



AGENDA

COBB COUNTY PLANNING COMMISSION REGULAR MEETING SEPTEMBER 1, 2026 – 9:00 AM

Cobb County...Expect the Best!

Agendas

Continued or Held Cases

Regular Cases – New Business

1. Z-31-2026 District 2 - 2041 Austell Road
2. Z-32-2026 District 2 - 1718 Atlanta Road
3. LUP-18-2026 District 4 - 1768 Rustic Drive
4. LUP-19-2026 District 3 - 1884 Addison Road
5. LUP-20-2026 District 1 - 1863 Ruby Mountain Street
6. LUP-21-2026 District 4 - 987 Walnut Circle
7. LUP-22-2026 District 2 - 1877 Austell Road
8. LUP-23-2026 District 4 - 1934 Pair Road
9. LUP-24-2026 District 3 - 3331 Acorn Falls Drive
10. LUP-25-2026 District 4 - 5280 Hiram Lithia Springs Road
11. LUP-26-2026 District 4 - 1117 Woodleigh Road
12. LUP-27-2026 District 4 - 3235 Avondale Parkway
13. LUP-28-2026 District 4 - 1901 Pair Road

Other Business Cases



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

Z-31-2026

SITE BACKGROUND

Applicant	Barbara Furr and Patricia Furr
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Barbara Furr and Patricia Furr
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Barbara Mae Furr and Patricia Furr
Property Location	Located on the south side of Austell Road, north of Pat Mell Road
Address	2041 Austell Road
Access to Property	Austell Road

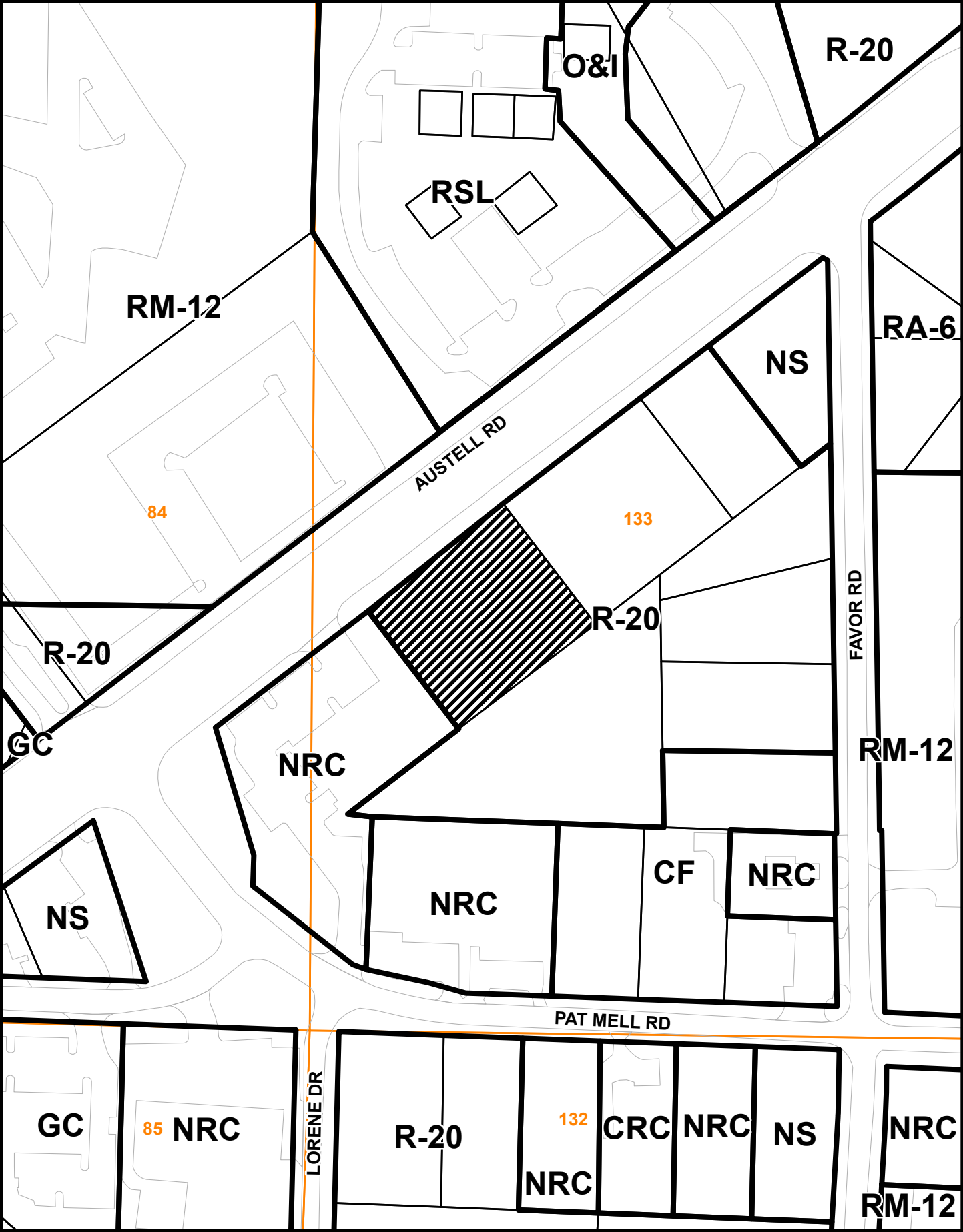
QUICK FACTS

Commission District	2 - Allen
Current Zoning	R-20
Current Use of Property	Duplex
Proposed Zoning	RD
Proposed Use	Duplex
Future Land Use	NAC
Site Acreage	0.80
District	17
Land Lot	133
Parcel #	17013300090
Taxes Paid	Yes

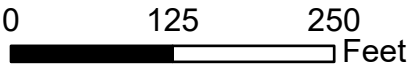
FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

Z-31 2026 Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.



 Zoning Boundary

 City Boundary

THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA. THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED BY THE U.S. ARMY CORPS OF ENGINEERS, AN INSURANCE COMPANY OR APPRAISER.

[illegible]

1. QUIT CLAIM IN FAVOR OF
JACK C. FURR, SR.
PATRICIA FURR
DEED BOOK 18337 PAGE 648
COBB COUNTY, GEORGIA RECORDS

2. WARRANTY IN FAVOR OF
JACK C. FURR, SR.
DEED BOOK 13567 PAGE 2037
COBB COUNTY, GEORGIA RECORDS

3. ASSENT OF EXECUTOR TO DEVISE IN FAVOR OF
JACK CLIFTON FURR, SR.
DEED BOOK 13546 PAGE 5068
COBB COUNTY, GEORGIA RECORDS

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 RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.

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 185,433 FEET. A GEOMAX 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 FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.

THIS PROPERTY IS SUBJECT TO CURRENT ZONING

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

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

10. THIS SUEOR ASSUMES NO RESPONSIBILITY FOR THE LOCATION OF THE INTERIOR WALLS. DATA SHOWN ON THIS PLAT WAS OBTAINED FROM OUTSIDE MEASUREMENTS AND THE ASSUMPTION THAT THE INTERIOR WALLS ARE AS SHOWN ON THE ORIGINAL PLAT OF RECORD.

11. THIS PROPERTY IS SUBJECT TO ANY AND ALL R/W'S OF THE CITY OF MARIETTA, COBB COUNTY AND/OR THE STATE OF GEORGIA.

NO.	REVISIONS	DATE
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McClung Surveying Services, Inc.
4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383

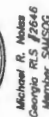
PATRICIA FURR

TOTAL AREA= 0.800± AC
OR 34.850± SQ. FT.

LAND LOT 133
17TH DISTRICT 2ND SECTION
COBB COUNTY, GEORGIA
PLAT PREPARED: 6-11-2026
FIELD: 6-10-2026 SCALE: 1"

[illegible]

This plot is a reattachment of an existing parcel or parcels of land and does not include any new or existing parcels. Changes to any portion of the land are made by a plat. The information on the map, plat, or other instruments which created the parcel or parcels on the map is recorded on this PLAT. DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF FINANCIAL ASSISTANCE, OR RECORDING 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 of Professional Engineers and Land Surveyors (GCS-100).



Z-31 2026 Aerial Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 125 250 Feet

Zoning Boundary

City Boundary

Application No. _____

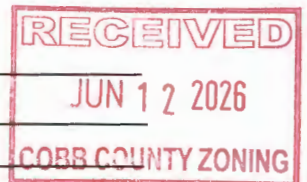
Summary of Intent for Rezoning

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): 1,811 sq. Ft.
- b) Proposed building architecture: Brick (Traditional)
- c) List all requested variances: • Front setback reduction
• Setback reduction for accessory
structure over 650' from 100' to 54' off front
Property line, 100' to 3' along SW' Plot line, 100' to 97' along
se Plot line.

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): _____
- b) Proposed building architecture: _____
- c) Proposed hours/days of operation: _____
- d) List all requested variances: _____



.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

The property was bought in 1955 by my Grandfather, Roy Furr.
He added on a unit after building the house in 1957.
It has always been a duplex, occupied, with (2) Meters.

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a
plat clearly showing where these properties are located).

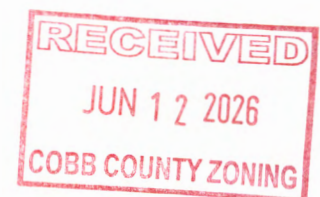
May 19, 2026

Re: Letter of Verification

To Whom It May Concern:

This is to confirm that **Roy Furr** is receiving electric service in his/her name at **2041 Austell Rd Marietta, GA 30008**. This service was connected on **11/03/2005** If you have further questions, please contact our member Care Center at (770) 429-2100.

Member Care Center
Cobb EMC

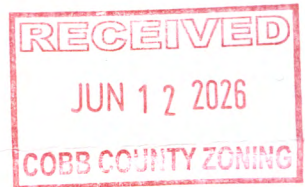




1957 Chevy Bel-air Post

Date: unknown

*Applicant claims this picture was taken the day the car was bought



COBB COUNTY ZONING
JUN 12 2026

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made under my supervision.

SANDERS ENGINEERING CO.
AUSTELL, GEORGIA
Branch Offices
Carrollton, Ga.

By: H. L. Sanders Reg. C.E. No. 2393
H. L. Sanders Reg. Ga. Surv. No. 848



The owner of the land shown on this plat and whose name is subscribed hereto, and who in person, or through a duly authorized agent, acknowledges that this plat was made from an actual survey and dedicates to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purposes and considerations therein expressed.

Noah Johnson Owner

This plat has been submitted to and considered by the Planning Board of Cobb County, Georgia and is approved by such planning board.

Dated this 13 day of May 1955.

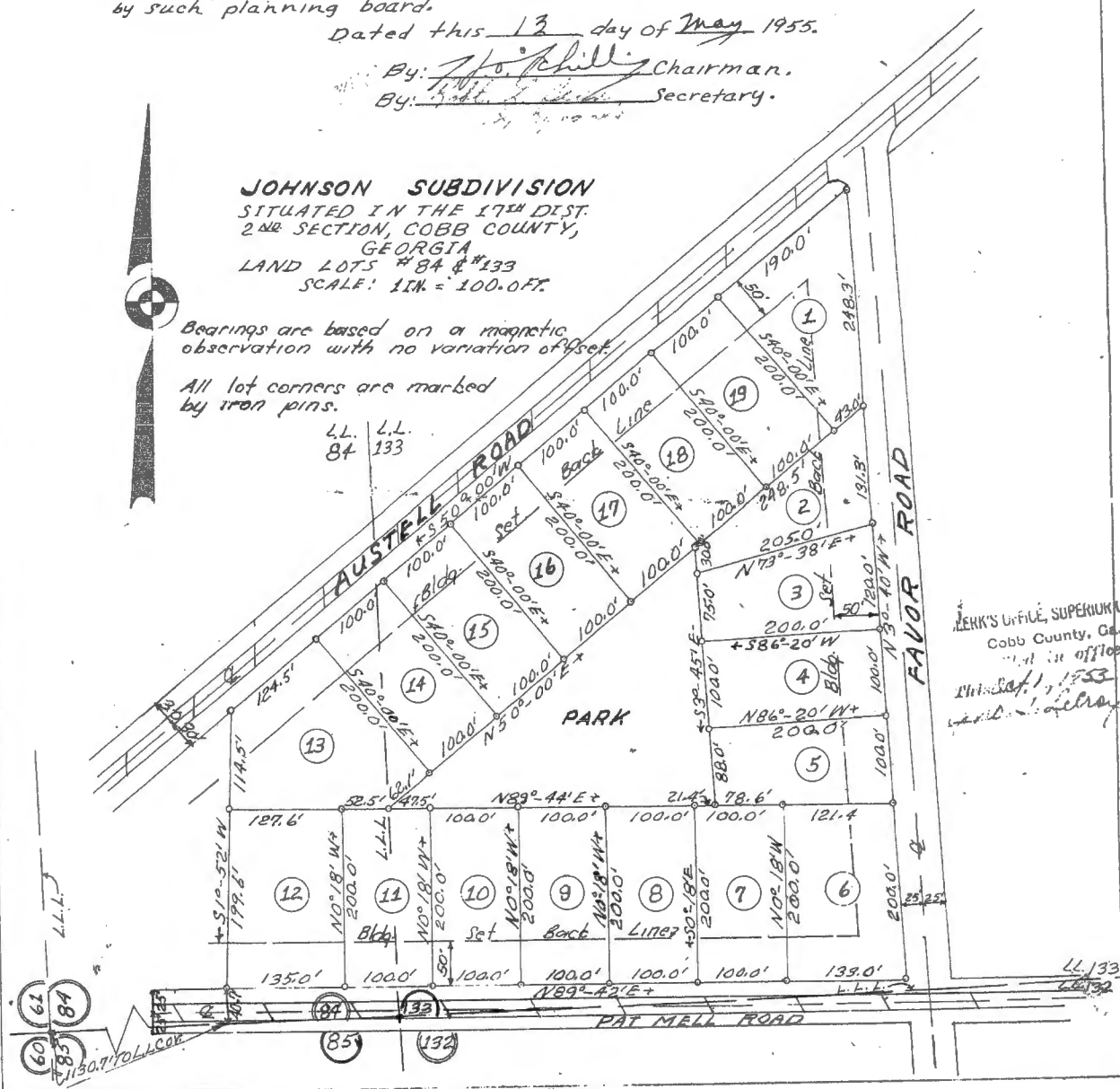
By: H. L. Phillips Chairman.

By: H. L. Sanders Secretary.

JOHNSON SUBDIVISION
SITUATED IN THE 17TH DIST.
2ND SECTION, COBB COUNTY,
GEORGIA
LAND LOTS #84 & #133
SCALE: 1" = 100.0 FT.

Bearings are based on a magnetic observation with no variation of 45 sec.

All lot corners are marked by iron pins.



LENN'S OFFICE, SUPERVISOR
Cobb County, Ga.
This is a copy of the original
filed in office
May 1, 1955
H. L. Sanders



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.



REFERENCE MATERIAL

- QUIT CLAIM IN FAVOR OF JACK C. FURR, SR., BARBARA MAE FURR AND PATRICIA FURR DEED BOOK 16337 PAGE 648 COBB COUNTY, GEORGIA RECORDS
- WARRANTY IN FAVOR OF JACK C. FURR, JR. DEED BOOK 15567 PAGE 2937 COBB COUNTY, GEORGIA RECORDS
- ASSENT OF EXECUTOR TO DEVISE IN FAVOR OF JACK CLIFTON FURR, SR. DEED BOOK 13546 PAGE 5566 COBB COUNTY, GEORGIA RECORDS

SURVEY NOTES

- 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.



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- BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.

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

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

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

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- THIS PROPERTY IS SUBJECT TO ANY AND ALL R/WS OF THE CITY OF MARIETTA, COBB COUNTY AND/OR THE STATE OF GEORGIA.

262.14' TO THE N.E. TERMINUS OF THE MITERED R/W OF THE N.E. R/W OF PAT MELL ROAD (R/W VARIES) AND THE S.E. R/W OF AUSTELL ROAD (AS PRESENTLY LOCATED)

#2051 N/F
REALTY INCOME PROPERTIES 29, LLC
DB 15101 PG 841-845



Michael R. Noles
Georgia RLS #2646
Member SAMSOG

ZONING INFORMATION

COBB COUNTY ZONING: R-20
MINIMUM LOT AREA: 20,000 SQ.FT.
MINIMUM HEATED FLOOR AREA: 1,200 SQ.FT.
MINIMUM LOT WIDTH AT 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.

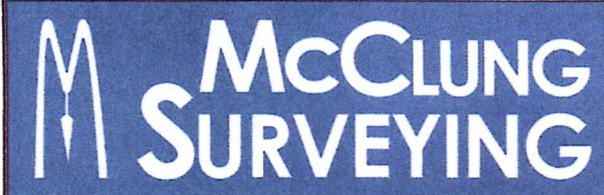
SURVEYOR'S CERTIFICATE

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 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 Regulation for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Michael R. Noles

Michael R. Noles Georgia RLS No. 2646 6-11-26

NO.	REVISIONS	DATE

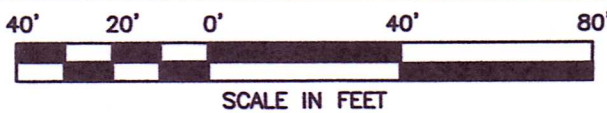


McClung Surveying Services, Inc.
4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383
www.mcclungsurveying.com Certificate of Authorization #LSF000752

SURVEY FOR
BARBARA FURR
PATRICIA FURR

2041 AUSTELL ROAD
MARIETTA, GEORGIA

TOTAL AREA= 0.800± ACRES
OR 34,850± SQ. FT.



PART OF LOTS 15 AND 16
JOHNSON SUBDIVISION

LAND LOT 133
17TH DISTRICT 2ND SECTION
COBB COUNTY, GEORGIA
PLAT PREPARED: 6-11-2026
FIELD: 6-10-2026 SCALE: 1"=40'

JOB#268790 PB 13 PG 145



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

Z-32-2026

SITE BACKGROUND

Applicant	Two Windy Hills, LLC
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Guy Kelley
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Two Windy Hills, LLC
Property Location	Located on the south side of Atlanta Road, north of Taylor Drive
Address	1718 Atlanta Drive
Access to Property	Atlanta Road

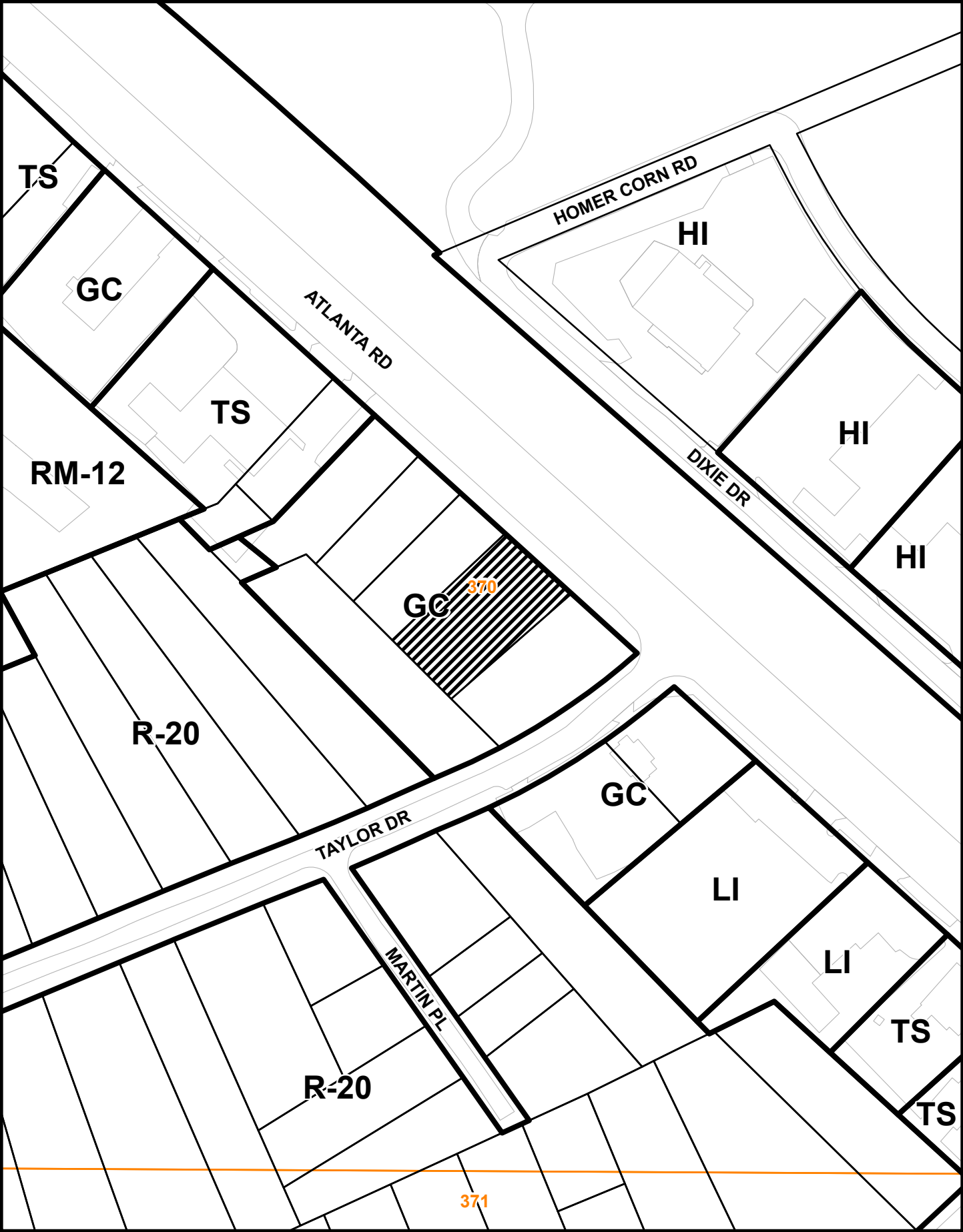
QUICK FACTS

Commission District	2 - Allen
Current Zoning	GC
Current Use of Property	Single-family Residence
Proposed Zoning	LI
Proposed Use	Contractor Office
Future Land Use	IC
Site Acreage	0.34
District	17
Land Lot	370
Parcel #	17037000120
Taxes Paid	Yes

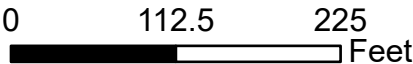
FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

Z-32 2026 Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.



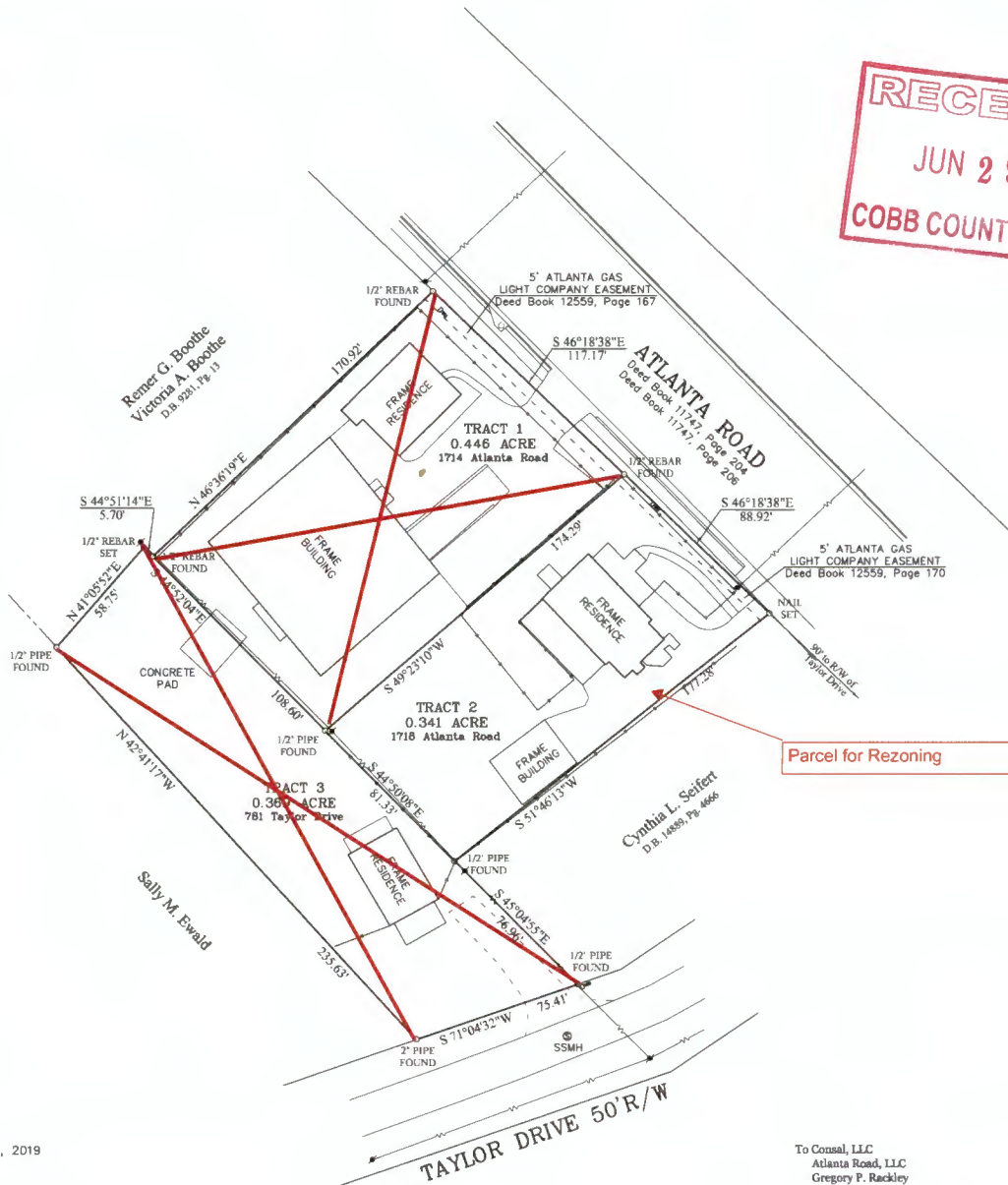
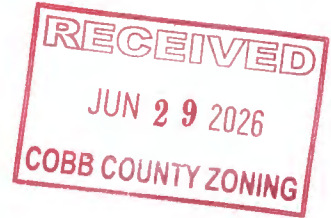
 Zoning Boundary

 City Boundary



Notes:

1. This Survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (OCGA) 15-6-67.
2. This property does not lie within the 100 Year Flood Limits per F.E.M.A. Flood Insurance Rate Map of Cobb County, Map No. 13067C01161, effective date, October 5, 2018.



