

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
DECEMBER 16, 2025
9:00 A.M.**

The Board of Commissioners' Zoning Hearing was held on Tuesday, December 16, 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 Board were:

Lisa Cupid, Chairwoman
Commissioner Erick Allen – left the hearing at 2:05 p.m.
Commissioner JoAnn Birrell
Commissioner Keli Gambrell
Commissioner Monique Sheffield

CALL TO ORDER – CHAIRWOMAN CUPID

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

Mr. Pederson reviewed the hearing procedures and announced the following *withdrawn* cases.

LUP-48 **MAUREEN INGALLS** (Robert Earl Ingalls, Jr., and Maureen Carole Ingalls, Trustees of the Ingalls Family Trust dated March 24, 2022, and any amendments thereto, owners) requesting a **Temporary Land Use Permit** for an accessory dwelling unit in land lot 199 of the 20th district. Property is located on the south side of Autumn Chase Court, east of Old Stilesboro Road (3762 Autumn Chase Court). ***WITHDRAWN WITHOUT PREJUDICE***

O.B. 60 To consider a site plan and stipulation amendment for Lennar Georgia, LLC regarding rezoning application Z-114 of 2006. Property is located on the east side of Oakdale Road, the south side of Park Ave, and the west side of Beech Street in land lot 750 of the 17th district (4715 and 4725 Oakdale Road, 2142 Park Ave and 4712 Beech Street). (*Continued by Staff from the November 18, 2025, Board of Commissioners' (BOC) Zoning hearing until the December 16, 2025, BOC Zoning hearing.*) ***WITHDRAWN WITHOUT PREJUDICE***

O.B. 69 To consider a reduction of lot size from 20,000 square-feet to 15,000 square-feet for lot 1 and lot 2, and setback variances for Nichelle Bell. Property is located at the southwest corner of Shallowford Road and Mountain Trace in land lot 101 of the 1st district (4792 Shallowford Road). ***WITHDRAWN WITHOUT PREJUDICE***

SLUP-6 **TATIANA MARK** (Steven Mark, as Trustee of the Tatiana Mark Trust, owner) requesting a **Special Land Use Permit** for a noncommercial club in land lots 339 and 340 of the 19th district. Property is located off a private easement on the east side of John Ward Road, north of Wilshire Drive (1651 John Ward Road). ***WITHDRAWN WITHOUT PREJUDICE***

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WITHDRAWN CASES (CONT.)

O.B. 63 To consider a site plan and stipulation amendment for Oak Homes Development, LLC regarding rezoning application Z-50 of 2006. Property is located on the north side of Fort Drive, east side of Oakdale Road, and on the west side of I-285 in land lot 763 of the 17th district (2275 Fort Drive). *(Continued by Staff from the December 16, 2025, Board of Commissioners' (BOC) Zoning hearing until the February 17, 2026, BOC Zoning hearing; therefore, was not considered at this hearing).*

Mr. Pederson presented the Applicant's request to withdraw O.B. 63 without prejudice; thereafter, the following motion was made:

MOTION: Motion by Allen, second by Gambrill, to **allow** O.B. 63 to be *withdrawn without prejudice*.

VOTE: **ADOPTED** 5-0

Z-32 **LENNAR GEORGIA, LLC** (Nonprofit Building and Assets, Inc., owner) requesting rezoning from **R-20** to **RM-8** for a townhome community in land lots 229 and 230 of the 17th district. Property is located on the east side of Olive Springs Road, across from Gladstone Drive (2237 Olive Springs Road).

Mr. Pederson presented the Applicant's request to withdraw Z-32 without prejudice; thereafter, the following motion was made:

MOTION: Motion by Allen, second by Gambrill, to **allow** Z-32 to be *withdrawn without prejudice*.

VOTE: **ADOPTED** 5-0

Clerk's Note: *The continued and held (not to be heard) cases were read in later in the hearing (see page 7 of these minutes).*

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

All information regarding zoning cases must be turned into 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.

Due to the volume of people in attendance for SLUP-7 (Mt. Bethel Christian Academy, Inc.), the request was made to move SLUP-7 up on the agenda and hear that case first after reading in the Consent Agenda. Discussion ensued, and the following motion was made:

MOTION: Motion by Cupid, second by Birrell, to **move** SLUP-7 up on the agenda to be heard first following the Consent Agenda (see page 8 for SLUP-7).

VOTE: **ADOPTED** 4-1, Sheffield opposed

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CONSENT AGENDA

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

Z-26 **SCOTT MOORE** (C. E. R. Williamson, Jr. and Kelly Williamson, owner) 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). *(Previously held by the Planning Commission (PC) from the November 4, 2025, PC hearing until the December 2, 2025, PC hearing).*

To **approve** Z-26 to the **LRC** zoning district, subject to:

1. Letter of agreeable conditions from Kevin Moore dated December 1, 2025 (attached and made a part of these minutes)
2. Additional diagrams showing the interior design presented by Kevin Moore at the December 2, 2025, Planning Commission hearing (attached and made a part of these minutes)
3. No dumpsters on the property
4. Staff comments and recommendations

Z-30 **OSCAR ESCARCEGA** (Oscar Escarcega, owner) requesting rezoning from **R-20** to **R-15** for a lot split in land lot 1136 of the 16th district. Property is located on the northeast side of Wildwood Road, north of Dewberry Trail (1638 Wildwood Road).

To **delete** Z-30 to the **R-20** zoning district, subject to:

1. Allow a variance on the new lot sizes as shown on the Site Plan
2. Site Plan received by the Zoning Division on October 2, 2025 (attached and made a part of these minutes)

Z-33 **ROMUSA PROPERTIES, LLC** (Romusa Properties, LLC, owner) requesting rezoning from **R-20** to **RSL** for a residential senior living in land lot 494 of the 19th district. Property is located at the southwest intersection of West Sandtown Road and Macland Road (2260 and 2845 West Sandtown Road).

To **approve** Z-33 to the **RSL** zoning district, subject to:

1. *Revised* Site Plan received by the Zoning Division on November 10, 2025 (attached and made a part of these minutes), with District Commissioner approving minor modifications
2. Letter of agreeable conditions from Kevin Moore dated November 24, 2025, (attached and made a part of these minutes), with the following changes:

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CONSENT AGENDA (CONT.)

Z-33 ROMUSA PROPERTIES, LLC (CONT.)

- A. Item No. 8 – Add to the end: *“Landscape lighting at the entrance signage shall be hard wired.”*
- B. Item No. 11 – Add to the end: *“The reserve funding for the private roads shall be submitted prior to issuance of the final certificate of occupancy.”*
- 3. Maximum density of five units per acre
- 4. No variance for impervious surface
- 5. Final elevations to be approved by District Commissioner
- 6. Planning Division comments and recommendations
- 7. Fire Department comments and recommendations
- 8. Stormwater Management Division comments and recommendations
- 9. Water and Sewer Division comments and recommendations
- 10. Department of Transportation comments and recommendations
- 11. Staff comments and recommendations, *not otherwise in conflict*

LUP-38 JOSE CHAVEZ (Jose S. Chavez, owner) requesting a **Temporary Land Use Permit** to allow more adults and vehicles than the code allows in land lot 127 of the 17th district. Property is located on the south side of Old Carriage Drive, east of Shay Drive (2871 Old Carriage Drive). *(Previously held by the Planning Commission (PC) from the October 7, 2025, PC hearing until the December 2, 2025, PC hearing).*

To approve LUP-38 for **12 months**, subject to:

- 1. Approval for one additional unrelated adult

LUP-46 KAREN GOODEN (Edward J. Gooden and Karen L. Gooden, owners) requesting a **Temporary Land Use Permit (Renewal)** to allow an in-house hair salon in land lots 622 and 637 of the 19th district. Property is located at the terminus of Foxcroft Court, east of Valley Brook Drive (1910 Foxcroft Court).

To approve LUP-46 for **24 months**, subject to:

- 1. Hours of operation shall be from 10:00 a.m. until 7:00 p.m., Monday, Thursday, and Friday *only*
- 2. All parking to be on a hardened surface
- 3. Applicant to be the *only* employee; no independent contractors
- 4. Staff comments and recommendations, *not otherwise in conflict*

LUP-47 WEST COBB OFFICE INVESTORS, LLC (West Cobb Office Investors, LLC, owner) requesting a **Temporary Land Use Permit (Renewal)** for a dance studio in land lot 241 of the 20th district. Property is located on the west side of Kennesaw Due West Road, south of the convergence of Kennesaw Due West Road and Stilesboro Road (1483 Kennesaw Due West Road).

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CONSENT AGENDA (CONT.)

LUP-47 WEST COBB OFFICE INVESTORS, LLC (CONT.)

To **approve** LUP-47 for **24 months**, subject to:

- 1. If the *dance studio use* is discontinued, then the Land Use Permit (LUP) ceases**
- 2. Planning Division comments and recommendations**
- 3. Department of Transportation comments and recommendations**

LUP-50 MARLENE GRAHAM (Marlene Graham and Clenton Dayes, owners) requesting a **Temporary Land Use Permit (Renewal)** for a personal care home in land lot 561 of the 16th district. Property is located on the north side of Piedmont Road, west of Shaw Road (1371 Piedmont Road).

To **approve** LUP-50 for **24 months**, subject to:

- 1. Site Plan received by the Zoning Division on September 22, 2025 (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**

OTHER BUSINESS

O.B. 51 To consider a site plan amendment for BRKI, LLC regarding rezoning applications 223 of 1988 and Z-95 of 1990. Property is located on the east side of Sandy Plains Road, north of Gordy Parkway in land lots 333 and 334 of the 16th district (3618 Sandy Plains Road). *(Previously continued by the Board of Commissioners (BOC) from the October 21, 2025, and November 18, 2025, BOC Zoning hearings until the December 16, 2025, BOC Zoning hearing).*

To **approve** O.B. 51, subject to:

- 1. Site Plan dated September 10, 2025, with the District Commissioner approving minor modifications (attached and made a part of these minutes)**
- 2. Letter of agreeable conditions from Parks Huff dated December 9, 2025 (attached and made a part of these minutes)**
- 3. The Landscape Plan, Signage Plan and Lighting Plan to be approved by District Commissioner, with recommendations from the ACC (Architectural Control Committee) committee and approval by the County Arborist, prior to a building permit being issued**
- 4. Fire Department comments and recommendations contained in the Other Business packet**

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CONSENT AGENDA (CONT.)

OTHER BUSINESS (CONT.)

O.B. 51 (CONT.)

- 5. Cobb DOT comments and recommendations contained in the Other Business packet**
- 6. Stormwater Management Division comments and recommendations contained in the Other Business packet**

O.B. 64 To consider installing more than five EV charging stations (six stations) on a multi-family zoned property for Envirospace Energy Solutions. Property is located on the east side and west side of Paces Walk, south of Cumberland Parkway in land lots 839, 840, 887, and 888 of the 17th district (3900 Paces Walk).

To **approve** O.B. 64, subject to:

- 1. Fire Department comments and recommendations contained in the Other Business packet**

O.B. 66 To consider a site plan and stipulation amendment for Anand Murugesan and Heather Peck regarding rezoning application #464 of 1984. Property is located on the northeast side of Chattahoochee Crossing, east of Chattahoochee Plantation Drive in land lot 3 of the 1st district (4611 Chattahoochee Crossing).

To **approve** O.B. 66, subject to:

- 1. Buffer reduction approved is *only* for the improvements shown on the Site Plan received by the Zoning Division on November 5, 2025 (attached and made a part of these minutes)**

O.B. 67 To consider a site plan and stipulation amendment for Richard J. Barrett regarding rezoning application Z-9 of 2020. Property is located on the west side of North Cobb Parkway, south of Third Army Road in land lot 2 of the 20th district (4825 North Cobb Parkway).

To **approve** O.B. 67, subject to:

- 1. Stormwater Management Division comments and recommendations contained in the Other Business packet**
- 2. Fire Department comments and recommendations contained in the Other Business packet**
- 3. Cobb DOT comments and recommendations contained in the Other Business packet**
- 4. Stipulations from rezoning case Z-9 of 2020 govern the *use* of the property**

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CONSENT AGENDA (CONT.)

OTHER BUSINESS (CONT.)

O.B. 68 To consider amending the site plan for West Cobb Owner, LLC regarding rezoning application Z-139 of 1999. Property is located on the south side of Dallas Highway and on the east side of Casteel Road in land lots 333 and 334 of the 19th district (3625 Dallas Highway).

To **approve** O.B. 68, subject to:

- 1. Letter of agreeable conditions from David Kirk dated November 12, 2025, which includes the sign rendering (attached and made a part of these minutes)**
- 2. Cobb DOT comments and recommendations contained in the Other Business packet**
- 3. All previous stipulations and conditions, *not otherwise in conflict with this amendment*, to remain in effect**

At the call for O.B. 71 (JW Collection, LLC), opposition was present; therefore, O.B. 71 was pulled from the Consent Agenda and heard later in its numerical order (see page 14 of these minutes).

CONSENT VOTE: **ADOPTED 5-0**

Mr. Pederson announced the following cases which were *continued or held*.

