



Cobb County...Expect the Best!

COBB COUNTY BOARD OF COMMISSIONERS

ZONING HEARING SUMMARY AGENDA

September 17, 2024

Withdrawn cases		
District	Case	Applicant
2	Z-30-2024	BENTLEY RESIDENTIAL PROPERTIES, LLC; SUMMEROUR PROPERTIES, LLLP, ESTATE OF JAMES W. BENTLEY, JAMES W. BENTLEY, JR. (Continued by Staff from the July 16, 2024 Board of Commissioners hearing until the August 20, 2024 hearing; Continued by the Board of Commissioners from the August 20, 2024 Board of Commissioners hearing until the September 17, 2024 Board of Commissioners hearing). withdrawn without prejudice
3	Z-51-2024	BELMONTE FINE HOMES, LLC (Continued by Staff from the September 3, 2024 Planning Commission hearing until the October 1, 2024 Planning Commission hearing). withdrawn without prejudice
3	LUP-27-2024	SCOTT D. SMITH withdrawn without prejudice

District	Case	Held and Continued cases (will not be heard)
2	Z-2-2024	FLOURNOY DEVELOPMENT GROUP, LLC (Continued by Staff from the February 6, 2024 through September 3, 2024 Planning Commission hearings until the November 5, 2024 Planning Commission hearing).
4	Z-9-2024	THOMAS OROK (Continued by Staff from the March 5, 2024 through July 2, 2024 Planning Commission hearings until the August 6, 2024 Planning Commission hearing; Held by the Planning Commission from the August 6, 2024 Planning Commission hearing until the September 3, 2024 Planning Commission Hearing; Continued by the Planning Commission from the September 3, 2024 Planning Commission hearing until the October 1, 2024 Planning Commission hearing).
4	Z-37-2024	BOSCO IKEAKANAM (Held by the Planning Commission from the August 6, 2024 and September 3, 2024 Planning Commission hearings until the October 1, 2024 Planning Commission hearing).
2	Z-39-2024	ASHER HOMES, INC. LLC (Continued by Staff from the August 6, 2024 and September 3, 2024 Planning Commission hearing until the October 1, 2024 Planning Commission hearing).
1	Z-40-2024	ELITE ENGINEERING (Continued by Staff from the August 6, 2024 and September 3, 2024 Planning Commission hearings until the October 1, 2024 Planning Commission hearing).
4	Z-44-2024	MANOR RESTORATIONS, LLC (Continued by Staff from the August 6, 2024 and September 3, 2024 Planning Commission hearings until the November 5, 2024 Planning Commission hearing).
4	Z-47-2024	AMERICAN DREAM HOMES, LLC AND KATHERINA EKEJI (Held by the Planning Commission from the September 3, 2024 Planning Commission hearing until the October 1, 2024 Planning Commission hearing).
4	Z-49-2024	BLUE RIVER DEVELOPMENT, LLC (Continued by Staff from the September 17, 2024 Board of Commissioners hearing until the October 15, 2024 Board of Commissioners hearing).

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District	Case	Held and Continued cases (will not be heard) continued
3	LUP-25-2024	DAVID GATTI (Continued by the Planning Commission from the September 3, 2024 Planning Commission hearing until the October 1, 2024 Planning Commission hearing).
4	LUP-26-2024	LUCAS RUBIO LOVATON (Continued by the Planning Commission from the September 3, 2024 Planning Commission hearing until the October 1, 2024 Planning Commission hearing).
4	OB-44-2024	HILLTOP RUFÉ SNOW, LLC AND HILLTOPTIC, LP (Held by the Board of Commissioners from the August 20, 2024 Board of Commissioners hearing until the October 15, 2024 Board of Commissioners hearing).
4	OB-49-2024	AMANDA BONETTI/ STNL DEVELOPMENT (Continued by the Board of Commissioners from the August 20, 2024 Board of Commissioners hearing until the September 17, 2024 Board of Commissioners hearing; Continued by Staff from the September 17, 2024 Board of Commissioners hearing until the October 15, 2024 Board of Commissioners hearing).