Title Exceptions
File No. 28158
Commitment Date: March 7, 2019
Schedule B - Part 2

9. Easement to Atlanta Gas Light Company
Deed Book 12559, Page 167
Shown on plot.
10. Right of Way Deed to Cobb County Department of Transportation
Deed Book 11747, Page 204
Shown on plot.
12. General Permit to Southern Bell Telephone & Telegraph Company
Deed Book 522, Page 396
Deed shows line is within the Right of Way of Atlanta Road.
13. Right of way Deed to Cobb County Department of Transportation
Deed Book 11747, Page 206
Shown on plot.
14. Easement to Atlanta Gas Light Company
Deed Book 12559, Page 170
Shown on plot.

LEGEND
SSMH - Sanitary Sewer
Monhole
WM - Water Meter

To Consal, LLC
Atlanta Road, LLC
Gregory P. Rackley
Georgia Primary Bank
Chicago Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6, 7(a), 8, 11, 13, 17 & 19 of Table A thereof. The fieldwork was completed on March 26, 2019.

March 26, 2019

Christopher J. Carlan
Christopher J. Carlan
RLS 3003

ALTA/NSPS Land Title Survey
for
CONSAL, LLC
ATLANTA ROAD, LLC
GREGORY P. RACKLEY
GEORGIA PRIMARY BANK
CHICAGO TITLE INSURANCE COMPANY
LOCATED WITHIN
Land Lot 370, 17th District, 2nd Section
Cobb County, Georgia
Scale: 1" = 40' March 27, 2019

1. The field data upon which this plat is based has a closure precision of one foot in 34,925 foot and an angular error of .00 per angle point and was adjusted using the Compass Rule.
 2. This plat has been calculated for closure and is found to be accurate within one foot in 302,994 feet.
 3. The field equipment used in this survey was a Leica TS12-P Robotic Total Station.
 4. The Field Work was completed 3/26/19.
- 40 0 40 80 120
GRAPHIC SCALE - FEET

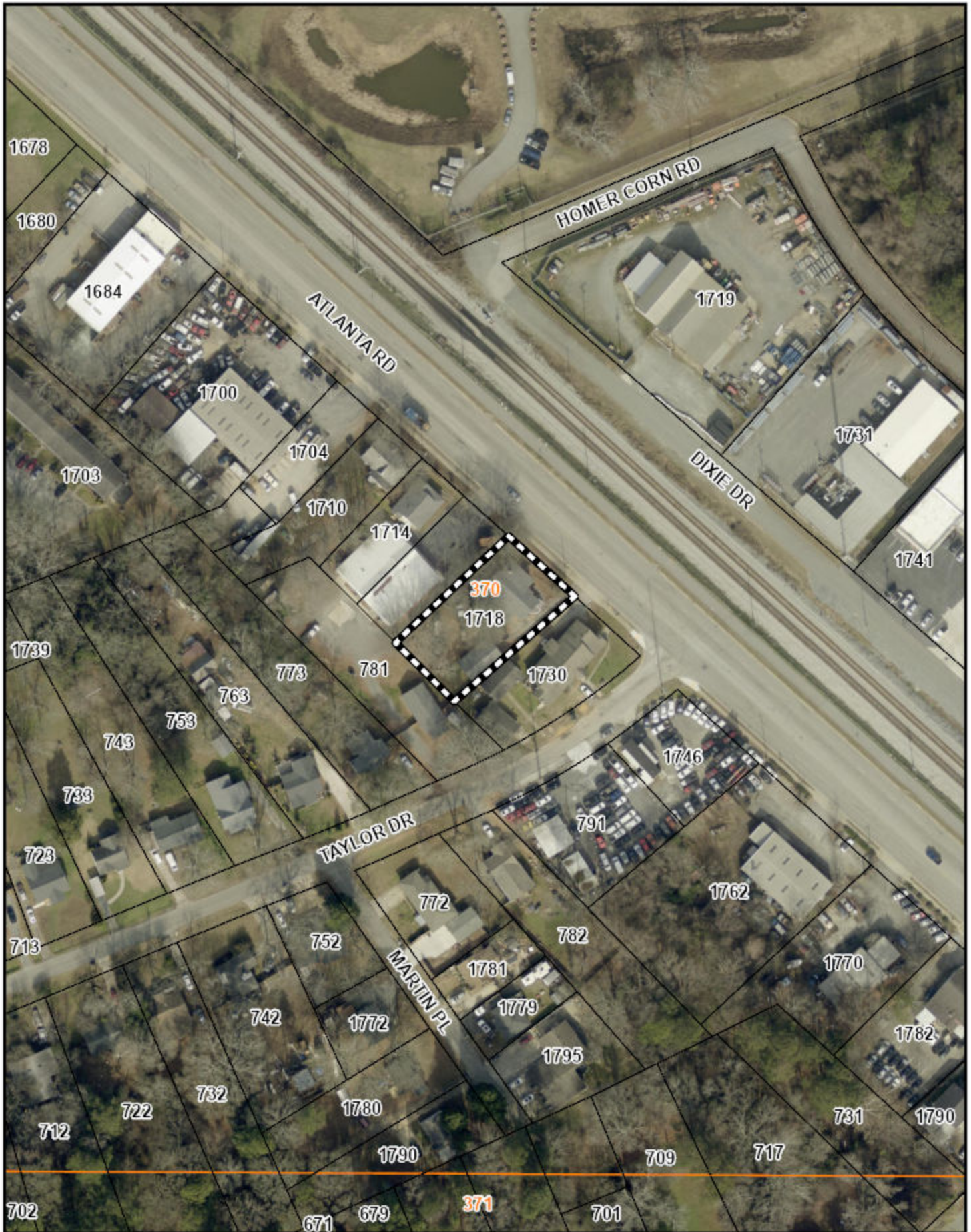


CARLAN
LAND SURVEYORS
970 SOUTH BROAD STREET
COMMERCE, GA 30529
(706)336-5959



JOBS NO. 19-063 P.B. B-394

Z-32 2026 Aerial Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 112.5 225
 Feet

Zoning Boundary

City Boundary

Application No. _____

Summary of Intent for Rezoning

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): _____
b) Proposed building architecture: _____
c) List all requested variances: _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Contractor Office, Equipment
Storage & Vehicle Parking
b) Proposed building architecture: No changes to current
Structures on Property
c) Proposed hours/days of operation: Monday - Friday
8AM - 5PM
d) List all requested variances: Lot Size Variance
from Required 20,000 sq ft to 141,853.96 sq ft

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

RECEIVED

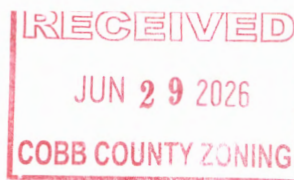
JUN 29 2026

COBB COUNTY ZONING

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located).

NO - Ownership of Right of Way



Applicant Rezoning Analysis



Every application for rezoning involving a request for a non-residential zoning district shall include a complete written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters:

- (a) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

-Yes, the request to change the zoning from current: "GC" to "LI" is suitable in view and development of adjacent and nearby property as all adjacent and nearby property is already classified as a non-residential and / or "GC" zoning classification. The use of the property will be comparable to all nearby and adjacent properties.

- (b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

-No, the request to change the zoning from current "GC" to "LI" will NOT adversely affect the existing use or usability of adjacent or nearby properties. All adjacent and nearby properties are already classified as non-residential and /or "GC" zoning classification. The use of the property will be comparable to all nearby and adjacent properties.

- (c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

-Yes, the current zoning of the proposed property has a reasonable economic use. The proposed rezoning from "GC" to "LI" will continue to maintain the current reasonable economic use.

- (d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

-No, the zoning proposal from "GC" to "LI" will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The use of the proposed rezoning property will continue to be used in a similar manner as the previous owner and current zoning.

The use of the building will be for contractor office purposes only – no retail or walk in business traffic. The foot print of the property and vehicle accessible areas will remain the same.

(e) Whether the zoning proposal is in conformity with the policy and intent of the land use plan; and

-Yes, the zoning proposal is in conformity with the policy and intent of the current land use plan.

(f) Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

-No, there are no other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal. The property will be used in a manner similar to current use.

TWO WINDY HILLS LLC.

- LETTER OF INTENT -

COBB COUNTY | ZONING BOARD |
1150 POWDER SPRINGS ST, STE 400 | MARIETTA, GA 30064

CONTACT

SOLE MEMBER: GUY KELLEY
1185 BELMONT AVE SE - SMYRNA, GA
30080
(404) - 273 - 6001
GUYKELLEY1@AOL.COM

05/13/2026

FROM: TWO WINDY HILLS LLC.

TO: COBB COUNTY ZONING BOARD

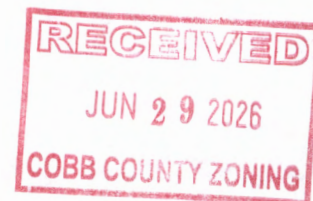
TWO WINDY HILLS LLC IS SUBMITTING THIS DOCUMENT AS A FORMAL LETTER OF INTENT IN SUPPORT OF A REZONING REQUEST FROM GENERAL COMMERCIAL TO LIGHT INDUSTRIAL FOR THE PROPERTY **LOCATED:** 1718 ATLANTA RD SE - SMYRNA, GA 30080.

THE PROPOSED REZONING IS INTENDED TO BETTER ALIGN THE PROPERTY'S ZONING CLASSIFICATION WITH THE INTENDED USE OF THE SITE AND SURROUNDING DEVELOPMENT PATTERNS IN THE AREA. THE REQUESTED LIGHT INDUSTRIAL DESIGNATION WILL SUPPORT COMPATIBLE BUSINESS AND OPERATIONAL ACTIVITIES WHILE PROMOTING ECONOMIC GROWTH, EMPLOYMENT OPPORTUNITIES, AND EFFICIENT LAND USE.

THANK YOU FOR YOUR CONSIDERATION OF THIS REQUEST. PLEASE FEEL FREE TO CONTACT ME IF ANY ADDITIONAL INFORMATION IS NEEDED.

SINCERELY,

GUY KELLEY - SOLE MEMBER
TWO WINDY HILLS LLC.



TWO WINDY HILLS LLC

FROM: Guy Kelley - Sole Member
1185 Belmont Ave SE - Smyrna, GA 30080

TO: Cobb County - Zoning Board
1150 Powder Springs St, Ste 400 – Marietta, GA 30064

* IMPACT ANALYSIS*

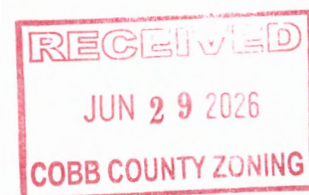
1718 Atlanta Road SE – Smyrna, GA 30080

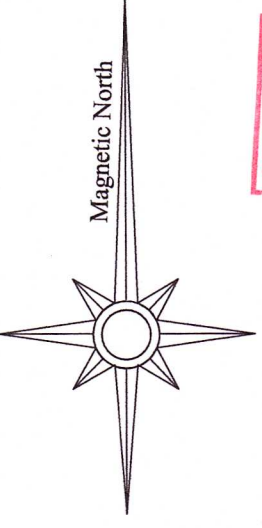
To whom it may concern,

- Two Windy Hills LLC. is submitting this impact analysis in support of rezoning purposes for the property **located:** 1718 Atlanta Road SE – Smyrna, GA 30080.
- After careful consideration of the intended use of the property Two Windy Hills LLC has found NO impact to the existing use, layout or surrounding area in regard to the proposed change in zoning from “General Commercial” to “Light Industrial”. Two Windy Hills LLC Will NOT be changing or adding any structures or additional structures to the current footprint of the existing property.
- The proposed use of the property is expected to operate in a manner identical to former use. The rezoning request is expected to operate in a manner consistent with applicable development standards and will NOT adversely impact neighboring properties. The rezoning will allow for more appropriate utilization of the property while supporting the long-term planning objectives of the community.

Sincerely,

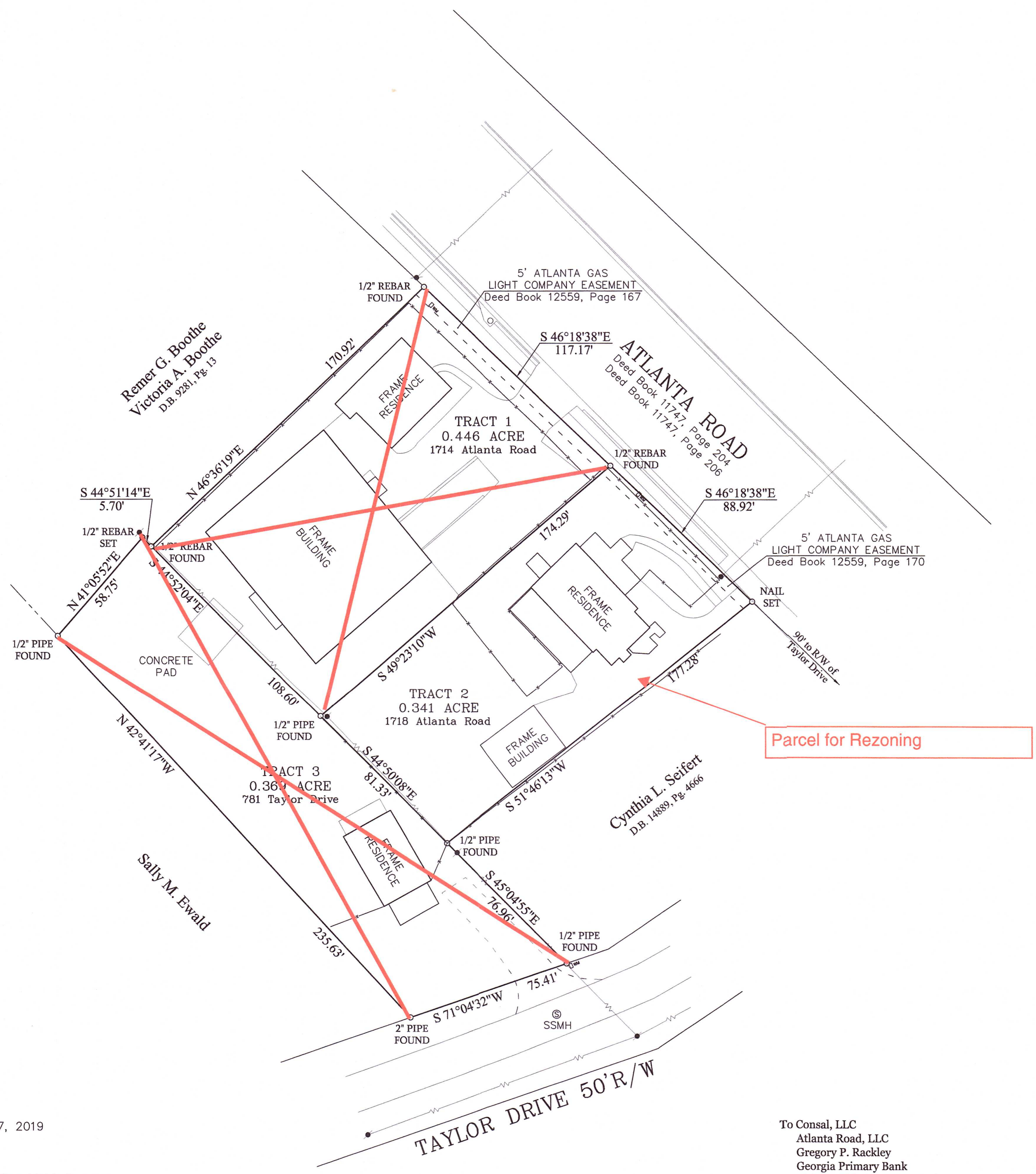
Guy Kelley – Sole Member – Two Windy Hills LLC





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COBB COUNTY ZONING

- Notes:
1. This Survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (OCGA) 15-6-67.
 2. This property does not lie within the 100 Year Flood Limits per F.E.M.A. Flood Insurance Rate Map of Cobb County. Map No. 13067C0116J, effective date, October 5, 2018.



Title Exceptions
File No. 26158
Commitment Date: March 7, 2019
Schedule B - Part 2

9. Easement to Atlanta Gas Light Company
Deed Book 12559, Page 167
Shown on plat.
10. Right of Way Deed to Cobb County Department of Transportation
Deed Book 11747, Page 204
Shown on plat.
12. General Permit to Southern Bell Telephone & Telegraph Company
Deed Book 522, Page 396
Deed shows line is within the Right of Way of Atlanta Road.
13. Right of way Deed to Cobb County Department of Transportation
Deed Book 11747, Page 206
Shown on plat.
14. Easement to Atlanta Gas Light Company
Deed Book 12559, Page 170
Shown on plat.

LEGEND
SSMH - Sanitary Sewer
Manhole
WM - Water Meter

To Consal, LLC
Atlanta Road, LLC
Gregory P. Rackley
Georgia Primary Bank
Chicago Title Insurance Company:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6, 7(a), 8, 11, 13, 17 & 19 of Table A thereof. The fieldwork was completed on March 26, 2019

March 26, 2019

Christopher J. Carlan
RLS 3003

ALTA/NSPS Land Title Survey
for
CONSAL, LLC
ATLANTA ROAD, LLC
GREGORY P. RACKLEY
GEORGIA PRIMARY BANK
CHICAGO TITLE INSURANCE COMPANY
LOCATED WITHIN
Land Lot 370, 17th District, 2nd Section
Cobb County, Georgia
Scale: 1" = 40' March 27, 2019

1. The field data upon which this plat is based has a closure precision of one foot in 34,925 foot and an angular error of 00" per angle point and was adjusted using the Compass Rule.
2. This plat has been calculated for closure and is found to be accurate within one foot in 302,994 feet.
3. The field equipment used in this survey was a Leica TS12-P Robotic Total Station.
4. The Field Work was completed 3/26/19.

40 0 40 80 120
GRAPHIC SCALE - FEET



CARLAN
LAND SURVEYORS
970 SOUTH BROAD STREET
COMMERCE, GA 30529
(706)336-5959



JOB NO. 19-063 P.B. B-394



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

LUP-18-2026

SITE BACKGROUND

Applicant	Jamarrion Tabor
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Jamarrion Tabor
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Roberto Urquiza Denova and Isaac Ramirez AKA Issac Ramirez Pulido
Property Location	Located on the north side of Rustic Drive, east of Milford Church Road
Address	1768 Rustic Drive
Access to Property	Rustic Drive

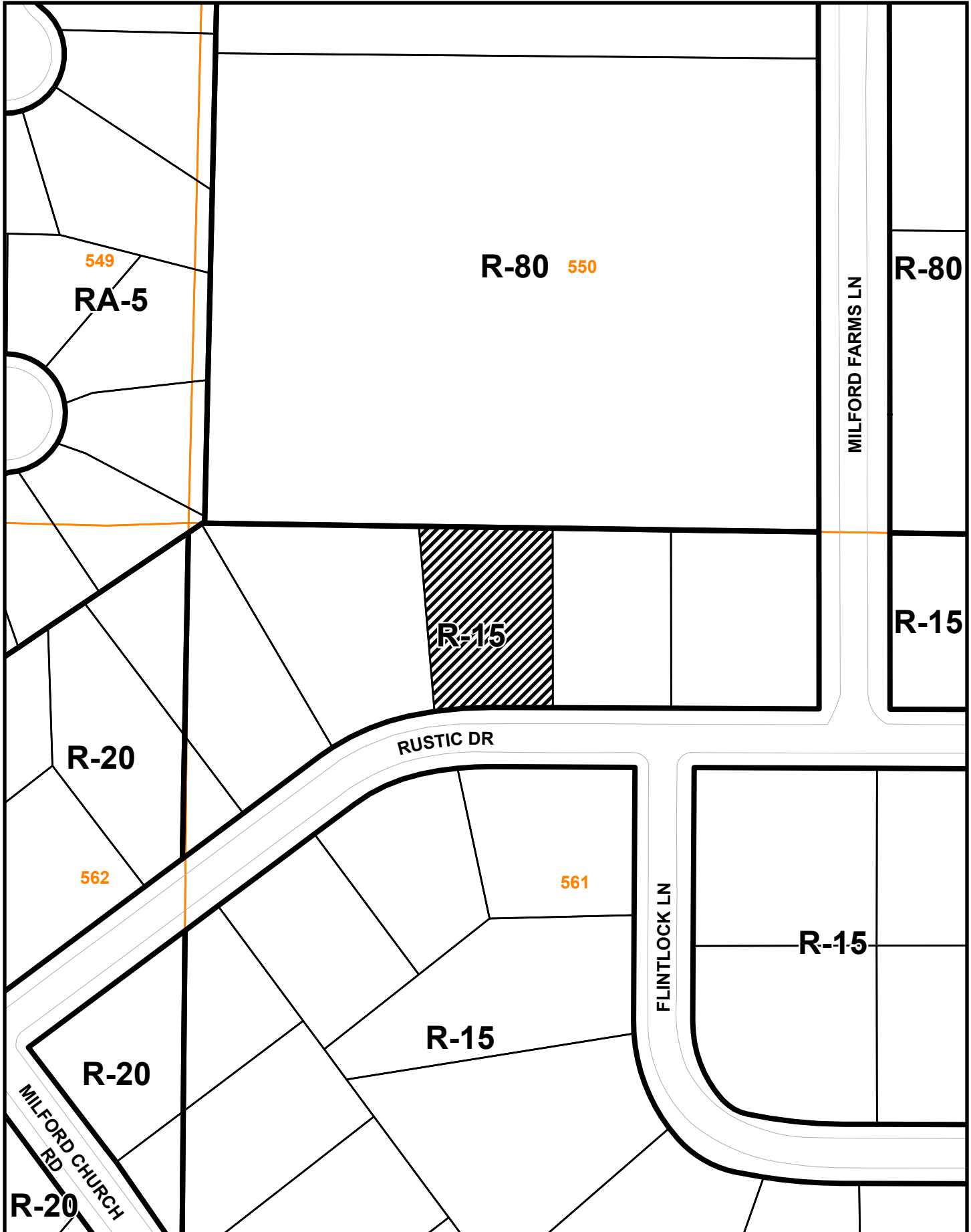
QUICK FACTS

Commission District	4 - Sheffield
Current Zoning	R-15
Current Use of Property	Single-family Residence
Proposed Use	Increase capacity of a group home from 4 residents to five residents
Future Land Use	MDR
Site Acreage	0.38
District	19
Land Lot	561
Parcel #	19056100390
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

LUP-18 2026 Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 90 180 Feet

 Zoning Boundary

 City Boundary



5/8/2026, 10:11:58 AM

• CAM_ActiveAddress ☐ CobbParcels ☐ WATER ☐ Local ☐ Arterials ☐
☐ Land Lots ☐ CountyEasements ☐ Ramps ☐ Minor Collectors ☐ Interstates ☐
☐ Subdivisions ☐ <all other values> ☐ Local ☐ Major Collectors ☐
☐ DCIT

1:564
0 0.01 0.01 0.02 mi
0 0.01 0.01 0.02 km

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JUN 11 2026
COBB COUNTY ZONING

LUP-18 2026 Aerial Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 90 180 Feet

Zoning Boundary

City Boundary



Revised December 18, 2013

Application #: LVP-18

PC Hearing Date: 9-1-26

BOC Hearing Date: 9-15-26

TEMPORARY LAND USE PERMIT WORKSHEET (FOR NUMBER OF ADULTS AND/OR VEHICLES)

1. Number of unrelated adults in the house? 5
2. Number of related adults in the house? 0
3. Number of vehicles at the house? 3
4. Where do the residents park?
Driveway: ☒ ; Street: _____ ; Garage: _____
5. Does the property owner live in the house? Yes _____ ; No ☒
6. Any outdoor storage? No _____ ; Yes ☒ (If yes, please state what is kept outside): NO THING & LEFT COCKED
7. Length of time requested (24 months maximum): 24 MONTHS
8. Is this application a result of a Code Enforcement action? No _____ ; Yes ☒ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
9. Any additional information? (Please attach additional information if needed):
5 UNRELATED ADULTS

Applicant signature: [Signature] Date: 9/1/26

Applicant name (printed): JAMARRIC TAYLOR

ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: R-15

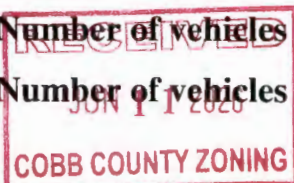
Size of house per Cobb County Tax Assessor records: 1329

Number of related adults proposed: 0 Number permitted by code: _____

Number of unrelated adults proposed: 5 Number permitted by code: 1

Number of vehicles proposed: 3 Number permitted by code: 3

Number of vehicles proposed to be parked outside: 3 Number of vehicles permitted: 3



Revised December 18, 2013



COBB COUNTY COMMUNITY DEVELOPMENT AGENCY

Code Enforcement Division
1150 Powder Springs St. Ste 400
Marietta, Georgia 30064
(770) 528-2180 fax (770) 528-2092

Brent Farrell
Division Manager

Incident Number: CODE-2026-02054

Follow the attached ordinances – One family (within the fourth degree) including up to one unrelated adult **OR** two or fewer unrelated adults may occupy a single-family residence. There must be at least 390 square feet of total building square footage for each related adult occupant and each vehicle regularly parked at the residence.