Z-2'²⁴ **FLOURNOY DEVELOPMENT GROUP, LLC** (Cobb County, owner) requesting rezoning from **GC** to **RRC** for multifamily residential 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 4, 2025, Planning Commission (PC) hearings until the December 2, 2025, PC hearing; held by the PC from the December 2, 2025, PC hearing until the February 3, 2026, PC hearing; therefore, was not considered at this hearing).*

Z-27 **KNIGHT PARTNERS, LLC** (Louise G. Howard Family Investments, LP, owner) requesting rezoning from **R-20** and **TS** to **CRC** for a convenience food store with self-service fuel sales in land lots 754 and 759 of the 17th district. Property is located on the northwest corner of South Cobb Drive and River View Road (5322 South Cobb Drive, 2273 River View Road, and 2259 River View Road). *(Previously continued by Staff from the November 4, 2025, and December 2, 2025, Planning Commission (PC) hearings until the February 3, 2026, PC hearing; therefore, was not considered at this hearing).*

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CONTINUED AND HELD CASES (CONT.)

- O.B. 58** To consider a reduction of lot size from 30,000 square-feet per lot to 28,801 square-feet for lot 1 and 29,286 square-feet for lot 2 for Sotto Properties, LLC. Property is located on the northeasterly side of Honeysuckle Lane, west of Spring Hill Road in land lot 771 of the 17th district (2351 Honeysuckle Lane). *(Previously held by the Board of Commissioners (BOC) from the November 18, 2025, BOC Zoning hearing until the February 17, 2026, BOC Zoning hearing; therefore, was not considered at this hearing).*

REGULAR AGENDA

- SLUP-7** **MT. BETHEL CHRISTIAN ACADEMY, INC.** (Mt. Bethel Christian Academy, Inc. and Dodgen Farms, LLC, owner) requesting a **Special Land Use Permit** for expansion of a private school in land lots 599, 600, 625, and 626 of the 16th district. Property is located at the northwest intersection of Post Oak Tritt Road and Holly Springs Road (2509 Post Oak Tritt Road and 2605 Holly Springs Road).

The public hearing was opened; Kevin Moore, Neil Dougherty, James Thomson, Robin Washington, Linda Worley, and Jim Cianca addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Cupid, to **approve** SLUP-7 for the access road on the 9.75 acres at Holly Springs Road, subject to:

1. Letter of agreeable conditions from Kevin Moore dated November 24, 2025 (attached and made a part of these minutes)
2. Screening and a Landscape Plan will be required along the access road, to be approved by the District Commissioner and County Arborist, with review by East Cobb Civic Association and surrounding neighborhoods
3. The access road will be incorporated into the Master Plan; any future plans for the 9.75 acres must come back to the Board of Commissioners for approval through the Other Business process
4. Applicant is required to donate the right-of-way at the intersection of Post Oak Tritt Road and Holly Springs Road
5. Traffic Signal Study is required at Alberta Drive and Barnhill Drive to see if a signal is warranted at either of those intersections
6. Approval for up to 850 students for the next five years; any additional students over that number will have to come back to the Board of Commissioners for approval
7. District Commissioner to approval final Site Plan, with landscaping and signage

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REGULAR AGENDA (CONT.)

SLUP-7 MT. BETHEL CHRISTIAN ACADEMY, INC. (CONT.)

8. All other Staff comments and recommendations, *not otherwise in conflict*
9. All previous conditions and stipulations, *not otherwise in conflict*, to remain

VOTE: **ADOPTED** 5-0

Clerk's Note: Commissioner Birrell requests to extend the right turn lane from the right out at Holly Springs Road in Phase 2 of RAP (Revenue Above Projection). Once the three levels of grades are operating from this location, another traffic study is to be done to determine if the traffic is better or worse.

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

At the call for LUP-37 (Eddy Ramos), the Applicant was not present and there was no opposition present; therefore, the case was put on hold to see if the Applicant could be contacted. Later in the hearing, the Applicant was present, and the case was heard (see page 10 of these minutes).

LUP-42 JOSE SANTOS MAJANO (Jose Santos Majano and Maria Mercedes Romero, owners) requesting a **Temporary Land Use Permit** to allow more vehicles than the code allows in land lot 557 of the 19th district. Property is located on the southwest side of Woodleigh Road and on the northeast side of Calloway Road, west of Austell Road (1270 Woodleigh Road). *(Previously held by the Planning Commission (PC) from the November 4, 2025, PC hearing until the December 2, 2025, PC hearing).*

The public hearing was opened; Jose Santos Majano and Patricia Andrade (interpreter for the Applicant) addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Birrell, to deny LUP-42, subject to:

1. Approval for three vehicles with 60 days for the Applicant to remove the additional vehicles from the property

Prior to the vote, discussion ensued; Commissioner Sheffield withdrew her previous motion and made the following new motion for LUP-42:

MOTION: Motion by Sheffield, second by Birrell, to **approve** LUP-42 for **12 months**, subject to:

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REGULAR AGENDA (CONT.)

LUP-42 JOSE SANTOS MAJANO (CONT.)

- 1. Allowance for one additional vehicle on the property, with 60 days from December 16, 2025, to remove the extra vehicles from the property**

VOTE: ADOPTED 5-0

Mr. Pederson announced that the Applicant for LUP-37 (Eddy Ramos) had arrived, so LUP-37 was heard next.

LUP-37 EDDY RAMOS (Ricardo Araujo and Lilian Dos Reis Nascimento, owners) requesting a **Temporary Land Use Permit** for outside storage of construction vehicles and equipment and employees on-site in land lots 517 and 564 of the 16th district. Property is located at the western terminus of Stoneridge Drive and on the south side of Piedmont Road. (1020 Piedmont Rd). *(Previously held by the Planning Commission (PC) from the October 7, 2025, PC hearing until the December 2, 2025, PC hearing).*

The public hearing was opened, and Eddy Ramos addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Allen, to **approve** LUP-37 for **12 months**, subject to:

- 1. Applicant to meet every two months with Staff, specifically, Code Enforcement, Stormwater Management, and Community Development, to work on the development of the plans and for Staff to report back to the District Commissioner periodically regarding the progress**
- 2. Within the first month, Applicant agrees to clean up the property by removing all trash and debris; removal of anything that is not related to the construction of the home or the project**
- 3. No vehicles allowed on-site; Applicant to remove all vehicles from the site that are not there properly**
- 4. Any other Planning Commission or Staff comments and recommendations**

VOTE: ADOPTED 5-0

LUP-44 MAUDELIA L. ALVAREZ (Maudelia L. Alvarez Rodas, owner) requesting a **Temporary Land Use Permit** to allow more people and vehicles than the code allows in land lot 710 of the 19th district. Property is located on the southeast corner of Pair Road and Hickory Ridge Court (1919 Pair Road). *(Previously held by the Planning Commission (PC) from the November 4, 2025, PC hearing until the December 2, 2025, PC hearing).*

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REGULAR AGENDA (CONT.)

LUP-44 MAUDELIA L. ALVAREZ (CONT.)

The public hearing was opened; Maudelia Alvarez and Neida Escobar (daughter translating for the Applicant) addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Sheffield, second by Cupid, to **approve** LUP-44 for **12 months**, subject to:

- 1. Allowance for five vehicles and one work vehicle at the property, with 60 days from December 16, 2025, to remove the extra vehicles (including the trailer) from the property**
- 2. All vehicles are to comply with County Code, including parking on hardened surfaces**
- 3. All Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED 5-0**

Chairwoman Cupid called for a lunch recess at 12:04 p.m. The hearing reconvened at 1:05 p.m.

AMEND SOMETHING PREVIOUSLY ADOPTED

Following the lunch recess, Chairwoman Cupid announced that the previous case, LUP-44 Maudelia L. Alvarez), needed to be revised. In the previously adopted motion for LUP-44, Commissioner Sheffield inadvertently forgot to address the request for additional adults; therefore, the following amended motion was made:

MOTION: Motion by Sheffield, second by Allen, to **amend** the motion for LUP-44, as previously adopted.

VOTE: **ADOPTED 5-0**

MOTION: Motion by Sheffield, second by Allen, to **approve** LUP-44 for **12 months**, subject to:

- 1. Allowance for five vehicles, with 60 days from December 16, 2025, to remove the extra vehicles (including the trailer) from the property**
- 2. Allowance for six adults**
- 3. All vehicles are to comply with County Code**
- 4. All Staff comments and recommendations, *not otherwise in conflict***

VOTE: **ADOPTED 5-0**

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REGULAR AGENDA (CONT.)

At the call for LUP-49 (Dayris Andujar), 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. Later in the hearing, it was announced that the Applicant could not be reached, so the case was continued (see page 14 of these minutes for the motion).

OTHER BUSINESS

O.B. 57 To consider a reduction of public road frontage from 75-feet per tract to 0-feet per tract for tract 2 and tract 3 for Trailside Equities, LLC. Property is located on the south side of Wesley Chapel Road, south of Bluffview Drive in land lots 320, 321, and 328 of the 16th district (3832 Wesley Chapel Road). *(Previously held by the Board of Commissioners (BOC) from the November 18, 2025, BOC Zoning hearing until the December 16, 2025, BOC Zoning hearing).*

The public hearing was opened; Jordan Deeney, Catherine Reinl, and Melissa Hagin addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Sheffield, to **approve** O.B. 57, subject to:

- 1. Maximum of 35% impervious surface for each lot**
- 2. All lots to be a minimum of 20,000 square feet**
- 3. Road frontage reduced to 0-feet for tract 2 and tract 3 only**
- 4. Stormwater Management Division comments and recommendations contained in the Other Business packet**
- 5. Cobb DOT comments and recommendations contained in the Other Business packet**
- 6. Fire Department comments and recommendations contained in the Other Business packet**
- 7. Staff comments and recommendations**

VOTE: **ADOPTED 5-0**

O.B. 65 To consider a site plan and stipulation amendment for Victor J. Eaglin and Dr. Angela Richard-Eaglin regarding rezoning applications Z-188 of 2005 and Z-3 of 2013. Property is located on the east side of Snow Mountain Court, south of Lost Mountain Road in land lot 384 of the 19th district (4370 Snow Mountain Court).

The public hearing was opened; Angela Richard-Eaglin, Victor Eaglin, Sam Cleare, and Deborah Barrow addressed the Board. Following the presentation and discussion, the following motion was made:

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OTHER BUSINESS (CONT.)

O.B. 65 (CONT.)

MOTION: Motion by Gambrill, second by Birrell, to **deny** O.B. 65, subject to:

1. Applicant to re-establish the 25-foot buffer to County standards, a staggered double row of five-foot minimum height evergreen trees shall be installed along with a single row of evergreen shrubs at a minimum height of 24 inches
2. The County Arborist shall work with the Applicant to ensure the plantings are allergy friendly to their specific needs
3. The County Arborist must review and approve the Landscape Plan depicting the *proposed* buffer plan planting prior to installation
4. The buffer shall be replanted by April 20, 2026

VOTE: **ADOPTED 5-0**

O.B. 70

To consider a site plan and stipulation amendment for Toll Southeast LP Company, Inc. regarding rezoning application Z-72 of 2020. Property is located on the west side of Johnson Ferry Road, and on the south side of Waterfront Drive in land lot 470 of the 16th district (Johnson Ferry Road).

Chairwoman Cupid announced that Commissioner Allen had to leave the hearing. The public hearing was opened; Kevin Moore, Richard Grome, and David Rumrill addressed the Board. Chairwoman Cupid announced that she was recusing herself from the case. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Birrell, second by Gambrill, to **approve** O.B. 70, subject to:

1. For lots 16-23, whatever amount the front setbacks are reduced by, the rear setbacks have to be compensated by adding the same amount
2. Driveways to remain at the minimum 22-feet
3. Maximum impervious surface to be 40%
4. Stormwater Management Division comments and recommendations contained in the Other Business packet
5. Fire Department comments and recommendations contained in the Other Business packet
6. "Exhibit B" submitted by the Applicant and contained in the Other Business packet (attached and made a part of these minutes)
7. Overall Site Plan contained in the Other Business packet (attached and made a part of these minutes)
8. All previous conditions and stipulations, *not otherwise in conflict with this amendment*, to remain in effect

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OTHER BUSINESS (CONT.)

O.B. 70 (CONT.)

- 9. All other Staff comments and recommendations, *not otherwise in conflict*, to remain in effect**

VOTE: **ADOPTED** 3-0, Cupid recused and Allen not present

REGULAR AGENDA (CONT.)

LUP-49 DAYRIS ANDUJAR (Dayris J. Andujar Tolentino and Dominga Talentino Castillo, owners) requesting a **Temporary Land Use Permit** to allow more people and vehicles than the code allows in land lot 156 of the 16th district. Property is located on the northwest side of Highland Terrace, west of Canton Road (883 Highland Terrace).

Mr. Pederson announced that the Applicant for LUP-49 (Dayris Andujar) could not be reached. Discussion ensued, and Mr. Pederson presented the Staff's request to continue the case until the February hearing. Thereafter, the following motion was made:

MOTION: Motion by Birrell, second by Sheffield, to **continue** LUP-49 until the February 17, 2026, Board of Commissioners' Zoning Hearing.

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

OTHER BUSINESS (CONT.)

