

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
NOVEMBER 5, 2024
9:00 A.M.**

The Planning Commission Zoning Hearing was held on Tuesday, November 5, 2024, in the second-floor public meeting room of the David Hankerson Building, 100 Cherokee Street, Marietta, Georgia. Present and comprising a quorum of the Commission were:

Stephen Vault, Chairman
Michael Hughes, Vice Chairman
David Anderson
Fred Beloin – arrived at 9:04 a.m.
Christine Lindstrom

CALL TO ORDER – CHAIRMAN VAULT

Chairman Vault called the hearing to order at 9:03 a.m.

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 John Pederson, Zoning Division Manager, reviewed the hearing procedures and announced the following cases which were *withdrawn or continued*.

WITHDRAWN AND CONTINUED CASES

LUP-37 MARBEL ANGARITA (Marbel L. Angarita, owner) requesting a **Temporary Land Use Permit** to allow more vehicles and adults than the code allows in land lot 224 of the 17th district. Property is located on the northwest corner of Pair Street and Rebecca Drive (1424 Pair Street). ***WITHDRAWN WITHOUT PREJUDICE***

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 November 5, 2024, Planning Commission (PC) hearings until the December 3, 2024, PC hearing; therefore, was not considered at this hearing).***

Z-40 ELITE ENGINEERING (Aarish Group of Investment, LLC, owner) requesting rezoning from **GC** and **NS** to **GC** for a convenience store with fuel sales in land lot 296 of the 20th district. Property is located on the southwest side of Due West Road, northwest of Lisas Drive (3807 Due West Road). ***(Previously continued by Staff from the August 6, 2024, and September 3, 2024, Planning Commission (PC) hearings until the October 1, 2024, PC hearing; continued by the PC from the October 1, 2024, and November 5, 2024, PC hearings until the December 3, 2024, PC hearing; therefore, was not considered at this hearing).***

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WITHDRAWN AND CONTINUED CASES (CONT.)

- Z-44** **MANOR RESTORATIONS, LLC** (Zoe Christian Fellowship, Inc.; Dabney Partners, LLC, owners) requesting rezoning from **NRC** and **R-20** to **RM-8** for a townhome community in land lots 165, 166, and 180 of the 18th district. Property is located on the south side of Veterans Memorial Highway, on the west side of Queen Mill Road, and on the northwest and southeast side of Hickory Trail south of Veterans Memorial Highway, and on the south side of Blackhawk Trail (922 Veterans Memorial Highway, Queen Mill Road, 6001 Hickory Trail). *(Previously continued by Staff from the August 6, 2024, through the November 5, 2024, Planning Commission (PC) hearings until the December 3, 2024, PC hearing; therefore, was not considered at this hearing).*
- Z-63** **WHATABURGER RESTAURANTS, LLC** (West Village Associates, LLC, owner) requesting rezoning from **R-20** to **PVC** for a retail/restaurant in land lot 748 of the 17th district. Property is located on the south side of Atlanta Road, east of West Village Way and northwest of Pine Street (Atlanta Road). *(Continued by Staff from the November 5, 2024, Planning Commission (PC) hearing until the December 3, 2024, PC hearing; therefore, was not considered at this hearing).*
- Z-64** **LOST MTN BAPTIST CHURCH, INC.** (Lost Mountain Baptist Church, Inc., owner) requesting rezoning from **R-30** to **R-20** for a single-family residence in land lot 68 of the 19th district. Property is located on the east side of Holland Road, north of Old Dallas Road (1315 Holland Road). *(Continued by Staff from the November 5, 2024, Planning Commission (PC) hearing until the December 3, 2024, PC hearing; therefore, was not considered at this hearing).*
- LUP-41** **Maya Moore, as Trustee of The Maya Moore Declaration of Trust dated 07.20.2017** (Maya Moore, as Trustee of The Maya Moore Declaration of Trust dated 07.20.2017, owner) requesting a **Temporary Land Use Permit** for home occupation – dog training in land lot 395 of the 17th district. Property is located on the west side of Burdette Road, north of Pebblebrook Road (5480 Burdette Road). *(Continued by Staff from the November 5, 2024, Planning Commission (PC) hearing until the December 3, 2024, PC hearing; therefore, was not considered at this hearing).*
- Z-37** **BOSCO IKEAKANAM** (Sunrise GA Inc., owner) requesting rezoning from **R-20** to **O&I** for a doctor's office in land lot 1006 of the 19th district. Property is located on the west side of Austell Road, north of Drennon Avenue (4470 Austell Road). *(Previously held by the Planning Commission (PC) from the August 6, 2024, and September 3, 2024, PC hearings until the October 1, 2024, PC hearing; continued by the PC from the October 1, 2024, PC hearing until the November 5, 2024, PC hearing).*