The tax records for this property show 1,329 square feet which allows for 3 **related adults**, including up to one unrelated adult or two or fewer unrelated adults; and 3 vehicles to be regularly parked at this residence. Of the total number of vehicles allowed, **only 3 may be parked outside of a garage or carport.**

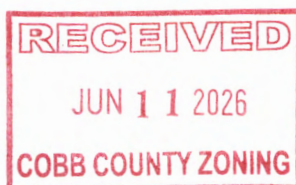
Please provide a notarized statement within the next 10 days stating how many adults reside at this residence, and how they are related. Additionally, please list the vehicles that are regularly parked at this residence.

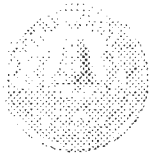
Section 134-1 DEFINITIONS

Adult means any person over the age of 18 years old or legally emancipated in the State of Georgia

Family means two or more persons related by blood, legal adoption, or marriage, occupying a dwelling. Related means persons are all related to each other within the fourth degree, as defined in O.C.G.A. § 53-2-1, which includes parents, children, grandparents, grandchildren, brothers and sisters. State of Georgia authorized foster children of a family member shall also be deemed a member of the family for this purpose

Single-family dwelling unit. A single-family dwelling unit consists of one or more rooms which are arranged, designed or used as living quarters for one family including up to one unrelated adult, or two or fewer unrelated adults and their children and/or grandchildren.





COBB COUNTY - COMMUNITY DEVELOPMENT AGENCY
Code Enforcement Division

Mailing Address
P.O. Box 649
Marietta, Ga. 30061

Physical Address
1150 Powder Springs Rd.
Suite 400
Marietta, Ga. 30064

Fax: (770) 528-2092

Notice of Violation

Violation Number: CODE-2026-02054

Date: 05/27/2026

The Cobb County Code Enforcement Division has grounds to believe the property located at:

1768 RUSTIC DR SW	MARIETTA, GA 30008	19	0561	039	R-15
(Address)	(City/State/Zip)	(Dist)	(Land Lot)	(Par)	(Zoning)

and/or POND ZOE (1768 RUSTIC DR SW MARIETTA, GA 30008)

may be in violation of the Official Code of Cobb County, Georgia. You have 10 days to bring the violation(s) into compliance. An inspection will be made on or about 10 days from May 27, 2026. Failure to comply could result in a citation being issued for you to appear in the Cobb County Magistrate Court, and you may be subject to a fine, imprisonment or both.

<u>Violation</u>	<u>Code Section</u>	<u>Requirement for Compliance</u>
PERMITTED USE/GROUP HOME	134-198(3)	Group Home is defined as a dwelling shared by four or less persons, excluding resident staff, who live together as a single housekeeping unit. Must meet all requirements and provide all required documentation in definition of group home to be classified as group home by Cobb County.
PERMITTED USE/SINGLE FAMILY DWELLING	134-198 (3)	Must comply with all requirements in the attached definition of dwelling unit. **see attached**
PERMITTED USE/CUSTOMARY HOME OCCUPATION	134-1978(3)	Observe all Customary Home Occupation (CHO) regulations. **No employees, clients, materials, equipment, etc. allowed at residence. Only 1 business vehicle weighing less than 12,500 lb. gross vehicle weight rating is allowed at residence.

Skyler Christians (Skyler.Christians@cobbcounty.gov)

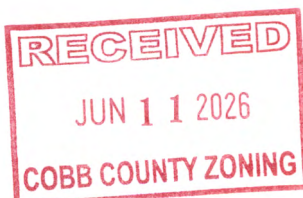
Officer

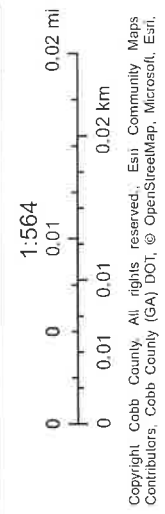
770-528-2127

Telephone

Contact the Officer listed above by telephone or email for further information. Officer availability 8:00-9:00 a.m. and 3:30-4:30 p.m. Monday through Friday. You may leave voice mail or send email at any time.

A COMPLETE COPY OF THE COBB COUNTY ORDINANCE MAY BE VIEWED AT WWW.COBBCOUNTY.GOV





• CAM_ActiveAddress	☐	CobbParcels	☐	WATER	☐	Local	☐	Arterials	☐
Land Lots	☐	CountyEasements	☐	Ramps	☐	Minor Collectors	☐	Interstates	☐
Subdivisions	☐	<all other values>	☐	Local	☐	Major Collectors	☐		

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JUN 11 2026
COBB COUNTY ZONING



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

LUP-19-2026

SITE BACKGROUND

Applicant	Mario Abbott
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Mario Abbott
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Mario Abbott
Property Location	Located on the southeast corner of Boyd Road and Addison Road
Address	1884 Addison Road
Access to Property	Addison Road and Boyd Road

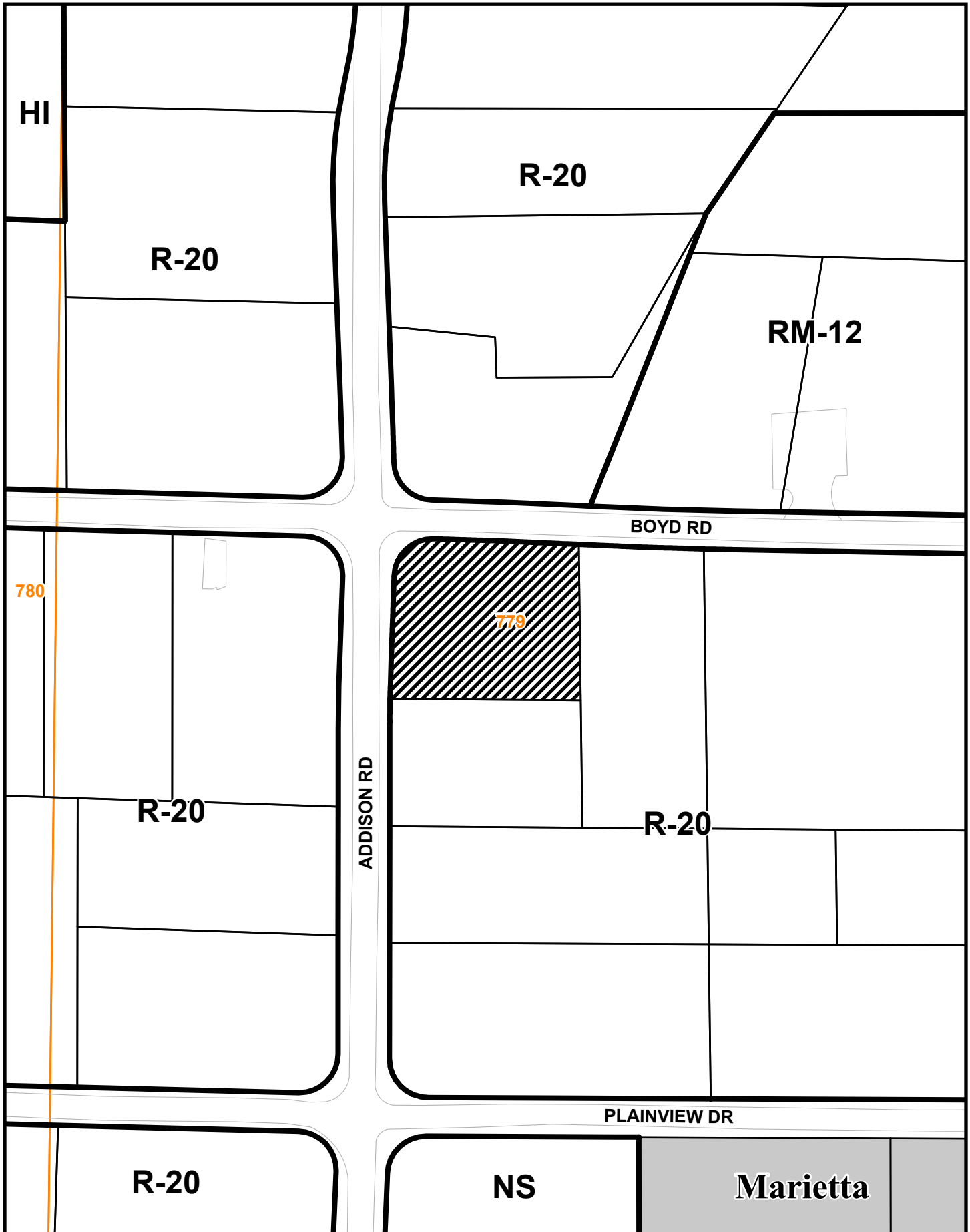
QUICK FACTS

Commission District	3 - Birrell
Current Zoning	R-20
Current Use of Property	Single-family Residence
Proposed Use	To allow more vehicles than the Code allows
Future Land Use	LDR
Site Acreage	0.40
District	16
Land Lot	779
Parcel #	16077900430
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

LUP-19 2026 Map



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0 85 170
Feet

 Zoning Boundary

 City Boundary

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JUN 11 2026
COBB COUNTY ZONING



0 0.01 0.02 mi
0 0.01 0.02 km

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ArcGIS Web AppBuilder
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LUP-19 2026 Aerial Map

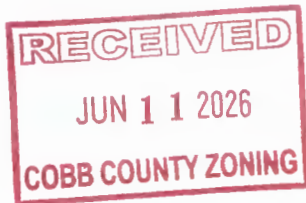


This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 85 170 Feet

Zoning Boundary

City Boundary



Revised December 18, 2013
Application #: LUP-19
PC Hearing Date: 9/1/26
BOC Hearing Date: 9/15/26

TEMPORARY LAND USE PERMIT WORKSHEET (FOR NUMBER OF ADULTS AND/OR VEHICLES)

1. Number of unrelated adults in the house? 0
2. Number of related adults in the house? 3
3. Number of vehicles at the house? 5
4. Where do the residents park?
Driveway: ☒ ; Street: _____ ; Garage: _____
5. Does the property owner live in the house? Yes ☒ ; No _____
6. Any outdoor storage? No ☒ ; Yes _____ (If yes, please state what is kept outside): _____
7. Length of time requested (24 months maximum): 24 months
8. Is this application a result of a Code Enforcement action? No _____ ; Yes ☒ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
9. Any additional information? (Please attach additional information if needed):

Applicant signature: _____ Date: _____

Applicant name (printed): Mario Abbott

ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: R-20

Size of house per Cobb County Tax Assessor records: 1307

Number of related adults proposed: 3 Number permitted by code: 3

Number of unrelated adults proposed: 0 Number permitted by code: 1

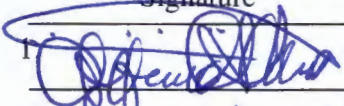
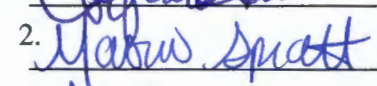
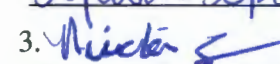
Number of vehicles proposed: 5 Number permitted by code: 3

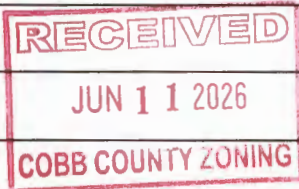
Number of vehicles proposed to be parked outside: 5 Number of vehicles permitted 3

CONSENT OF CONTIGUOUS OCCUPANTS OR LAND OWNERS

TO ACCOMPANY APPLICATION FOR LAND USE PERMIT

By signature, it is hereby acknowledged that I give my consent/or have no objection that Mario Abbott
 intends to make an application for a Land Use Permit for the purpose of
keeping personal vehicles on the premises described in the application.

Signature	Printed name	Address
	Alfred Abbott	1874 Addison Rd Marietta 30066
	Mason Spratt	1098 Boyd Road Marietta 30066
	Nicki Sears	1098 Boyd Rd Marietta 30066
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		



(Attach additional pages if necessary)

Revised October 1, 2009

Lup-19

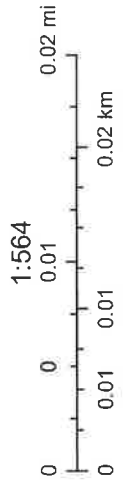
ArcGIS Web Map

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6/11/2026, 10:25:29 AM

- ☐ CAM_ActiveAddress
- ☐ Land Lots
- ☐ Subdivisions
- ☐ CobbParcels
- ☐ CountyEasements
- ☐ <all other values>
- ☐ DOT
- ☐ WATER
- ☐ Service Line
- ☐ Meter
- ☐ Water Main
- ☐ CCWS
- ☐ Water Valve
- ☒ Hydrant
- ☐ COBB COUNTY
- ☐ Ramps
- ☐ Local



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Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

LUP-20-2026

SITE BACKGROUND

Applicant	Natissia Cooper
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Natissia Cooper
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Natissia Cooper and Terrance Cooper
Property Location	Located on the east side of Ruby Mountain Street
Address	1863 Ruby Mountain Street
Access to Property	Ruby Mountain Street

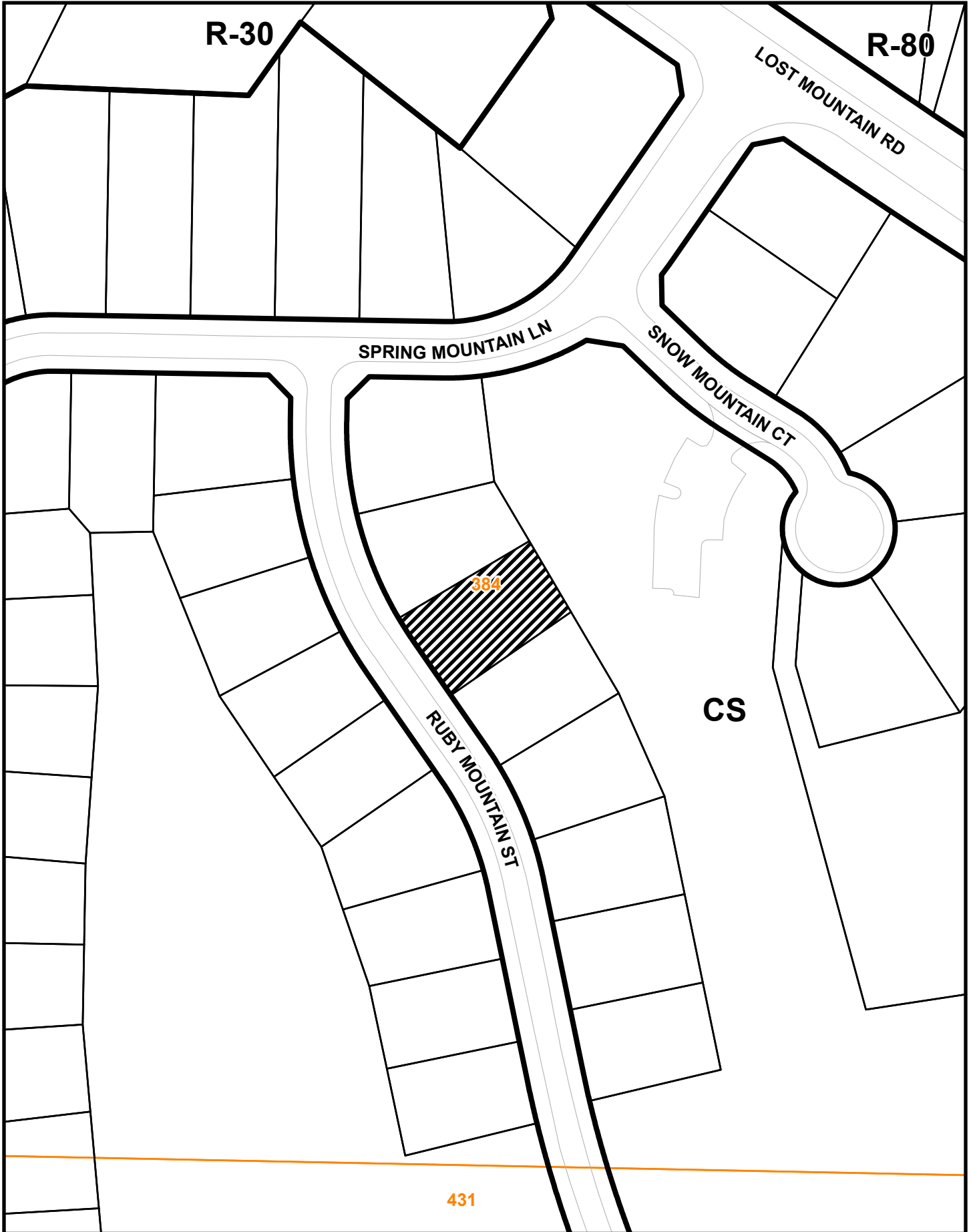
QUICK FACTS

Commission District	1 - Gambrell
Current Zoning	CS
Current Use of Property	Single-family Residence
Proposed Use	To allow more vehicles parked outside than the Code allows
Future Land Use	VLDR
Site Acreage	0.24
District	19
Land Lot	384
Parcel #	19038400260
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

LUP-20 2026 Map



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0 95 190
Feet

 Zoning Boundary

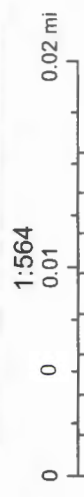
 City Boundary

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JUN 12 2026
COBB COUNTY ZONING



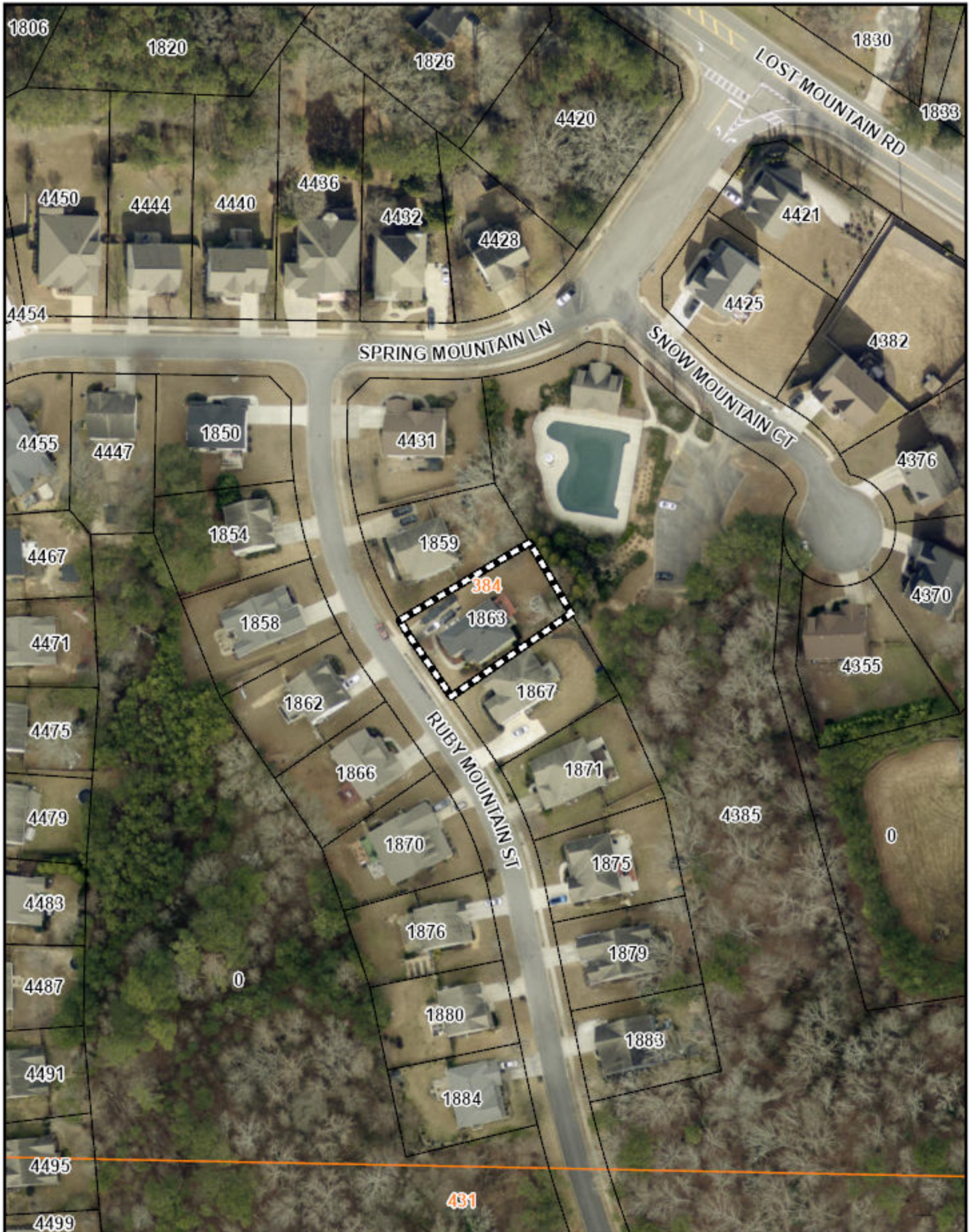
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- ☐ CAM_ActiveAddress
- ☐ CobbParcels
- ☐ Land Lots
- ☐ Subdivisions
- ☐ Ramps
- ☐ Local
- ☐ Minor Collectors
- ☐ Major Collectors
- ☐ Arterials
- ☐ Interstates
- ☐ Local
- ☐ ORTHO
- ☐ Red: Band_1
- ☐ Green: Band_2
- ☐ Blue: Band_3



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LUP-20 2026 Aerial Map



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0 95 190
Feet

Zoning Boundary

City Boundary



Revised December 18, 2013

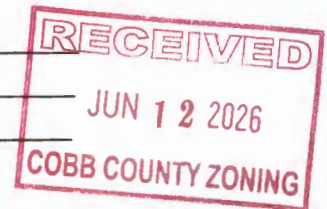
Application #: LVP-20

PC Hearing Date: 9-1-26

BOC Hearing Date: 9-15-26

TEMPORARY LAND USE PERMIT WORKSHEET (FOR NUMBER OF ADULTS AND/OR VEHICLES)

1. Number of unrelated adults in the house? none
2. Number of related adults in the house? 4
3. Number of vehicles at the house? 8
4. Where do the residents park?
Driveway: 7; Street: 0; Garage: 1
5. Does the property owner live in the house? Yes ☒ ; No ☐
6. Any outdoor storage? No ☒ ; Yes ☐ (If yes, please state what is kept outside): _____
7. Length of time requested (24 months maximum): 24 months
8. Is this application a result of a Code Enforcement action? No ☐ ; Yes ☒ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
9. Any additional information? (Please attach additional information if needed):



Applicant signature: Natissia Cooper Date: 6/14/26

Applicant name (printed): NATISSIA Cooper

ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: CS

Size of house per Cobb County Tax Assessor records: 4458

Number of related adults proposed: 4 Number permitted by code: 11

Number of unrelated adults proposed: 0 Number permitted by code: 1

Number of vehicles proposed: 8 Number permitted by code: 11

Number of vehicles proposed to be parked outside: 6 Number of vehicles permitted 4

Revised December 18, 2013

S 35817



COBB COUNTY, GEORGIA
ORDINANCE CODE VIOLATION CITATION,
SUMMONS, ACCUSATION

CODE ENFORCEMENT DIVISION

DATE 5/8/2026 TIME AM/PM
NAME Cooper Natissa L.
Last First MI.
BUSINESS NAME
ADDRESS 1863 Ruby Mountain Street
CITY Powder Springs STATE GA ZIP 30127
PHONE DOB 7/01/75 SEX F
HAIR Blk WEIGHT 145 HEIGHT 5-03
DLN# GA 058901071 EXP 7/01/28

VIOLATION

Within the Unincorporated Area of Cobb County, Georgia, the
Violator did then and there commit the following offense:

VIOLATION: Penalties
CODE SECTION: 134-2(d)
DESCRIPTION: Zoning Stipulation Case
Z-188 of 2005 placed a stipulation that
the subdivision must consist of single
family homes. Ms. Cooper has more
than 4 vehicles parked at property on a
regular basis. This violates the single family
Dwelling ordinance.
OFFENSE LOCATION 1863 Ruby Mountain Street
ADDRESS, CITY Powder Springs

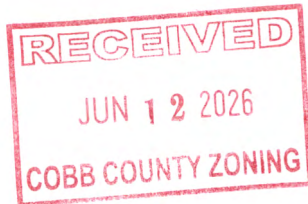
18th June 2026
SUMMONS
YOU ARE HEREBY ORDERED TO APPEAR TO ANSWER THESE CHARGES ON
THE 18th DAY OF June 20 26 AT 9 AM AT THE
MAGISTRATE COURT OF COBB COUNTY, GEORGIA, 32 WADDELL STREET,
(BUILDING "D2") MARIETTA, GA, 3RD FLOOR PUBLIC SAFETY BUILDING.
FAILURE TO APPEAR COULD SUBJECT YOU TO PENALTIES OF CONTEMPT OR
A BENCH WARRANT AS PROVIDED BY LAW. SIGNATURE ACKNOWLEDGES
SERVICE OF THE SUMMONS AND RECEIPT OF COPY OF SAME.

SIGNATURE Ms. Cooper asked to leave
Citation on Door of Residence.

