car sales
 - h. Auto / Light truck repair
 - i. Dog runs
 - j. Diesel repairs.
 - k. Welding or fabrication.
 - l. Transfer Stations

ROZEN, ROZEN & REILLY, LLP

A LIMITED LIABILITY PARTNERSHIP

VIA EMAIL DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

May 28, 2024

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- (3) The existing six-foot (6') privacy fence shall be maintained along the frontage providing a visual barrier from Canton Road to the company vehicles and operations to the side and rear of the office building.
- (4) The granting of the additional contemporaneous variances identified in the Zoning Staff Analysis to:
 - (a) Reduce the front, rear and side setbacks to accommodate the existing structures;
 - (b) Allow parking on gravel for the portion of the site behind and to the side of the office building and behind the screen fencing. The existing gravel area shall not be expanded and the parking and drive areas in the front of the office building and screen fencing shall remain a paved surface and shall be striped within sixty (60) days of final BOC decision.
- (5) Additional landscaping shall be planted along the frontage of Canton Road subject to County approval and feasibility due to the location of the right of way and considering visibility concerns.
- (6) While the existing Applicant operates on the Subject Property in its current manner, it shall adjust its hours to help facilitate completion of jobs prior to the close of business.
- (7) Recognizing that the Subject Property is along a section of Canton Road and the Connector in the interchange area and without sidewalks for hundreds of feet north and south and due to the steep slope from Canton Road to the parking level of the Subject Property which was created by the widening of Canton Road, the waiver of any requirement to install sidewalk and instead to allow the existing curb and gutter to remain.
- (8) Recognizing the limited space of the parking area and that only employee parking is in the front of the building (not work vehicles), the waiver of the requirement to provide uninterrupted access to a minimum of fifty feet (50') from the edge of the

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Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency

May 28, 2024

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right of way line as such requirement would eliminate parking to the front of the existing building.

- (9) Compliance with the Comments and Recommendations made by the Zoning Staff and other Professional Departments where not otherwise in conflict.
- (10) Minor modifications may be approved by the District Commissioner except for those that:
 - (a) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (b) Would be in direct contradiction or conflict with any of the stipulations of this rezoning; or
 - (c) Would be in direct contradiction or conflict with Cobb County Code and Ordinances;

With the foregoing, we believe the Applicant is providing for a means to protect the character and future of the Canton Road Corridor but recognizing the industrial and commercial nature of the immediate and surrounding area. Please do not hesitate to contact me should you or your staff have any questions or require any additional information or documentation. Thank you.

Sincerely,

ROZEN, ROZEN & REILLY, LLP

/s/ Adam J. Rozen

Adam J. Rozen
ajrozen@rozenandrozen.com

AJR/srb

cc: Chris Lindstrom, District Planning Commissioner
Canton Road Neighbors
SUG Real Estate, LLC

MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
JUNE 4, 2024
PAGE 13

Min. Bk. 99 Petition No. Z-18
Doc. Type 6-4-2024 Planning Commission
Comments and recommendations for Z-18
Meeting Date 6-18-2024

REGULAR AGENDA (CONT.)

~~Z-11 SALT SPRINGS LLC (CONT.)~~

~~At the call for Z-11, the Applicant was not present, but there was opposition present. The Planning Commission decided to hear the case; thereafter, the public hearing was opened, and Robin Meyer addressed the Planning Commission. Following the presentation and discussion, the following motion was made:~~

~~MOTION: Motion by Hughes, second by Beloin, to recommend denial of Z-11.~~

~~VOTE: ADOPTED 5-0~~

Z-18 SUG REAL ESTATE, LLC (SUG Real Estate, LLC, owner) requesting rezoning from **GC** to **LI** for a contractor (special) in land lot 733 of the 16th district. Property is located on the east side of Canton Road, north of Dorsey Road (2024 Canton Road). *(Previously continued by Staff from the April 2, 2024, and May 7, 2024, Planning Commission (PC) hearings until the June 4, 2024, PC hearing).*

The public hearing was opened; Adam Rozen and Carol Brown addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Lindstrom, second by Beloin, to recommend deletion of Z-18 to the **NRC** zoning district *with special exception use for a specialty contractor*, subject to:

1. The list of *prohibited uses* to include the following:
 - A. Billiards or pool halls
 - B. Vape and smoke shops
 - C. Gun shops
 - D. Pawn and title shops
 - E. Massage parlors
 - F. Recycling collection location
 - G. Welding or fabrication
 - H. Auto/truck repair service
 - I. Gas pumps
 - J. Used car sales
 - K. Dog runs
 - L. Diesel repairs
 - M. Transfer stations
2. Hours of operation shall be Monday through Saturday, 7:00 a.m. until 6:00 p.m., closed on Sunday
3. Persons may not reside in the existing house

REGULAR AGENDA (CONT.)

Z-18 SUG REAL ESTATE, LLC (CONT.)

4. No outside storage, including autos, boats, RVs, trailers, machinery, garden debris
5. Paved parking area is to be lined, as required
6. Back area shall remain graveled (unpaved); empty truck shall be allowed to park at night behind a locked and screen fence
7. The screening on the fence to be free from holes and tears
8. The top part of the fence containing barbed wire shall be removed
9. If used, a small dumpster to be enclosed, on a pad, out of sight, and emptied weekly
10. No business which emits odors, noxious fumes, or sounds
11. No outdoor work; all work to be performed within an enclosed building
12. Landscaping along the road frontage, *if needed*, is to be reviewed by the County Arborist and approved by the District Commissioner
13. Impervious surface not to exceed 70%
14. Staff comments and recommendations, *not otherwise in conflict*

VOTE: **ADOPTED 5-0**

Mr. Beloin left the hearing at 3:40 p.m.