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WITHDRAWN AND CONTINUED CASES (CONT.)

Z-37 BOSCO IKEAKANAM (CONT.)

Mr. Pederson presented the Applicant's request for a continuance of Z-37; thereafter, the following motion was made:

MOTION: Motion by Hughes, second by Anderson, to **continue** Z-37 until the December 3, 2024, Planning Commission Zoning Hearing.

VOTE: **ADOPTED** 5-0

Mr. Pederson made the following announcement and then read in 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.

CONSENT AGENDA

MOTION: Motion by Anderson, second by Lindstrom, to **approve** the Consent Agenda, *as presented.*

Z-60 PROBITY ONE, LLC (Probitry One, LLC, owner) requesting rezoning from **UVC** to **R-20** for a single-family home in land lot 859 of the 16th district. Property is located on the west side of Bells Ferry Road, north of Turner Road (Bells Ferry Road).

To recommend **approval** of Z-60 to the **R-20** zoning district, subject to:

- 1. Fire Department comments and recommendations**
- 2. Stormwater Management Division comments and recommendations**
- 3. Water and Sewer Division comments and recommendations**
- 4. Department of Transportation comments and recommendations**
- 5. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on November 19, 2024**

Z-61 NEW ERA HISPANIC SERVICES, INC. (Flores Painting & Remodeling, LLC, owner) requesting rezoning from **CF** to **NRC** for a professional office and contractor's office in land lot 702 of the 19th district. Property is located on the east side of Austell Road, north of Byers Drive (3065 Austell Road).

To recommend **approval** of Z-61 to the **NRC** zoning district, subject to:

- 1. Site Plan received by the Zoning Division on September 5, 2024 (on file in the Zoning Division), with the District Commissioner or, if unavailable, the County Chair approving minor modifications**

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CONSENT AGENDA (CONT.)

Z-61 NEW ERA HISPANIC SERVICES, INC. (CONT.)

2. *Professional Office and Specialized Contractor with a special exception use permitted*
3. No outdoor storage
4. Variance for parking on a non-hardened and treated surface as stated in the Zoning comments and recommendations
5. 10-foot landscape screening buffer and a six-foot solid wood or masonry privacy fence along eastern property line
6. Adherence to the Austell Road Design Guidelines
7. All refuse and designated recycling collection location facilities must be contained within completely enclosed facilities
8. Planning Department comments and recommendations
9. Fire Department comments and recommendations
10. Water and Sewer Division 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 November 19, 2024

LUP-38 CHELSEA HURST (Wade Hurst and Chelsea Hurst, owners) requesting a **Temporary Land Use Permit (RENEWAL)** for garden/crafts to sell at farmers markets in land lot 535 of the 16th district. Property is located on the west side of Missy Drive, north of Shelby Lane (2917 Missy Drive).

To recommend **approval** of LUP-38 for **24 months**, subject to:

1. **Adherence to all code requirements for customary home occupations, *not in conflict***
2. No sales from this location
3. No exterior signs
4. Department of Transportation comments and recommendations
5. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on November 19, 2024

CONSENT VOTE: **ADOPTED 5-0**

REGULAR AGENDA

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 northwest corner of Veterans Memorial Highway and Burrus Road (1558 Veterans Memorial Highway). *(Previously continued by Staff from the March 5, 2024, through the July 2, 2024, Planning Commission (PC) hearings until the August 6, 2024, PC*

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REGULAR AGENDA (CONT.)