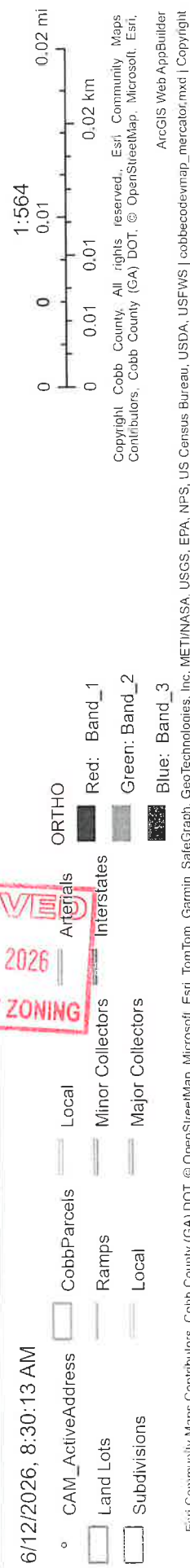
ISSUE DATE 5/8/2026
CODE ENF OFFICER J. Cochran
CCCE CASE NUMBER Code 2-25-07934

Distribution-White: Court Copy; Yellow: Violator Copy; Pink: Code Enforcement

VIOLATOR COPY



S35817





Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

LUP-21-2026

SITE BACKGROUND

Applicant	Artemio Calderon
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Artemio Calderon
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Artemio Calderon
Property Location	Located on the north side of Walnut Circle, at the northern terminus of Birchwood Court
Address	987 Walnut Circle
Access to Property	Walnut Circle

QUICK FACTS

Commission District	4 - Sheffield
Current Zoning	R-15
Current Use of Property	Single-family Residence
Proposed Use	To allow more adults and vehicles than the Code allows (Renewal)
Future Land Use	LDR
Site Acreage	0.41
District	17
Land Lot	56
Parcel #	17005600340
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

LUP-21 2026 Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 80 160
Feet

 Zoning Boundary

 City Boundary

ArcGIS Web Map



6/15/2026, 10:43:39 AM

- ☐ CAM_ActiveAddress
- ☐ CobbParcels
- ☐ Local
- ☐ Land Lots
- ☐ Subdivisions
- ☐ Ramps
- ☐ Minor Collectors
- ☐ Major Collectors
- ☐ Arterials
- ☐ Interstates
- ☐ Commissioner Districts

District Four: (SW Cobb): Monique Sheffield

LUP-21 2026 Aerial Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 80 160 Feet

Zoning Boundary

City Boundary



Revised December 18, 2013

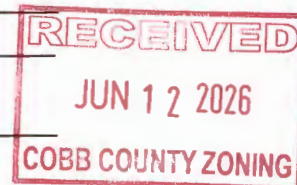
Application #: LUP-20

PC Hearing Date: 9/11/26

BOC Hearing Date: 9/15/26

TEMPORARY LAND USE PERMIT WORKSHEET (FOR NUMBER OF ADULTS AND/OR VEHICLES)

1. Number of unrelated adults in the house? 0
2. Number of related adults in the house? 4
3. Number of vehicles at the house? 5
4. Where do the residents park?
Driveway: X; Street: _____; Garage: _____
5. Does the property owner live in the house? Yes X; No _____
6. Any outdoor storage? No _____; Yes X (If yes, please state what is kept outside): Landscaping trailer
7. Length of time requested (24 months maximum): 24 months (renewal)
8. Is this application a result of a Code Enforcement action? No X; Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
9. Any additional information? (Please attach additional information if needed):
Renewal



Applicant signature: Artemio Calderon Date: 6-15-26

Applicant name (printed): Artemio Calderon

ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: R-20

Size of house per Cobb County Tax Assessor records: 1405 ^{sq}

Number of related adults proposed: 4 Number permitted by code: 3

Number of unrelated adults proposed: 0 Number permitted by code: 1

Number of vehicles proposed: 5 Number permitted by code: 3

Number of vehicles proposed to be parked outside: 5 Number of vehicles permitted 3

Revised December 18, 2013

Lup-21

ArcGIS Web Map



6/15/2026, 10:43:39 AM

- ☐ CAM_ActiveAddress
- ☐ CobbParcels
- ☐ Local
- ☐ Land Lots
- ☐ Ramps
- ☐ Minor Collectors
- ☐ Major Collectors
- ☐ Subdivisions
- ☐ Local
- ☐ Arterials
- ☐ Interstates
- ☐ Commissioner Districts

District Four: (SW Cobb): Monique Sheffield

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ArcGIS Web AppBuilder

1:564
0 0.01 0.01 0.02 mi
0 0.01 0.01 0.02 km



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

LUP-22-2026

SITE BACKGROUND

Applicant	Celene B. Hernandez
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Celene B. Hernandez
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Hector Alcides Hernandez
Property Location	Located on the east side of Austell Road, north of Austell Circle
Address	1877 Austell Road
Access to Property	Austell Road

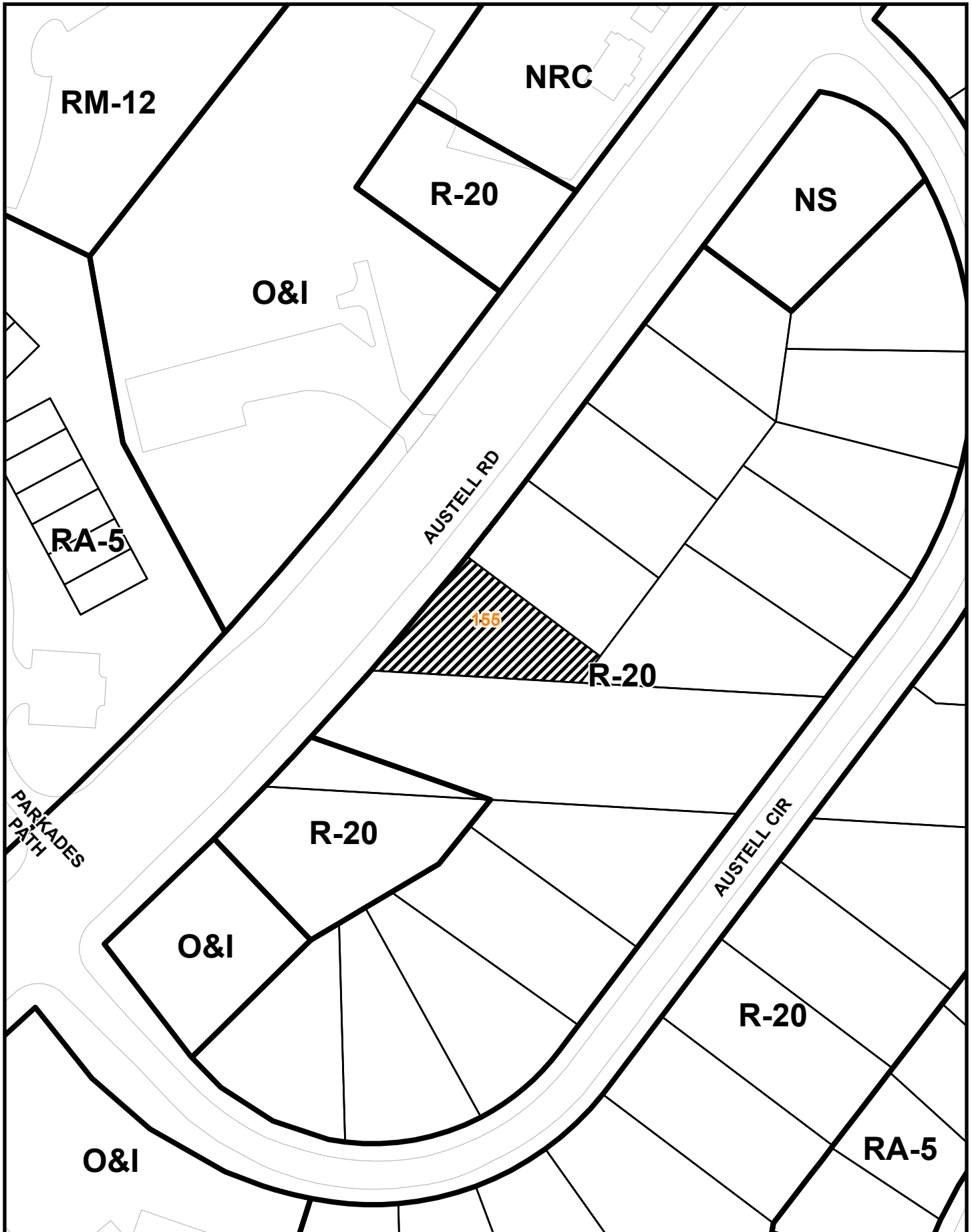
QUICK FACTS

Commission District	2 - Allen
Current Zoning	R-20
Current Use of Property	Single-family Residence
Proposed Use	To allow more adults and vehicles than the Code allows
Future Land Use	NAC
Site Acreage	0.22
District	17
Land Lot	155
Parcel #	17015500060
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

LUP-22 2026 Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 90 180
Feet

□ Zoning Boundary

■ City Boundary

LUP-22 2026 Aerial Map



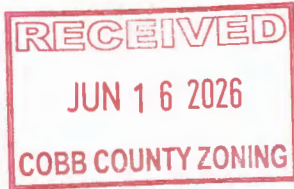
This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 90 180

Feet

Zoning Boundary

City Boundary



Revised December 18, 2013

Application #: LUP-22

PC Hearing Date: 9/1/26

BOC Hearing Date: 9/15/26

TEMPORARY LAND USE PERMIT WORKSHEET (FOR NUMBER OF ADULTS AND/OR VEHICLES)

1. Number of unrelated adults in the house? 0
2. Number of related adults in the house? 4
3. Number of vehicles at the house? 4
4. Where do the residents park?
Driveway: ✓; Street: _____; Garage: ✓ carport
5. Does the property owner live in the house? Yes _____; No ✓
6. Any outdoor storage? No _____; Yes ✓ (If yes, please state what is kept outside): landscaping tools
7. Length of time requested (24 months maximum): 24 months
8. Is this application a result of a Code Enforcement action? No _____; Yes ✓ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
9. Any additional information? (Please attach additional information if needed):

Applicant signature: Hector B. Hernandez Date: 06/16/26

Applicant name (printed): Hector Alcides Hernandez

ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: R-20

Size of house per Cobb County Tax Assessor records: 1384

Number of related adults proposed: 4 Number permitted by code: 3

Number of unrelated adults proposed: 0 Number permitted by code: 1

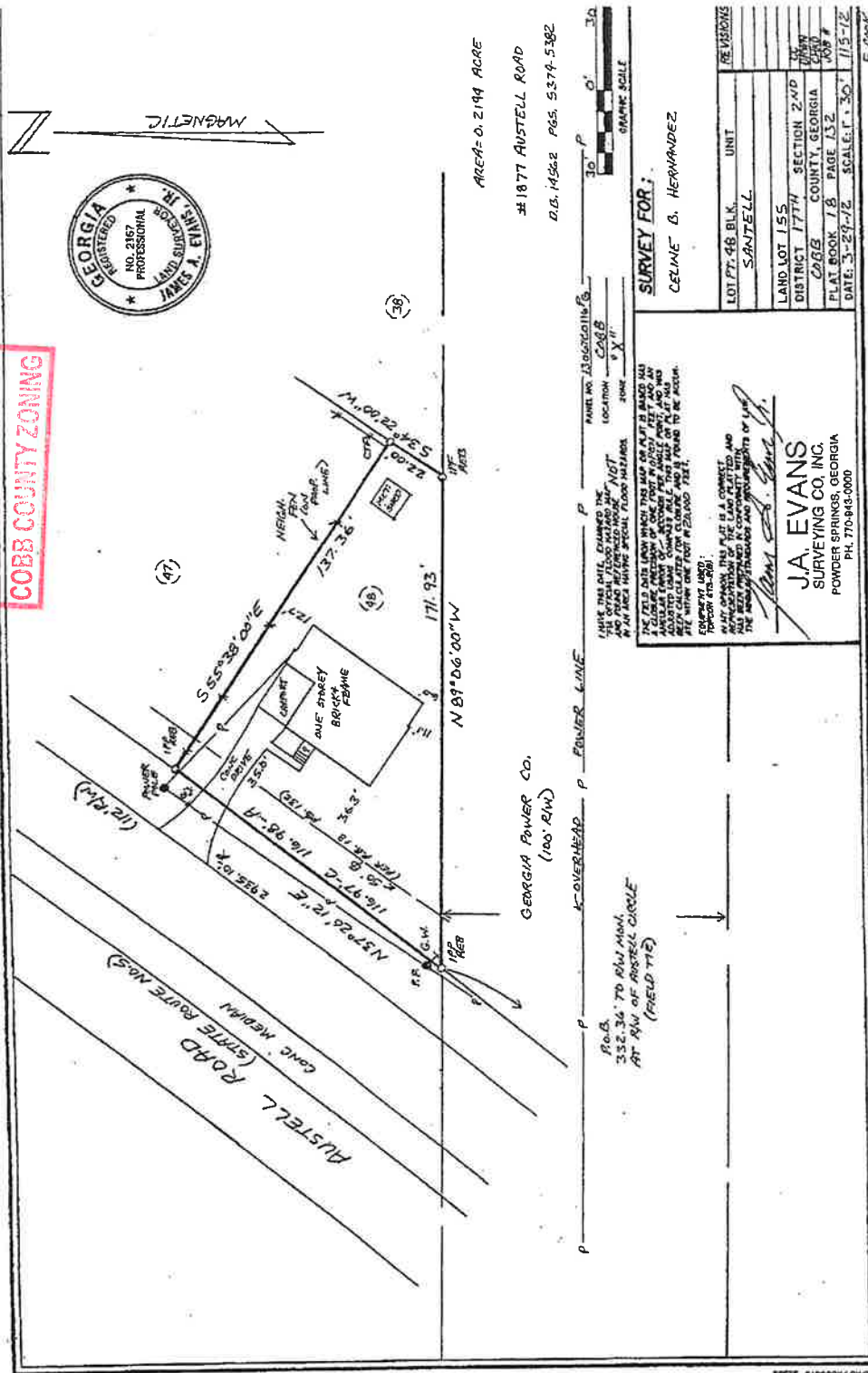
Number of vehicles proposed: 4 Number permitted by code: 3

Number of vehicles proposed to be parked outside: 3 Number of vehicles permitted 1

Revised December 18, 2013

6up-22

RECEIVED
JUN 16 2026
COBB COUNTY ZONING



AREA=0.2199 ACRE

#1877 AUSTELL ROAD

D.B. 14562 PGS. 5379-5382

SURVEY FOR:

CYLINE B. HERNANDEZ

LOT PT. 48 BLK.	UNIT	REVISIONS
SANTYELL		
LAND LOT 155		
DISTRICT 17TH	SECTION 2ND	
CORR	COUNTY, GEORGIA	
PLAT BOOK 18	PAGE 132	
DATE: 3-24-72	SCALE: 1" = 30'	11-5-72

E. C. C. C.



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

LUP-23-2026

SITE BACKGROUND

Applicant	Felicia Umanah
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Felicia Umanah
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Efosa Gregory Igbinoba and Felicia Umanah
Property Location	Located on the north side of Pair Road, west of Leatherleaf Drive
Address	1934 Pair Road
Access to Property	Pair Road

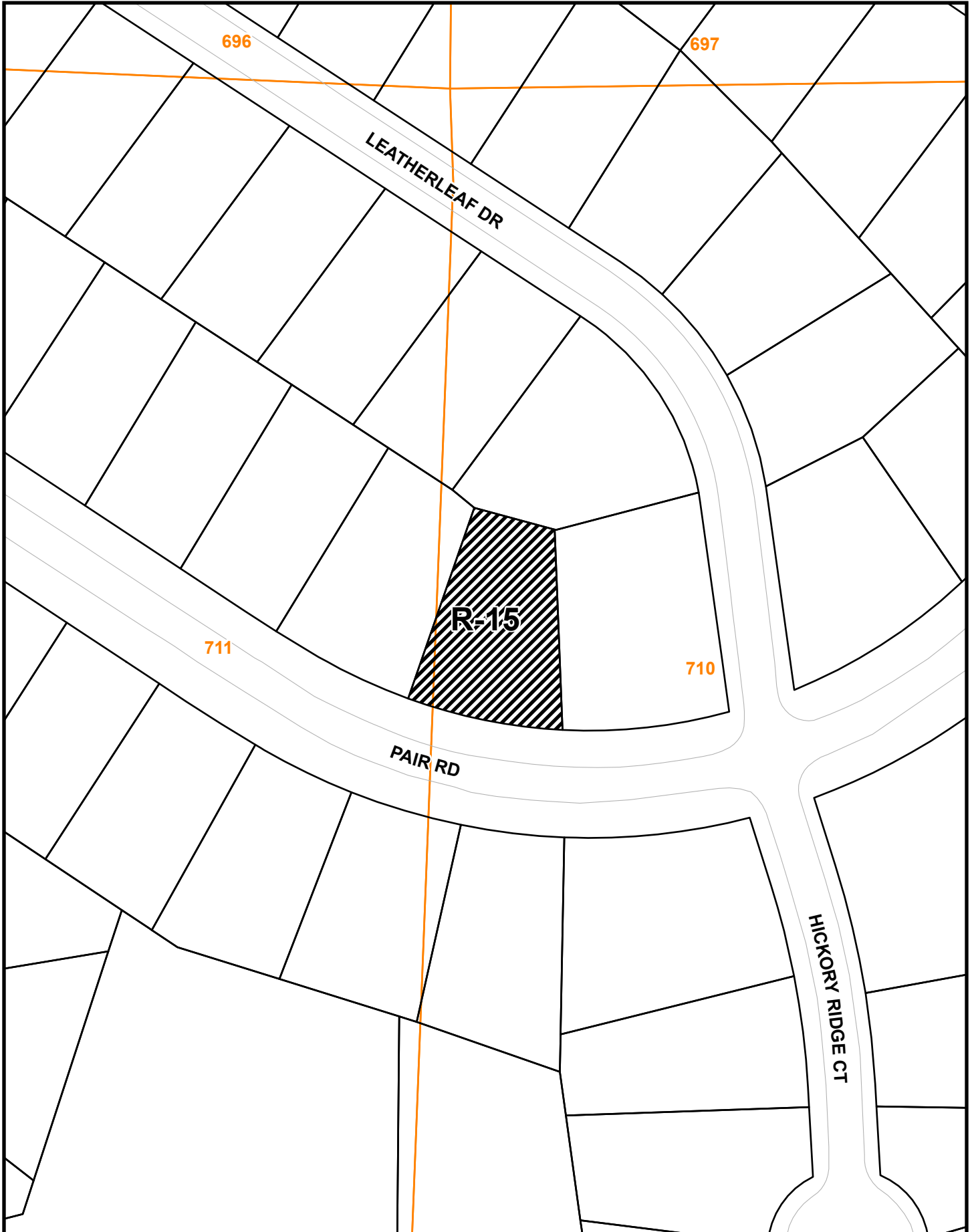
QUICK FACTS

Commission District	4 - Sheffield
Current Zoning	R-15
Current Use of Property	Group Home
Proposed Use	Increase capacity of a group home from 4 residents to 6 residents
Future Land Use	LDR
Site Acreage	0.31
District	19
Land Lot	710, 711
Parcel #	19071000180
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

LUP-23 2026 Map



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0 80 160 Feet

 Zoning Boundary

 City Boundary

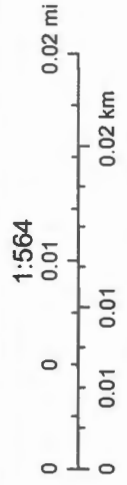
ArcGIS Web Map

RECEIVED
JUN 23 2026
COBB COUNTY ZONING



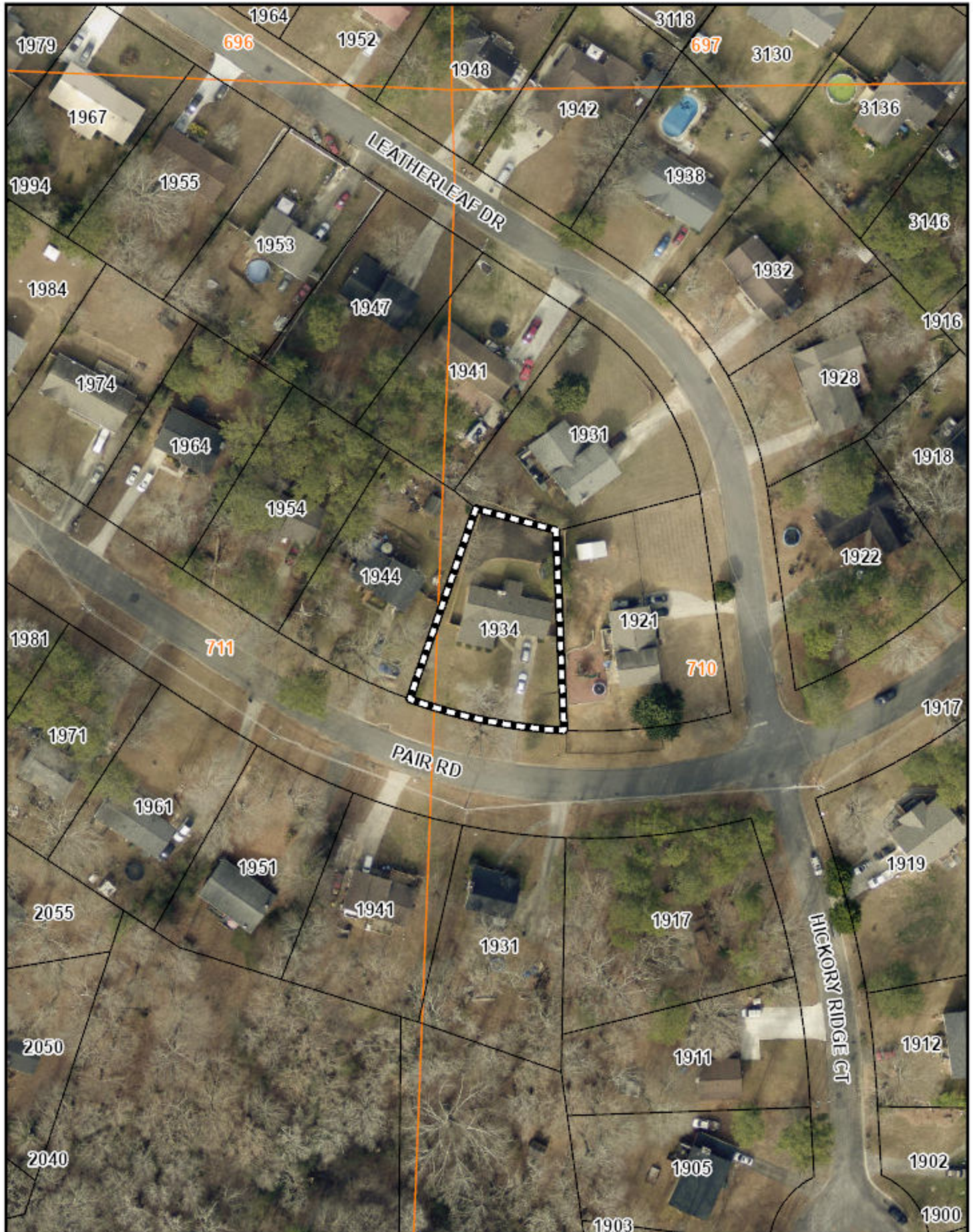
6/23/2026, 4:09:59 PM

- CAM_ActiveAddress
- Subdivisions
- CobbParcels
- R-15
- Land Lots
- Local
- Local
- Ramps
- Minor Collectors
- Major Collectors
- Arterials
- Interstates



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LUP-23 2026 Aerial Map

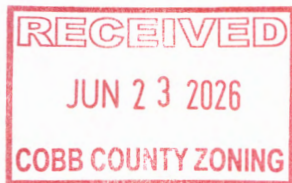


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0 80 160 Feet

 Zoning Boundary

 City Boundary



Revised October 1, 2009

Application #: LUP-23
PC Hearing Date: 9-1-2026
BOC Hearing Date: 9-15-2026

TEMPORARY LAND USE PERMIT WORKSHEET (FOR BUSINESS USE OR FOR A USE NOT PERMITTED)

1. Type of business, or request? PERSONAL CARE HOME
2. Number of employees? TWO
3. Days of operation? MONDAY - SUNDAY
4. Hours of operation? 24 hrs
5. Number of clients, customers, or sales persons coming to the house per day? ✓ ; Per week? _____
6. Where do clients, customers and/or employees park?
Driveway: ✓ ; Street: _____ ; Other (Explain): _____
7. Signs? No: ✓ ; Yes: _____. (If yes, then how many, size, and location): _____
8. Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): 2
9. Deliveries? No ✓ ; Yes _____. (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.) _____
10. Does the applicant live in the house? Yes _____ ; No ✓
11. Any outdoor storage? No _____ ; Yes ✓ (If yes, please state what is kept outside): Toiletries, Furniture (Shed)
12. Length of time requested (24 months maximum): _____
13. Is this application a result of a Code Enforcement action? No ✓ ; Yes _____. (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
14. Any additional information? (Please attach additional information if needed): _____

Applicant signature: _____

Date: 6/23/26

Applicant name (printed): _____

FELICIA UMANIAN

Date: 6/23/26

**RE: Required notification letter to contiguous property owners of public hearing
Zoning agenda item.**

Greetings:

Notice is being mailed to you as required by Cobb County Government because you own property adjacent to a property which will be considered for a **Temporary Land Use Permit** item(s), which is an exception to a specific Zoning ordinance.

The property is located at: 1934 Pair Rd. SW Marietta GA 30008

The approval(s) being requested is described below:

More residents
that the code allows (6)

Two public hearings will be held for this request. The first will be before the Planning Commission on **Tuesday, 9/1/26**. The second hearing will be before the Board of Commissioners on **Tuesday, 9/15/26**.

The hearings will begin at **9:00 a.m.** and will be held in the Board of Commissioners Meeting Room, which is located at **Building A, 100 Cherokee Street, Marietta GA, 30060**, on the second-floor.

This notice does not require that you take any action, only that you be notified as required by Cobb County Government.