District	Case	Consent Agenda cases
3	Z-32-2024	EMILY G. DUNN (Continued by Staff from the July 2, 2024 and August 6, 2024 Planning Commission hearing until the September 3, 2024 Planning Commission hearing).
4	Z-35-2024	CHUCK OWUZO (Held by the Planning Commission from the August 6, 2024 Planning Commission hearing until the September 3, 2024 Planning Commission hearing).
2	Z-43-2024	CAMPUS REALTY ADVISORS, LLC (Continued by Staff from the August 6, 2024 Planning Commission hearing until the September 3, 2024 Planning Commission hearing).
1	Z-45-2024	JEFF KWAN
2	Z-46-2024	CHARLES MELO
1	Z-48-2024	KENNESTONE HOSPITAL, INC.
2	Z-50-2024	A-1 AUTO CORES, LLC
2	SLUP-9-2024	CAMPUS REALTY ADVISORS, LLC (Continued by Staff from the August 6, 2024 Planning Commission hearing until the September 3, 2024 hearing).
4	OB-46-2024	ROGER D. SLONE AND LINDA A. SLONE (Continued by the Board of Commissioners from the August 20, 2024 Board of Commissioners hearing until the September 17, 2024 Board of Commissioners hearing).
2	OB-50-2024	ISSAN CHETTY
3	OB-51-2024	NICHOLAS MAGALHAES
2	OB-52-2024	MARTIN HUERTA
2	OB-53-2024	BAPS ATLANTA KENNESAW, LLC
2	OB-55-2024	JUSCELIO CRUZ
1	OB-56-2024	MARS HILL COMMUNITY CHURCH
2	OB-57-2024	THE STONEHAVEN SCHOOL, INC
1	OB-58-2024	TYLER CHANDLER HOMES, LLC

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District	Case	Held and continued cases - to be heard
2	Z-25-2024	LCD ACQUISITIONS, LLC; TOWNPARK RENAISSANCE, LLC (Continued by Staff from the May 7, 2024 Planning Commission hearing until the June 4, 2024 Planning Commission hearing; Held by the Planning Commission from the June 4, 2024 hearing until the July 2, 2024 Planning Commission Hearing; Continued by Staff from the July 16, 2024 Board of Commissioners hearing until the August 20, 2024 hearing; Continued by the Board of Commissioners from the August 20, 2024 hearing until the September 17, 2024 hearing).
4	Z-33-2024	O'DWYER PROPERTIES, LLC (Continued by the Board of Commissioners from the July 16, 2024 and the August 20, 2024 Board of Commissioners hearings until the September 17, 2024 Board of Commissioners hearing).
2	SLUP-6-2024	LCD ACQUISITIONS, LLC; TOWNPARK RENAISSANCE, LLC (Continued by Staff from the May 7, 2024 Planning Commission hearing until the June 4, 2024 hearing; Held by the Planning Commission from the June 4, 2024 Planning Commission hearing until the July 2, 2024 hearing; Continued by Staff from the July 16, 2024 Board of Commissioners hearing until the August 20, 2024 hearing; Continued by the Board of Commissioners from the August 20, 2024 Board of Commissioners hearing until the September 17, 2024).

District	Case	Regular cases
4	LUP-28-2024	EDDIE ALVAREZ

District	Case	Other Business cases
3	OB-38-2024	NAUSHAD AHMED (Held by the Board of Commissioners from the July 16, 2024 Board of Commissioners hearing until the August 20, 2024 Board of Commissioners hearing; Continued by the Board of Commissioners from the August 20, 2024 Board of Commissioners hearing until the September 17, 2024 Board of Commissioners hearing).
3	OB-54-2024	ROBERT MICHAEL SHEPARD



Cobb County...Expect the Best!

COBB COUNTY BOARD OF COMMISSIONERS

ZONING HEARING CONSENT AGENDA

September 17, 2024

Zoning Cases

Z-32⁽²⁰²⁴⁾ **EMILY G. DUNN** (Larimore Holdings, LLC, owner) requesting rezoning from **GC** to **NRC** for retail, warehouse in Land Lot 60 of the 16th District. Located on the west side of Canton Road, north of Jamerson Road (4925 Canton Road). *(Continued by Staff from the July 2, 2024 Planning Commission hearing until the August 6, 2024 Planning Commission hearing; Continued by the Planning Commission from the August 6, 2024 Planning Commission hearing until the September 3, 2024 Planning Commission hearing).* The Planning Commission recommends approval of Z-32 to the **NRC** zoning district, subject to:

1. District Commissioner to approve the final Site Plan
2. District Commissioner to approve the final use
3. Parking to meet the code requirements
4. No outdoor storage
5. No automotive or warehouse uses; however, showroom use is permitted
6. Variances as stated in the Zoning comments and recommendations
7. Fire Department comments and recommendations
8. Water and Sewer Division comments and recommendations
9. Stormwater Management Division comments and recommendations
10. Department of Transportation comments and recommendations
11. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 17, 2024

Z-35⁽²⁰²⁴⁾ **CHUCK OWUZO** (Chukwuma Chuck Owuzo, owner) requesting rezoning from **RA-6** and **NRC** to **RSL** for a residential senior living, supportive residential units in Land Lots 621, 638 and 639 of the 19th District. Located on the east side of Powder Springs Road, on the northeast side of Pair Road (Powder Springs Road). *(Previously held by the Planning Commission from the August 6, 2024 Planning Commission hearing until the September 3, 2024 Planning Commission hearing).* The Planning Commission recommends approval of Z-35 to the **RSL (supportive)** zoning district, subject to:

1. Maximum of 66 units
2. Construction hours shall be Monday through Friday, 7:00 a.m. until 8:00 p.m.; Saturday, 9:00 a.m. until 6:00 p.m.; and no work on Sunday
3. Final Site Plan to be approved by the District Commissioner
4. Final architectural elevations to be approved by the District Commissioner

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Z-35⁽²⁰²⁴⁾ CHUCK OWUZO (continued)

5. Maximum impervious surface not to exceed 70% for NRC
6. For the NRC portion, *prohibited uses* to include: no billiards or pool halls, no drive-thru restaurants, no vape shops, and no light auto repair
7. Staff comments and recommendations
8. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 17, 2024

Z-43⁽²⁰²⁴⁾ CAMPUS REALTY ADVISORS, LLC (Glenn Chastain, LLC, owner) requesting rezoning from **OS** to **RRC** for purpose-built student housing in Land Lot 430 of the 16th District. Located at the terminus of Chastain Center Boulevard, south of Chastain Road (500 Chastain Center Boulevard). *(Previously continued by Staff from the August 6, 2024 Planning Commission hearing until the September 3, 2024 Planning Commission hearing)*. The Planning Commission recommends approval of Z-43 to the **RRC** zoning district, subject to:

1. Site Plan *last revised* on August 22, 2024, with the District Commissioner approving minor modifications (on file in the Zoning Division)
2. Letter of agreeable conditions from Kevin Moore dated August 26, 2024 (on file in the Zoning Division)
3. District Commissioner to approve the final building architecture and elevations that demonstrate considerations designed to minimize the transfer of noise prior to permitting
4. Applicant shall coordinate with local law enforcement to develop a security plan in accordance with the standards of crime prevention through environmental design (CPTED) and District Commissioner approval (security plan shall be reviewed and updated annually thereafter)
5. On-site management shall be required 24 hours per day, seven days per week
6. Variances 1, 5, and 6 as stated in the Zoning comments and recommendations to be approved
7. Fire Department comments and recommendations
8. Water and Sewer Division comments and recommendations
9. Stormwater Management Division comments and recommendations
10. Department of Transportation comments and recommendations
11. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 17, 2024

Z-45⁽²⁰²⁴⁾ **JEFF KWAN** (Jeff Kwan and Christy Kwan, owner) requesting rezoning from **R-80** to **R-30** for a single-family residence in Land Lot 463 of the 19th District. Located on the north side of Macland Road, west of Gus Robinson Road (Macland Road SW). The Planning Commission recommends approval of Z-45 to the **R-30** zoning district, subject to:

1. **Single-family use *only***
2. **Adherence to the Macland Road Design Guidelines**
3. **Fire Department comments and recommendations**
4. **Water and Sewer Division comments and recommendations**
5. **Stormwater Management Division comments and recommendations**
6. **Department of Transportation comments and recommendations**
7. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 17, 2024**