Z-9 THOMAS OROK (CONT.)

hearing; held by the PC from the August 6, 2024, PC hearing until the September 3, 2024, PC hearing; continued by the PC from the September 3, 2024, PC hearing until the October 1, 2024, PC hearing; continued by Staff from the October 1, 2024, PC hearing until the November 5, 2024, PC hearing).

The public hearing was opened; Parks Huff 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 **deletion** of Z-9 to the **RA-5** zoning district, subject to:

- 1. Site Plan to be approved by the District Commissioner**
- 2. Density to be no more than five units per acre**
- 3. Letter of agreeable conditions from Parks Huff dated October 23, 2024 (on file in the Zoning Division)**
- 4. Allowance for private streets**
- 5. Landscape Plan to be approved by the District Commissioner that includes 10-foot landscape screening buffers adjacent to the residential property to the north and 20-foot landscape screening buffers adjacent to non-residential properties to the south, west, and east**
- 6. The proposed townhomes shall have a minimum of 1800 sq. feet of heated and cooled space**
- 7. The proposed townhomes shall be of Craftsman style and architecture and shall have exterior facades consisting of brick, stone, stacked stone, cedar shake shingles, board and batten, cementitious siding, or combinations thereof, with complementary accents**
- 8. The townhome units shall have two-car garages**
- 9. No garages within the proposed townhome community shall be converted into heated living space for units**
- 10. All garages shall be used primarily for parking of vehicles with only incidental storage that doesn't interfere with the parking of vehicles; such restriction shall be included in the Declaration of Covenants, Easements, and Restrictions**
- 11. Applicant agrees to recording and enforcement of the Declaration of Covenants, Easements, and Restrictions (Covenants) which shall contain covenants, rules, and regulations applicable to the proposed townhome community**

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REGULAR AGENDA (CONT.)

Z-9 THOMAS OROK (CONT.)

12. Additionally, in conjunction with the Covenants, the Applicant agrees to the creation of a mandatory homeowners' association (HOA) which shall be responsible for the upkeep and maintenance of the exterior of the units including roofs, entrances, entrance areas, signage, all common amenity areas, open space areas, exterior yard areas, general landscape areas, mail kiosk areas, detention areas, and the like within the community
13. All units within the proposed townhome community shall be for sale; there will be no more than a maximum of 10% of the units being leased at any one time; this restriction shall also be included in the Covenants
14. Entrance signage shall be a ground base monument-style signage and shall consist of brick, stone, stacked stone, or combinations thereof
15. The entrance landscaping shall be professionally designed, implemented, and maintained
16. Maintenance of the entrance area shall be by the mandatory HOA as set forth in the Covenants
17. Applicant agrees to establish and fund a separate account for the benefit of the future homeowners' association for purposes of future private street maintenance; prior to approval of the final plat, Applicant agrees to perform a third-party street maintenance reserve study, subject to review and approval by the Cobb County Department of Transportation, and Applicant shall fund the private street maintenance reserve fund with the prescribed amount as determined in the reserve study
18. Department of Transportation comments and recommendations
19. Fire Department comments and recommendations
20. Stormwater Management Division comments and recommendations
21. Water and Sewer Division comments and recommendations

VOTE: ADOPTED 5-0

At the call for Z-55 (Irma V. Palacios), the Applicant was not present and there was no opposition present. The case was put on hold to see if the Applicant could be contacted. The case was heard later in the hearing (see page 7 of these minutes).

OSC-1 POSTON PROPERTIES, INC. (Luciel Marie F. Murphy, Trustee of the Luciel Marie F. Murphy Living Trust, Dated January 3, 2024, owner) requesting rezoning from **R-30** to **R-30/OSC** for single-family residences in land lots 62 and 87 of the 19th district. Property is located on the west side of Midway Road, south of Dallas Highway (636 Midway Road).

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REGULAR AGENDA (CONT.)

OSC-1 POSTON PROPERTIES, INC. (CONT.)

The public hearing was opened; Kevin Moore, Carter Ransom, Ryan Fuquera, Susan Heuke, and Romey Schwieterman addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Beloin, second by Lindstrom, to **hold** OSC-1 until the December 3, 2024, Planning Commission Zoning Hearing.

