

**MINUTES OF ZONING HEARING
COBB COUNTY PLANNING COMMISSION
APRIL 1, 2025
9:00 A.M.**

The Planning Commission Zoning Hearing was held on Tuesday, April 1, 2025, 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
Fred Beloin
Christine Lindstrom

Michael Hughes, Vice Chairman – not present

CALL TO ORDER – CHAIRMAN VAULT

Chairman Vault called the hearing to order at 9:07 a.m.

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

CONTINUED AND HELD CASES

- Z-2²⁴** **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 February 4, 2025, Planning Commission (PC) hearings until the May 6, 2025, PC hearing; therefore, was not considered at this hearing).*
- Z-68²⁴** **SAKSS AUSTELL, LLC** (Robert Alan Plott and Donna Dickson Plott and Yonas Bayou, owners) requesting rezoning from **R-20** to **NRC** for a convenience store with fuel sales, retail, and drive through restaurant in land lot 84 of the 17th district. Property is located on the west side of Austell Road, north of Chamberlain Circle (2096 and 2106 Austell Road). *(Previously continued by Staff from the December 3, 2024, and February 4, 2025, Planning Commission (PC) hearings until the March 4, 2025, PC hearing; held by the PC from the March 4, 2025, PC hearing until the May 6, 2025, PC hearing; therefore, was not considered at this hearing).*
- LUP-8** **ANGELA BENITEZ** (Hector A. Benitez and Angela Marina B. Escamilla, owners) requesting a **Temporary Land Use Permit** to allow more vehicles and adults than the code allows in land lot 478 of the 19th district. Property is located on the west side of Chamirey Drive, southwest of Callaway Road (1478 Chamirey Drive). *(Previously held by the Planning Commission (PC) from the March 4, 2025, PC hearing until the May 6, 2025, PC hearing; therefore, was not considered at this hearing).*

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CONTINUED AND HELD CASES (CONT.)

SLUP-2 **FREE BIRD COMMUNICATIONS, LLC** (Dixie L. Stretch and Donald G. Stretch, owners) requesting a **Special Land Use Permit** for a 185-foot communications tower in land lot 160 of the 20th district. Property is located on the northeast corner of Acworth Due West Road and Jim Owens Road (2516 Acworth Due West Road). *(Previously continued by Staff from the February 4, 2025, through the April 1, 2025, Planning Commission (PC) hearings until the May 6, 2025, PC hearing; therefore, was not considered at this hearing).*

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 Beloin, second by Lindstrom, to **approve** the Consent Agenda, *as presented.*

Z-6 **MASHONA COUNCIL** (Mashona Council, owner) requesting rezoning from **GC** to **R-12** for single-family residence in land lot 1207 of the 16th district. Property is located on the east side of Dogwood Drive, east of Nekoma Street (107 Dogwood Drive).

To recommend **approval** of Z-6 to the **R-12** zoning district, subject to:

- 1. Lot size reduction variance as stated in the Zoning comments and recommendations**
- 2. Department of Transportation comments and recommendations**
- 3. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on April 15, 2025**

Z-8 **WILLIAMSON PROPERTIES, LLC** (Williamson Properties, LLC, owner) requesting rezoning from **NRC** to **NRC** for a real estate office with storage in land lot 85 of the 16th district. Property is located on the northwest corner of Canton Road and Ecton Drive (4700 Ecton Drive).

To recommend **approval** of Z-8 to the **NRC** zoning district, subject to:

- 1. Site Plan received by the Zoning Division dated February 6, 2025 (on file in the Zoning Division)**

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CONSENT AGENDA (CONT.)

Z-8 WILLIAMSON PROPERTIES, LLC (CONT.)

2. Variances as stated in the Zoning comments and recommendations
3. Refuse and designated recycling collection location facilities must be contained within completely enclosed facilities
4. No outdoor storage of vehicle parts
5. No outdoor display of merchandise
6. Parking lot to be striped and all vehicles to be parked in striped parking spaces
7. Fire Department comments and recommendations
8. Stormwater Management Division comments and recommendations
9. Planning 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 April 15, 2025

LUP-13 SANDY CLOUGH (Sandra L. Clough and Richard C. Clough, owners) requesting a **Temporary Land Use Permit (Renewal)** to allow an artist's studio and the storage of art prints in land lot 336 of the 20th district. Property is located on the west side of Trail Road, north of the intersection of Trail Road and Midway Road (25 Trail Road).

To recommend **approval** of LUP-13 for **24 months**, subject to:

1. No signs
2. No on-street parking
3. No outdoor storage
4. Two seasonal employees *only*
5. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on April 15, 2025

CONSENT VOTE: **ADOPTED** 3-0, Hughes not present

REGULAR AGENDA

Clerk's Note: Due to the absence of Planning Commissioner Hughes, Chairman Vault handled the district 4 cases during the hearing.