O.B. 71 To consider installing a gate and making Hearthsong subdivision a private road for JW Collection, LLC. Property is located on the eastern side of Mayes Road in land lots 16, 59, and 90 of the 19th district (Mayes Road).

The public hearing was opened; Michelle Herstemeyer, James Dickinson, Todd Thompson, and Frank Cozel addressed the Board. Following the presentation and discussion, the following motion was made:

MOTION: Motion by Gambrill, second by Sheffield to **approve** O.B. 71, subject to the following stipulations previously read in by Mr. Pederson:

- 1. The subdivision's roads can be private with a gate**
- 2. Cobb DOT comments and recommendations contained in the Other Business packet**
- 3. Stormwater Management Division comments and recommendations contained in the Other Business packet**
- 4. Fire Department comments and recommendations contained in the Other Business packet**

**MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
DECEMBER 16, 2025
PAGE 15**

OTHER BUSINESS (CONT.)

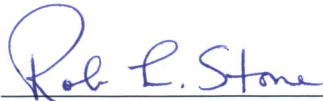
O.B. 71 (CONT.)

- 5. County Chairperson to execute the Memorandum of Agreement as required per County Detail #424 (Gated Communities) prior to any building permits being issued**

VOTE: ADOPTED 4-0, Allen not present

ADJOURNMENT

The hearing adjourned at 3:13 p.m.



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

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MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
12 CADILLAC DRIVE
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
2408 SIR BARTON WAY
SUITE 375
LEXINGTON, KENTUCKY 40509
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
1000 LEGION PLACE
SUITE 701
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
101 ERFORD ROAD
SUITE 300
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

FAIRFIELD, NEW JERSEY
165 PASSAIC AVENUE
SUITE 205
FAIRFIELD, NEW JERSEY 07004
TELEPHONE 201-602-4082

December 1, 2025

Via E-mail Only

Min. Bk. 101 Petition No. Z-26
Doc. Type Letter
Meeting Date 12-16-2025

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia

RE: Application for Rezoning - Application No. Z-26 (2025)
Applicant: Scott Moore
Property Owner: Kelly Williamson
Property: 0.55 acres, more or less, located on the southeast corner of Jim Owens Road and Acworth Due West Road, being more particularly known as 4205 Jim Owens Road, Land Lot 160, 20th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Scott Moore, the Applicant (hereinafter referred to as "Applicant"), as well as, the Property Owner, Kimberly Williamson (hereinafter referred to as "Owner" or "Property Owner"), in the above-referenced Application for Rezoning with regard to a developed parcel located at 4205 Jim Owens Road, being 0.55 acres, more or less, located on the southeast corner of Jim Owens Road and Acworth Due West Road, Land Lot 160, 20th District, 2nd Section, Cobb County, Georgia (hereinafter referred to as the "Property" or the "Subject Property"). After meetings and continuing discussions with County Staff, discussions with area residents and homeowner representatives, reviewing the Departmental Comments and Staff Recommendations, and reviewing the uses of surrounding properties, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions, which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Subject Property. The proposed stipulations are as follows:

MOORE INGRAM JOHNSON & STEELE

Petition No. Z-26
Meeting Date 12-16-2025
Continued

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 2 of 3
December 1, 2025

- (1) Rezoning of the Subject Property shall be from the existing zoning classification of Neighborhood Shopping ("NS") to the proposed zoning classification of Limited Retail Commercial ("LRC"), site plan specific to the revised Site Plan prepared for Applicant by Tirella & Associates, last revised September 19, 2025, and submitted to the Cobb Zoning Division on September 22, 2025. A reduced copy of the revised Site Plan is attached as Exhibit "A" and incorporated herein by reference.
- (2) The Subject Property is comprised of 0.55 acres, more or less, and has an existing building, with parking and landscaping.
- (3) Approval of the proposed LRC zoning classification shall be use-specific for a hair salon only.
- (4) Applicant agrees the proposed hair salon shall have a maximum of six (6) salon suites located on the first floor of the existing building.
- (5) Applicant agrees the salon suites shall be either fully open or if enclosed, clear windows or glass-type materials shall be utilized.
- (6) Applicant agrees the second floor of the existing building shall be utilized for office, administrative, and/or storage uses.
- (7) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (8) Applicant agrees to comply with all Cobb County Department of Transportation requirements applicable to the Subject Property.

We believe the requested rezoning, pursuant to the revised Site Plan and the stipulations set forth herein, will allow for an appropriate use of the Subject Property. The renovation of the existing building, together with improvements and upgrades to landscaping and parking, will be an enhancement to the Subject Property and a service to the community as a whole. Thank you for your consideration in this request.

MOORE INGRAM JOHNSON & STEELE

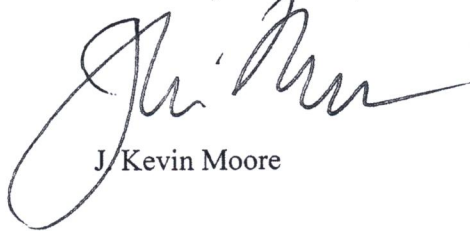
Petition No. Z-26
Meeting Date 12-16-2025
Continued

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 3 of 3
December 1, 2025

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc
Attachment

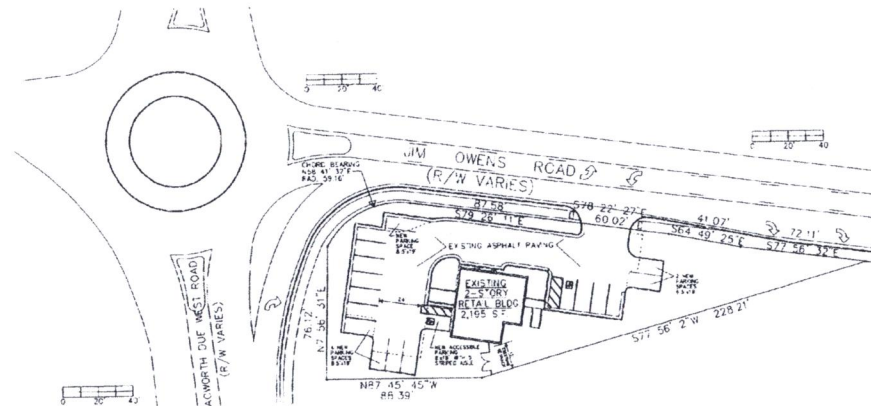
c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
Erick Allen
JoAnn Birrell
Keli A. Gambrill
Monique Sheffield
(With Copy of Attachment)

Cobb County Planning Commission:
Nadia Faucette, Chairwoman
David Anderson
Fred Beloin
Deborah Dance
Deidra Massey
(With Copy of Attachment)

Terry L. Martin, AICP, CNU-A
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)

Scott Moore
(With Copy of Attachment)

EXHIBIT "A"



LIST OF REQUIREMENTS THAT DO NOT APPLY:
STREAM BUFFERS WITH REQ'D. WIDTHS
DETENTION/RETENTION AREAS
ARCHITECTURAL OR ARCHEOLOGICAL LANDMARKS
WETLANDS
CEMETERIES
LIMITS OF 100-YEAR FLOOD PLAIN/ACREAGE OF FLOOD PLAN
UTILITY EASEMENTS
LAKES AND STREAMS
BUFFER AREAS
BLDG. SETBACK AND/OR PARKING DECK LOCATION
PAVING WIDTHS
LAND LOT LINES
DISTRICT LINES

SITE INFORMATION TAKEN FROM A SURVEY BY:
ROHEEN PAUL LAND SURVEYS
1099 POLO CLUB DRIVE
MARIETTA, GA 30064
502-594-1414

SITE PLAN
Scale: 1" = 30'

ZONING: NS - NEIGHBORHOOD SHOPPING
PROPOSED ZONING: LRC - LIMITED RETAIL COMMERCIAL
PARCEL NUMBER: 20616003240
COEB COUNTY, GA
LAND LOT: 150
DISTR CT: 20th, Second Section
EXIST' BLDG GROSS S.F.: 2,195 S.F.
EXISTING PARKING: 12 SPACES
PARKING ADDED: 6 SPACES
TOTAL PARKING: 18 SPACES
TOTAL IMPERVIOUS ADDED: 1,169 S.F.
EXIST. LOT COVERAGE: 47%
PROPOSED LOT COVERAGE: 53%



TIRELLA & ASSOCIATES
ARCHITECTS

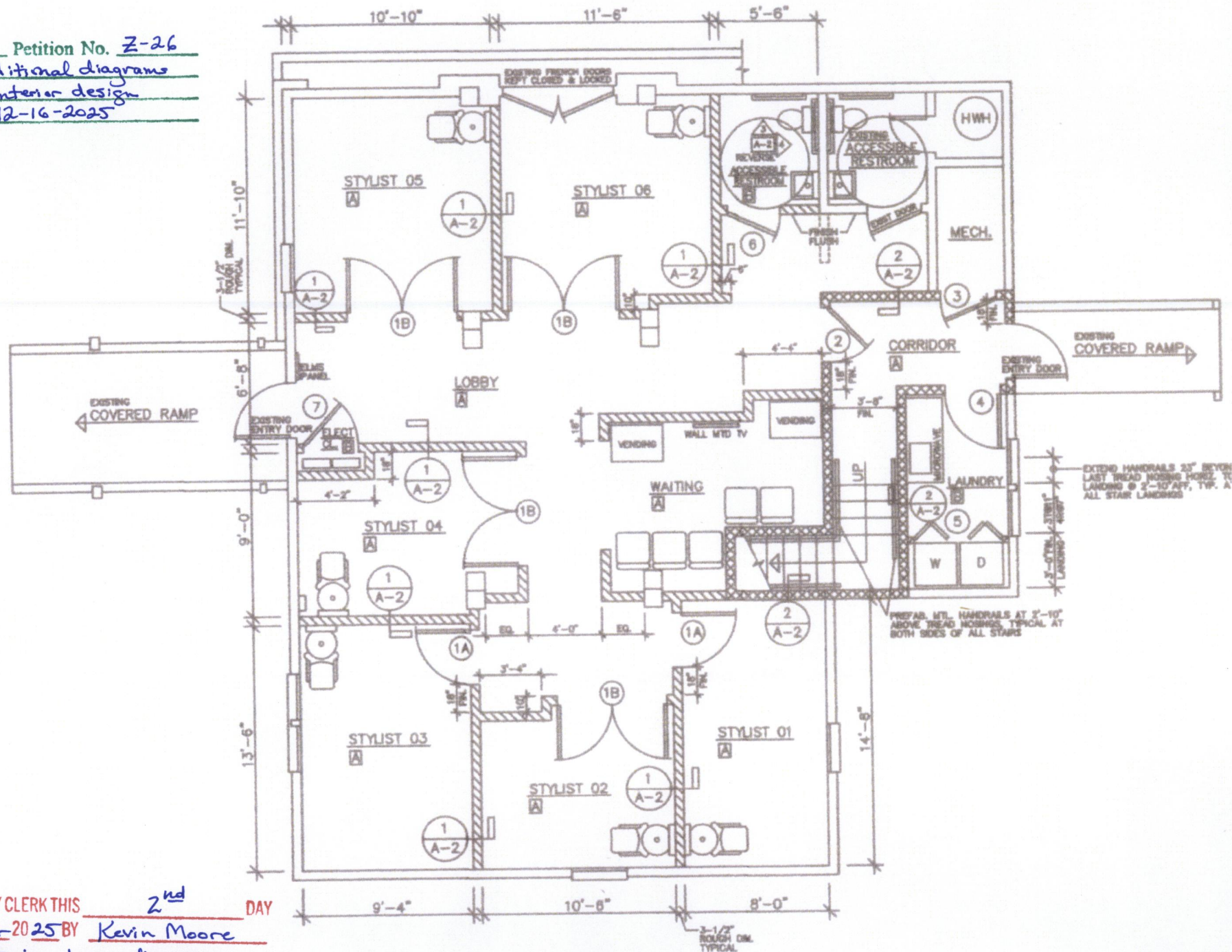
REVISIONS
NO. DATE CONTENT
0-19-25
Revisions to
existing layout

4205 JIM OWENS ROAD
KENNESAW, GA. 30152

SITE PLAN

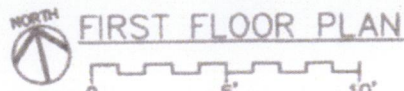
A-1

Min. Bk. 101 Petition No. Z-26
 Doc. Type Additional diagrams
 Showing the interior design
 Meeting Date 12-16-2025

