



Cobb County...Expect the Best!

COBB COUNTY BOARD OF COMMISSIONERS

ZONING HEARING SUMMARY AGENDA

October 15, 2024

Withdrawn cases		
District	Case	Applicant
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). withdrawn without prejudice
4	Z-54-2024	BRIAN CONDO withdrawn without prejudice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 and October 1, 2024 Planning Commission hearings until the November 5, 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; Continued by the Planning Commission from the October 1, 2024 Planning Commission hearing until the November 5, 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; Continued by the Planning Commission from the October 1, 2024 Planning Commission hearing until the November 5, 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; Continued by the Board of Commissioners from the September 17, 2024 Board of Commissioners hearing until the October 15, 2024 Board of Commissioners hearing; Continued by Staff from the October 15, 2024 Board of Commissioners hearing until the November 19, 2024 Board of Commissioners 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).
2	Z-55-2024	IRMA V. PALACIOS (Continued by the Planning Commission from the October 1, 2024 Planning Commission hearing until the November 5, 2024 Planning Commission hearing).
1	OSC-1-2024	POSTON PROPERTIES, INC. (Continued by the Planning Commission from the October 1, 2024 Planning Commission hearing until the November 5, 2024 Planning Commission hearing).

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District	Case	Held and Continued cases (will not be heard) (continued)
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; Continued by the Board of Commissioners from the September 17, 2024 Board of Commissioners hearing until the October 15, 2024 Board of Commissioners Hearing; Continued by Staff from the October 15, 2024 Board of Commissioners hearing until the November 19, 2024 Board of Commissioners 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; Continued by Staff from the October 15, 2024 Board of Commissioners hearing until the November 19, 2024 Board of Commissioners hearing).
3	OB-63-2024	MT. BETHEL CHRISTIAN ACADEMY, INC. (Continued by Staff from the October 15, 2024 Board of Commissioners hearing until the November 19, 2024 Board of Commissioners hearing).
3	OB-64-2024	KA MARIETTA, LLC (Continued by Staff from the October 15, 2024 Board of Commissioners hearing until the November 19, 2024 Board of Commissioners hearing).

District	Case	Consent Agenda cases
4	Z-33-2024	O'DWYER PROPERTIES, LLC (Continued by the Board of Commissioners from the July 16, 2024 through September 17, 2024 Board of Commissioners hearings until the October 15, 2024 Board of Commissioners hearing).
1	Z-53-2024	MILLS VETERINARY PROPERTY, LLC
2	Z-56-2024	ARTEMIS HOTEL GROUP
4	Z-57-2024	CAMERON LR DEVELOPMENT, LLC
4	Z-58-2024	DEONDRE GAY
4	LUP-29-2024	GRECHELL CHAVARRIA
4	LUP-32-2024	DATHAN JOHNSON
4	LUP-33-2024	WORD OF FAITH FAMILY WORSHIP CENTER, INC.
4	LUP-34-2024	MIELKE WAY MANOR, LLC
3	OB-59-2024	STEPHEN N. BENNETT
4	OB-61-2024	SHARON AND REUBEN MURRAY
4	OB-62-2024	SCOTT BAUGHMAN
2	OB-65-2024	ENVIROSPARK ENERGY SOLUTIONS REPRESENTING STONEWALL CONDOMINIUM ASSOCIATION, INC.
1	OB-66-2024	COSTCO WHOLESALE CORPORATION
1	OB-67-2024	LAURA GREEN BORN

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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; Held by the Board of Commissioners until the October 15, 2024).
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).
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).
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).
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 Board of Commissioners hearing; Held by the Board of Commissioners until the October 15, 2024 Board of Commissioners hearing).

District	Case	Regular cases
3	Z-52-2024	FORTUNELLA INTERNATIONAL COMPANY
3	LUP-30-2024	WILLIAM SCHELLMAN AND DEBBIE SCHELLMAN
1	LUP-31-2024	L. FRANK SHIRLEY

District	Case	Other Business cases
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; Continued by Staff from the October 15, 2024 Board of Commissioners hearing until the November 19, 2024 Board of Commissioners hearing).
1	OB-56-2024	MARS HILL COMMUNITY CHURCH (Continued by the Board of Commissioners from the September 17, 2024 Board of Commissioners hearing until the October 15, 2024 Board of Commissioners hearing).
3	OB-60-2024	POWER INFUSION, LLC