VOTE: **ADOPTED 5-0**

Chairman Vault called for a brief recess from 10:41 a.m. until 10:51 a.m.

Following the recess, Mr. Pederson announced that due to a scheduling conflict with the Applicant's representative, Z-65 (Trejo Soccer Academy, LLC) was heard next.

Z-65 TREJO SOCCER ACADEMY, LLC (Om Investments International Ltd., owner) requesting rezoning from **LRO** to **CRC** for a commercial indoor recreation and assembly in land lot 107 of the 17th district. Property is located on the north side of Lions Club Drive, north of Veterans Memorial Highway (560 Lions Club Drive).

The public hearing was opened; Adam Rozen 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 **approval** of Z-65 to the **CRC** zoning district, subject to:

- 1. Staff comments and recommendation included in the Zoning Analysis**
- 2. November 4, 2024 email correspondence from Adam Rozen containing said stipulations (on file in the Zoning Division)**
- 3. Property shall revert back to its original zoning should a Certificate of Occupancy not be granted within 12 months**

VOTE: **ADOPTED 5-0**

Chairman Vault called for a lunch recess at 11:48 a.m.; the hearing reconvened at 1:00 p.m.

Following the lunch recess, the Applicant for Z-55 (Irma V. Palacios) was present; therefore, Z-55 was heard next.

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REGULAR AGENDA (CONT.)

Z-55 **IRMA V. PALACIOS** (Irma Vanessa Palacio Garza, owner) requesting rezoning from **CF** to **R-12** for a single-family residence in land lots 278 and 299 of the 17th district. Property is located on the northwest corner of South Cobb Drive and Waldrep Circle, north of Dink Lane (1883 Waldrep Circle). *(Continued by the Planning Commission (PC) from the October 1, 2024, PC hearing until the November 5, 2024, PC hearing).*

The public hearing was opened; Paul (translator for the Applicant) and Irma V. Palacios addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Anderson, second by Hughes, to recommend **approval** of Z-55 to the **R-12** zoning district, subject to:

1. **Single-family residential use *only***
2. **The existing shed for personal storage use *only***
3. **Submission of a modified Site Plan showing a reduction of existing impervious area within 60 days to the District Commissioner or, if unavailable, the County Chair, with work to begin within 30 days of Commissioner approval**
4. **Setback variances *only* as stated in the Zoning comments and recommendations**
5. **Fire Department comments and recommendations**
6. **Water and Sewer Division comments and recommendations**
7. **Stormwater Management Division comments and recommendations**
8. **Department of Transportation comments and recommendations**
9. **Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on November 19, 2024**

VOTE: **ADOPTED 5-0**

Z-59 **MAYNOR S. GOMEZ RAMIREZ** (GS Home Solutions, LLC and DMPS Builders, LLC, owner) requesting rezoning from **PSC** to **LI** for an office and warehouse in land lot 59 of the 17th district. Property is located on the northeast corner of Austell Road and Brackett Street (2291 Austell Road).

The public hearing was opened, and Pete Bilson addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Anderson, second by Hughes, to recommend **deletion** of Z-59 to the **NRC** zoning district, subject to:

1. **The District Commissioner or, if unavailable, the County Chair to approve the final Site Plan**
2. **Variances as stated in the Zoning comments and recommendations**

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REGULAR AGENDA (CONT.)

Z-59 MAYNOR S. GOMEZ RAMIREZ (CONT.)

3. Adherence to the Austell Road Design Guidelines, specific to Building Improvements
4. Billboard signage to be ground-based
5. Final elevations to be approved by the District Commissioner
6. Cleanup of the property within 60 days of approval by the Board of Commissioners
7. Work vehicles to be parked in the rear or inside the building (not in the front)
8. Use restrictions (*uses* not permitted) include the following: emissions or inspection stations and light automobile repair establishments
9. Fire Department comments and recommendations
10. Water and Sewer Division 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 November 19, 2024

VOTE: **ADOPTED** 5-0

Z-62 SCOTT MOORE (C. E. R. Williamson, Jr. and Kelly Williamson, owners) requesting rezoning from **NS** to **LRC** for a hair salon in land lot 160 of the 20th district. Property is located on the southeast corner of Jim Owens Road and Acworth Due West Road (4205 Jim Owens Road).