Z-7 FORT & COLE STREET, LLC (Estate of Betty J. King (a/k/a Betty Hayes King) and Jerry Wayne Hayes, owners) requesting rezoning from **R-15** to **FST** for townhomes in land lot 639 of the 19th district. Property is located on the northwest corner of Powder Springs Road and Wood Meadows Drive (2318 Powder Springs Road).

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REGULAR AGENDA (CONT.)

Z-7 FORT & COLE STREET, LLC (CONT.)

The public hearing was opened; Kevin Moore and Travis McComb addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Vault, second by Beloin, to **hold** Z-7 until the May 6, 2025, Planning Commission Zoning Hearing.

VOTE: **ADOPTED** 3-0, Hughes not present

LUP-9 JOSE A. ESCARENA (Jose A. Escarena, owner) requesting a **Temporary Land Use Permit** to allow occupancy of an accessory structure in land lot 773 of the 19th district. Property is located on the south side of King Arthur Drive, west of Castle Way (3404 King Arthur Drive).

While the Applicant was being sworn in, he requested an interpreter. Since Cobb County does not provide interpreters for the Zoning hearings, the Planning Commission continued the case to May and requested the Applicant to provide his own interpreter.

MOTION: Motion by Vault, second by Beloin, to **continue** LUP-9 until the May 6, 2025, Planning Commission Zoning Hearing.

VOTE: **ADOPTED** 3-0, Hughes not present

LUP-10 JOSE R. MEDINA (Jose R. Medina and Eleuteria Diaz, owners) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 773 of the 19th district. Property is located on the west side of Sir Gallahad Drive, east of Corbin Place (1524 Sir Galahad Drive).

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

MOTION: Motion by Vault, second by Beloin, to recommend **approval** of LUP-10 for **24 months**, subject to:

- 1. Allow four adults**
- 2. Allow four cars to be parked outside on the driveway, and one additional car to be parked in the garage**

VOTE: **ADOPTED** 3-0, Hughes not present

Following the vote, discussion ensued, and the previous motion for LUP-10 was amended to include an additional stipulation.

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REGULAR AGENDA (CONT.)

LUP-10 JOSE R. MEDINA (CONT.)

MOTION: Motion by Vault, second by Lindstrom, to **amend** the previous motion for LUP-10, to include the following stipulation:

3. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on April 15, 2025

VOTE: **ADOPTED** 3-0, Hughes not present

LUP-11 RICHARD GONZALEZ (Otoniel Gonzalez, owner) requesting a **Temporary Land Use Permit (Renewal)** to allow more vehicles than the code allows in land lot 795 of the 19th district. Property is located on the north side of Hopkins Court, east of Hopkins Road (3450 Hopkins Court).

At the call for LUP-11, the Applicant was not present; therefore, the following motion was made to continue the case:

MOTION: Motion by Vault, second by Beloin, to **continue** LUP-11 until the May 6, 2025, Planning Commission Zoning Hearing.

VOTE: **ADOPTED** 3-0, Hughes not present

LUP-12 JONATHAN MARTIN (Juan Castaneda, owner) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 307 of the 17th district. Property is located on the southeast corner of Norton Circle and Orrin Drive (340 Norton Circle).

At the call for LUP-12, the Applicant was not present; therefore, the following motion was made to continue the case:

MOTION: Motion by Vault, second by Beloin, to **continue** LUP-12 until the May 6, 2025, Planning Commission Zoning Hearing.

VOTE: **ADOPTED** 3-0, Hughes not present

LUP-14 NORDIA WRIGHT-AGNANT (Thankful Baptist-Kennesaw, Inc., owners) requesting a **Temporary Land Use Permit** for a church and social adult club for seniors in land lot 256 of the 20th district. ~~Property is located on the west side of Chamirey Drive, southwest of Callaway Road (1478 Chamirey Drive).~~ **Property is located on the southeast side of Kennesaw Due West Road, south of Frank Kirk Road (928 Kennesaw Due West Road).**

Clerk's Note: The incorrect address for the property was inadvertently read into the record.

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REGULAR AGENDA (CONT.)

LUP-14 NORDIA WRIGHT-AGNANT (CONT.)

The public hearing was opened, and Nordia Wright-Agnant addressed the Planning Commission. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Beloin, second by Lindstrom, to recommend **approval** of LUP-14 for **24 months**, subject to:

- 1. Inclusion on the Consent Agenda for the Board of Commissioners' Zoning Hearing on April 15, 2025**

VOTE: **ADOPTED** 3-0, Hughes not present

APPROVAL OF MINUTES

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

March 4, 2025 – Planning Commission Zoning Hearing

VOTE: **ADOPTED** 3-0, Hughes not present

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

March 24, 2025 – Special Called Meeting/Agenda Review Work Session

VOTE: **ADOPTED** 3-0, Hughes not present

ADJOURNMENT

The hearing adjourned at 10:19 a.m.



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