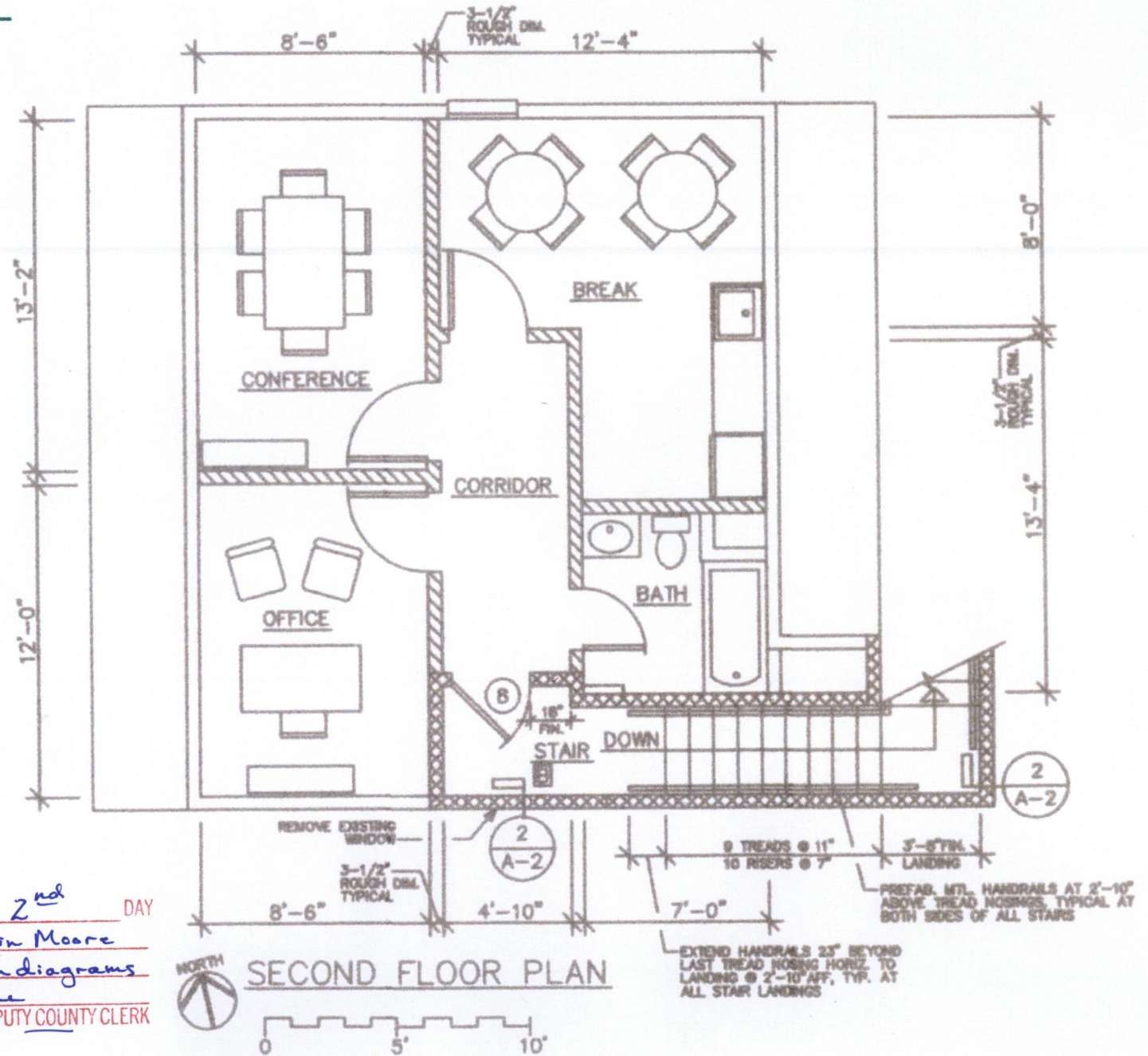


FILED WITH COUNTY CLERK THIS 2nd DAY
 OF December 20 25 BY Kevin Moore
 RE Z-26 - interior design diagrams

COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK
 COBB COUNTY, GEORGIA



Petition No. Z-26
 Meeting Date 12-16-2025
 Continued



FILED WITH COUNTY CLERK THIS 2nd DAY
 OF December 20 25 BY Kevin Moore
 RE Z-26 - interior design diagrams
Rob E Stone
 COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK
 COBB COUNTY, GEORGIA

REFERENCE MATERIAL

1. LIMITED WARRANTY DEED IN FAVOR OF OSCAR ESCARCEGA DEED BOOK 16171 PAGE 3183-3184 COBB COUNTY, GEORGIA RECORDS

FLOOD NOTE

THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.R.M. OFFICIAL FLOOD HAZARD MAPS. THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. FOR MORE ACCURATE INFORMATION, A SECOND OPINION OF THE APPLICABLE FLOOD HAZARD AREA IS RECOMMENDED. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AN INSURANCE COMPANY OR APPRAISER.

LEGEND

B	BUILDING LINE
S/W	PROPERTY LINE
G	RIGHT-OF-WAY
BC	CENTERLINE
G	BACK OF CURB
EP	GUTTER
TW	EDGE OF PAVING
BW	TOP OF WALL
X	BOTTOM OF WALL
RCP	FENCE
CMP	REINFORCED CONCRETE PIPE
PP	CORRUGATED METAL PIPE
LP	POWER POLE
OW	LIGHT POLE
P	POWER LINE
PM	POWER METER
FB	POWER BOX
TO	FIBER OPTIC
A/C	AIR CONDITION
CB	CABLE BOX
TB	TELEPHONE BOX
GM	GAS METER
GV	GAS VALVE
GLM	GAS LINE MARKER
WM	WATER METER
WW	WATER VALVE
FH	FIRE HYDRANT
MW	MONITORING WELL
JB	HEADWALL
DI	JUNCTION BOX
S	DROP INLET
SSMH	SANITARY SEWER LINE
CO	SANITARY SEWER MANHOLE
P.O.B.	CLEAN OUT
P.O.C.	POINT OF BEGINNING
D.E.	POINT OF COMMENCEMENT
S.S.E.	DRAINAGE EASEMENT
	SANITARY SEWER EASEMENT

Min. Bk. 101 Petition No. Z-30
Doc. Type Site Plan

Meeting Date 12-16-2025

PROPOSED ZONING

COBB COUNTY - R-15
MINIMUM LOT AREA: 15,000 SQUARE FEET
MINIMUM LOT WIDTH: 75 FEET
MAXIMUM FLOOR AREA RATIO: 2.1
MAXIMUM LOT COVERAGE: 35 PERCENT
MINIMUM FRONT SETBACK: 35 FEET
MINIMUM SIDE SETBACK: 10 FEET
MINIMUM REAR SETBACK: 30 FEET
MAXIMUM BUILDING HEIGHT: 35 FEET
MUST BE VERIFIED BY COBB COUNTY PRIOR TO CONSTRUCTION.

CURRENT ZONING

COBB COUNTY ZONING: R-20
MINIMUM LOT AREA: 20,000 SQ.FT.
MINIMUM HEATED FLOOR AREA: 1,200 SQ.FT.
MINIMUM LOT WIDTH FRONT SET BACK: 50 FEET
MINIMUM FRONT SETBACKS:
ARTERIAL: 40 FEET
COLLECTOR: 40 FEET
LOCAL: 35 FEET
MAJOR SIDE SET BACK: (ALONG STREET) 25 OR 35 FEET
MINIMUM SIDE SET BACK: 10 FEET
MINIMUM REAR SET BACK: 35 FEET
MAXIMUM IMPERVIOUS LOT COVERAGE: 35%
MAXIMUM BUILDING HEIGHT: 35 FEET
ALL ZONING MATTERS MUST BE APPROVED BY COBB COUNTY PRIOR TO CONSTRUCTION.

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES. UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. PLEASE CALL ALL LOCAL UTILITY PROVIDERS AND OR 811 FOR FURTHER INFORMATION.



2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE. FOR NEW PERMITS THE LOCAL ISSUING AUTHORITY MAY REQUIRE ADDITIONAL EASEMENTS NOT SHOWN.

3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECOGNITION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.

4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS GATHERED BY AN OPEN TRAVERSE AND HAS A CALCULATED POSITIONAL TOLERANCE OF 0.03 FEET. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 181,763 FEET. A GOMAX ZOOM 90 SERIES ROBOTIC TOTAL STATION WITH CARLSON SURVEY 2 DATA COLLECTOR WERE USED IN THE COLLECTION OF FIELD DATA.

5. BEARINGS SHOWN WERE COMPUTED BASED ON PLAT BOOK 23 PG 81.

6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.

7. ALL REBAR SET ARE 1/2" REBARS UNLESS OTHERWISE NOTED.

8. THE EXISTENCE, SIZE, AND LOCATION OF IMPERVIOUS BUFFERS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.

NO.	REVISIONS	DATE
1	REVISE TO SHOW PROPOSED PROPERTY LINES AND ZONING	9-11-25

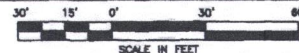
McClung SURVEYING

McClung Surveying Services, Inc.
4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383
www.mcclungsurveying.com Certificate of Authorization #191001751

SURVEY FOR
OSCAR ESCARCEGA

1638 WILDWOOD ROAD
MARIETTA, GEORGIA

TOTAL AREA= 0.782± ACRES
OR 34.074± SQ. FT.



SURVEYOR'S CERTIFICATE

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any change to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Regulation for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-87.

Michael R. Noles

Michael R. Noles

Georgia RLS No. 2648

8-28-23



Michael R. Noles
Georgia RLS #2648
Member SAMSOG

LOT 15 BLOCK "A"
BRIARWOOD HILLS SUBDMISION
SECTION III UNIT II

LAND LOT 1136
16TH DISTRICT 2ND SECTION
COBB COUNTY, GEORGIA
PLAT PREPARED: 8-29-2025
FIELD: 8-27-2025 SCALE: 1"=30'

JOB#267097

PB 23
PG 81



MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
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10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

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12 CADILLAC DRIVE
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

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2408 SIR BARTON WAY
SUITE 375
LEXINGTON, KENTUCKY 40509
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
1000 LEGION PLACE
SUITE 701
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
101 ERFORD ROAD
SUITE 300
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

FAIRFIELD, NEW JERSEY
165 PASSAIC AVENUE
SUITE 205
FAIRFIELD, NEW JERSEY 07004
TELEPHONE 201-602-4082

November 24, 2025

Min. Bk. 101 Petition No. Z-33
Doc. Type letter

Via E-mail Only

Meeting Date 12-16-2025

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Rezoning - Application No. Z-33 (2025)
Applicant/Property Owner: Romusa Properties, LLC
Property: 3.29 acres, more or less, located on the southerly side of Macland Road and the westerly side of West Sandtown Road, being more particularly known as 2845 Macland Road, S.W., 2260 West Sandtown Road, S.W., and unnumbered West Sandtown Road; Land Lot 494, 19th District, 2nd Section, Cobb County, Georgia

Dear John:

The undersigned and this firm represent Romusa Properties, LLC, who is the Applicant and Property Owner (hereinafter collectively referred to as "Applicant") in the Application for Rezoning with regard to approximately 3.29 acres of property located at the intersection of the southerly side of Macland Road and the westerly side of West Sandtown Road, being more particularly known as 2845 Macland Road, S.W., 2260 West Sandtown Road, S.W., and unnumbered West Sandtown Road, Land Lot 494, 19th District, 2nd Section, Cobb County, Georgia (hereinafter the "Property" or "Subject Property"). After meetings and communications with Planning and Zoning Staff and various Cobb County Departmental Representatives, meetings and discussions with area residents and homeowner representatives, and reviewing the Departmental Comments and Staff Recommendations and the uses of surrounding properties, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions which, if the Application for Rezoning is approved, as submitted, shall become a part

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 2 of 6
November 24, 2025

of the grant of the requested zoning and shall be binding upon the Subject Property. The proposed stipulations are as follows:

- (1) Applicant seeks rezoning of the Subject Property from the current zoning category of R-20 to the proposed zoning category of Residential Senior Living ("RSL") (non-supportive), site plan specific to the revised Zoning Plan prepared for Applicant by Gaskins + LeCraw, Inc., dated and last revised November 7, 2025, and submitted electronically to the Cobb Zoning Division on November 10, 2025. A reduced copy of the revised Zoning Plan is attached as Exhibit "A" and incorporated herein by reference.
- (2) The Subject Property consists of approximately 3.29 acres of total site area and shall contain a maximum of sixteen (16) residential units for seniors, age fifty-five (55) and older, pursuant to and in accordance with the Fair Housing Act.
- (3) The residences shall have a minimum of 1,800 square feet of heated and cooled living space.
- (4) The proposed residences shall be Traditional in style and architecture, with exterior façades consisting of brick, stone, stacked stone, cedar shake, board and batten, hardi-plank, cementitious siding, and combinations thereof, with complementary accents.
- (5) Applicant agrees to the creation of a mandatory homeowners association consistent with upscale RSL communities. The mandatory homeowners association shall be responsible for the upkeep and maintenance of all landscaping and landscaping maintenance of the common areas, buffer areas, open space areas, recreation areas, exterior yard areas around the residences, mail kiosk, sidewalk areas, private streets, gates, fencing, and the like contained within the proposed residential community.
- (6) Additionally, and in conjunction with the creation of the mandatory homeowners association, there shall be Declaration of Restrictive Covenants for the proposed community. The Restrictive Covenants shall be recorded in the Deed Records of Cobb County, Georgia, and shall contain covenants, rules, and regulations applicable to the residential community and consistent with the age restrictions of the RSL Ordinance. The mandatory association shall be responsible for the enforcement of the Covenants.