Prior to opening the public hearing, Mr. Beloin recused himself from this case. The public hearing was opened, and Gerald Tirella addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Lindstrom, second by Hughes, to recommend approval of Z-62 to the LRC zoning district, subject to:

1. Business licenses shall be applied for within 30 days of the Board of Commissioners approval
2. The floor plan shall be an open concept with no services provided behind a closed door or obstructed view
3. The second floor to be used for office space or storage *only*. No client service
4. Customers must be able to see all the way to the back where the restrooms, washing machine and dryers are located
5. There shall be one room with a curtain or sliding door to be used by the client to change into a cape provided by the salon

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REGULAR AGENDA (CONT.)

Z-62 SCOTT MOORE (CONT.)

6. No tinted windows to be allowed; east or west sides of the building may have shades to be adjusted throughout the day to address potential glare from sunlight; no spa-type amenities, i.e., no facial or massages allowed
7. This property is site plan zoned and to be specifically used for a hair salon *only*; any other service must be approved by the Board of Commissioners
8. Signage shall be ground-based monument-style, with brick, stacked stone, and other materials compatible with the architecture of the building; there shall be no neon or other electronic signage located on the building or windows
9. All staff recommendations are to be adhered to when not in conflict with these stipulations

VOTE: FAILED 1-3, Vault, Anderson, and Hughes opposed, and Beloin recused

Due to the failed motion for Z-62, Mr. Anderson made the following alternative motion:

MOTION: Motion by Anderson, second by Hughes, to recommend **approval** of Z-62 to the LRC zoning district, subject to:

1. **Site Plan received by the Zoning Division on September 5, 2024 (on file in the Zoning Division)**
2. **Salon use *only***
3. **Fire Department comments and recommendations**
4. **Stormwater Management Division comments and recommendations**
5. **Water and Sewer Division comments and recommendations**
6. **Department of Transportation comments and recommendations**
7. **No outdoor storage**
8. **No outdoor display of merchandise**
9. **District Commissioner to approve final signage plan**

VOTE: **APPROVED** 3-1, Vault opposed and Beloin recused

LUP-35 LATRICE WEST (Latrice West and Durell J. Holford, owners) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 206 of the 16th district. Property is located on the south side of Alison Jane Drive, across from Alison Jane Lane (4312 Alison Jane Drive).

The public hearing was opened; Latrice West, Olivia Nightingale, and Louis Hernandez addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

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REGULAR AGENDA (CONT.)

LUP-35 LATRICE WEST (CONT.)

MOTION: Motion by Lindstrom, second by Beloin, to recommend approval of LUP-35, subject to:

1. Approval for five cars to be parked in the driveway
2. Applicant to remove two extra vehicles within 30 days
3. Applicant to come into compliance within 60 days with the removal of the fifth vehicle

Prior to the vote, Ms. Lindstrom withdrew her original motion for LUP-35 and made the following substitute motion:

MOTION: Motion by Lindstrom, second by Beloin, to **hold** LUP-35 until the December 3, 2024, Planning Commission Zoning Hearing.

VOTE: **ADOPTED 5-0**

LUP-36 JOSE P. GARCIA (Jose P. Garcia Medina, owner) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 672 of the 16th district. Property is located on the west side of Spear Point Trail, north of Spear Point Drive (2309 Spear Point Trail).

The public hearing was opened, and Johan Garcia addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Lindstrom, second by Anderson, to **hold** LUP-36 until the December 3, 2024, Planning Commission Zoning Hearing.

VOTE: **ADOPTED 5-0**

Chairman Vault called for a brief recess from 2:59 p.m. until 3:11 p.m.

LUP-39 JULIUS C. SEYMOUR (Julius Craig Seymour and Carol Marie Seymour, owners) requesting a **Temporary Land Use Permit** to allow more vehicles parked outside than the code allows in land lot 1106 of the 19th district. Property is located on the northeast side of Chanta Lane, west of Hill Road (5708 Chanta Road).