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COBB COUNTY BOARD OF COMMISSIONERS

ZONING HEARING CONSENT AGENDA

October 15, 2024

Zoning Cases

Z-33⁽²⁰²⁴⁾ **O'DWYER PROPERTIES, LLC** (ADP Old Bankhead Highway, LLC, owner) requesting rezoning from **NS and R-20** to **RM-8** for a townhome community in Land Lots 1296 and 1297 of the 19th District. Located on the southeast side of Old Bankhead Highway, west of Brenda Drive, and north of Haggard Drive (1035 Old Bankhead Highway). *(Continued by the Board of Commissioners from the July 16, 2024 through September 17, 2024 Board of Commissioners hearings until the October 15, 2024 Board of Commissioners hearing).* Staff recommends approval to the **RA-4** zoning district, subject to:

1. Letter of agreeable stipulations from Kevin More dated October 8, 2024;
2. Revised site plan dated October 7, 2024, with the District Commissioner approving the final site plan, landscape plan and building elevations;
3. Mail Kiosk to be lighted at night;
4. Applicant to build the missing piece of sidewalk between the subject property and 1083 Old Bankhead Highway during their development;
5. Landscape Review Committee, consisting of representatives of the applicant/property owner, the Mableton Improvement Coalition and appropriate County staff to review all exterior landscaping and fencing, with special attention paid to the sides of units #1 and #9.
6. The area beneath the power lines is to be included in the landscape plan and maintained by the HOA, with minimum landscaping of grass and mulch, as well as fencing. This condition is subject to Georgia Power's regulations.
7. Variances approved as listed in the Zoning Division comments;
8. Revised Cobb DOT comments dated October 8, 2024;
9. Stormwater Management Division comments and recommendations;
10. Fire Department comments and recommendations; and
11. Water and Sewer Division comments and recommendations.

Z-53⁽²⁰²⁴⁾ **MILLS VETERINARY PROPERTY, LLC** (Mody Investments, LLC, owner) requesting rezoning from **R-30 and TS** to **NRC** for a veterinary clinic in Land Lots 1 and 2 of the 20th District. Located on the west side of Cobb Parkway, south of Rutledge Drive (4483 North Cobb Parkway). The Planning Commission recommends approval of Z-53 to the **NRC** zoning district, subject to:

1. District Commissioner approving minor modifications (on file in the Zoning Division)
2. Architectural finishes plan received by the Zoning Division on July 29, 2024, with the District Commissioner approving the final plans (on file in the Zoning Division)
3. Veterinary clinic use *only*
4. No residential use
5. Accessory structure to be used for storage *only*
6. Variance as state in the Zoning comments and recommendations
7. 20-foot undisturbed landscape buffer adjacent to any residentially zoned property
8. Adherence to the allocated parameters of the Paulding County Pumpkinville Creek Intergovernmental Wastewater Treatment Agreement
9. Fire Department comments and recommendations
10. Stormwater Management Division comments and recommendations
11. Water and Sewer Division comments and recommendations
12. Department of Transportation comments and recommendations
13. The use of the building is to be limited strictly to the Veterinary Clinic
14. District Commissioner to approve the final Site Plan including any additional sound proofing requirements deemed necessary
15. No outdoor kennels allowed
16. All wooded areas currently in existence past the existing house on the property, which is to remain, should remain substantially natural in its present form as a wooded area for sound proofing purposes
17. Maximum limit of 55 indoor kennels, with no more than 40 of those kennels to be used for overnight purposes
18. No additional structures are to be placed on the property beyond the new and proposed building as shown on Plan C-02 (on file in the Zoning Division) that was submitted with the application packet
19. No additional parking is to be added beyond that shown on the Plan C-02 (on file in the Zoning Division)
20. The hours of operation shall be Monday through Saturday from 8:00 a.m. until 6:00 p.m. for the public (animal drop off and pick up)
21. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on October 15, 2024

Z-57 **CAMERON LR DEVELOPMENT, LLC** (ANNABEK, LLC, owner) requesting rezoning from **CS and LI** to **LI** for a warehouse in Land Lots 686, 687, 699 and 700 of the 18th District. Located on the northwest corner of Hartman Road and Lake Careca Road (Lake Careca Road). Staff recommends approval to the LI zoning district subject to:

1. Staff comments and recommendations in the Zoning Analysis;
2. Applicant to obtain a stream buffer variance from the Georgia Environmental Protection Division (EPD);
3. Applicant to submit for review and approval an Erosion Control Plan leading to the issuance of a Letter of Awareness prior to EPD approval;
4. Applicant to grant a storm/sewer easement to carry off the water that would be received from the adjacent property to the north; and
5. Applicant to submit the undeveloped western portion of property for Other Business for site plan approval prior to permitting.