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 3 of 6
November 24, 2025

- (7) The yard areas around the residences shall be fully sodded and maintained by the mandatory homeowners association to be created through the Covenants applicable to the residential community.
- (8) Entrance signage for the proposed community shall be ground based, monument-style signage, and shall consist of brick, stone, stacked stone, stucco, or combinations thereof, with accents, complementary to materials used in the construction of the homes within the community; and shall comply in all respects with the Cobb County Sign Ordinance. The entrance landscaping shall be professionally designed and implemented, with final approval being made by the Cobb County Arborist. Maintenance of the entrance area shall be through the mandatory homeowners association as set forth in the Covenants.
- (9) The proposed community shall have private streets.
- (10) Applicant agrees the Declaration of Covenants, Easements, and Restrictions shall include a provision the community streets will remain private, in perpetuity.
- (11) 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 initial 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.
- (12) Applicant agrees the construction of the private streets shall be to public street standards with respect to the profile of the pavement sections.
- (13) Entrance to the proposed community may be gated, which shall comply with Cobb County Standards and Ordinances.
- (14) The setbacks for the proposed residential community shall be as more particularly shown and reflected on the revised Site Plan.
- (15) All utilities servicing the residences within the proposed community shall be underground.

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 4 of 6
November 24, 2025

- (16) All landscaping referenced herein shall be approved by the Cobb County Arborist as part of the Plan Review and Permitting Process and incorporated into the overall landscape plan for the proposed community.
- (17) Minor modifications to the within stipulations, the referenced, revised Zoning Plan, lighting, signage, landscaping, architecture, site features, and the like, may be approved by the District Commissioner, as needed or necessary, except for those that:
 - (a) Increase the density of a residential project or the overall square footage of a non-residential project;
 - (b) Reduce the size of an approved buffer adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (c) Relocate a structure closer to the property line of an adjacent property that is zoned the same or in a more restrictive zoning district;
 - (d) Increase the height of a building that is adjacent to a property that is zoned the same or in a more restrictive zoning district;
 - (e) Change an access location to a different roadway;
 - (f) Would be in direct contradiction or conflict with any of the stipulations of this rezoning;
 - (g) Would be in direct contradiction or conflict with Cobb County Code and Ordinances; or
 - (h) Would be in direct contradiction or conflict with any Staff Recommendations that were adopted into the final zoning decision.
- (18) All setbacks, landscape, and buffer areas may be penetrated for purposes of fencing, access, utilities, and stormwater management; including, but not limited to, drainage and detention facilities, utilities, and any and all slopes or other required engineering features of the foregoing.

MOORE INGRAM JOHNSON & STEELE

Petition No. Z-33
Meeting Date 12-16-2025
Continued

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 5 of 6
November 24, 2025

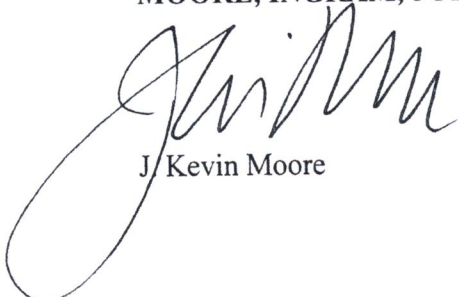
- (19) Applicant agrees to comply with all Cobb County Stormwater Management requirements applicable to the Subject Property.
- (20) Applicant agrees to comply with the Cobb County Water and Sewer Staff Comments and Recommendations.
- (21) Applicant agrees to comply with the Cobb County Department of Transportation Staff Comments and Recommendations.

We believe the requested zoning, pursuant to the revised Zoning Plan and the stipulations set forth herein, is an appropriate use of the Subject Property while taking into consideration the existing conditions and use of the Property and the area neighborhoods. The proposed community shall be a quality development, providing a much needed and highly sought-after type of community within the Cobb County area. Additionally, the proposed community shall be compatible with surrounding developments and be an enhancement to the Subject Property. Thank you for your consideration in this request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP


J Kevin Moore

JKM:cc
Attachment

MOORE INGRAM JOHNSON & STEELE

Petition No. Z-33
Meeting Date 12-16-2025
Continued

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 6 of 6
November 24, 2025

c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
Erick Allen
JoAnn Birrell
Keli A. Gambrill
Monique Sheffield
(With Copy of Attachment)

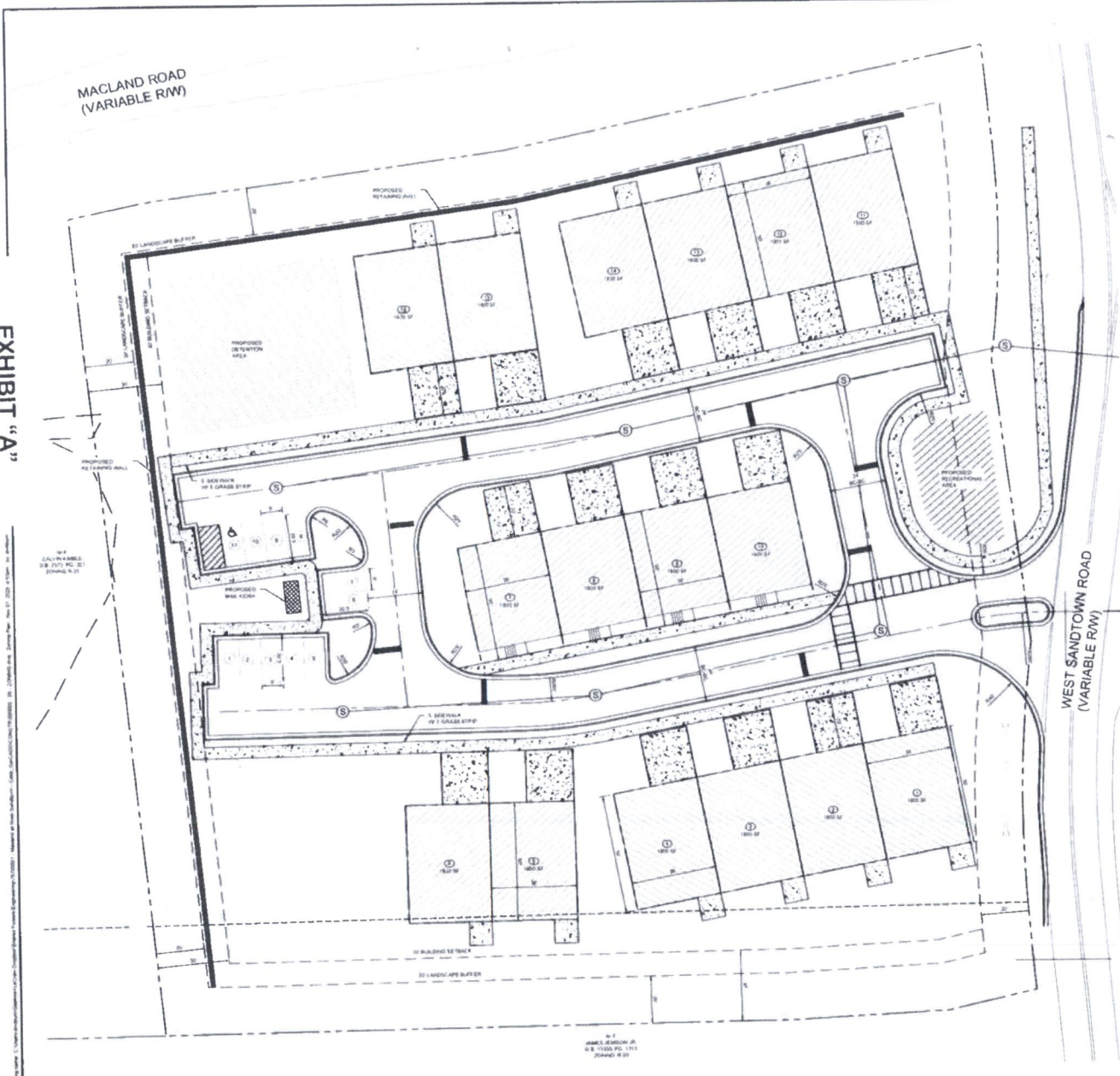
Cobb County Planning Commission:
Nadia Faucette, Chairwoman
David Anderson
Fred Beloin
Deborah Dance
Deidra Massey
(With Copy of Attachment)

Terry L. Martin, AICP,CNU-A
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)

Susan Kay Asher
Arbor Ridge Resident
(With Copy of Attachment)

Romusa Properties, LLC
(With Copy of Attachment)

EXHIBIT "A"



GENERAL SITE NOTES

1. ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS SPECIFIED OTHERWISE.
2. ALL TREES SHALL HAVE PROPER PROTECTION DURING CONSTRUCTION UNLESS APPROVED PLANS PRODUCE OTHERWISE.
3. BOUNDARY & TOPOGRAPHIC SURVEY BY GASKINS SURVEYING AND ENGINEERING, INC. DATED 03/08/2024.
4. ALL CONPLAN NOTES PRESENT ON THIS SITE AS SHOWN ON THE FINAL MAP SHALL REMAIN IN EFFECT UNLESS DATED OTHERWISE.

ZONING PLAN DISCLAIMER

1. THE ZONING PLAN REPRESENTS HEREIN CONSTITUTES A PRELIMINARY DESIGN PRELIMINARY FROM A VISUAL PRESENTATION & DOES NOT REPRESENT THE CLIENT COUNTY WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS. THE LIABILITY OF THIS PLAN IS LIMITED TO THE PRESENTATION OF THE SITE AND THE INFORMATION AVAILABLE APPROXIMATELY SHOWN AND CAN ONLY BE USED AS A GUIDE AFTER FURTHER EVALUATION OF THE SITE AND THE LOCATION OF THE ZONING DISTRICTS & NO DEPENDENT REGULATIONS HAVING WITH PROCEEDMENT OF APPROPRIATE APPROVED PLAN, APPROVED.
2. THIS ZONING PLAN AND PREPARED WITHOUT BENEFIT OF A GEO-TECHNICAL AND/OR ENVIRONMENTAL INVESTIGATION. JURISDICTIONAL DESIGNATION OF UNBUILT PROPERTY THE LOCATION OF ANY JURISDICTIONAL BARRIERS, NE PLANS UNDERGROUND UTILITIES AND/OR SPECIAL PRELIMINARY HAS NOT BEEN TAKEN INTO ACCOUNT.

LOT INFORMATION
 PIN: 19049400110, 19049400140, 19049400210

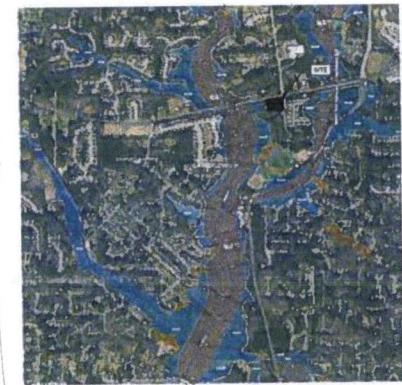
SITE AREA	
SITE AREA	3.29 ACRES
MINIMUM ALLOWABLE IMPERVIOUS AREA (FUT)	20%
MINIMUM ALLOWABLE LOT AREA	1.70 ACRES (1.71 AC)
MINIMUM LOT AREA	1.70 ACRES (1.71 AC)
MINIMUM LOT AREA	1.70 ACRES (1.71 AC)

ZONING CLASSIFICATION	
APPROPRIATE	COMM. COUNTY
CURRENT ZONING	R-20
PROPOSED ZONING	R-20
ADJACENT ZONING	R-20

LOT SUMMARY	
MINIMUM LOT AREA	1.70 ACRES (1.71 AC)
MINIMUM LOT AREA	1.70 ACRES (1.71 AC)
MINIMUM LOT AREA	1.70 ACRES (1.71 AC)
MINIMUM LOT AREA	1.70 ACRES (1.71 AC)
MINIMUM LOT AREA	1.70 ACRES (1.71 AC)

PARKING SUMMARY

PARKING SUMMARY	
REQUIRED PARKING	10 SPACES (10 SPACES) 10 SPACES 10 SPACES
PROPOSED PARKING	10 SPACES (10 SPACES) 10 SPACES 10 SPACES



PREPARED BY THE OFFICE OF

GASKINS + LECRAW

© 2023 GASKINS + LECRAW, INC.
 1904 POWER SPRING RD SW
 ALBANY, GA 31707
 PHONE: 478.244.1158
 WWW.GASKINSLECRAW.COM

REVISED

CLIENT: ROMUSA PROPERTIES LLC
 3307 REMBRANT RD NW
 PROJECT: MACLAND ROAD AT WEST SANDTOWN
 PROJECT ADDRESS: L.L. 4th DISTRICT 18 2ND SECTION
 CITY, COUNTY, STATE

SEAL:

GEORGIA
 PROFESSIONAL
 SURVEYOR
 J. J. COLE
 11/17/2025

CALL BEFORE YOU DIG

811
 Know what's below.
 Call before you dig.

SCALE & NORTH ARROW

DESKTOP INFO

DATE: 11/17/2025
 DESIGNED BY: J. J. COLE
 PREPARED BY: J. J. COLE
 DATE: 11/17/2025

Zoning Plan

1

Meeting Date 12-16-2025



MOORE INGRAM JOHNSON & STEELE

A LIMITED LIABILITY PARTNERSHIP
WWW.MIJS.COM

MARIETTA, GEORGIA
EMERSON OVERLOOK
326 ROSWELL STREET
SUITE 100
MARIETTA, GEORGIA 30060
TELEPHONE (770) 429-1499

KNOXVILLE, TENNESSEE
408 N. CEDAR BLUFF ROAD
SUITE 500
KNOXVILLE, TENNESSEE 37923
TELEPHONE (865) 692-9039

JACKSONVILLE, FLORIDA
10201 CENTURION PARKWAY N.
SUITE 401
JACKSONVILLE, FLORIDA 32256
TELEPHONE (904) 428-1465

BRENTWOOD, TENNESSEE
12 CADILLAC DRIVE
SUITE 200
BRENTWOOD, TENNESSEE 37027
TELEPHONE (615) 425-7347

LEXINGTON, KENTUCKY
2408 SIR BARTON WAY
SUITE 375
LEXINGTON, KENTUCKY 40509
TELEPHONE (859) 309-0026

ORLANDO, FLORIDA
1000 LEGION PLACE
SUITE 701
ORLANDO, FLORIDA 32801
TELEPHONE (407) 367-6233

HARRISBURG, PENNSYLVANIA
101 ERFDOR ROAD
SUITE 300
CAMP HILL, PENNSYLVANIA 17011
TELEPHONE (717) 790-2854

FAIRFIELD, NEW JERSEY
165 PASSAIC AVENUE
SUITE 205
FAIRFIELD, NEW JERSEY 07004
TELEPHONE 201-602-4082

November 24, 2025

Via E-mail Only

Min. Bk. 101 Petition No. SLUP-7
Doc. Type letter

Meeting Date 12-16-2025

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Suite 400
1150 Powder Springs Road
Marietta, Georgia 30064

RE: Application for Special Land Use Permit - Application No. SLUP-7 (2025)
Applicant: Mt. Bethel Christian Academy, Inc.
Property Owners: Mt. Bethel Christian Academy, Inc.;
Dodgen Farms, LLC
Property: 42.98 acres, more or less, located on the
northerly side of Post Oak Tritt Road and
the westerly side of Holly Springs Road,
being more particularly known as 2509 Post
Oak Tritt Road and 2605 Holly Springs
Road, Land Lots 599, 600, 625, and 626,
16th District, 2nd Section, Cobb County,
Georgia

Dear John:

The undersigned and this firm represent Mt. Bethel Christian Academy, Inc., who is the Applicant and one of the Property Owners (hereinafter collectively referred to as "Applicant"), and the remaining Property Owner, Dodgen Farms LLC (hereinafter, together with Applicant, collectively referred to as "Owners" or "Property Owners"), in the Application for Special Land Use Permit with regard to a total tract of 42.98 acres, more or less, located on the northerly side of Post Oak Tritt Road and the westerly side of Holly Springs Road, being more particularly known as 2509 Post Oak Tritt Road and 2605 Holly Springs Road, Land Lots 599, 600, 625, and 626, 16th District, 2nd Section, Cobb County, Georgia (hereinafter referred to as the "Property" or the "Subject Property"). After meetings with Planning and Zoning Staff, ongoing

MOORE INGRAM JOHNSON & STEELE

Petition No. SLUP-7
Meeting Date 12-16-2025
Continued

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 2 of 4
November 24, 2025

communications and meetings with area residents and homeowner representatives, reviewing the Departmental Comments and Staff Recommendations, and reviewing the uses of surrounding properties, we have been authorized by the Applicant to submit this letter of agreeable stipulations and conditions, which, if the Application for Special Land Use Permit is approved, as submitted, shall become a part of the grant of the requested Special Land Use Permit and shall be binding upon the Subject Property. The proposed stipulations are as follows:

- (1) Applicant seeks approval of the Special Land Use Permit for its existing main campus (approximately 33.255 acres) and the addition of approximately 9.725 acres located immediately adjacent to the main campus for a private school, with reference to the Site Plan prepared for Applicant by On Site Civil Group, dated October 1, 2025, and submitted with the Application for Special Land Use Permit on October 2, 2025. A reduced copy of the Site Plan is attached as Exhibit "A" and incorporated by reference.
- (2) Applicant agrees the area shown on the referenced Site Plan as "future phases" shall be brought back before the Cobb County Board of Commissioners as an Application for "Other Business" for approval of future phase development.
- (3) Applicant agrees the maximum student enrollment shall be one thousand one hundred (1,100) students.
- (4) Applicant agrees to comply with all Cobb County Department of Transportation Comments and Recommendations.
- (5) The balance and remainder of the stipulations and conditions previously approved in SLUP-11 (2013), OB-57 (2014), OB-18 (2017), OB-28 (2019), OB-26 (2020); OB-75 (2021), OB-34 (2022), OB-63 (2024), and any District Commissioner approvals relating to the Subject Property, the approved use, and the Site Plan submitted with this Application for Special Land Use Permit, which are not otherwise in direct conflict with the additional stipulations set forth herein; as well as the submitted Site Plan, shall remain unaltered and in effect for the Subject Property.

MOORE INGRAM JOHNSON & STEELE

Petition No. SLUP-7
Meeting Date 12-16-2025
Continued

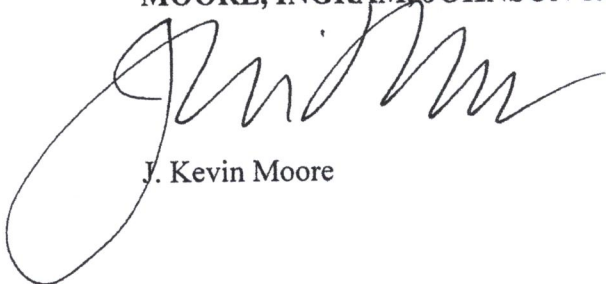
Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 3 of 4
November 24, 2025

The requested approvals of the Special Land Use Permit, together with the submitted Site Plan and additional stipulations set forth herein, will enhance the Subject Property and provide facilities for the Applicant's present and future students and the community. Thank you in advance for your time and consideration of the Applicant's request.

With kindest regards, I remain

Very truly yours,

MOORE, INGRAM, JOHNSON & STEELE, LLP



J. Kevin Moore

JKM:cc

Attachment

c: Cobb County Board of Commissioners:
Lisa N. Cupid, Chairwoman
Erick Allen
JoAnn Birrell
Keli A. Gambrill
Monique Sheffield
(With Copy of Attachment)

Cobb County Planning Commission:
Nadia Faucette, Chairwoman
David Anderson
Fred Beloin
Deborah Dance
Deidra Massey
(With Copy of Attachment)

MOORE INGRAM JOHNSON & STEELE

Petition No. SLUP-7
Meeting Date 12-16-2025
Continued

Mr. John P. Pederson, AICP
Zoning Division Manager
Zoning Division
Cobb County Community Development Agency
Page 4 of 4
November 24, 2025

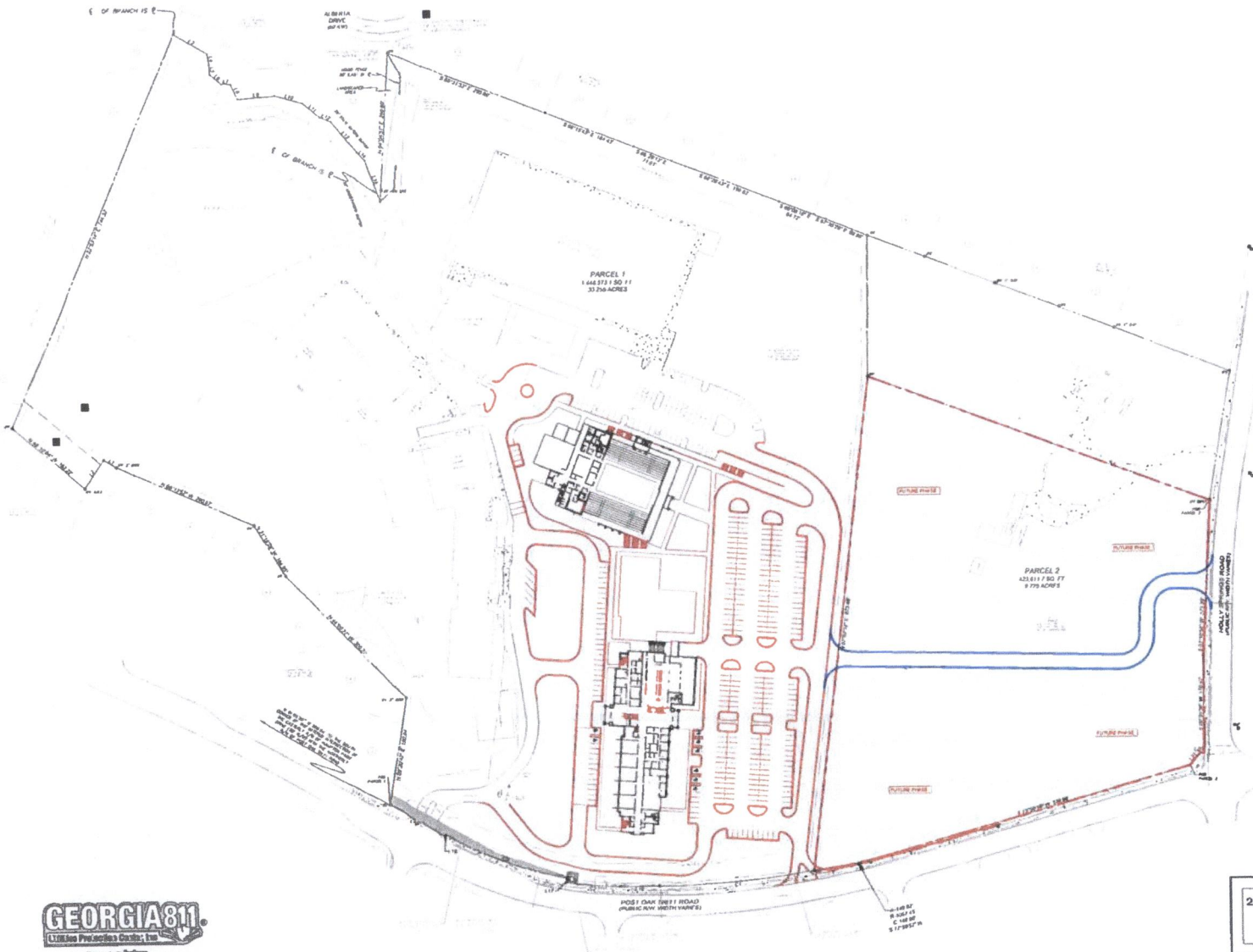
c: Terry L. Martin, AICP, CNU-A
Senior Planner
Zoning Division
Cobb County Community Development Agency
(With Copy of Attachment)

Ric Grome, President
East Cobb Civic Association, Inc.
(With Copy of Attachment)

Mt. Bethel Christian Academy, Inc.
(With Copy of Attachment)

Petition No. SLUP-7
Meeting Date 12-16-2025
Continued

EXHIBIT "A"



GEORGIA 811
 Extends Prescription Cards; Ensures
 Every State's Safety
 (Call before you dig)

24 HOUR CONTACT:
STEVE COLLEY
678-246-8311

ON SITE
CIVIL GROUP

4000 BIRCHDALE RD. SUITE 500-00, MILTON, CA 94558
PH: 925-478-4447
WWW.ONSITECIVIL.COM
DSR@ONSITECIVIL.COM

THESE DRAWINGS ARE THE
PROPERTY OF OCSITE CIVIL
GROUP, LLC AND SHALL NOT BE
REPRODUCED IN WHOLE OR IN
PART WITHOUT THE EXPRESS
WRITTEN PERMISSION OF
OCSITE CIVIL GROUP, LLC