Please do not hesitate to contact me if you have any questions or wish to discuss this matter.

Thank you,

Case #: LUP- 23

Applicant: Felicia Umanah

Phone #: 678 643 6636

Email: glorifiedtouchhome@gmail.com



Certificate of Mailing — Firm

Name and Address of Sender		TOTAL NO. of Pieces Listed by Sender	TOTAL NO. of Pieces Received at Post Office™	Affix Stamp Here Postmark with Date of Receipt.
Felicia Umanah Certified Touch Care Personal Careline 1934 Pair Rd SW Marietta GA 30008		3 Pages	3	USPS GRESHAM JUN 24 2026 MAR 24 2026 U.S. POSTAGE PAID MARIETTA, GA 30062-26 JUN 24 2026 AMOUNT \$2.10 \$2324M504864-2 UNITED STATES POSTAL SERVICE® 0000
USPS® Tracking Number Firm-specific Identifier		Address (Name, Street, City, State, and ZIP Code™)		Postage
1.				Fee
2.				Parcel Airlift
3.				
4.				
5.				
6.				

RECEIVED
JUN 24 2026
COBB COUNTY ZONING

Williams Ronnie
1944 Pair Rd
Marietta, GA, 30008

1

Scott Wanda Cuthbert
1931 Leatherleaf Dr
Marietta, GA, 30008

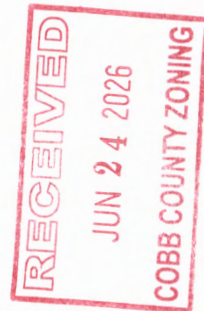
2

Greene Myssbridgette A
P.O. Box 992
Powder Springs, GA, 30127

3

Igbinoba Efosa Gregory & Umanah Felicia
1934 Pair Rd Sw
Marietta, GA, 30008

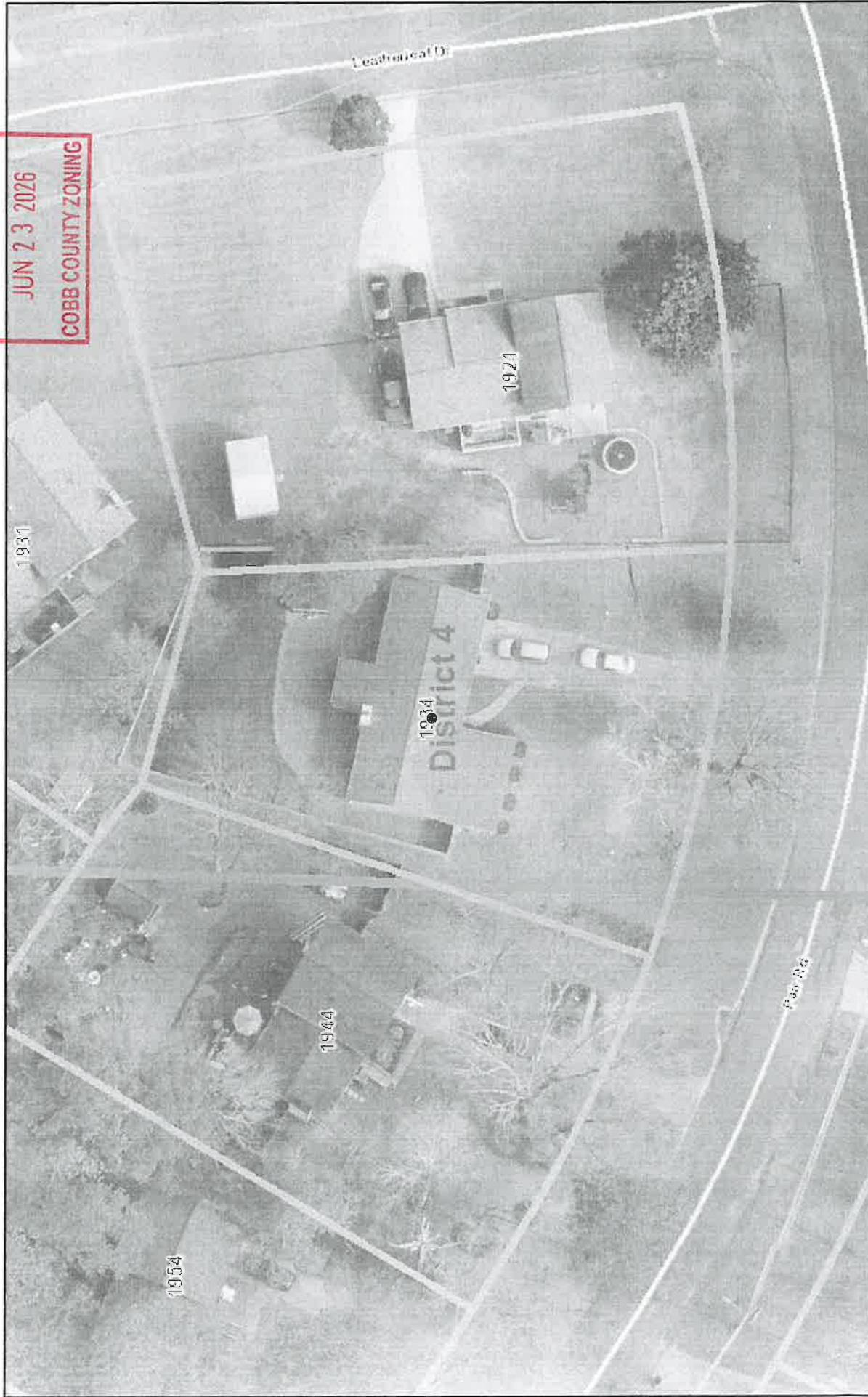
✓



wp-23

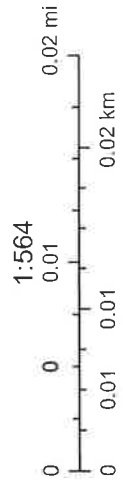
ArcGIS Web Map

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JUN 23 2026
COBB COUNTY ZONING



6/23/2026, 4:09:59 PM

- ☐ CAM_ActiveAddress
- ☐ Subdivisions
- ☐ Local
- ☐ Major Collectors
- ☐ Zoning Districts
- ☐ CobbParcels
- ☐ Local
- ☐ Arterials
- ☐ R-15
- ☐ Ramps
- ☐ Minor Collectors
- ☐ Interstates
- ☐ Land Lots



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Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

LUP-24-2026

SITE BACKGROUND

Applicant	Lucy Massey
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Lucy Massey
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Craig Stephen Massey and Lucy Elizabeth Massey
Property Location	Located on the west side of Acorn Falls Drive, northwest of Davis Road
Address	3331 Acorn Falls Drive
Access to Property	Acorn Falls Drive

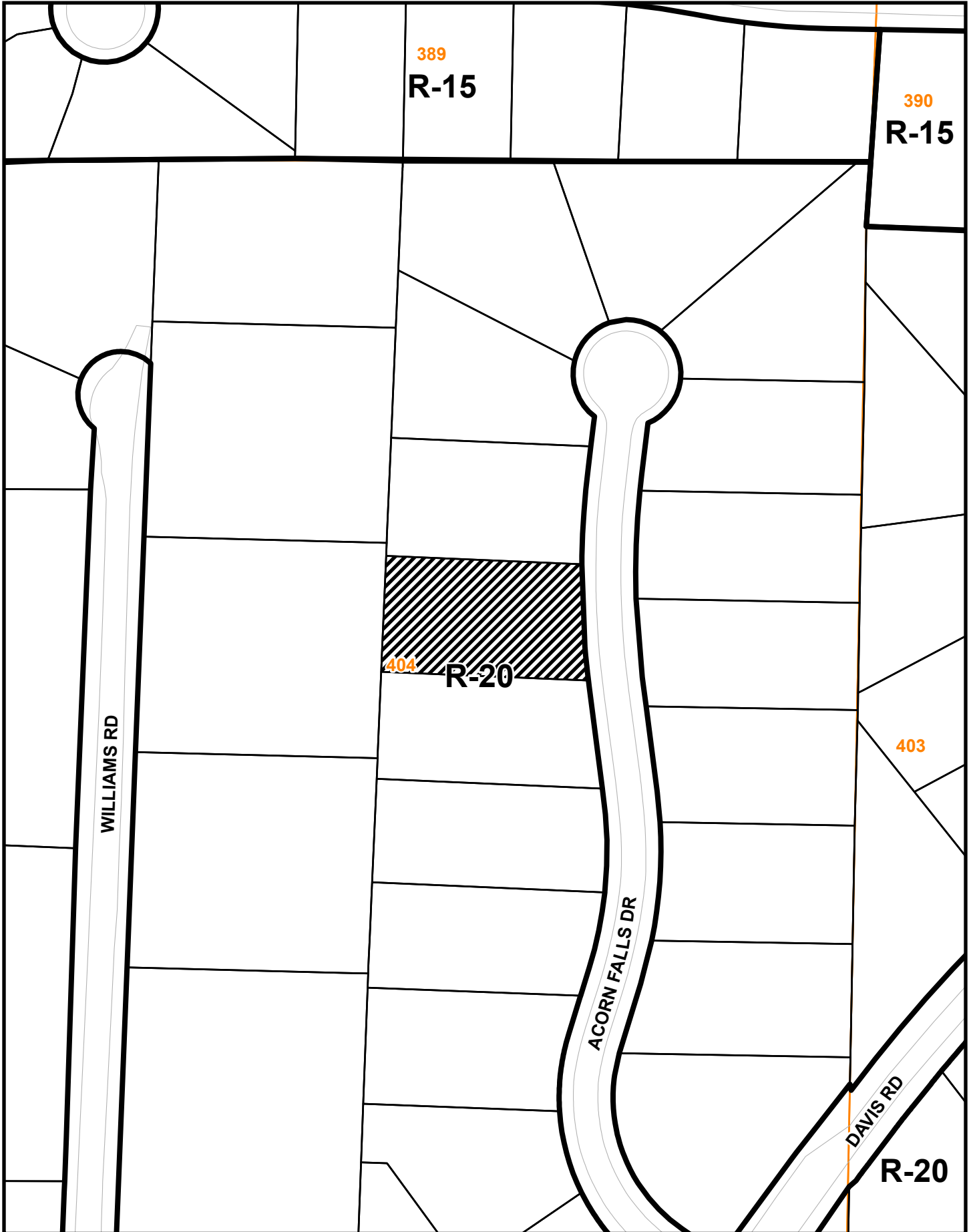
QUICK FACTS

Commission District	3 - Birrell
Current Zoning	R-20
Current Use of Property	Single-family Residence
Proposed Use	Personal Training Studio (Renewal)
Future Land Use	LDR
Site Acreage	0.46
District	16
Land Lot	404
Parcel #	16040400390
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

LUP-24 2026 Map



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0 100 200 Feet

 Zoning Boundary

 City Boundary



6/25/2026, 12:48:15 PM

- ☐ CAM_ActiveAddress
- ☐ Zoning Petitions
- ☐ Subdivisions
- ☐ Local
- ☐ Zoning Districts
- ☐ Past Case
- ☐ CobbParcels
- ☐ Local
- ☐ R-20
- ☐ Land Lots
- ☐ Ramps
- ☐ Minor Collectors
- ☐ Major Collectors
- ☐ Arterials
- ☐ Interstates
- ☐ Red: Band_1
- ☐ Green: Band_2
- ☐ Blue: Band_3

ORTHO

1:564

0 0.01 0.01 0.02 mi

0 0.01 0.01 0.02 km

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LUP-24 2026 Aerial Map

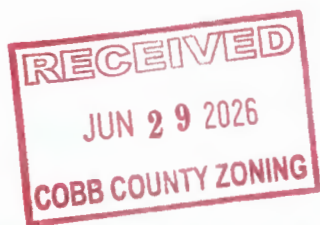


This map is provided for display and planning purposes only. It is not meant to be a legal description.



Zoning Boundary

City Boundary



Application #: _____

PC Hearing Date: _____

BOC Hearing Date: _____

TEMPORARY LAND USE PERMIT WORKSHEET

(FOR BUSINESS USE OR FOR A USE NOT PERMITTED)

1. Type of business, or request? PERSONAL TRAINING STUDIO
 2. Number of employees? 0
 3. Days of operation? 3-4
 4. Hours of operation? 8:00am - 2pm
 5. Number of clients, customers, or sales persons coming to the house per day? 1-2 ; Per week? 3-4
 6. Where do clients, customers and/or employees park?
Driveway: ✓ ; Street: _____ ; Other (Explain): _____

 7. Signs? No: ✓ ; Yes: _____. (If yes, then how many, size, and location): _____
 8. Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): 3-4 cars a week

 9. Deliveries? No ✓ ; Yes _____ (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)

 10. Does the applicant live in the house? Yes ✓ ; No _____
 11. Any outdoor storage? No ✓ ; Yes _____ (If yes, please state what is kept outside): _____

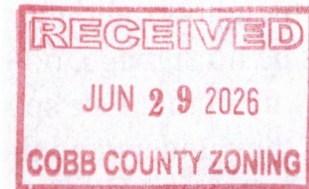
 12. Length of time requested (24 months maximum): 24 MONTHS
 13. Is this application a result of a Code Enforcement action? No ✓ ; Yes ____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
 14. Any additional information? (Please attach additional information if needed):
RENEWING CURRENT 12 MONTH PERMIT
- Applicant signature: *Lucy Massey* Date: 6/22/2026
- Applicant name (printed): LUCY MASSEY

Zoning Hearing Speech – Temporary Land Use Permit (LUP) Request

Applicant: Lucy Massey

Date: [Insert Date]

Location: Cobb County Zoning Hearing



Good morning, Commissioners, and thank you for the opportunity to speak today.

My name is Lucy Massey, and I'm here to respectfully request a Temporary Land Use Permit to operate a small, home-based personal training studio at 3331 Acorn Falls Drive. ~~I am currently in the final stages of completing my personal trainer qualification and am also working toward certification in nutrition~~, with a specific focus on women's health.

focusing on fitness + nutrition

This business was created to meet a very real and growing need: women are often underserved when it comes to targeted support during key life stages—adolescence, pregnancy, postpartum recovery, perimenopause, and menopause.

And Shockingly, despite over 1 million U.S. women entering menopause each year, a 2023 Mayo Clinic study found that only 31% of OB-GYNs feel adequately trained to support patients through perimenopause and menopause. Many women are left to seek guidance from unregulated online sources or not seek help at all. My goal is to change that, offering informed, professional support in a safe, private setting.

Locally, this kind of support is more important than ever. The CDC reports that over 40% of women aged 40–59 in the U.S. are classified as obese. In Georgia, the adult obesity rate exceeds 35%, and Cobb County follows that same trend. My aim is to help reduce those numbers—one woman at a time.

This is not a commercial gym—it's a low-traffic, quiet space where I will see just 2 to 3 clients per day, strictly

during school hours (8 a.m. to 12³⁰ p.m.). Clients will park in my driveway, so there will be no impact on street parking, and I'll also operate a strong online coaching platform to further reduce the number of in-person visits.

gaps
30 minutes between
clients to
prevent overlap.

I want to emphasize that I am very mindful of my neighbors and the residential nature of our street. There will be no signage, no group classes, and no exterior changes to my home. I've spoken with nearby residents and made sure they understand the nature of the business—and I remain fully committed to being a respectful and unobtrusive neighbor.

Additionally, I believe this setup has an environmental benefit and minimal infrastructure impact. By working from home, I'm reducing unnecessary travel and commuting, keeping car usage and emissions low, and using an existing space rather than constructing a new one. This allows me to run my business in a way that's both community-conscious, and environmentally responsible.

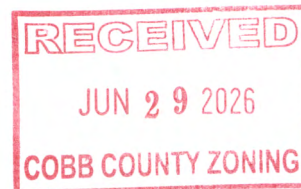
flexible for my
family

This small business reflects Cobb County's values: supporting women's health, encouraging responsible home-based entrepreneurship, and fostering community well-being.

Thank you again for your time and thoughtful consideration. I respectfully request your approval of this permit and am happy to answer any questions.

If y'all are ok with it please
Can I request to be put on the
consent agenda?

MINUTES OF ZONING HEARING
COBB COUNTY BOARD OF COMMISSIONERS
AUGUST 19, 2025
PAGE 7



CONSENT AGENDA (CONT.)

LUP-30 LUCY MASSEY (Craig and Lucy Massey, owners) requesting a **Temporary Land Use Permit** to allow a health and fitness business in land lot 404 of the 16th district. Property is located on the west side of Acorn Falls Dr., northwest of Davis Rd (3331 Acorn Falls Drive).

To **approve** LUP-30 for **12 months**, subject to:

1. **No more than three clients a day**
2. **Appointment hours from 8:30 a.m. until 12:30 p.m.**
3. **All parking to be in the driveway, no parking on the street**
4. **Appointments to be scheduled 30 minutes apart**
5. **Appointments to consist of one client at a time**

OTHER BUSINESS

At the call for OB-35 (Benjamin Middlebrooks), opposition was present; therefore, OB-35 was pulled from the Consent Agenda and added to the Regular Agenda in its numerical order. Later in the hearing, the Applicant and the opposition came to a resolution, and the case was added back to the Consent Agenda (see page 9 of these minutes for the motion)

O.B. 36 To consider a site plan amendment for Costco Wholesale Corporation regarding rezoning application Z-42 of 1996. Property is located on the south side of Ernest Barrett Parkway, west of Interstate 75, and on the north side of Shiloh Valley Drive in land lots 650, 718, and 719 of the 16th district (645 Barrett Parkway).

To **approve** O.B. 36, subject to:

1. **Site Plan received by the Zoning Division on July 14, 2025 (attached and made a part of these minutes)**
2. **All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect**

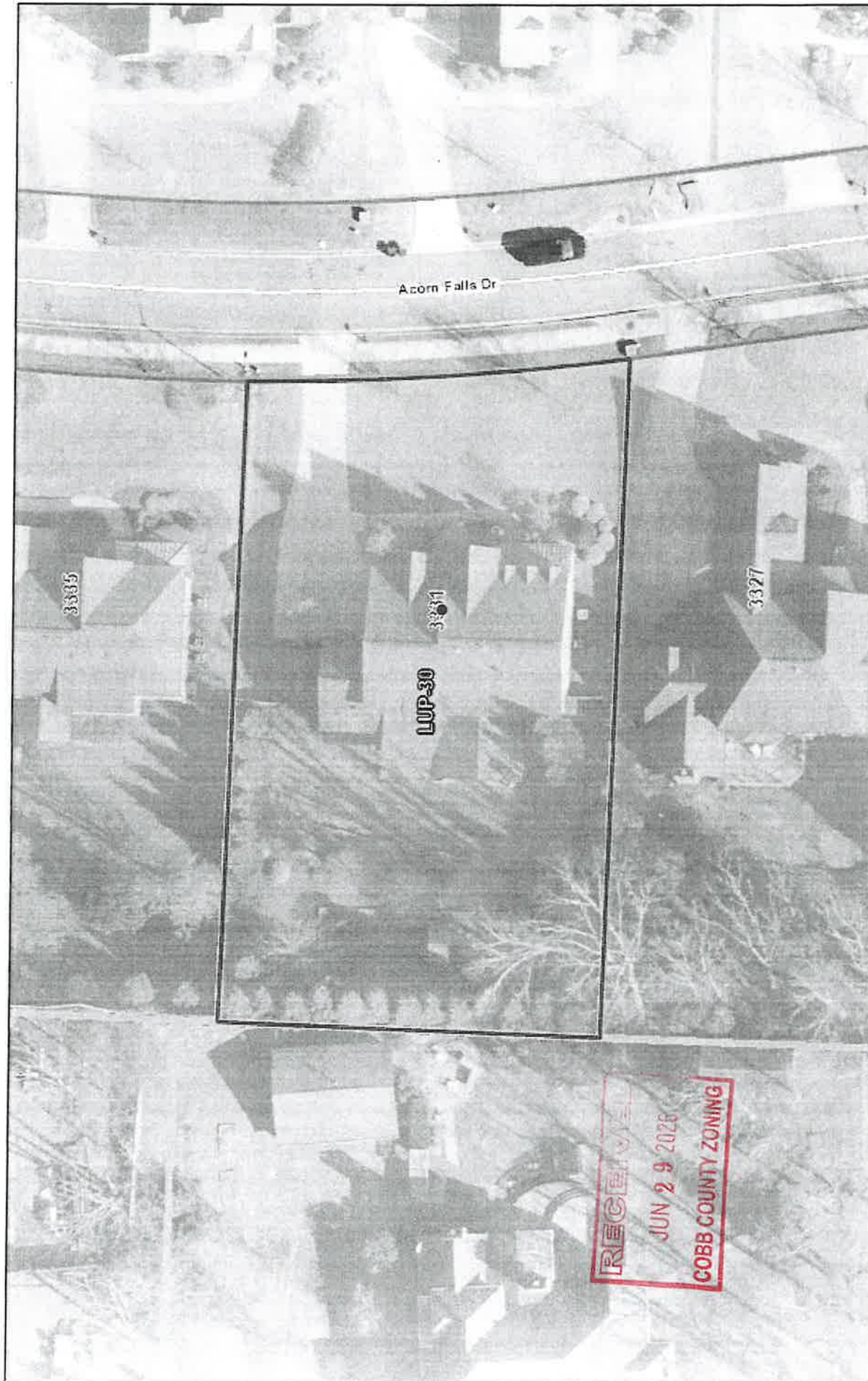
At the call for OB-40 (Chad J. McMillen), opposition was present; therefore, OB-40 was pulled from the Consent Agenda to be added to the Regular Agenda. The Applicant and the opposition met to see if they could come to a resolution. Later in the hearing, the case was continued until September (see page 8 of these minutes).

Prior to approving the Consent Agenda, Commissioner Sheffield requested that O.B. 38 (Allison Padgett and Vance Padgett) be added to the Consent Agenda. The Applicant was present and there was no opposition present. Mr. Pederson read in the case, and the following motion was made:

MOTION: Motion by Sheffield, second by Gambrill, to **add** O.B. 38 to the Consent Agenda, as follows:

wp-24

ArcGIS Web Map



6/25/2026, 12:48:15 PM

- ☐ CAM_ActiveAddress
- ☐ Zoning Petitions
- ☐ Subdivisions
- ☐ Local
- ☐ Major Collectors
- ☐ ORTHO
- ☐ Zoning Districts
- ☐ Past Case
- ☐ CobbParcels
- ☐ Local
- ☐ Arterials
- ☐ Red: Band_1
- ☐ R-20
- ☐ Land Lots
- ☐ Ramps
- ☐ Minor Collectors
- ☐ Interstates
- ☐ Green: Band_2
- ☐ Blue: Band_3



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

LUP-25-2026

SITE BACKGROUND

Applicant	Indigo Lawnscape, LLC
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Reginald Rutherford
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Reginald Allen Rutherford
Property Location	Located on the south side of Hiram Lithia Springs Road, east of Holloman Road
Address	5280 Hiram Lithia Springs Road
Access to Property	Hiram Lithia Springs Road

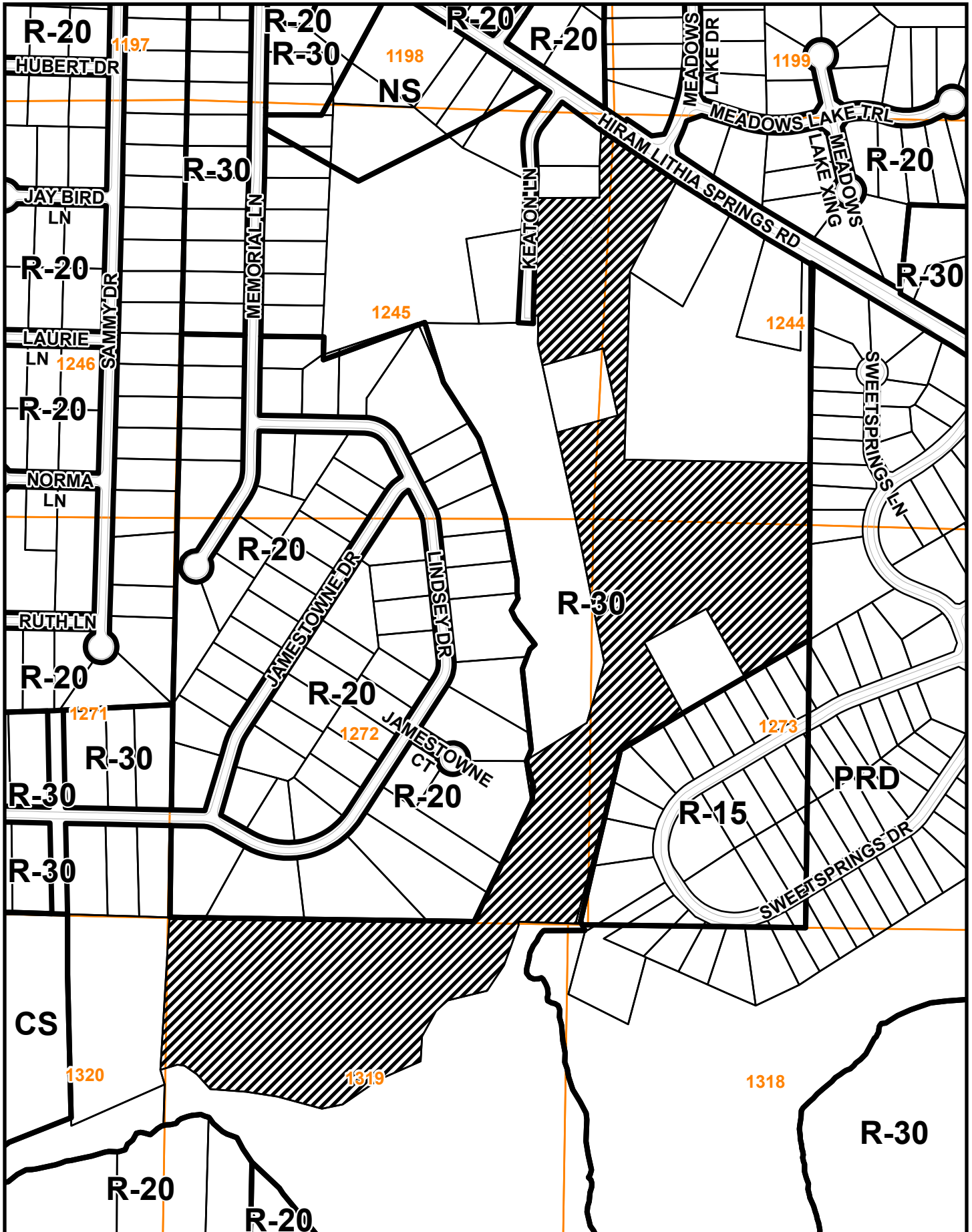
QUICK FACTS

Commission District	4 - Sheffield
Current Zoning	R-30
Current Use of Property	Single-family Residence
Proposed Use	To allow a business and related vehicle parking (Renewal)
Future Land Use	VLDR
Site Acreage	40.50
District	19
Land Lot	1244, 1245, 1272, 1273, 1319
Parcel #	19124500140
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

LUP-25 2026 Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 350 700
Feet

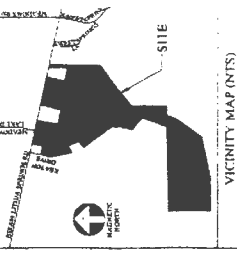
 Zoning Boundary

 City Boundary

RECEIVED

TOTAL TRACT AREA = 40.5817 ACRES (1,767,737 S.F.)
LOT 1 AREA = 33.1017 ACRES (1,441,908.75 S.F.)
LOT 2 AREA = 7.4800 ACRES (325,828 S.F.)