~~**Z-28 MARSHALL E. DRINKARD** (China Drinkard and Marshall Drinkard, owners) requesting rezoning from **R-20** to **LI** for a automotive repair shop in land lots 504 and 505 of the 18th district. Property is located on the north side of Six Flags Parkway, west of Queensferry Drive (469 Six Flags Parkway).~~

~~The public hearing was opened; Marshall Drinkard and Robin Meyer addressed the Planning Commission. Following the presentation and discussion, the following motion was made:~~

~~MOTION: Motion by Hughes, second by Anderson, to recommend **denial** of Z-28.~~

~~VOTE: **ADOPTED 4-0**, Beloin not present~~

APPROVAL OF MINUTES

MOTION: Motion by Hughes, second by Anderson, to **approve** the following minutes, *as submitted*:

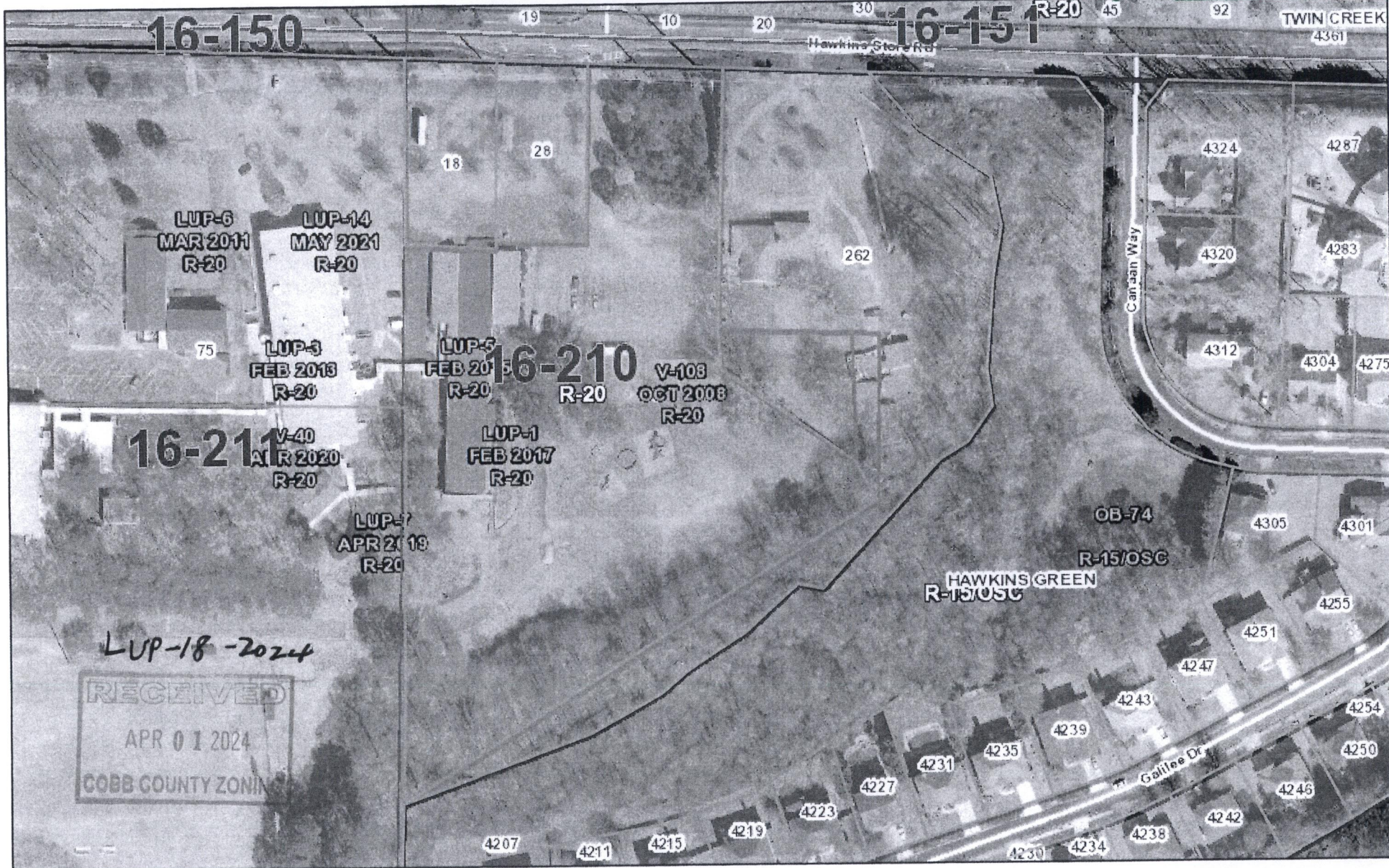
May 7, 2024 – Planning Commission Zoning Hearing

~~VOTE: **ADOPTED 4-0**, Beloin not present~~

ArcGIS Web Map

Min. Bk. 99 Petition No. LuP-18
 Doc. Type Site Plan

Meeting Date 6-18-2024



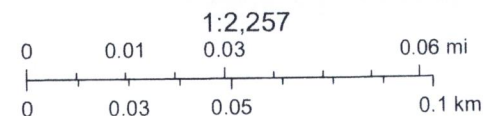
3/28/2024, 12:38:46 PM

- Mailing Labels
- CobbParcels
- Past Case
- Land Lots
- Zoning Petitions
- Proposed Case
- Subdivisions
- Current Case

Zoning Districts

- <all other values>
- CF

NRC	CRC	PSC	HI
UVC	UC	GC	IF
PVC	NS	RRC	LI



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ArcGIS Web AppBuilder