REVISIONS		
No.	DATE	DESCRIPTION

CLIENT:
MNT BETHEL CHRISTIAN ACADEMY
4385 LOWER ROSWELL RD
MARIETTA, GA

MT BETHEL CHRISTIAN ACADEMY
2509 POST OAK TRUIT ROAD
LL 599.600.625.626
16TH DISTRICT
PIN: 16059900020

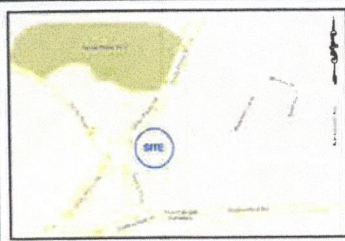
SPR #: 2025-00094

SITE PLAN

DATE	10-03-7
PROJECT	25-00

C 401

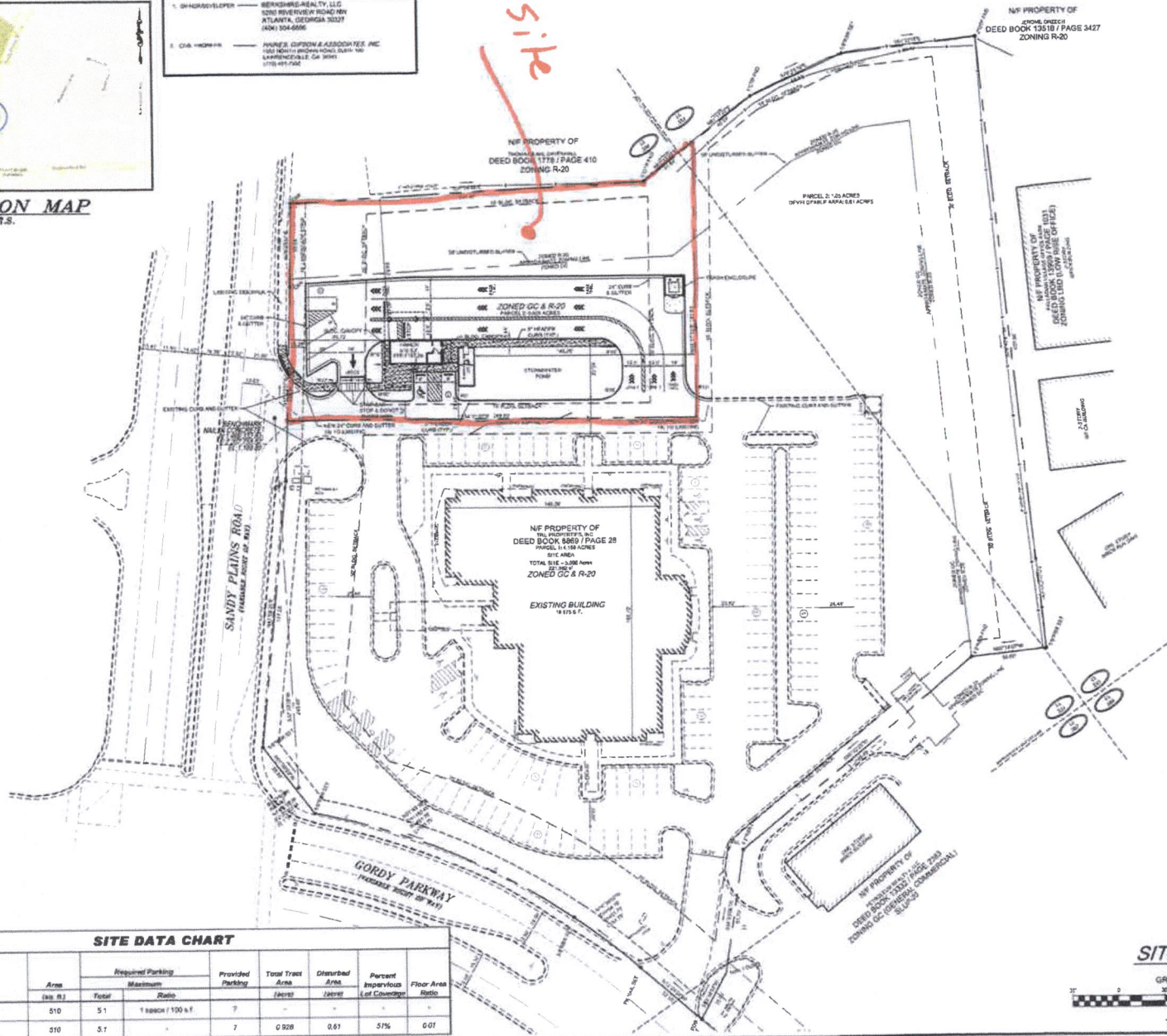
Meeting Date 12-16-2025



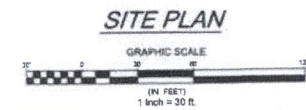
LOCATION MAP
N.T.S.

1. DEVELOPER: BERKSHIRE-REALTY, LLC
 1280 RIVERVIEW ROAD NW
 ATLANTA, GEORGIA 30327
 (404) 504-6696
 2. CIVIL ENGINEER: HUNTER, GORDON & ASSOCIATES, INC.
 100 NORTH AVENUE ROAD, SUITE 100
 LAWRENCEVILLE, GA 30045
 (770) 467-7442

Site



SITE DATA CHART									
Tract	Building / User	Area (sq. ft.)	Required Parking		Provided Parking	Total Tract Area (sq. ft.)	Disturbed Area (sq. ft.)	Percent Impervious Lot Coverage	Floor Area Ratio
			Minimum	Ratio					
1	Coffee Shop	510	5.1	1 space / 100 s.f.	7	0.928	0.61	57%	0.07
	Total	510	5.1		7				



SITE PLAN



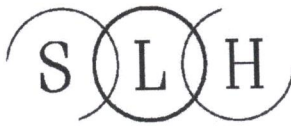
A PROJECT OF:
 BERKSHIRE-REALTY, LLC
 5280 RIVERVIEW ROAD NW
 ATLANTA, GEORGIA 30327
 (404) 504-6696

SANDY PLAINS ROAD
 COMMERCIAL DEVELOPMENT
 3810 SANDY PLAINS ROAD
 MARIETTA, GA 30066

NO.	DATE	REVISION
1	12/16/2025	01
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SHEET NUMBER
 C-1.0

08-512025 Site Plan



Min. Bk. 101 Petition No. O.B. 51
Doc. Type Letter dated 12-9-2025
Meeting Date 12-16-2025

GARVIS L. SAMS, JR.
(1952-2025)
JOEL L. LARKIN
PARKS F. HUFF

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770•422•7016
TELEPHONE
770•426•6583
FACSIMILE

December 9, 2025

(Stipulation Letter)

VIA EMAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
1150 Powder Springs Road, Suite 400
Marietta, GA 30064

Re: Other Business Application of BRKI, LLC to request a Site Plan Amendment regarding a 0.928-acre tract zoned GC located at the southeast side of Sandy Plains Road, northeast of Gordy Parkway (3618 Sandy Plains Road) (Z-223 of 1988); OB-51-2025

Dear John:

BRKI, LLC ("Applicant") requests approval of the above-described Other Business (OB) Item to approve a site plan revision. The 5.1-acre parcel is currently developed with a medical office building. The OB request is to subdivide the parcel to add a coffee and breakfast drive-through restaurant. The access will use the existing driveways that serve the medical office building. The use will have minimal impact on traffic because it will serve the existing traffic that is in the area. The applicant has received feedback from the county staff and the community. Below are stipulations that the applicant agrees to become a condition on the approval:

- 1) The applicant will conduct a traffic study if one is deemed needed during the plan review process. Because the use does not add any additional driveways or curb cuts its impact on existing traffic is minimal.
- 2) The Architectural Control Committee (ACC) has approved the attached architecture for the building per the zoning condition from Z-223 (1988).
- 3) The approval is specific to the revised site plan submitted via letter dated October 13, 2025.
- 4) The use is a coffee and breakfast restaurant additional uses shall be approved by the District Commissioner.



Petition No. O.B.51
Meeting Date 12-16-2025
Continued

VIA EMAIL:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
December 9, 2025
Page 2

- 5) The ACC shall approve the final Landscape plan which shall include appropriate irrigation and fencing around the detention pond prior to the issuance of the Building Permit.
- 6) Parking lot and building lighting shall be downlit and the lighting package shall be approved by the ACC prior to the issuance of the building permit.
- 7) All construction vehicles shall be parked on the site with no stacking or parking of work trucks on Sandy Plains Road or Gordy Parkway.
- 8) Construction hours shall be limited to 7:00 am to 8:00 pm Monday through Friday and 9:00 am to 6:00 pm on Saturday and no construction on Sunday.
- 9) A tire washing station shall be provided onsite during construction to prohibit mud and debris getting on the public roadways.
- 10) Freestanding signage shall be monument style.
- 11) The previous zoning conditions shall remain in full force.
- 12) The District Commissioner shall have the authority to approve minor modifications to this rezoning as the development proposal proceeds through the plan review process and thereafter, except for those that:
 - a. Reduce the side of an approved buffer adjacent to property which is zoned in a more restrictive zoning district.
 - b. Relocate a structure closer to the property line to an adjacent property which is zoned more restrictive.
 - c. Increase the height of a building adjacent to property which is zoned in a more restrictive zoning district.
 - d. Change access location to a different road.



Petition No. 0.3.51
Meeting Date 12-16-2025
Continued

VIA EMAIL:

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
December 9, 2025
Page 3

Please do not hesitate to contact me should you or your staff have any questions whatsoever regarding the Applicant's revised site plan.

Sincerely,

SAMS, LARKIN & HUFF, LLP

A handwritten signature in black ink, appearing to read "Parks F. Huff".

Parks F. Huff
phuff@samslarkinhuff.com

PFH/jac

cc: Members, Cobb County Board of Commissioners (via email)
Dr. Jackie McMorris, County Manager (via email)
Board of Commissioners Assistants (via email)
Ms. Jessica Guinn, AICP, Director (via email)
Mr. Terry Martin, AICP, CNU-A, Senior Planner (via email)
Mr. Cameron Jones, MCRP, CNU-A, Planner III (via email)
Mr. Peyton McClure, Planner I (via email)
Mr. Shaun Daniels, Planner I (via email)
Ms. Pam Mabry, County Clerk (via email)
Ms. Robin Stone, Deputy County Clerk (via email)
Ms. Leila Washington, Deputy County Clerk (via email)
Mr. Jeff Byrd, Fire Marshal's Office (via email)
Ms. Amy Diaz, P.E., Cobb DOT (via email)
Mr. Wilson Collins, Cobb DOT (via email)
Mr. Andrew Heath, P.E., Stormwater Management Division (via email)
Mr. Chris Duggan, Cobb County Water and Sewer Division (via email)
Mr. Richard S. Grome, President, East Cobb Civic Association (via email)
Mr. John R. Park, Owner, BRKI, LLC (via email)

Min. Bk. 101 Petition No. O.B.66
Doc. Type Site Plan

Meeting Date 12-16-2025



GRID NORTH
GA WEST NAD '83
SCALE: 1" = 20'

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-47.



FOR THE FIRM
BOUNDARY ZONE, INC.
LSF #839

NOT VALID WITHOUT
ORIGINAL SIGNATURE

Stephen A. Calder
STEPHEN CALDER
PLS #2906

10-21-2025
DATE

ZONING INFORMATION:

R-15
SINGLE FAMILY
RESIDENTIAL DISTRICT

BUILDING SETBACKS
PER PLAT (SHOWN):
FRONT: 15'
SIDE: 10' BETWEEN UNITS
REAR: 10'

CURRENT
BUILDING SETBACKS:
FRONT: 35'
SIDE: 10'
REAR: 30'

ZONING AND SETBACK DESIGNATIONS AS SHOWN HEREON WERE OBTAINED FROM THE OFFICIAL COBB COUNTY WEBSITE ON 10/02/2025.

ZONING AND SETBACK DETERMINATIONS ARE OFTEN OPEN TO INTERPRETATION AND THEIR DEPICTION ON THIS SURVEY PLAN IS NEITHER AUTHORITATIVE NOR CONCLUSIVE. THE OWNER OR BUILDING PERMIT HOLDER ALONE HAS THE RESPONSIBILITY TO CONSULT WITH THE RELEVANT PLANNING AUTHORITY TO VERIFY COMPLIANCE WITH ZONING AND SETBACK REGULATIONS PRIOR TO ANY DEVELOPMENT WORK.

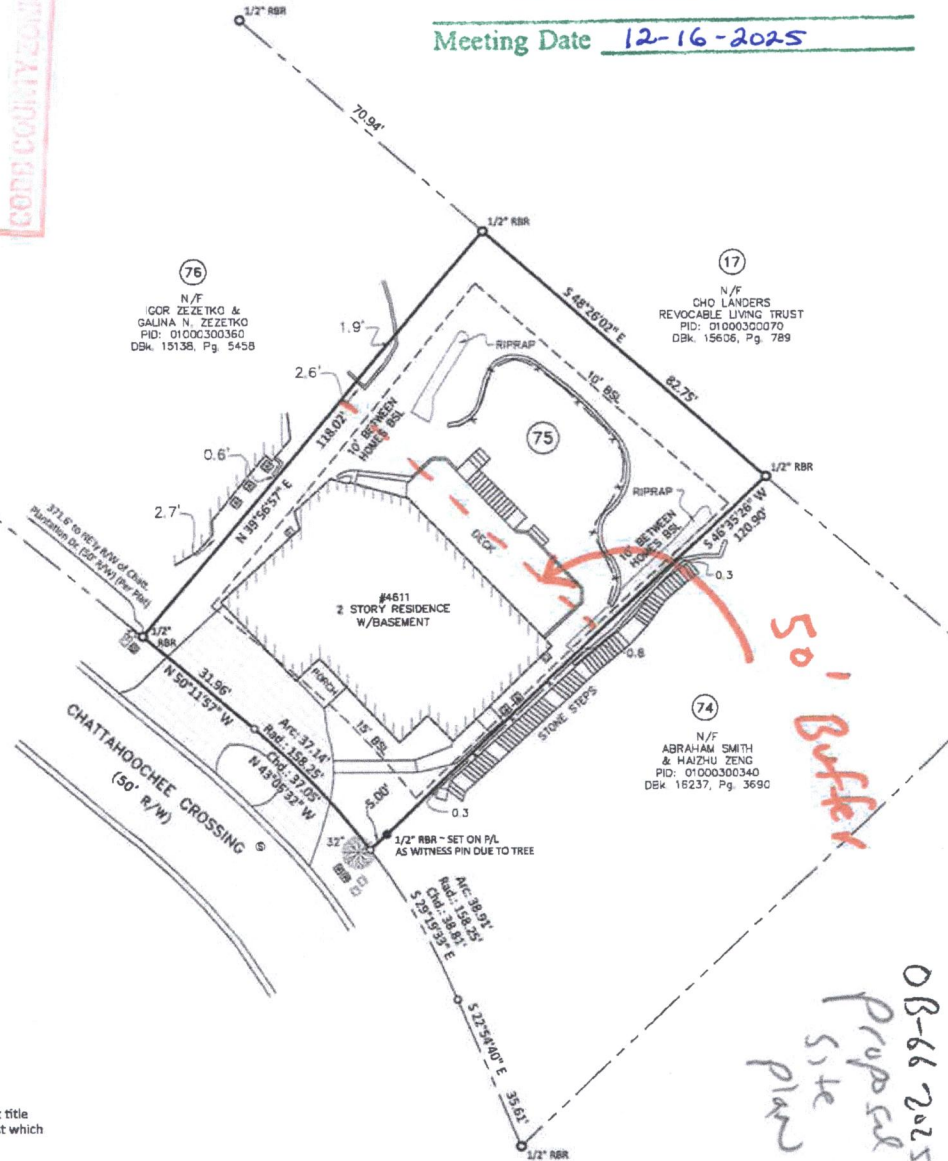
Property of
HEATHER K. PECK &
ANAND MURUGESAN
PID: 01000300350

TRACT AREA:

8,992 Sq. Ft.
0.206 Ac.