At the call for LUP-39, the Applicant was not present, and there was no opposition present. Mr. Pederson announced that due to a prior appointment, the Applicant had to leave the hearing and asked that Mr. Pederson explain to the Planning Commission what he (the Applicant) has done to resolve the issues cited on his Notice of Violation from Code Enforcement. The Applicant was cited for having a camper, trailer, boats, and six cars parked

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REGULAR AGENDA (CONT.)

LUP-39 JULIUS C. SEYMOUR (CONT.)

outside on his property. The Applicant has removed the camper, trailer, and boats from the property and would like permission to park the six cars on his property. His house has two different driveways, and he would like to park three cars on each driveway and agreed to no parking on the street. Further discussion ensued, and the following motion was made:

MOTION: Motion by Hughes, second by Beloin, to **hold** LUP-39 until the December 3, 2024, Planning Commission Zoning Hearing.

VOTE: **ADOPTED 5-0**

LUP-40 LUCAS A DOS SANTOS ARAUJO (Lucas A. Dos Santos Araujo, owner) requesting a **Temporary Land Use Permit** to allow more vehicles parked outside and more business vehicles than the code allows in land lot 594 of the 16th district. Property is located on the west side of Bob Bettis Road, north of Piedmont Road (2677 Bob Bettis Road).

The public hearing was opened, and Lucas A. Dos Santos Araujo addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Lindstrom, second by Beloin, to recommend **approval** of LUP-40, subject to:

1. Approval of five vehicles for 60 days

Prior to the vote, Ms. Lindstrom withdrew her original motion for LUP-40 and made the following substitute motion:

MOTION: Motion by Lindstrom, second by Beloin, to **hold** LUP-40 until the December 3, 2024, Planning Commission Zoning Hearing.

VOTE: **ADOPTED 5-0**

OTHER BUSINESS

O.B. 1 To conduct a public hearing and consider a recommendation to the Board of Commissioners regarding the November 2024 *proposed* code amendments for Chapter 134 of the Official Code of Cobb County.

Mr. Pederson provided information regarding the *proposed* amendments. A copy of the draft *November 2024 Code Amendments, Part I – Chapter 134 - Package II – Version 1* document is on file in the County Clerk's Office.

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OTHER BUSINESS (CONT.)

O.B. 1 (CONT.)

The public hearing was opened, and six speakers addressed the Planning Commission. Once the public hearing was closed, the Planning Commission discussed each *proposed* amendment and then made a motion on each amendment separately.

134-1. Definition of “Family”

MOTION: Motion by Beloin, second by Anderson, to recommend approval of the revised definition of “Family” by including the “or guardianship” language, restoring the stricken language, and after, “...sisters,” to include “nieces, nephews, and fiancés.”

Prior to the vote, Mr. Beloin withdrew his motion, and the following motion was made:

MOTION: Motion by Lindstrom, second by Beloin, to recommend approval of the revised definition of “Family” by including the “or guardianship” language and restoring the stricken language.

VOTE: FAILED 2-3, Vault, Anderson, and Hughes opposed

Due to the failed motion, Mr. Anderson made the following alternative motion:

MOTION: Motion by Anderson, second by Hughes, to recommend approval of the revised definition of “Family” by restoring the stricken language, to include the “or guardianship” language, and after, “...sisters”, to include “nieces, nephews, and/or fiancés.”

VOTE: **ADOPTED** 3-2, Beloin and Lindstrom opposed

134-1. Definition of “Impervious surface”

MOTION: Motion by Hughes, second by Lindstrom, to recommend approval of the revised definition of “Impervious surface” to include the following language, *as written*, “Calculations for the percentage of impervious surface shall be made on an individual lot by lot basis, not in the aggregate for a community of lots (i.e. subdivision).”

VOTE: **ADOPTED** 5-0

134-1. Definition of “Single-family dwelling unit”

MOTION: Motion by Beloin, second by Anderson, to recommend approval of the revised definition of “Single-family dwelling unit” *as written with the*

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OTHER BUSINESS (CONT.)

O.B. 1 (CONT.)