Z-56⁽²⁰²⁴⁾ **ARTEMIS HOTEL GROUP** (AHG Galleria, LLC, owner) requesting rezoning from **O&I** to **RRC** for a multifamily residential in Land Lots 949, 978, and 979 of the 17th District. Located on the southwesterly side of Cobb Parkway, northwest of Riverview Parkway (3200 South Cobb Parkway). The Planning Commission recommends approval of Z-56 to the **RRC** zoning district, subject to:

1. Site Plan received by the Zoning Division on August 1, 2024 (attached and made a part of these minutes), with the District Commissioner approving minor modifications, or if unavailable, the County Chair
2. The final elevations to be approved by the District Commissioner, or if unavailable, the County Chair
3. Variance stated in the Zoning comments and recommendations
4. All dumpsters shall be enclosed and on separate pads
5. All signage shall be ground based monument signage
6. All units shall be fit out with a standard consistent with neighboring Class A multifamily properties
7. Fire Department comments and recommendations
8. Department of Transportation comments and recommendations
9. Water and Sewer Division comments and recommendations
10. Stormwater Management Division comments and recommendations
11. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on October 15, 2024

Z-58⁽²⁰²⁴⁾ **DEONDRE GAY** (Atlanta Neighborhood Development Partnership, Inc., owner) requesting rezoning from **R-20** to **RA-6** for townhome condominiums in Land Lot 189 of the 18th District. Located on the south side of Community Road, east of Mableton Parkway (351 Community Road). Staff recommends approval to the RA-6 zoning district subject to:

1. Revised site plan dated July 26, 2024, with the District Commissioner approving the final site plan;
2. District Commissioner to approve the final building elevations and landscape plan;
3. Variances approved as listed in the Zoning Division comments;
4. Cobb DOT comments;
5. Stormwater Management Division comments and recommendations;
6. Fire Department comments and recommendations; and
7. Water and Sewer Division comments and recommendations.

LUP-29⁽²⁰²⁴⁾ **GRECHELL CHAVARRIA** (Koyman Eladio Mazariegos Reyes, owner) requests a Temporary Land Use Permit (**RENEWAL**) to allow a landscape business and related vehicle parking in Land Lot 626 of the 19th District. Located on the south side of Milford Church Road, across from Farmington Drive (1487 Milford Church Road). To recommend approval of LUP-29 for **24 months**, subject to:

1. Applicant allowed to park two trucks and one trailer inside the fenced area
2. Applicant allowed to have two employees
3. Hours of operation to be from 8 a.m. until 5 p.m. during the weekdays
4. No weekend hours
5. Employees' parking shall be behind the fenced area *only*
6. No landscape debris or other materials stored or contained on the trucks overnight
7. No outdoor storage
8. No chipping or grinding of any landscape materials on-site
9. The fence shall be maintained by the current and future property owner
10. Fire Department comments and recommendations
11. Stormwater Management Division comments and recommendations
12. Department of Transportation comments and recommendations
13. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on October 15, 2024

LUP-32⁽²⁰²⁴⁾ DATHAN JOHNSON (Dathan J. Johnson and Marie L. Johnson, owners) requests a Temporary Land Use Permit (**RENEWAL**) for a pet dealer in Land Lots 769 and 770 of the 19th District. Located on the east side of Shadyside Road, north of Hurt Road (3319 Shadyside Road). To recommend approval of LUP-32 for **24 months**, subject to:

1. **Maximum of one customer per week on-site**
2. **Maximum of 15 dogs on the property**
3. **Maximum of three litters per year**
4. **Stormwater Management Division comments and recommendations**
5. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on October 15, 2024**

