



Community Development – Zoning Division

John Pederson – Division Manager

ZONING CASE

Z-49-2023

SITE BACKGROUND

Applicant	DG East Cobb Guthries, LLC
Phone	256-405-3783
Email	mattd@dgoc.us
Representative Contact	Ronnie Boyles
Phone	256-405-3783
Email	ronnieb@dgoc.us
Titleholder	DG East Cobb Guthries, LLC
Property Location	Located on the south side of Lower Roswell Road, west of Johnson Ferry Road
Address	4774 Lower Roswell Road
Access to Property	Lower Roswell Road

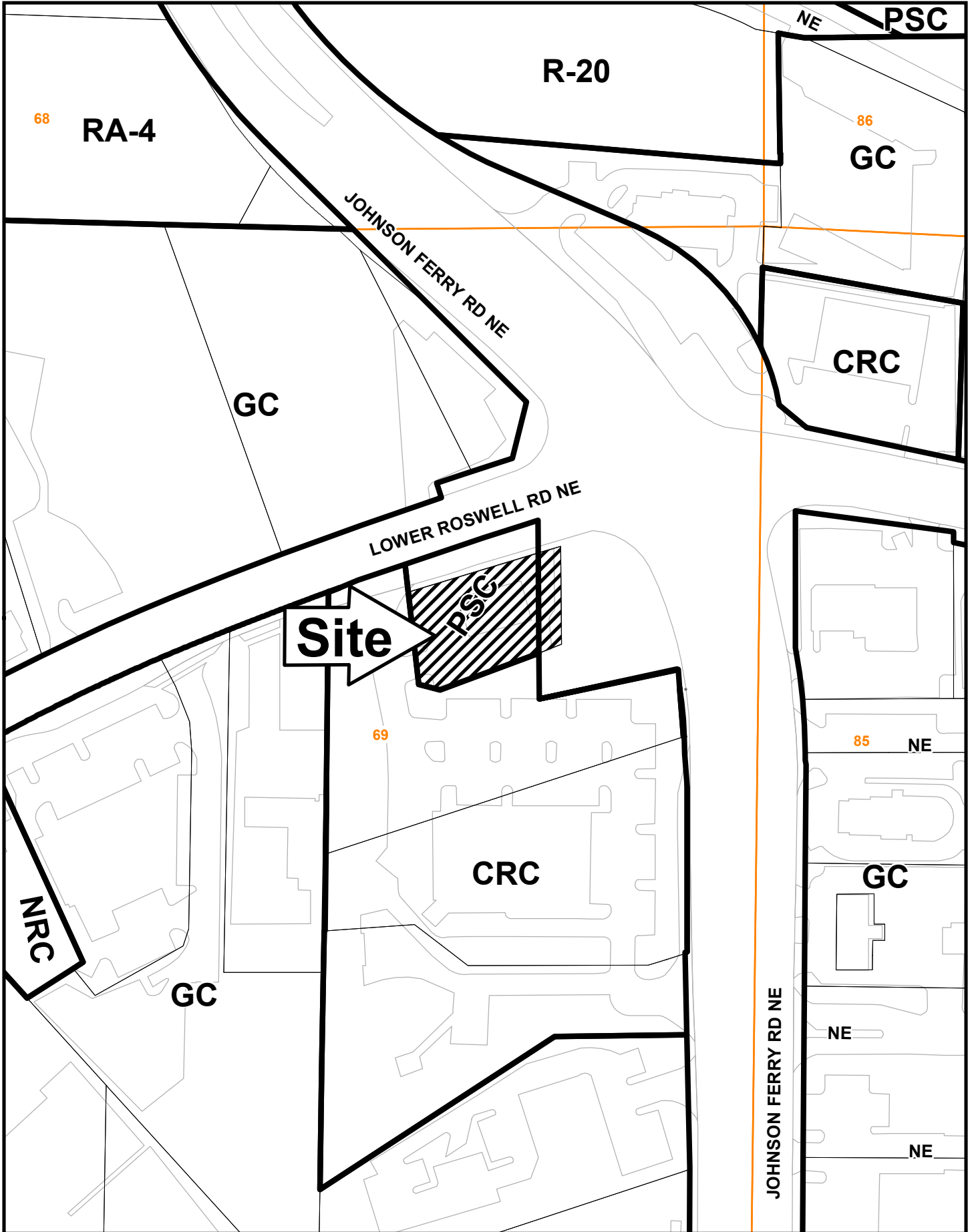
QUICK FACTS

Commission District	2-Richardson
Current Zoning	PSC
Current Use of Property	Commercial
Proposed Zoning	NRC
Proposed Use	Restaurant
Future Land Use	CAC
Site Acreage	0.317
District	1
Land Lot	69
Parcel #	01006900220, 01006900510
Taxes Paid	Yes

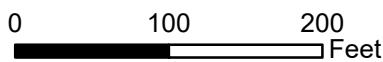
FINAL ZONING STAFF RECOMMENDATIONS



[Click here to enter text.](#)

Z-49 2023 GIS



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



 Zoning Boundary
 City Boundary

CORB COUNTY NOTES:

- 1. THE PROPERTY IS SUBJECT TO THE CORRB COUNTY ZONING ORDINANCES AND THE CORRB COUNTY ZONING MAP.
- 2. THE PROPERTY IS ZONED CORRB-20. ALL DEVELOPMENT MUST COMPLY WITH THE CORRB COUNTY ZONING ORDINANCES AND THE CORRB COUNTY ZONING MAP.
- 3. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CORRB COUNTY ZONING ORDINANCES AND THE CORRB COUNTY ZONING MAP.
- 4. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CORRB COUNTY ZONING ORDINANCES AND THE CORRB COUNTY ZONING MAP.
- 5. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CORRB COUNTY ZONING ORDINANCES AND THE CORRB COUNTY ZONING MAP.
- 6. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CORRB COUNTY ZONING ORDINANCES AND THE CORRB COUNTY ZONING MAP.