Z-46⁽²⁰²⁴⁾ **CHARLES MELO** (Gene Eidson, owner) requesting rezoning from **GC** to **TS** for automobile paint and body repair in Land Lot 422 of the 17th District. Located on the northwest corner of Ledford Street and Atlanta Road (791, 801 Ledford Street). The Planning Commission recommends approval of Z-46 to the **TS** zoning district, subject to:

1. **Final Site Plan to be approved by the District Commissioner**
2. **All vehicles must be parked in striped parking spaces**
3. **No outdoor storage or outdoor display of merchandise**
4. **Fire Department comments and recommendations**
5. **Water and Sewer Division comments and recommendations**
6. **Stormwater Management Division comments and recommendations**
7. **Department of Transportation comments and recommendations**
8. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 17, 2024**

Z-48⁽²⁰²⁴⁾ **KENNESTONE HOSPITAL, INC.** (Kennestone Hospital, Inc., owner) requesting rezoning from **LRC** to **O&I** for an urgent care clinic in Land Lots 216 and 241 of the 20th District. Located at the southeast intersection of Kennesaw Due West Road and Stilesboro Road (1550 Kennesaw Due West Road NW). The Planning Commission recommends approval of Z-48 to the **LRC** zoning district, subject to:

1. **Site Plan *revised* on July 24, 2024, with the District Commissioner approving minor modifications (on file in the Zoning Division)**

Z-48⁽²⁰²⁴⁾ KENNESTONE HOSPITAL, INC. (continued)

2. Urgent Care Clinic *use* would be permitted under the LRC zoning District
3. District Commissioner to approve the final elevations, signage, and landscaping
4. Department of Transportation comments and recommendations
5. Fire Department comments and recommendations
6. Stormwater Management Division comments and recommendations
7. Water and Sewer Division comments and recommendations
8. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 17, 2024

Z-50⁽²⁰²⁴⁾ A-1 AUTO CORES, LLC (Rabhandra Ramessar and Julio Magana, owners) requesting rezoning from **R-20** to **LI** for automotive repair in Land Lot 292 of the 17th District. Located on the south side of Pearl Street, east of South Cobb Drive (310 Pearl Street). The Planning Commission recommends approval of Z-50 to the **TS** zoning district, subject to:

1. Site Plan received by the Zoning Division on July 9, 2024, with District Commissioner approving minor modifications (on file in the Zoning Division)
2. Letter of agreeable conditions from Kevin Moore dated August 26, 2024 (on file in the Zoning Division)
3. Variances 1 and 3 as stated in the Zoning comments and recommendations to be approved
4. All vehicles to be parked in paved striped parking spaces; no vehicles to be parked on grass, dirt, or gravel
5. No outdoor storage or outdoor display of merchandise
6. 40-foot landscape buffer to be installed/maintained on the southern property line
7. The property to be cleaned up and not lived in by the time of construction or business license
8. Fire Department comments and recommendations
9. Stormwater Management Division comments and recommendations
10. Water and Sewer Division comments and recommendations
11. Department of Transportation comments and recommendations
12. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 17, 2024

SLUP-9⁽²⁰²⁴⁾ CAMPUS REALTY ADVISORS, LLC (Glenn Chastain, LLC, owner) requests a Special Land Use Permit for purpose-built student housing in Land Lot 430 of the 16th District. Located at the terminus of Chastain Center Boulevard, south of Chastain Road (500 Chastain Center Boulevard). *(Previously continued by Staff from the August 6, 2024 Planning Commission hearing until the September 3, 2024 Planning Commission hearing)*. To recommend approval of SLUP-9 subject to:

1. Site Plan *last revised* on August 22, 2024, with the District Commissioner approving minor modifications (on file in the Zoning Division)
2. Letter of agreeable conditions from Kevin Moore dated August 26, 2024 (on file in the Zoning Division)
3. District Commissioner to approve the final building architecture and elevations that demonstrate considerations designed to minimize the transfer of noise prior to permitting
4. Applicant shall coordinate with local law enforcement to develop a security plan in accordance with the standards of crime prevention through environmental design (CPTED) and District Commissioner approval (security plan shall be reviewed and updated annually thereafter)
5. On-site management shall be required 24 hours per day, seven days per week
6. Variances 1, 5, and 6 as stated in the Zoning comments and recommendations to be approved
7. Fire Department comments and recommendations
8. Water and Sewer Division comments and recommendations
9. Stormwater Management Division comments and recommendations
10. Department of Transportation comments and recommendations
11. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on September 17, 2024