JUL 12 2012
CORR COUNTY ZONING

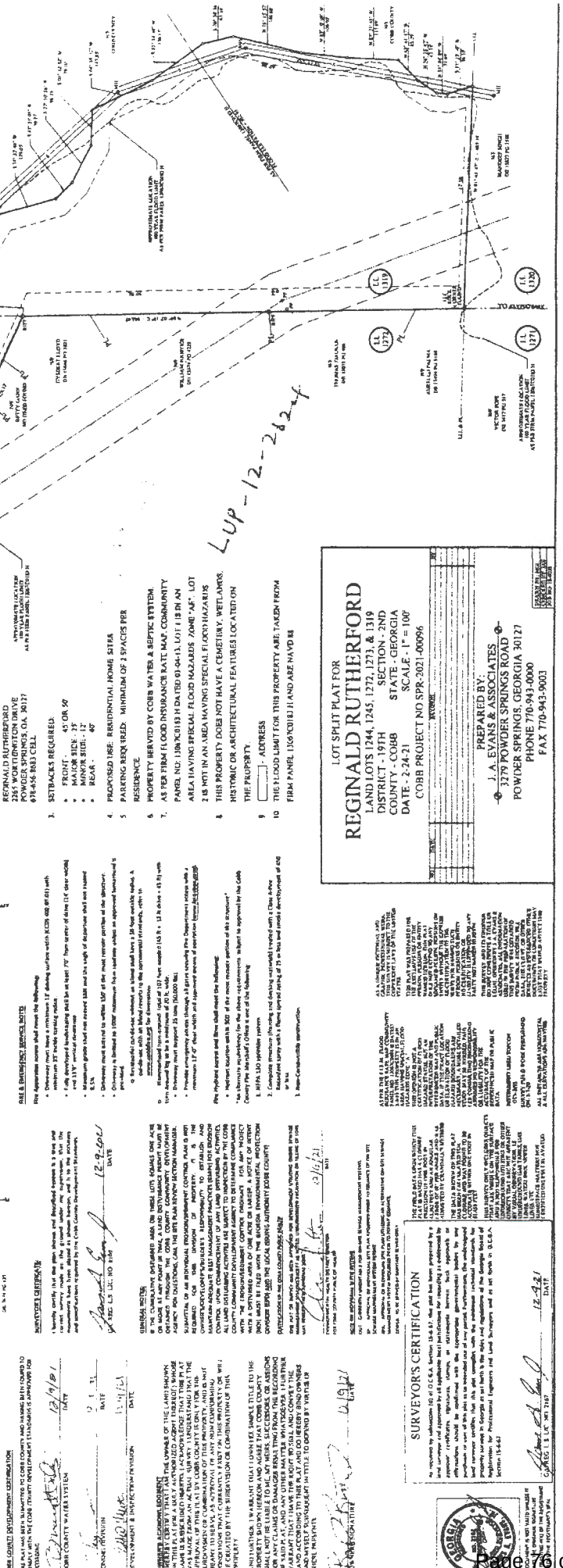


VICINITY MAP (NTS)

Direction	Distance	Feature
North	0.5 mi	US 41
North	1.0 mi	US 41
North	1.5 mi	US 41
North	2.0 mi	US 41
North	2.5 mi	US 41
North	3.0 mi	US 41
North	3.5 mi	US 41
North	4.0 mi	US 41
North	4.5 mi	US 41
North	5.0 mi	US 41
North	5.5 mi	US 41
North	6.0 mi	US 41
North	6.5 mi	US 41
North	7.0 mi	US 41
North	7.5 mi	US 41
North	8.0 mi	US 41
North	8.5 mi	US 41
North	9.0 mi	US 41
North	9.5 mi	US 41
North	10.0 mi	US 41

SITE ADDRESS: LOT 1
5260 HIRAM LITHIA SPRINGS ROAD
POWDER SPRINGS, GA 30127
TAX ID: 1914500140
DB 13859 PG 1793

SITE ADDRESS: LOT 2
5260 HIRAM LITHIA SPRINGS ROAD
POWDER SPRINGS, GA 30127
TAX ID: 1914500140
DB 13859 PG 1793



GENERAL NOTES:

1. PROPERTY ZONED: R-30
2. OWNER: REGINALD RUTHERFORD, 2255 WORTONSTON DRIVE, POWDER SPRINGS, GA 30127, 678-456-8853 CELL
3. SETBACKS REQUIRED:
 - FRONT: 45' OR 50'
 - MAJOR SIDE: 35'
 - MINOR SIDE: 25'
 - REAR: 40'
4. PROPOSED USE: RESIDENTIAL HOME SITE
5. PARKING REQUIRED: MINIMUM OF 2 SPACES PER RESIDENCE
6. PROPERTY SERVED BY COB WATER & SEPTIC SYSTEM
7. AS PER FIRM FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 19067C0183 DATED 01-04-13, LOT 1 IS IN AN AREA HAVING SPECIAL FLOOD HAZARD ZONE "AF". LOT 2 IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARD ZONE "AF". THIS PROPERTY DOES NOT HAVE A CEMETERY, WETLANDS, HISTORIC OR ARCHITECTURAL FEATURES LOCATED ON THE PROPERTY.
8. ADDRESS: 3279 POWDER SPRINGS ROAD, POWDER SPRINGS, GEORGIA 30127
9. THE FLOOD LIMIT FOR THIS PROPERTY ARE TAKEN FROM FIRM PANEL 1365X0183 II AND ARE NAVD 83

LOT SPLIT PLAT FOR REGINALD RUTHERFORD

LAND LOTS 124, 125, 127, 127.1, & 1319
DISTRICT - 19TH SECTION - 2ND
COUNTY - COBB STATE - GEORGIA
DATE - 2-24-21 SCALE - 1" = 100'
COBB PROJECT NO SPR-2021-00996

PREPARED BY:

J.A. EVANS & ASSOCIATES
3279 POWDER SPRINGS ROAD
POWDER SPRINGS, GEORGIA 30127
PHONE 770-943-0000
FAX 770-943-9003



GRAPHIC SCALE IN FEET
0 100 200 300

COBB COUNTY DEVELOPMENT CERTIFICATION

COBB COUNTY DEVELOPMENT CERTIFICATION

COBB COUNTY DEVELOPMENT CERTIFICATION

COBB COUNTY DEVELOPMENT CERTIFICATION

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COBB COUNTY DEVELOPMENT CERTIFICATION

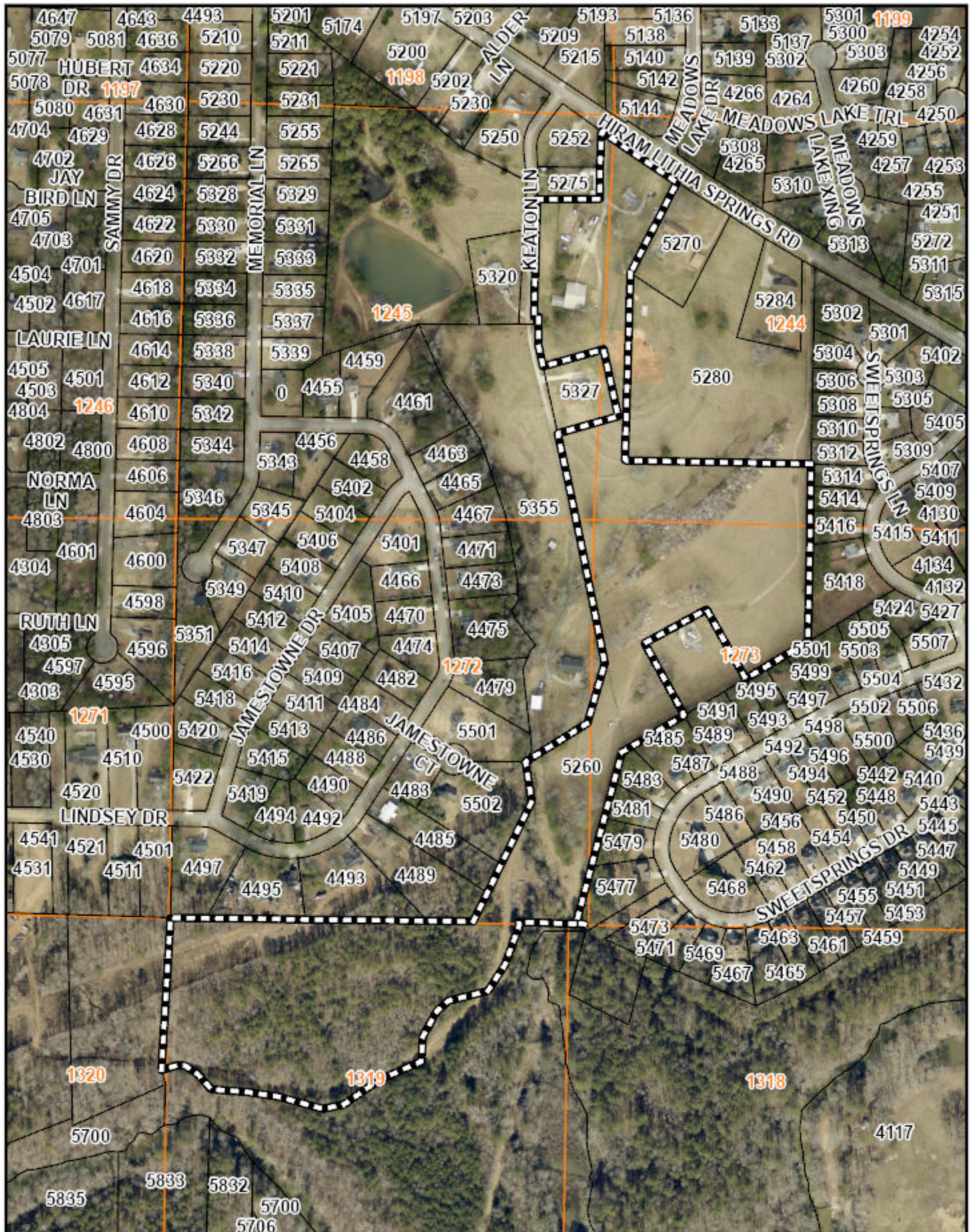
COBB COUNTY DEVELOPMENT CERTIFICATION

COBB COUNTY DEVELOPMENT CERTIFICATION



12.4.21

LUP-25 2026 Aerial Map

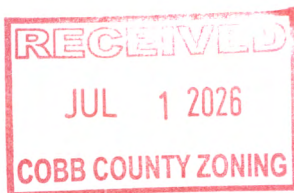


This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 350 700
Feet

— Zoning Boundary

— City Boundary



Revised December 18, 2013
Application #: LUP-25
PC Hearing Date: 9-1-2026
BOC Hearing Date: 9-15-2026

TEMPORARY LAND USE PERMIT WORKSHEET (FOR NUMBER OF ADULTS AND/OR VEHICLES)

1. Number of unrelated adults in the house? 0
2. Number of related adults in the house? 2
3. Number of vehicles at the house? 3
4. Where do the residents park?
Driveway: ✓; Street: _____; Garage: _____
5. Does the property owner live in the house? Yes ✓; No _____
6. Any outdoor storage? No ✓; Yes _____ (If yes, please state what is kept outside): _____
7. Length of time requested (24 months maximum): 24 months
8. Is this application a result of a Code Enforcement action? No _____; Yes ✓ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
9. Any additional information? (Please attach additional information if needed):

Applicant signature: Rex Bunn Date: 6/18/26

Applicant name (printed): Reginald Rutherford

ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: _____

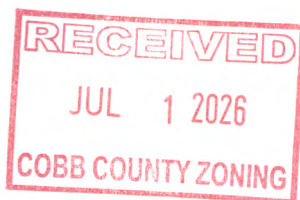
Size of house per Cobb County Tax Assessor records: _____

Number of related adults proposed: _____ Number permitted by code: _____

Number of unrelated adults proposed: _____ Number permitted by code: _____

Number of vehicles proposed: _____ Number permitted by code: _____

Number of vehicles proposed to be parked outside: _____ Number of vehicles permitted: _____



Revised October 1, 2009

Application #: LVP-25

PC Hearing Date: 8-1-2026

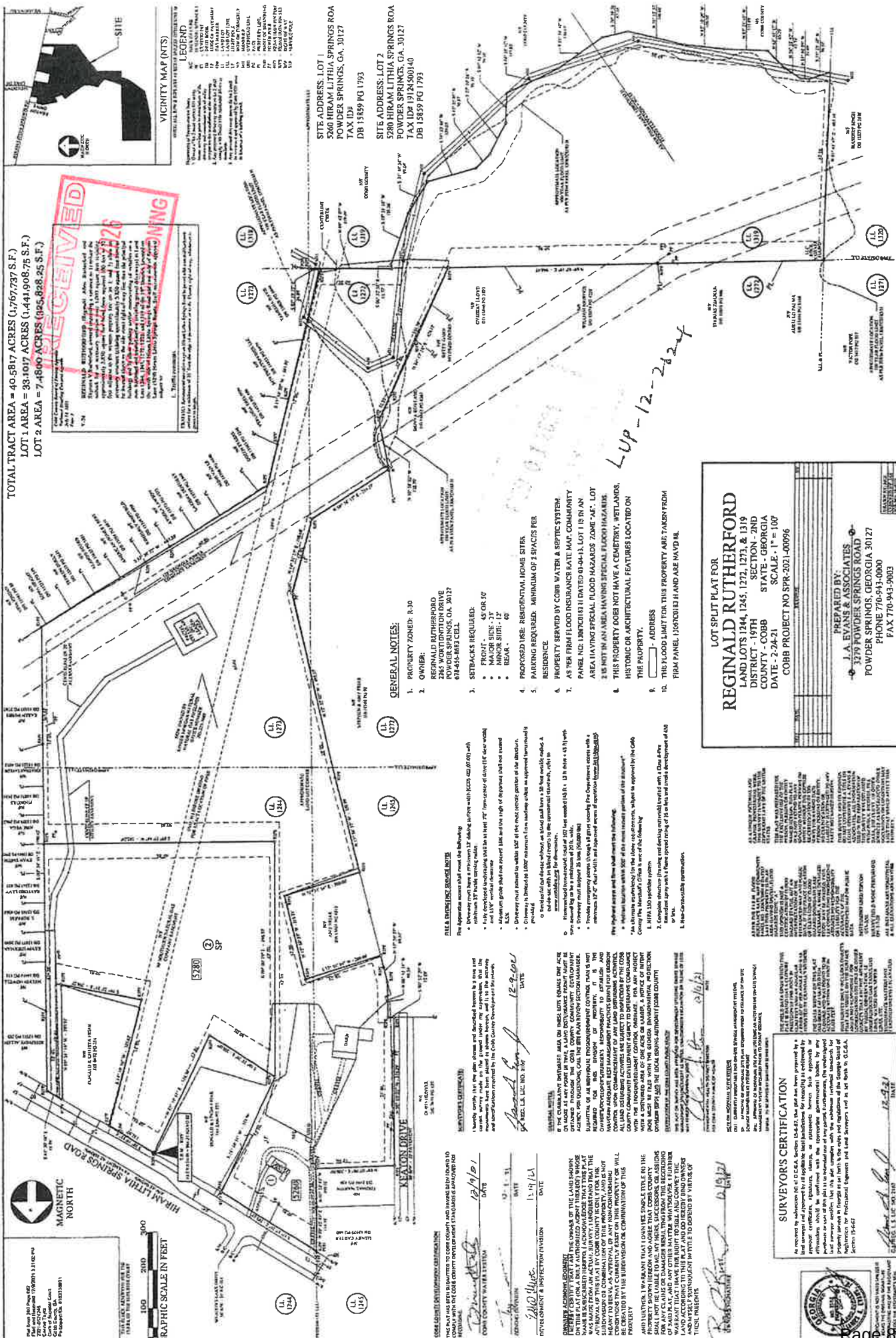
BOC Hearing Date: 9-15-2026

TEMPORARY LAND USE PERMIT WORKSHEET (FOR BUSINESS USE OR FOR A USE NOT PERMITTED)

1. Type of business, or request? Landscape
2. Number of employees? 2
3. Days of operation? Monday - Friday
4. Hours of operation? 8am - 4:30pm
5. Number of clients, customers, or sales persons coming to the house per day? 8 ; Per week? 8
6. Where do clients, customers and/or employees park?
Driveway: _____ ; Street: _____ ; Other (Explain):
designated lot where landscape vehicles are parked
7. Signs? No: ✓ ; Yes: _____. (If yes, then how many, size, and location): _____
8. Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): 8
9. Deliveries? No ✓ ; Yes _____ (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)
10. Does the applicant live in the house? Yes ✓ ; No _____
11. Any outdoor storage? No ✓ ; Yes _____ (If yes, please state what is kept outside): _____
12. Length of time requested (24 months maximum): 24 months
13. Is this application a result of a Code Enforcement action? No ✓ ; Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
14. Any additional information? (Please attach additional information if needed): _____

Applicant signature: Reginald Buttherford Date: 6/18/26

Applicant name (printed): Reginald Buttherford

[illegible]



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

LUP-26-2026

SITE BACKGROUND

Applicant	Needam Moses
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Needam Moses
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Needam Moses and Edna Moses
Property Location	Located on the west side of Woodleigh Road, north of Cliffcrest Court
Address	1117 Woodleigh Road
Access to Property	Woodleigh Road

QUICK FACTS

Commission District	4 - Sheffield
Current Zoning	R-15
Current Use of Property	Group Home
Proposed Use	Increase capacity of a group home from 4 residents to 7 residents
Future Land Use	LDR
Site Acreage	0.31
District	19
Land Lot	557
Parcel #	19055700180
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

LUP-26 2026 Map



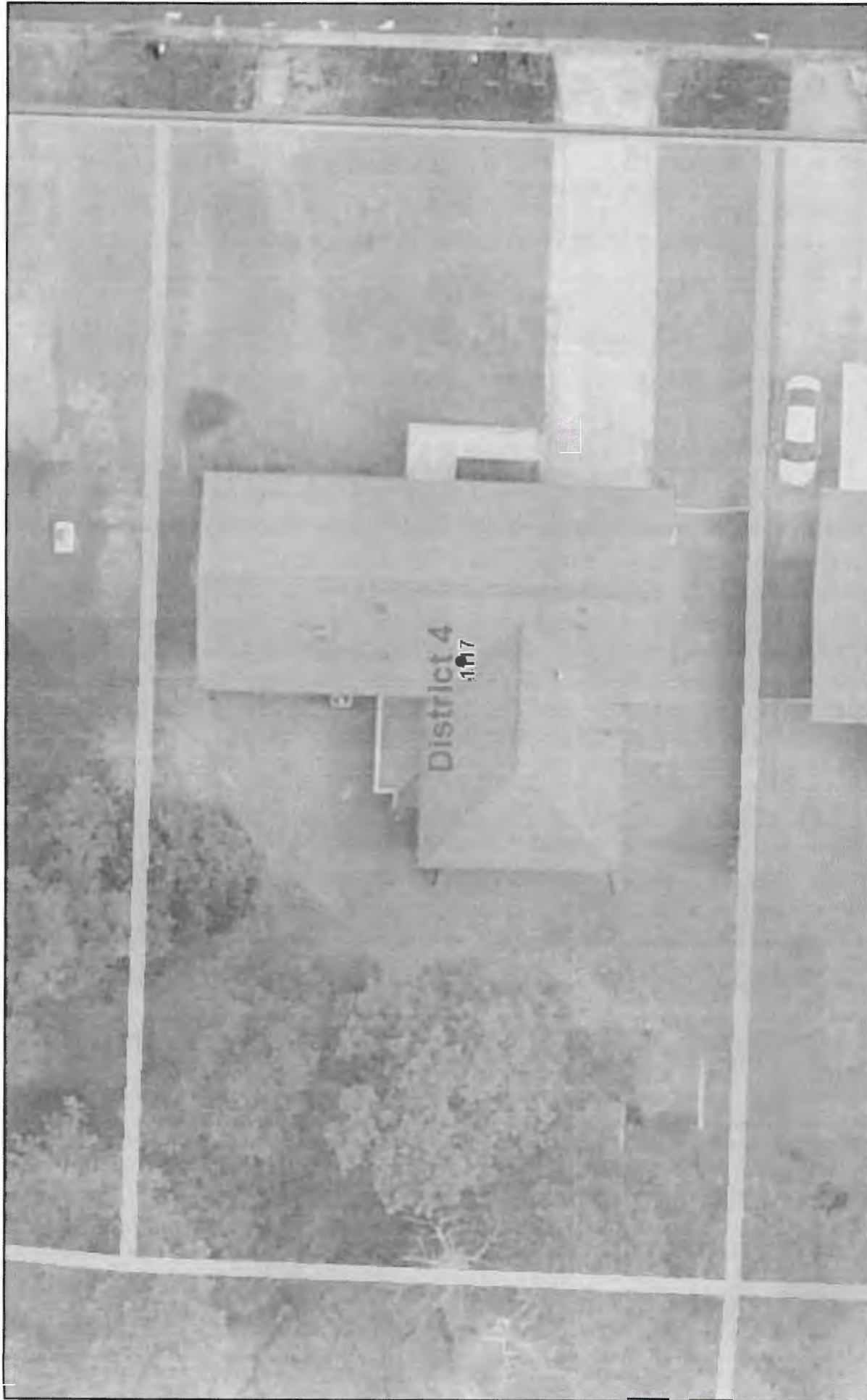
This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 87.5 175 Feet

 Zoning Boundary

 City Boundary

ArcGIS Web Map



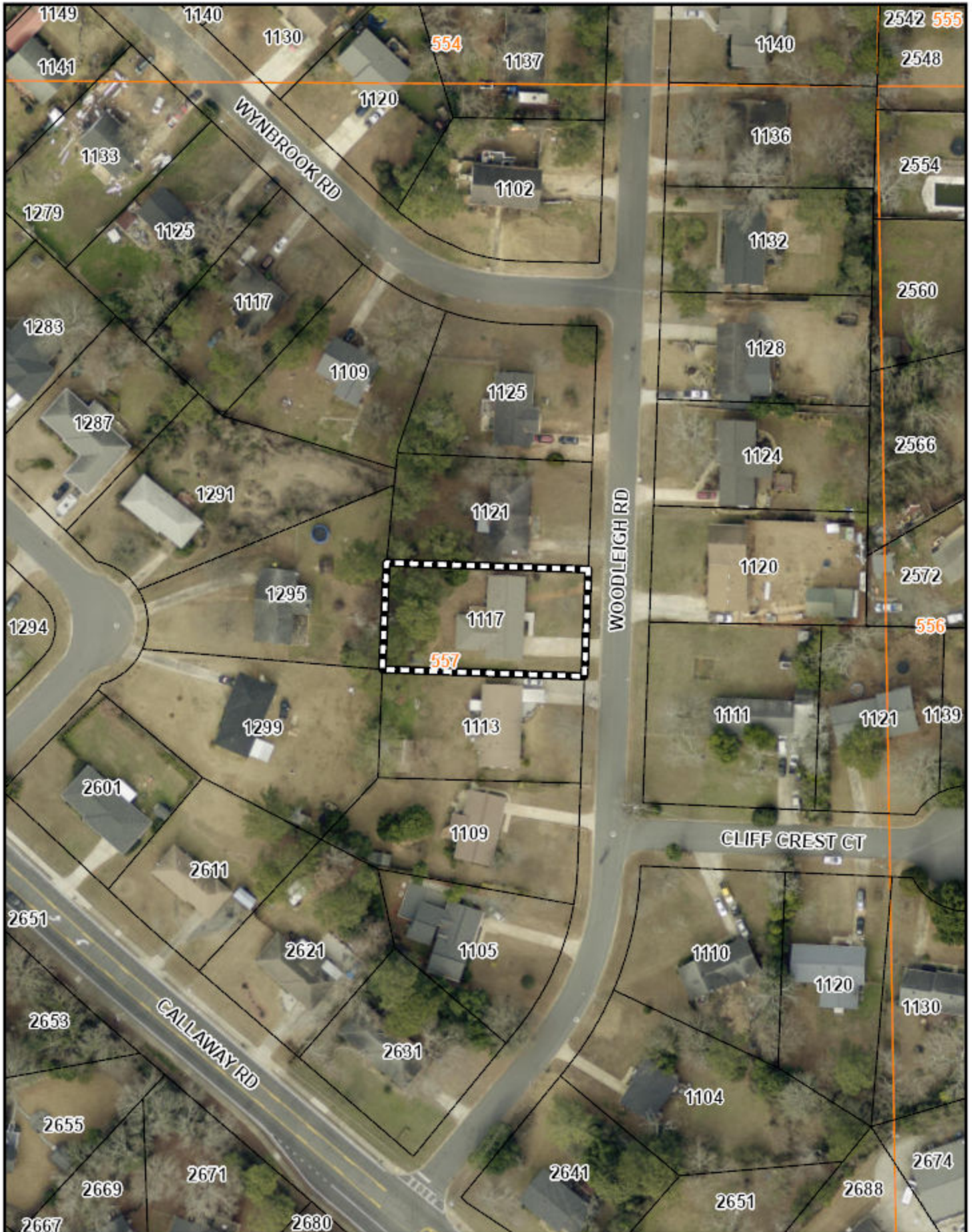
6/23/2026, 9:47:18 AM

- ☒ CAM_ActiveAddress
- ☐ Subdivisions
- ☐ Local
- ☐ Major Collectors
- ☐ Zoning Districts
- ☐ CobbParcels
- ☐ Local
- ☐ Arterials
- ☐ R-15
- ☐ Ramps
- ☐ Minor Collectors
- ☐ Interstates
- ☐ Land Lots