IMPERVIOUS SURFACE
CALCULATIONS IN Sq. Ft.
LOT: 8,992
HOME: 2,362
STONE/STAIRS: 742
DECK/STAIRS: 739
RIPRAP: 182
WALLS: 100
TOTAL IMPERVIOUS COVERAGE
3,459 - 38.7%

This survey was prepared without the benefit of a current title examination. Easements or other encumbrances may exist which burden or benefit the land parcel.



BOUNDARY SURVEY

Prepared for: HEATHER PECK
4611 CHATTAHOOCHEE CROSSING, MARIETTA, GA 30328
LOT 75, BLOCK 4, CHATTAHOOCHEE PLANTATION, PHASE ONE
LAND LOT 3 of the 1st DISTRICT, 2nd SECTION,
COBB COUNTY, GEORGIA - 10/02/2025

© COPYRIGHT 2025
BOUNDARY ZONE, INC.
ALL RIGHTS RESERVED.

THIS PLAT WAS PREPARED
FOR THE USE OF THE
PERSON, PERSONS OR
ENTITY NAMED HEREON.

PROJECT
27792-01

SHEET
1 of 1

LEGEND:

● PROPERTY CORNER
FOUND (AS NOTED)
○ 1/2" REBAR WITH
CAP SET "LSF# 839"
□ R/W MONUMENT
■ REBAR
■ CRIB
○ OPEN TOP PIPE
○ CRIMP TOP PIPE

○ POWER POLE
○ LIGHT POLE
○ POWER/LIGHT POLE
○ GUY WIRE
○ POWER METER
○ POWER BOX
○ A/C UNIT
○ GAS METER
○ GAS VALVE
○ TELEPHONE BOX

■ FIRE HYDRANT
■ WATER METER
■ WATER VALVE
■ CATCH BASIN
■ MANHOLE
■ DRAINAGE INLET
■ CLEAN OUT
■ SIGN

○ OVERHANG
○ WATER LINE
○ SEWER LINE
○ GAS LINE
○ TEL. LINE
○ OVERHEAD UTIL
○ FENCE LINE
○ UTILITY MARKERS
○ WATER/GAS/TELECOM

BSL BUILDING SETBACK
N/F NOW OR FORMERLY
R/W RIGHT-OF-WAY
PLAT BOOK PLAT BOOK
DEED BOOK DEED BOOK
Pg. PAGE
LL LAND LOT
D.E. DRAINAGE EASMENT
S.S.E. SAN SEWER EASMENT

BOUNDARY REFERENCES: DBK: 15328, Pg. 1845; PBL: 116, Pg. 31

THE FIELDWORK WAS COMPLETED ON 09-17-2025

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 113,466 FEET.

FIELD EQUIPMENT USED FOR THIS SURVEY INCLUDES A TRIMBLE S SERIES 3" TOTAL STATION AND GPS 201 DUAL FREQUENCY GNSS RECEIVERS

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY OF 0.03 FEET.

BOUNDARY
zone, inc. SURVEYORS, ENGINEERS
AND LAND PLANNERS
800 SATELLITE BLVD., SUWANEE, GA 30024
WWW.BOUNDARYZONE.COM (770) 271-5772
INFO@BOUNDARYZONE.COM

Troutman Pepper Locke LLP
Bank of America Plaza, 600 Peachtree Street NE, Suite 3000
Atlanta, GA 30308

troutman.com



November 12, 2025

VIA HAND DELIVERY

Mr. John Pederson, AICP
Manager, Zoning Division
Cobb County Community Development
1150 Powder Springs Street, Suite 400
Marietta, Georgia 30064

Min. Bk. 101 Petition No. O.B.68
Doc. Type letter

Meeting Date 12-16-2025

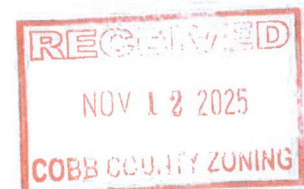
**Re: Other Business Application —The Avenue West Cobb Shopping Center
(Parcel # 20033300180; also known as 3625 Dallas Hwy)**

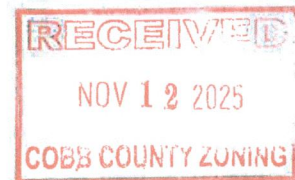
Dear Mr. Pederson:

On behalf of West Cobb Owner LLC (the "Applicant" and "Owner"), I am pleased to submit for review and consideration this application seeking approval to amend the existing zoning stipulations for the property noted above (the "Subject Property") enacted through Z-139 (1999) as amended by OB-36-2019. The Applicant is an affiliate of Acadia Realty Trust ("Acadia"), which is a publicly traded real estate investment trust based in Rye, NY. Acadia owns and manages a diverse portfolio of high-quality properties in 65 cities nationwide and recently acquired the Subject Property. These amendments would allow for a modest modification to one of the existing entrance signs and a modification of the weekend *opening* time for a proposed fitness center within The Avenue West Cobb Shopping Center ("The Avenue") from 8:00 a.m. to 6:00 a.m. on Saturday and Sunday. Additional minor revisions to the stipulations in relation to this request are provided below. Accompanying this Letter of Intent are the following documents:

- A completed application for "Other Business" form, bearing the original, notarized signatures of the Applicant's representative and Titleholder's authorized representative;
- Seven (7) Copies of a site plan (as-built survey) of the Subject Property, two (2) of which are printed on 8.5" x 11" paper;
- Seven (7) copies of renderings of the proposed entrance sign modification;
- A copy of the original zoning stipulations from Z-139 (1999) and the additional conditions enacted with OB-36-2019; and
- A copy of the paid tax receipt for the Subject Property.

Appropriate application and sign fees will be paid at the time this application is submitted.





Project Description

The Applicant recently acquired The Avenue, an outdoor lifestyle shopping center, which opened in 2003 and has been a shopping and dining destination for the surrounding community for over 20 years. As with many retail centers, occupancy has decreased in recent years, so the Applicant is focused on increasing occupancy with a vibrant tenant base. In the brief time since it acquired the Subject Property, the Applicant already has devoted considerable effort and resources into seeking out new, high-quality tenants to bring fresh concepts and new energy to The Avenue and to the customer experience. One such prospective tenant is an upscale fitness and gym facility that would occupy a significant portion of the now vacant space within The Avenue.

Critical to the Applicant's ability to attract this fitness center tenant to The Avenue is the prospective tenant's desire for increased visibility over what can be achieved under current conditions. The proposed modification to one of the entrance signs for The Avenue, as shown on the rendering accompanying this application, is essential to the success of the Applicant's efforts to attract this new fitness center tenant, while, at the same time, protecting the aesthetic of the Subject Property. As shown on the rendering, the proposed modification to the entrance sign is modest. Without altering the sign's overall height, each side panel will be extended vertically using comparable materials and a small tenant identification sign will be added to each panel. The Applicant respectfully submits this enhancement will increase business visibility to customers while maintaining the sign's current scale, design, and attractiveness.

Additionally, extending the weekend opening hours from 8:00 a.m. to 6:00 a.m. for the proposed fitness center aligns with the desired weekend hours for this prospective tenant as expressed during lease negotiations with the Applicant. This weekend opening time will allow the fitness center to respond to customer demand and better serve the community and will not adversely impact surrounding neighborhoods. As noted below in the proposed stipulations, no classes or activities will be offered outside the building occupied by the fitness center. Additionally, sound originating within the fitness center will be mitigated through design and materials used in the build-out of the space.

Requested Stipulations

Should the Board of Commissioners approve this request, the Applicant respectfully agrees such approval will be subject to the following conditions:

1. **The existing sign immediately to the west of the development's main entrance shall be modified as indicated on the rendering entitled "Avenue West Cobb Monument Sign Acadia" prepared by Signs of Interest dated November 3, 2025.**
2. **Fitness Center *opening* time shall be at 5:00 a.m. Monday through Friday; and at 6:00 a.m. on Saturday and Sunday.**
3. **District Commissioner to approve any changes to exterior building architecture.**

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4. No regularly scheduled classes or activities to be conducted by the Fitness Center outside the Fitness Center's leased premises.
5. The interior build-out of the Fitness Center's leased premises shall utilize design features and materials to mitigate sound originating from within the building.
6. All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect.

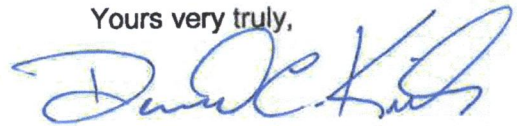
Conclusion

In conclusion, on behalf of the Owner/Applicant and for all the reasons stated above and in the accompanying materials, I respectfully request Cobb County amend the zoning stipulations for the Subject Property to allow for a modest modification to one of the existing entrance signs and a modification of weekend *opening* time for the proposed fitness center at The Avenue from 8:00 a.m. to 6:00 a.m..

I hope this letter and the attached documents contain all the information you need to consider the requested approval. Should you have any questions or believe additional information would be helpful to your review, please do not hesitate to contact me at your earliest convenience.

Thank you for your thoughtful consideration of this request.

Yours very truly,



David C. Kirk, FAICP
Attorney for West Cobb Owner, LLC

/dck
Attachments



EXHIBIT "B" - ATTACHMENT TO APPLICATION FOR "OTHER BUSINESS"
(Stipulation Amendment)

OB Application No.: OB- 70 (2025)
Zoning Application No.: Z-72 (2020)
Original Zoning Hearing Date: December 15, 2020
Date of Zoning Decision: October 19, 2021
Current OB Hearing Date: December 16, 2025

Applicant: Toll Southeast LP Company, Inc.
Titleholder: Arroyo Cap V-1, LLC,
a Delaware limited liability company

Tax Parcel Identification No.: 16047000040

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

The property which is the subject of this Application for "Other Business" is 19.08 acres, more or less, located on the northerly and southerly and easterly and westerly sides of relocated Waterfront Drive, westerly of Johnson Ferry Road, Land Lots 470 and 471, 16th District, 2nd Section, Cobb County, Georgia (hereinafter "Property" or "Subject Property"). The Property is the residential portion of Z-72 (2020) which was rezoned to the RA-5 zoning classification by the Cobb County Board of Commissioners on October 19, 2021.

Toll Southeast LP Company, Inc., as Applicant in this Application for "Other Business" (hereinafter "Applicant"), is the residential developer of the Subject Property. During final engineering for the residential community, Applicant has determined that an amendment to the stipulation regarding setbacks is necessary for approval of the final Site Plan. Applicant seeks to amend the front setback stipulation as follows:

Reduction of the front setback from the required twenty (20) feet to fourteen (14) feet for Lots 17-23 only; and reduction of the front setback from the required twenty (20) feet to ten (10) feet for Lot 16 only.

With the reduction in the front setback for Lots 16-23, the driveway length is reduced to eighteen (18) feet for each lot. Correspondingly, with the setback and driveway adjustments, four (4) additional guest parking spaces are created near Lot 73. These adjustments are more particularly set forth on the Overall Site Layout Plan (comprised of three sheets (Overall Site Layout Plan and two Detailed Site Layout Plans)) prepared for Applicant by AEC, Inc., last revised November 7, 2025, and submitted as part of this Application for "Other Business."

The front setback adjustment is needed due to the required placement of a drainage easement and retaining wall along the rear of these lots. Reducing the front setback for these lots only provides an area for a small backyard, thereby creating a much-improved quality of life for future homeowners of these lots.

Unless otherwise specifically set forth herein, the balance and remainder of the stipulations and conditions related to the residential portion of the overall development enumerated in the final, official minutes, and any attachments thereto, of the Board of Commissioners Zoning Hearing held on October 19, 2021, or any amendments by District Commissioner approval, which are not otherwise in conflict herein, are unaltered or unchanged by this request for Stipulation Amendment.

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The amendment proposed and presented herein in no way adversely impacts or affects the quality or integrity of the development of the Subject Property. If the requested stipulation amendment is approved, as submitted, it shall become an additional part of the final rezoning and shall be binding upon development of the Subject Property.

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