LUP-33⁽²⁰²⁴⁾ WORD OF FAITH FAMILY WORSHIP CENTER, INC. (Word of Faith Family Worship Center, Inc., owners) requests a Temporary Land Use Permit (**RENEWAL**) for a daycare facility in Land Lots 697 and 698 of the 18th District. Located on the west side of Riverside Parkway, and on the north side of The Bluffs (7680 The Bluffs). To recommend approval of LUP-33 for **24 months**, subject to:

1. **Department of Transportation approved traffic circulation plan**
2. **Department of Transportation comments and recommendations**
3. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on October 15, 2024**

LUP-34⁽²⁰²⁴⁾ MIELKE WAY MANOR, LLC (Gordy Property Group, LLC, owner) requests a Temporary Land Use Permit (**RENEWAL**) to allow a family farm, wildlife sanctuary, event center, and educational facility in Land Lot 710 of the 19th District. Located on the south side of Pair Road, east of Sasanqua Lane (1901 Pair Road). To recommend approval of LUP-34 for **24 months**, subject to:

1. **Site Plan dated July 25, 2024 (on file with Zoning Division)**
2. **Letter of agreeable conditions from Adam Rozen dated October 30, 2023, *not otherwise in conflict* (on file in the Zoning Division)**
3. **Shared parking agreement dated November 19, 2023, with the Trinity Baptist Church of Smyrna, Inc. and Mielke Way, LLC, *not otherwise in conflict* (on file in the Zoning Division)**
4. **No parking on the right-of-way; all parking must be on approved parking area**
5. **No exterior signs**
6. **Fire Department comments and recommendations**
7. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on October 15, 2024**

OTHER BUSINESS CASES

ITEM OB-59-2024

To consider amending the site plan and stipulations for Stephen N. Bennett regarding rezoning application 101 of 1982. The property is located at the west side of New South Drive, south of Piedmont Road in Land Lots 564 of the 16th District (2785 New South Drive). Staff recommends approval subject to:

1. Site Plan Review comments;
2. Water and Sewer comments;
3. Fire Department comments;
4. Cobb DOT comments; and
5. Site plan received by the Zoning Division August 22, 2024.

ITEM OB-61-2024

To consider a reduction of required minimum public road frontage from 75-feet to 0-feet and a reduction of minimum house size from 1350 square-feet to 928 square-feet for Sharon and Reuben Murray. The property is located on the south side of Moon Road, east of Moon Cabin Drive in Land Lot 603 of the 19th District (Behind 4867 Moon Road). Staff recommends approval subject to:

1. Water and Sewer comments;
2. Fire Department comments;
3. Cobb DOT comments; and
4. Variances for lot size and house size are approved.

ITEM OB-62-2024

To consider a reduction of required minimum public road frontage from 75-feet to 40-feet for Scott Baughman. The property is located on the north end of Waits Drive, north of Carol Lane in Land Lot 184 of the 17th District (5241 Waits Drive). Staff recommends approval subject to:

1. Fire Department comments;
2. Cobb DOT comments, except recommendation #3; and
3. Variance for lot frontage reduction to 40-feet is approved.

ITEM OB-65-2024

To consider installing more than one EV charging station on a residential property for EnviroSpark Energy Solutions representing Stonewall Condominium Association, Inc. The property is located on the east side of Cumberland Parkway, south of Cumberland Boulevard in Land Lots 882, 911, 912, 949 and 950 of the 17th District (Stonewall Drive). Staff recommends approval subject to:

1. Fire Department comments; and
2. Applicant may install EV charging stations at a rate of one charging station per building.

ITEM OB-66-2024

To consider a site plan amendment for Costco Wholesale Corporation regarding rezoning application Z-42 of 1996. The property located on the south side of Ernest Barrett Parkway, west of Interstate 75, and on the north side of Shiloh Valley Drive in Land Lots 650, 718 and 719 of the 16th District (645 Barrett Parkway). Staff recommends approval subject to:

1. Fire Department comments; and
2. Site plan received by the Zoning Division September 10, 2024.

ITEM OB-67-2024

To consider a reduction of required minimum public road frontage from 75-feet to 0-feet for Laura Green Born. The property is located on the east side of Old Mountain Road, south of Burnt Hickory Road in Land Lot 272 of the 20th District (826 Old Mountain Road). Staff recommends approval subject to:

1. Fire Department comments;
2. Cobb DOT comments; and
3. Variance for lot frontage reduction to 0-feet is approved.