RECEIVED
JUL 02 2026
COBB COUNTY ZONING

1:282
0 0 0.01 0.01
0 0 0.01 0.01
mi km
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USDA, US Census Bureau, USGS, EPA, NPS, US Census Bureau, USDA, USFS | cobbcodevmap_mercator.mxd | Copyright

LUP-26 2026 Aerial Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 87.5 175 Feet

Zoning Boundary

City Boundary



Application #: _____

PC Hearing Date: _____

BOC Hearing Date: _____

TEMPORARY LAND USE PERMIT WORKSHEET

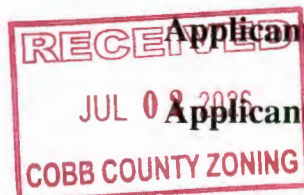
(FOR BUSINESS USE OR FOR A USE NOT PERMITTED)

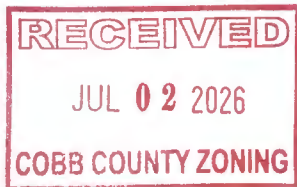
1. Type of business, or request? Increase in the licensed occupancy from 4 to 5
2. Number of employees? 3
3. Days of operation? 7 DAYS A WEEK
4. Hours of operation? 2 PM - 6 PM
5. Number of clients, customers, or sales persons coming to the house per day? 7 ; Per week? 7
6. Where do clients, customers and/or employees park?
Driveway: ☒ ; Street: _____ ; Other (Explain): _____
7. Signs? No ; Yes: _____. (If yes, then how many, size, and location): _____
8. Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): 4
9. Deliveries? No ; Yes: _____. (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.) _____
10. Does the applicant live in the house? Yes _____ ; No
11. Any outdoor storage? No _____ ; Yes (If yes, please state what is kept outside): Shed use to keep cleaning supplies for the home.
12. Length of time requested (24 months maximum): YES
13. Is this application a result of a Code Enforcement action? No ; Yes: _____. (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
14. Any additional information? (Please attach additional information if needed): _____

Applicant signature: _____

Date: 07/02/26

Applicant name (printed): _____

NEEDAM MOSES



Revised December 18, 2013

Application #: _____

PC Hearing Date: _____

BOC Hearing Date: _____

TEMPORARY LAND USE PERMIT WORKSHEET (FOR NUMBER OF ADULTS AND/OR VEHICLES)

1. Number of unrelated adults in the house? 7
2. Number of related adults in the house? 0
3. Number of vehicles at the house? 4
4. Where do the residents park?
Driveway: ☒ ; Street: _____ ; Garage: _____
5. Does the property owner live in the house? Yes _____ No
6. Any outdoor storage? No _____ ; Yes _____ (If yes, please state what is kept outside): Shed used to keep cleaning supplies for the home.
7. Length of time requested (24 months maximum): YES
8. Is this application a result of a Code Enforcement action? No ; Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
9. Any additional information? (Please attach additional information if needed):

Applicant signature: [Signature] Date: _____

Applicant name (printed): _____

ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: R-15

Size of house per Cobb County Tax Assessor records: 2240

Number of related adults proposed: 0 Number permitted by code: 5

Number of unrelated adults proposed: 7 Number permitted by code: 1

Number of vehicles proposed: 4 Number permitted by code: 5

Number of vehicles proposed to be parked outside: 4 Number of vehicles permitted 4

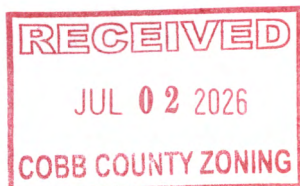
Revised December 18, 2013

CONSENT OF CONTIGUOUS OCCUPANTS OR LAND OWNERS

TO ACCOMPANY APPLICATION FOR LAND USE PERMIT

By signature, it is hereby acknowledged that I give my consent/or have no objection that NEEDAM
MOSES intends to make an application for a Land Use Permit for the purpose of
_____ on the premises described in the application.

	Signature	Printed name	Address
1.	<u>Splaw</u>	<u>Sipha Than</u>	<u>1113 woodloight rd sw Marietta</u>
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
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18.			
19.			
20.			

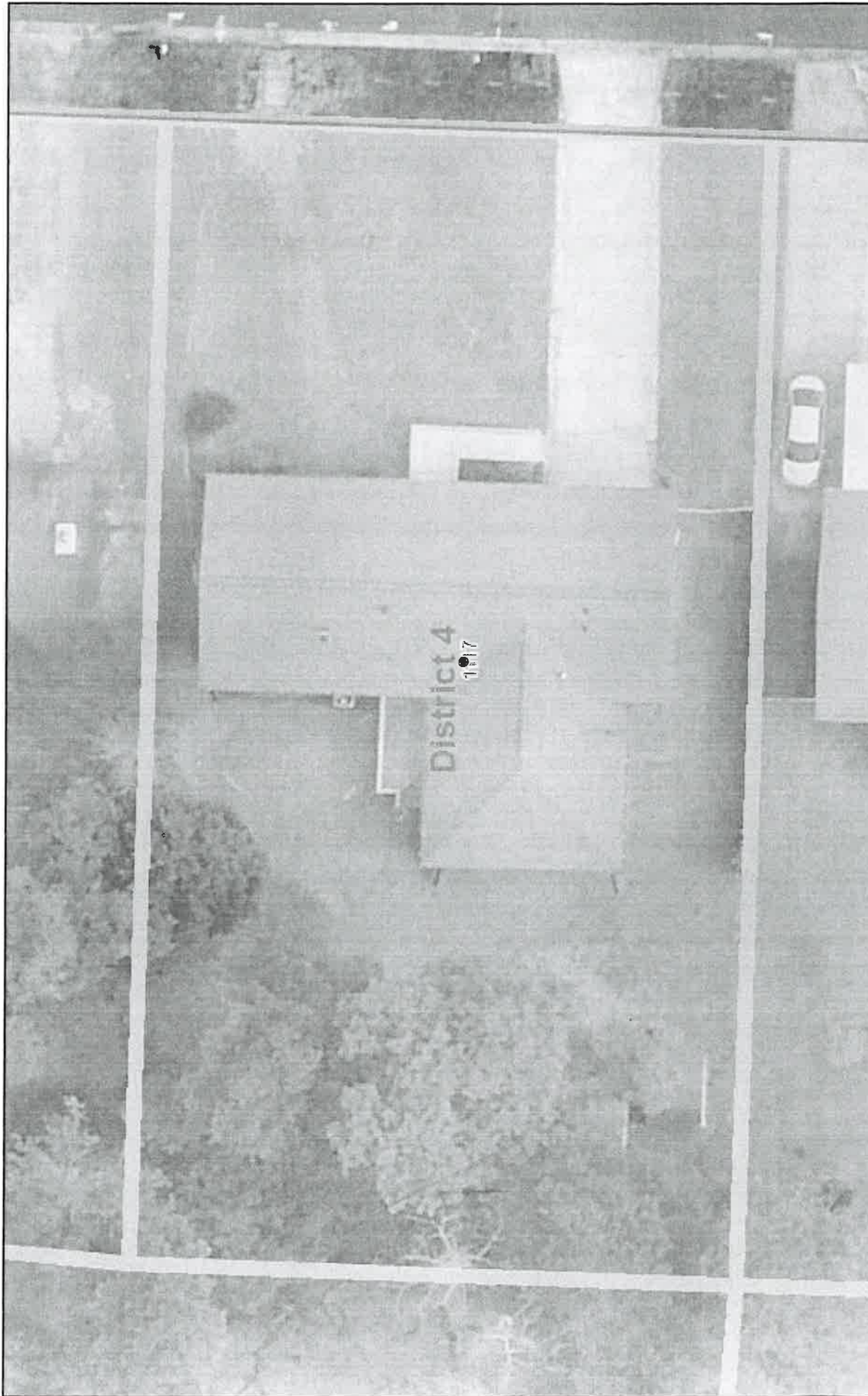


(Attach additional pages if necessary)

Revised October 1, 2009

Lup-26

ArcGIS Web Map



6/23/2026, 9:47:18 AM

- ☐ CAM_ActiveAddress
- ☐ Subdivisions
- ☐ Local
- ☐ Major Collectors
- ☐ Zoning Districts
- ☐ CobbParcels
- ☐ Local
- ☐ Arterials
- ☐ R-15
- ☐ Ramps
- ☐ Minor Collectors
- ☐ Interstates
- ☐ Land Lots



1:282
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0 0 0 0.01 0.01
mi km
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Esri Community Maps Contributors, Cobb County (GA) DOT, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc. MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS | cobbcodevmap_mercalor.mxd | Copyright



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

LUP-27-2026

SITE BACKGROUND

Applicant	Tyler Howey
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Tyler Howey
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Tyler Ross Howey
Property Location	Located at the northern terminus of Avondale Parkway, north of Macedonia Road
Address	3235 Avondale Parkway
Access to Property	Avondale Parkway

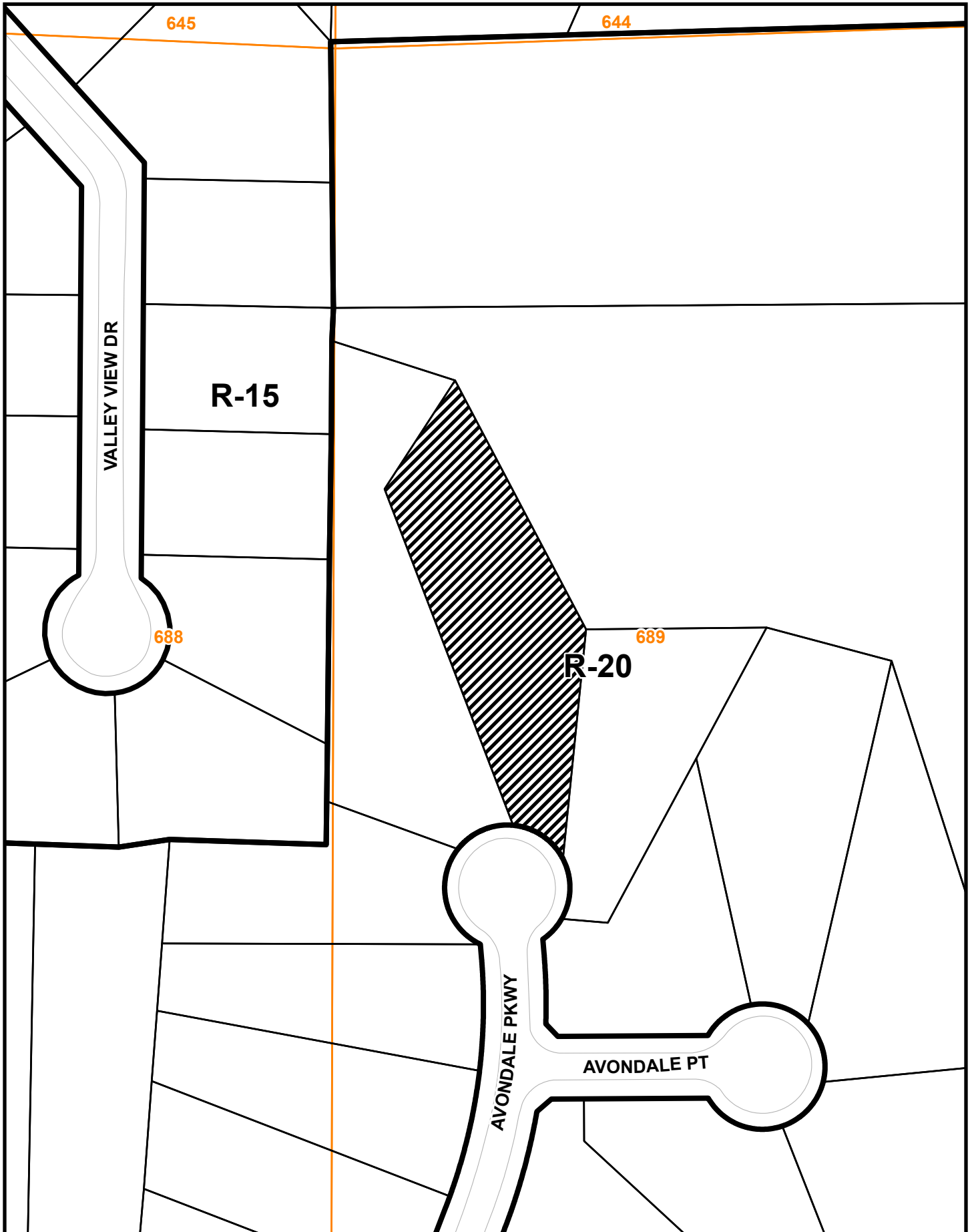
QUICK FACTS

Commission District	4 - Sheffield
Current Zoning	R-20
Current Use of Property	Group Home
Proposed Use	Increase capacity of a group home from 4 residents to 10 residents
Future Land Use	LDR
Site Acreage	0.68
District	19
Land Lot	689
Parcel #	16068900110
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

LUP-27 2026 Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 87.5 175 Feet

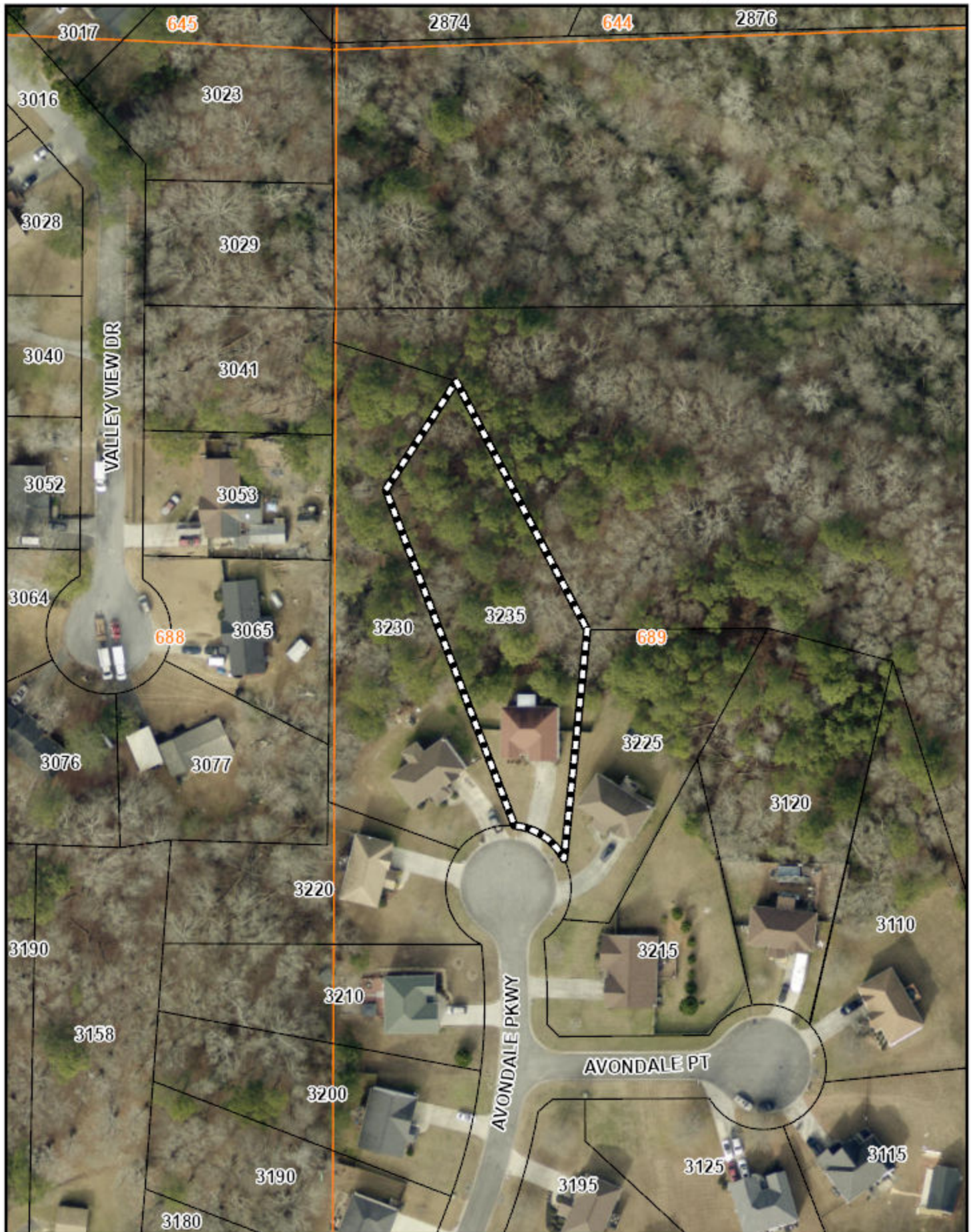
 Zoning Boundary

 City Boundary

ArcGIS Web Map



LUP-27 2026 Aerial Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 87.5 175 Feet

 Zoning Boundary

 City Boundary



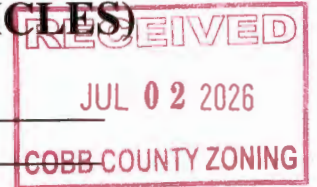
Revised December 18, 2013

Application #: _____

PC Hearing Date: _____

BOC Hearing Date: _____

TEMPORARY LAND USE PERMIT WORKSHEET (FOR NUMBER OF ADULTS AND/OR VEHICLES)



1. Number of unrelated adults in the house? 10
2. Number of related adults in the house? 10
3. Number of vehicles at the house? 5
4. Where do the residents park?
Driveway: ☒ ; Street: _____ ; Garage: _____
5. Does the property owner live in the house? Yes _____ ; No ☒
6. Any outdoor storage? No ☒ ; Yes _____ (If yes, please state what is kept outside): _____
7. Length of time requested (24 months maximum): 24
8. Is this application a result of a Code Enforcement action? No _____ ; Yes ☒ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
9. Any additional information? (Please attach additional information if needed):

Applicant signature: Tyler Hawey Date: 6/16/2026

Applicant name (printed): Tyler Hawey

ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: R-20

Size of house per Cobb County Tax Assessor records: 2432

Number of related adults proposed: 0 Number permitted by code: 6

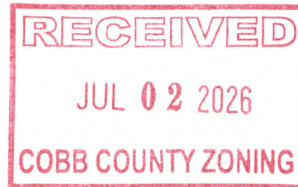
Number of unrelated adults proposed: 10 Number permitted by code: 1

Number of vehicles proposed: 5 Number permitted by code: 6

Number of vehicles proposed to be parked outside: 5 Number of vehicles permitted 4

Revised December 18, 2013

Tyler Howey
Amended Recovery House
770-362-4438
AmendedRecoveryHouse@gmail.com



July 1, 2026

I am submitting this LUP application only because Cobb County has stated that filing is required before the County will review and decide my pending reasonable accommodation requests for 3235 Avondale Parkway SW. Please accept this application on that basis and issue a written determination on the pending reasonable accommodation requests.

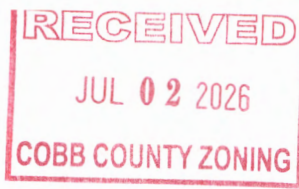
Amended Recovery House is a recovery residence for adults in recovery from substance use disorder. It operates as a family-style, single-housekeeping-unit, not as a clinical or medical facility. Fair housing law protects the right of persons with disabilities to live together in family-style congregate housing and requires reasonable accommodations in zoning rules and procedures when necessary to provide equal housing opportunity. Our position is that this recovery residence **must be treated as a family for fair housing purposes**, and Cobb County should not impose additional public burdens on this disability-related household that a similarly situated related family would not face.

My pending reasonable accommodation requests are:

1. That the residents be allowed to reside together at this property as a single household without more burdensome requirements than other families.
2. That Cobb County modify or waive the public-facing portions of the LUP process, including sign posting, neighbor notification, public hearing participation, and related public disclosure requirements.
3. That enforcement remain stayed while these requests are reviewed and decided.

These requests are important because the public-facing portions of the LUP process are **uniquely** harmful to a recovery residence. Public identification of the home as disability-related recovery housing invites stigma, scrutiny, and discriminatory treatment in a way that does not attach in the same manner to an ordinary family seeking residential relief. For men in recovery, that public exposure creates instability, trauma, shame, and backlash that directly undermine a safe and stable recovery environment. The process also fosters fear of homelessness for the residents. This is dangerous and can increase the risk of relapse and impulsive decision-making for the individual in recovery.

This LUP submission does not withdraw, waive, narrow, or abandon any pending reasonable accommodation request. It also does not constitute agreement with any County classification of the residence as a "group home." Our position remains that Amended Recovery House **must be treated as a family for fair housing purposes**.



REASONABLE ACCOMMODATION REQUEST

Amended Recovery House (GARR Level-2 Certified Recovery Residence)

3235 Avondale Parkway, Powder Springs, GA 30127

Submitted by: Tyler Howey, Owner / Operator

Fair Housing Act (42 U.S.C. § 3604(f)(3)(B)) & Americans With Disabilities Act (ADA Title II)

Dear Cobb County Community Development and Zoning Staff:

I respectfully submit this formal Reasonable Accommodation Request under the Federal Fair Housing Act (FHA) and the Americans with Disabilities Act (ADA) on behalf of myself and the residents of Amended Recovery House, located at 3235 Avondale Parkway, Powder Springs, GA 30127.

The men who reside in this home—eight (8) residents in recovery from substance use disorder plus two (2) live-in peer house managers—are individuals with disabilities as defined by federal law. Substance Use Disorder in recovery is a protected disability under both the FHA and ADA. The home is a GARR-certified Level-2 Recovery Residence, which means it is a non-clinical, peer-run, family-like sober-living environment with structure, accountability, and community support.

After reviewing Cobb County's Notice of Violation and the definitions applied under local zoning, it is clear that strict, unmodified application of the County's unrelated-person and occupancy rules would disproportionately burden disabled individuals and prevent them from accessing a stable, safe, drug-free home, which the Fair Housing Act prohibits.

Therefore, I request the following accommodations:

1. Accommodation: Household Definition & Occupancy Adjustment

Requested:

Treat the residents of Amended Recovery House as a single household and grant an exception to Cobb County's "two unrelated adults" rule and the "390 sq. ft. per adult occupant" requirement so that 8 residents + 2 peer managers may live together lawfully in this single-family dwelling.

Why Necessary:

- Recovery residences function exactly as a family-like household — shared meals, shared chores, shared responsibilities, shared living spaces, and shared accountability.
- Two-to-a-room living is a national best practice in sober-living because it prevents isolation, increases peer monitoring, and creates immediate support when cravings or relapse thoughts arise.
- In recovery housing, more residents = more accountability, more peer support, more structure, and greater long-term success.
- A resident cannot withdraw into a room unnoticed; every man is seen, supported, and accountable.
- Reducing the number of residents would directly increase relapse and overdose risk—a major issue in Cobb County, which has experienced a sharp spike in fentanyl overdose deaths in 2024–2025.
- Powder Springs has already reviewed these standards and approved 8 residents + 1 manager at my other property after understanding how recovery housing functions.
- Strict enforcement of the “390 sq. ft. per adult occupant” rule and unrelated-adult limits would functionally exclude individuals in recovery from living in supportive housing, a violation of FHA and ADA.

2. Accommodation: Recognize the Home as a Residential Recovery Residence (Not a Group Home or Halfway House)

Requested:

Acknowledge that Amended Recovery House is a Recovery Residence, not a “group home,” “personal-care home,” “boarding house,” or “halfway house,” and permit it to operate as a normal residential use without classification under commercial, institutional, or treatment-facility categories.

Why Necessary:

- We provide no medical services, no clinical treatment, no counseling, and employ no doctors or nurses.
- We follow the GARR Level-2 model, which is the gold-standard definition of a legitimate sober-living home in Georgia.

- Residents live as a single housekeeping unit, not as tenants in an institution.
- Misclassification leads to special-use processes and restrictions that are stigmatizing, traumatizing, and not imposed on other households, violating equal treatment under the FHA and ADA.
- Our structure is residential, not commercial; the home operates exactly like a large family household, with additional sobriety requirements for safety.

3. Accommodation: Relief From Special-Use, Conditional-Use, or Public-Hearing Processes

Requested:

Do not require public hearings, special-use permits, conditional-use permits, or any process not imposed on other single-family households.