134-1. Definition of “Single-family dwelling unit” (cont.)

exception of striking the following added language, “~~One single family dwelling unit shall include the primary structure and may include up to one accessory dwelling unit.~~”

VOTE: **ADOPTED** 5-0

134-1. Definition of “Accessory dwelling unit (ADU)”

MOTION: Motion by Beloin, second by Lindstrom, to recommend denial to adding the definition of “Accessory dwelling unit (ADU)” to the code.

VOTE: **FAILED** 2-3, Vault, Anderson, and Hughes opposed

Due to the failed motion, Mr. Anderson made the following alternative motion:

MOTION: Motion by Anderson, second by Hughes, to recommend approval of adding the definition of “Accessory dwelling unit (ADU)”, *as written*, to the code.

VOTE: **ADOPTED** 3-2, Beloin and Lindstrom opposed

134-37. Special land use permits

MOTION: Motion by Hughes, second by Lindstrom, to recommend approval of the revised language for 134-37(31)(e), *as written*, which increases the required landscape screening buffer for clubs and lodges (noncommercial) abutting residential property line from 35 to **50** feet.

VOTE: **ADOPTED** 5-0

134-37(35). Accessory dwelling units (ADU)

MOTION: Motion by Lindstrom, second by Beloin, to recommend denial of adding section 134-37(35) Accessory dwelling units (ADU) to the county code.

VOTE: **FAILED** 2-3, Vault, Anderson, and Hughes opposed

Due to the failed motion, Mr. Beloin made the following alternative motion:

MOTION: Motion by Beloin, second by Lindstrom, to recommend denial of adding section 134-37(35) Accessory dwelling units (ADU) to the county code.

VOTE: **ADOPTED** 5-0

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OTHER BUSINESS (CONT.)

O.B. 1 (CONT.)

134-37(35). Accessory dwelling units (ADU) (cont.)

Clerk's Note: *The Planning Commission requested more study on this proposed code section, specifically the following:*

1. *Include a minimum lot size*
2. *Reduce the ambiguity in proposed section 134-37(35)(b)*
3. *Analysis of LUPs over the past few years to understand the requests that have come forward, i.e., those involving children, caregivers, etc. so that these can be factored in*

134-193 through 199 (as it relates to ADU)

MOTION: Motion by Beloin, second by Lindstrom, to recommend **denial** of amending sections 134-193 through 199 as it pertains to ADUs.

VOTE: **ADOPTED 5-0**

134-94. Powers (as it relates to the Board of Zoning Appeals)

MOTION: Motion by Beloin, second by Anderson, to recommend **approval**, *as written*, by removing section 134-94(a)(4) regarding making recommendations to the BOC regarding variances for road frontage or lot size reductions to reflect current practice.

VOTE: **ADOPTED 5-0**

134-123. Action by planning commission

MOTION: Motion by Beloin, second by Hughes, to recommend **approval**, *as written*, which adds the language, **deletion to an alternative zoning district**, as an option for recommendations of the planning commission.

VOTE: **ADOPTED 5-0**

134-266. Gasoline pumps/electric car charging station(s) and canopies

MOTION: Motion by Hughes, second by Anderson, to recommend **approval**, *as written*, which allows for more electric car charging stations in multifamily developments.

VOTE: **ADOPTED 5-0**

134-271. Special exceptions

MOTION: Motion by Hughes, second by Lindstrom, to recommend **approval**, of the revised language, *as written*, which increases the required landscape screening buffer for places of worship abutting residential property line from 35 to **50** feet.

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OTHER BUSINESS (CONT.)

O.B. 1 (CONT.)

134-271. Special exceptions (cont.)

VOTE: ADOPTED 5-0

APPROVAL OF MINUTES

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

October 1, 2024 – Planning Commission Zoning Hearing

VOTE: ADOPTED 5-0

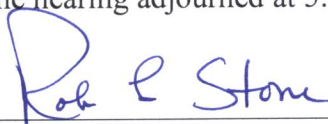
MOTION: Motion by Hughes, second by Lindstrom, to **approve** the following minutes, *as submitted*:

October 28, 2024 – Special Called Meeting/Agenda Review Work Session

VOTE: ADOPTED 5-0

ADJOURNMENT

The hearing adjourned at 5:16 p.m.



Robin L. Stone, Deputy County Clerk
Cobb County Planning Commission