OTHER BUSINESS CASES

ITEM OB-46-2024

To consider a reduction of required minimum public road frontage from 75 feet to 30 feet for Roger D. Slone and Linda A. Slone. The property is located on the north side of Bates Road, east of Floyd Road in Land Lots 998 and 999 of the 18th District (Behind 1050 Bates Road). Staff recommends approval subject to:

1. Water and Sewer Department comments;
2. Fire Department comments; and
3. Cobb DOT comments.

ITEM OB-50-2024

To consider a reduction of required minimum lot size for proposed lot 13 from 20,000 square-feet to 17,375 square-feet for Issan Chetty. The property is located at the northeast intersection of Bells Ferry Road and Janis Drive in Land Lot 713 of the 16th District (2242 Bells Ferry Road).

1. Stormwater Management comments;
2. Cobb DOT comments; and
3. Lot 13 approved to be 17,375 square-feet.

ITEM OB-51-2024

To consider a reduction of required minimum lot size from 20,000 square-feet to 19,254 square-feet for Nicholas Magalhaes. The property is located on the east side of Shaw Road, north of Oak Creek Drive in Land Lot 489 of the 16th District (3110 Shaw Road).

1. Lot size is approved to be 19,254 square-feet;
2. Cobb DOT; and
3. Stormwater Management comments, with Stormwater Management approving the final plan.

ITEM OB-52-2024

To consider amending the site plan and stipulations for Martin Huerta regarding rezoning application Z-63 of 2023. The property is located on the east side of Sandtown Road, north of Gann Road in Land Lot 211 of the 17th District (1119 Sandtown Road).

1. Stormwater Management comment;
2. Cobb DOT comments;
3. Fire Department comments;
4. Site plan submitted August 18, 2024; and
5. All previous stipulations not in conflict to remain in effect.

ITEM OB-53-2024

To consider amending stipulations for BAPS Atlanta Kennesaw, LLC regarding rezoning application Z-151 of 1995. The property is located on the east side of Chastain Meadows Parkway, south of Chastain Road in Land Lots 427 and 428 of the 16th District (3380 Chastain Meadows Parkway).

1. Places of Worship added to permitted use for this property;
2. Cobb DOT comments; and
3. Fire Department comments.

ITEM OB-55-2024

To consider a reduction of required minimum lot size from 20,000 square-feet to 15,867 square-feet for Juscelio Cruz. The property is located on the north side of Cranfill Road at Clearview Street in Land Lot 298 of the 17th District (413 Cranfill Road).

1. Lot size is approved to be 15,867 square-feet;
2. Cobb DOT comments; and
3. Fire Department comments.

ITEM OB-56-2024

To consider a reduction of required minimum lot size from 5-acres to 4.25-acres and variances for setbacks and landscape buffers for Mars Hill Community Church. The property is located on the west side of Mars Hill Road, north of Dallas Highway in Land Lots 66 and 67 of the 19th District (109 Mars Hill Road).

1. Lot size is approved to be 4.25 acres;
2. Variances are approved for setback and landscape buffer reductions as shown on the site plan received August 13, 2024;
3. Cobb DOT comments; and
4. Stormwater Management comments.

ITEM OB-57-2024

To consider amending the stipulations for The Stonehaven School, Inc. regarding application SLUP-9 of 2019, for property located on the west side of Old Concord Road, east of Pine Street, north of Cranfill Road in Land Lots 297 and 298 of the 17th District (1650 Old Concord Road).

1. Site plan received August 13, 2024, with the District Commissioner approving minor modifications;
2. Stormwater Management comments;
3. Cobb DOT comments; and
4. Fire Department comments.

ITEM OB-58-2024

To consider amending the site plan for Tyler Chandler Homes, LLC regarding application Z-17 of 2022. The property is located on the south side of McClure Road, and on the west side of Acworth Due West Road in Land Lot 122 of the 20th District (4321 McClure Road).

1. Site plan received August 13, 2024, with the District Commissioner approving minor modifications;
2. Stormwater Management comments;
3. Cobb DOT comments; and
4. Fire Department comments.