Why Necessary:

- I have already endured this process in Powder Springs, and the stigma, misunderstanding, and hostility from community opposition directly harmed the men in recovery and myself.
- Public hearings force the disclosure of residents' disabilities and expose them to discrimination, which federal law prohibits.
- HUD and DOJ have made clear that if a process imposes unique burdens on disabled residents, the County must modify that process as a reasonable accommodation.
- Recovery housing should not be subjected to special scrutiny because its residents have disabilities. Under the Fair Housing Act and ADA, reasonable accommodations are required when necessary to give individuals with disabilities an equal opportunity to occupy and use a dwelling.

4. Accommodation: Stay of Enforcement While This Request Is Processed

Requested:

A temporary stay of enforcement, including a halt to violations, fines, or penalties, until the County completes its reasonable-accommodation review.

Why Necessary:

- HUD/DOJ guidance states that undue delay or enforcement during a pending reasonable-accommodation request may constitute a violation of the FHA.
- Enforcement during review creates unnecessary fear and instability for residents with disabilities in early recovery and can trigger relapse.

5. Accommodation: Equal Application of Neutral Safety Standards Only

Requested:

Apply only neutral building, fire, and safety standards that apply equally to all single-family homes—no enhanced, selective, or disability-specific enforcement.

Why Necessary:

- Selective enforcement is a classic form of discrimination under the FHA.
- Amended Recovery House already maintains strict safety, sobriety, and accountability protocols consistent with GARR certification and national recovery-housing standards.

About Amended Recovery House

- I have worked in substance-use residential housing since 2016 and opened Amended Recovery House in 2020.
- Across multiple homes, we have helped thousands of men achieve sobriety and rebuild their lives.
- Amended Recovery House has operated in Cobb County through 2022–2025, contributing positively to community stability, workforce participation, and public-health outcomes.
- Our model directly helps combat Cobb County's rising fentanyl overdose deaths, which are among the highest in the state.

Request for Written Response

I respectfully request a written decision within 30 days of receipt of this letter, as recommended under FHA/ADA reasonable-accommodation guidelines.

I welcome the opportunity to work cooperatively with Cobb County to ensure safe, compliant, and fair housing for individuals with disabilities who are choosing recovery.

Sincerely,

Tyler Howey

Owner / Operator, Amended Recovery House

3235 Avondale Parkway

Powder Springs, GA 30127





Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

LUP-28-2026

SITE BACKGROUND

Applicant	Mielke Way Manor, LLC
Phone	Contact Zoning Office
Email	Contact Zoning Office
Representative Contact	Adam J. Rozen
Phone	Contact Zoning Office
Email	Contact Zoning Office
Titleholder	Gordy Property Group, LLC
Property Location	Located on the south side of Pair Road, east of Sasanqua Lane
Address	1901 Pair Road
Access to Property	Pair Road

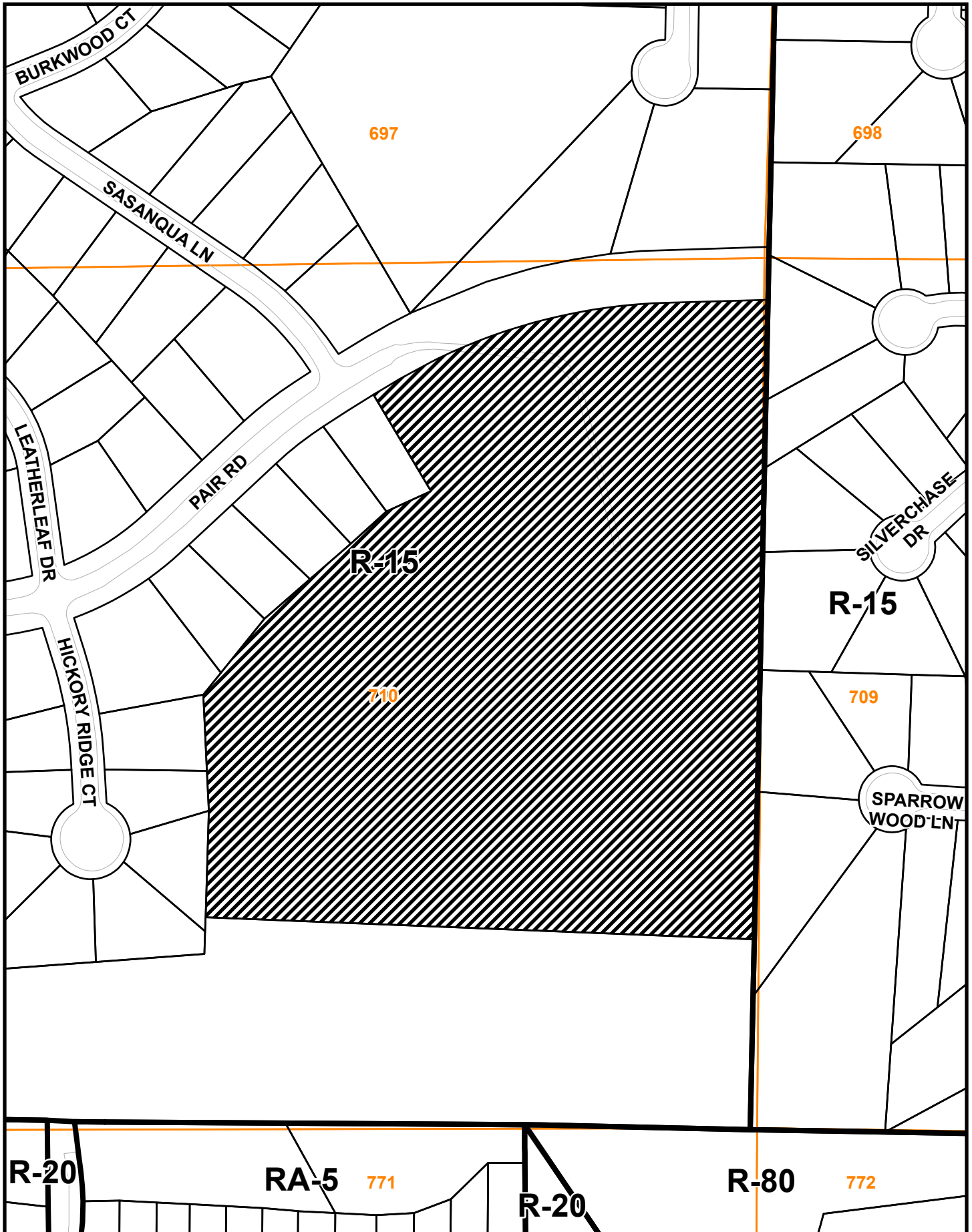
QUICK FACTS

Commission District	4 - Sheffield
Current Zoning	R-15
Current Use of Property	Single-family Residence
Proposed Use	To allow a family farm, wildlife sanctuary, event center, and educational facility (Renewal)
Future Land Use	LDR
Site Acreage	14.83
District	19
Land Lot	710
Parcel #	19071000010
Taxes Paid	Yes

FINAL ZONING STAFF RECOMMENDATIONS

[Click here to enter text.](#)

LUP-28 2026 Map



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 165 330
Feet

 Zoning Boundary

 City Boundary

MielkeWAY MANOR

Family Farm and Wildlife Sanctuary



June 10, 2026

DGM
LAND PLANNING
CONSULTANTS, INC.



1635 Old Hwy 41
SUITE 112-314
KENNESAW, GA 30152

770-514-9006
DGM LPC.COM

Site Data

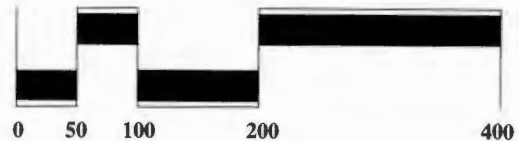
Total Site Area: 14.825 AC

(13.7 AC in floodplain)

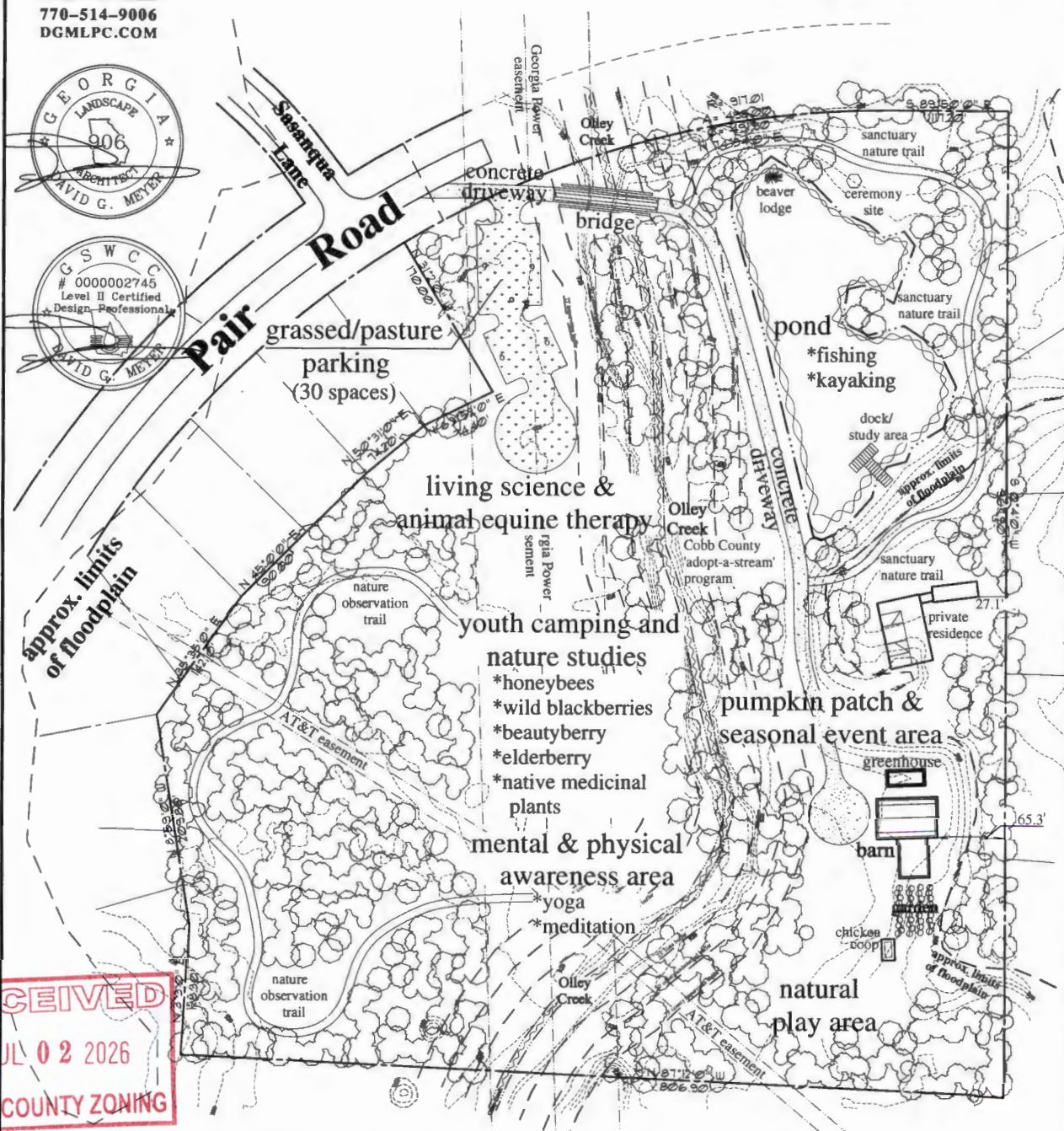
Present Zoning: R-15

Proposed Zoning: R-15

(w/temporary land use permit)



Scale: 1" = 100'



RECEIVED
JUL 02 2026
COBB COUNTY ZONING

LUP-28 2026 Aerial Map

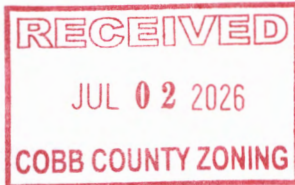


This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 165 330 Feet

 Zoning Boundary

City Boundary



Revised October 1, 2009

Application #: LVP-28
PC Hearing Date: 9.1.26
BOC Hearing Date: 9.15.26

TEMPORARY LAND USE PERMIT WORKSHEET (FOR BUSINESS USE OR FOR A USE NOT PERMITTED)

1. Type of business, or request? Family farm & wildlife sanctuary & conservation events & education facility
2. Number of employees? 2 (owners who reside on subject property)
3. Days of operation? varied - Monday through Saturday
4. Hours of operation? 8 am to 10 pm
5. Number of clients, customers, or sales persons coming to the house per day? _____ ; Per week? _____
6. Where do clients, customers and/or employees park?
Driveway: x ; Street: _____ ; Other (Explain): designated parking areas on property outside of driveway
7. Signs? No: _____ ; Yes: x . (If yes, then how many, size, and location): one at entrance
8. Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): N/A
9. Deliveries? No _____ ; Yes x (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)
Customary home deliveries
10. Does the applicant live in the house? Yes x ; No _____
11. Any outdoor storage? No _____ ; Yes x (If yes, please state what is kept outside): farm and conservation use related
12. Length of time requested (24 months maximum): 24 months
13. Is this application a result of a Code Enforcement action? No _____ ; Yes x (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
14. Any additional information? (Please attach additional information if needed):
See O.C.G.A. 48-5-7.4

Applicant signature: [Signature] Date: 6/30/26

Applicant name (printed): Ian Mielke

STATEMENT OF INTENT

of

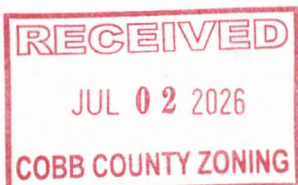
MIELKE WAY MANOR, LLC

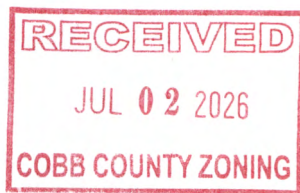
Temporary Land Use Permit Application

**Concerning a 14.825 Acre Tract of Land located in Land Lot 710, 19th
District, 2nd Section,
Cobb County, Georgia**

Submitted for the Applicant by:

**Adam J. Rozen, Esq.
Rozen, Rozen & Reilly, LLP
248 Roswell Street
Marietta, GA 30060
770-427-7004
ajrozen@rozenandrozen.com**





I. INTRODUCTION

This Application seeks a Temporary Land Use Permit (“TLUP”) to allow a family farm and wildlife sanctuary and conservation events and education facility on an approximate 14.825 acre tract of land located at 1901 Pair Road, Marietta, Georgia.

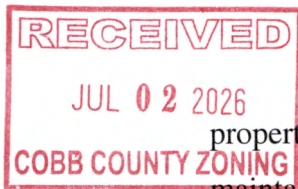
The property (“Subject Property”) is presently zoned in the R-15 zoning classification and is identified as Low Density Residential (“LDR”) on Cobb County’s Future Land Use Map (“FLUM”). The property is a uniquely and rarely preserved approximately 15 acre parcel situated within a residential area. The subject property historically has been utilized for residential and conservation activities preserving opportunities for farming, agricultural and aquatic recreational and educational activities.

The proposal will preserve the subject property similar to its current and historical state in a manner consistent and restricted by its current dedication to conservation pursuant to O.C.G.A 48-5-7.4 as outlined for agricultural land, timberland and environmentally sensitive land. The proposed uses are less intense and preserve and utilize the land, including its area within identified floodplain, in a manner that could not be accomplished if developed as even the surrounding residential properties.

II. CRITERIA TO BE APPLIED TO TEMPORARY LAND USE PERMITS

A. Whether or not there will be a significant adverse effect upon the neighborhood or area in which the proposed use will be located.

The Subject Property, consisting of an approximate 15 acres, is located on Pair Road near the intersection of Sasanqua Lane in unincorporated Cobb County. The property is presently zoned in the R-15 zoning classification and is located within LDR under Cobb County’s FLUM. The property is abutted by other R-15 residential property on all sides. The proposed use is one of the less intense uses that could be allowed on the R-15 zoned property or other compatible zonings within LDR. Therefore, the proposed use is consistent with the Cobb County Zoning Ordinance and with uses on adjacent and nearby



properties and will have no adverse impact upon them. The proposed location will maintain a natural buffer adjacent to affected residential uses and provides preservation of sensitive areas of land.

B. Whether or not the use is otherwise compatible with the neighborhood.

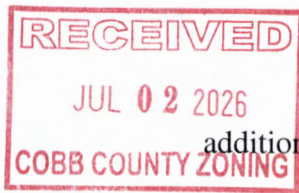
As referred to above, the proposed use provides a unique way to preserve and utilize the subject property. Development of the subject property under LDR for additional homes, or otherwise, would create more trips and traffic and harm to the subject property than what will be a part of the proposed use. Given these facts, the proposed use of the Subject Property is compatible with the neighborhood.

C. Whether or not the use proposed will result in a nuisance as defined under state law.

The proposed use will not result in a nuisance, either public or private, as that term is defined by Georgia law. The proposed use will be enclosed with setbacks and landscape buffers surrounding the use as indicated on the proposed site plan and will act (and is required to act) in a limited manner as contemplated by State law for conservation purposes.

D. Whether or not the quiet enjoyment of surrounding property will be adversely affected.

The proposed low intensity use of the subject property will not adversely affect the quiet enjoyment of surrounding properties. The surrounding properties consist of residential uses separated by the acreage of the subject property which is uniquely positioned at the end of Pair Road with no other road frontage but instead adjoining the rear yards of residential homes providing for no less than approximately eighty feet (80') of separation from the subject property's boundary line and the rear of any adjoining homes – in



addition to the distance from the subject property's distance from the boundary line to any actual activity on site.

E. Whether or not property values of surrounding property will be adversely affected.

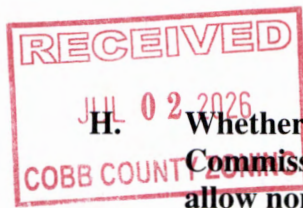
The surrounding properties consist of residential uses and the subject property provides a means of guaranteeing that all adjoining homes will have a 15 acres of woods and fields with a pond and preservation activity as their neighbor. Therefore, the values of surrounding properties will not be adversely affected and may, in fact, be positively affected from a fair market value and safety perspective.

F. Whether or not adequate provisions are made for parking and traffic considerations.

The proposed use will meet Cobb County's parking-space ratio requirements. Parking and traffic considerations will be further discussed by Staff and the Applicant as part of the Plan Review process.

G. Whether or not the site or intensity of the use is appropriate.

The Subject Property consists of approximately 15 acres. Such a proposed conservation use will be less intense than other permitted uses in the same zoning district. The size of the property is adequate to accommodate the proposed use and is an efficient use of the land.



- H. Whether or not Temporary or unique conditions overcome the Board of Commissioners' general presumption that residential neighborhoods should not allow non-compatible business uses.**

The acreage and proposed use of the subject property dictates that it will be compatible with and not a disturbance to the adjoining residential homes and, as stated above, will benefit by the commitment to the proposed use for years to come.

- I. Whether or not adequate provisions are made regarding the hours of operation.**

The hours of operation for any on site activities will be limited with security access at the entrance.

- J. Whether or not adequate controls and limits are placed on commercial and business deliveries.**

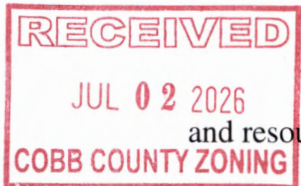
Commercial deliveries to the Subject Property will be less than or commensurate in number and type to the existing deliveries on adjacent and nearby R-15 properties.

- K. Whether or not adequate landscape plans are incorporated to ensure appropriate transition.**

The proposed use includes retaining existing natural landscaping which envelopes the subject property.

- L. Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.**

The surrounding "neighborhood" consists of R-15 residential zoning and the conservation nature of the proposed use will preserve the health, safety, welfare and moral concerns of the public in not only the conservation of the land but in its activities focused on appreciation for the natural state of the land, the science behind the animals and plants that exist on the land due to its conserved nature; all of which are much needed activities



and resources for the public and are in fact derived from the desire to preserve the public health, safety, welfare and morals of the public.

M. Whether the Application complies with any applicable specific requirement set forth in this chapter for a Temporary Land Use Permit for particular types of uses.

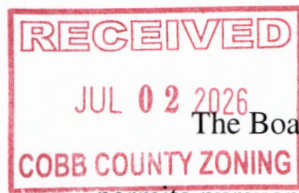
The application meets all of the requirements for a Temporary Land Use Permit pursuant to and in accordance with Sec. 134-36 and all required information has been supplied or will be supplemented.

N. Whether the Applicant has provided sufficient information to allow a full consideration of all relevant factors.

The Applicant has addressed all issues required by law. Additionally, the Applicant remains available to respond to any questions or issues which may be raised during the permit process or those raised by Cobb County's professional staff and Members of both the Planning Commission and/or Board of Commissioners.

III. PRESERVATION OF CONSTITUTIONAL RIGHTS

The Zoning Ordinance of Cobb County, Georgia, lacks adequate standards for the Board of County Commissioners to exercise its power to issue Temporary Land Use Permits. In essence, the standards are not sufficient to contain the discretion of the Board of Commissioners and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the Board of Commissioners, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters of zoning. The Zoning Resolution also violates Article I, Section III, Paragraph 1; and Article 1, Paragraphs 1 and 2 of the Constitution of the State of Georgia, 1983.



The Board of Commissioners is granted the power to zone and rezone and issue special permits pursuant to Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983. It is a power which must be fairly exercised. Based on this element of fairness, the Zoning Ordinance of Cobb County, Georgia violates Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983.

The Zoning Ordinance as presently in effect is contrary to the best interests of the health and welfare of the citizens of Cobb County, Georgia, and constitutes an arbitrary and capricious act. As a result, the Zoning Ordinance is in violation of Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983. Furthermore, the Zoning Ordinance violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

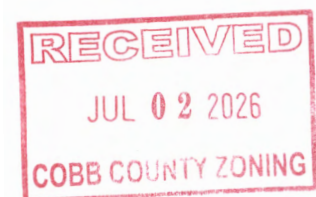
In addition, the Zoning Ordinance is unconstitutional in that it renders the Subject Property unusable and destroys its marketability. Therefore, the Zoning Ordinance constitutes a taking of the Applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitution and in violation of Article I, Section I, Paragraph 1 and Article I, Section III, Paragraph 1(a) of the Constitution of Georgia.

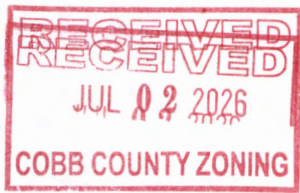
The failure to approve the requested Temporary Land Use Permit for the Subject Property would constitute the taking of property without due process and without the payment of adequate compensation in violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia, 1983; and the Fifth and Fourteenth Amendments of the Constitution of the United States.

Failure to grant the Application for the Temporary Land Use Permit would be contrary to the best interests of the health and welfare of the citizens of Cobb County, Georgia, and would further constitute an arbitrary and capricious act. As such, failure to grant the application would constitute a violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia, 1983; and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983, together with the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

Any limitation on the time for presentation of the issues before the Board of Commissioners who have the power to zone and rezone and issue permits is a violation of the guarantees of free speech under Article I, Section I, Paragraph 5 of the Constitution of the State of Georgia, 1983 and the First Amendment of the Constitution of the United States of America. Further, said limitations are in violation of the right to petition and assemble, in violation of Article I, Section I, Paragraph IX of the Constitution of the State of Georgia, 1983 and the First Amendment of the Constitution of the United States of America as well as the due process clauses of the Constitution of Georgia, 1983 and the Constitution of the United States of America.

The Zoning Ordinance of Cobb County, Georgia, is unlawful, null and void in that its adoption and map adoption/maintenance did not comply with the requirements of its predecessor ordinance and/or the Zoning Procedures Law, O.C.G.A. § 36-66-1, et seq.



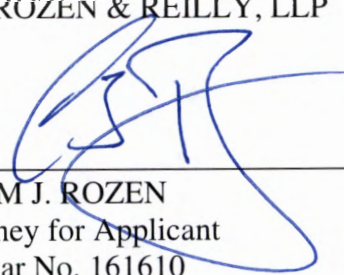


IV. CONCLUSION

Based upon the foregoing reasons, the Applicant respectfully requests that the Temporary Land Use Permit at issue be approved and the Applicant also solicits any comments from staff or other officials of Cobb County so that such recommendations or input may be incorporated as conditions of approval of the Application.

Respectfully submitted, this the 2nd day of July, 2026.

ROZEN, ROZEN & REILLY, LLP

By: 
ADAM J. ROZEN
Attorney for Applicant
Ga. Bar No. 161610

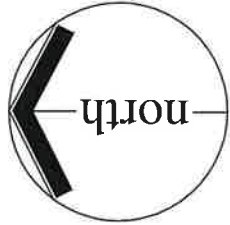
248 Roswell Street
Marietta, GA 30060
ajrozen@rozenandrozen.com

Mielke Way

MANOR

Family Farm and Wildlife Sanctuary

24-28



June 10, 2026



DGM

LAND PLANNING
CONSULTANTS, INC.



1635 Old Hwy 41
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770-514-9006
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Site Data

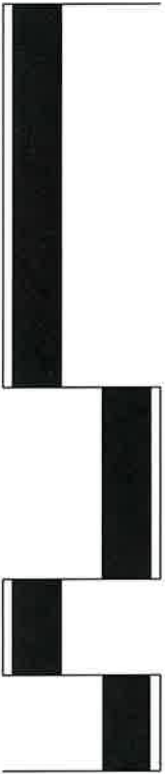
Total Site Area: 14.825 AC

(13.7 AC in floodplain)

Present Zoning: R-15

Proposed Zoning: R-15

(w/temporary land use permit)



Scale: 1" = 100'