- 7. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CORRB COUNTY ZONING ORDINANCES AND THE CORRB COUNTY ZONING MAP.
- 8. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CORRB COUNTY ZONING ORDINANCES AND THE CORRB COUNTY ZONING MAP.
- 9. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CORRB COUNTY ZONING ORDINANCES AND THE CORRB COUNTY ZONING MAP.
- 10. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CORRB COUNTY ZONING ORDINANCES AND THE CORRB COUNTY ZONING MAP.

RECEIVED

SEP 07 2023

CORRB COUNTY ZONING

CEMETERY PRESERVATION NOTES:

- 1. THE PROPERTY IS SUBJECT TO THE CELESTIAL BODIES PRESERVATION ACT AND THE CELESTIAL BODIES PRESERVATION REGULATIONS.
- 2. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CELESTIAL BODIES PRESERVATION ACT AND THE CELESTIAL BODIES PRESERVATION REGULATIONS.
- 3. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CELESTIAL BODIES PRESERVATION ACT AND THE CELESTIAL BODIES PRESERVATION REGULATIONS.
- 4. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CELESTIAL BODIES PRESERVATION ACT AND THE CELESTIAL BODIES PRESERVATION REGULATIONS.
- 5. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CELESTIAL BODIES PRESERVATION ACT AND THE CELESTIAL BODIES PRESERVATION REGULATIONS.
- 6. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CELESTIAL BODIES PRESERVATION ACT AND THE CELESTIAL BODIES PRESERVATION REGULATIONS.
- 7. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CELESTIAL BODIES PRESERVATION ACT AND THE CELESTIAL BODIES PRESERVATION REGULATIONS.
- 8. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CELESTIAL BODIES PRESERVATION ACT AND THE CELESTIAL BODIES PRESERVATION REGULATIONS.
- 9. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CELESTIAL BODIES PRESERVATION ACT AND THE CELESTIAL BODIES PRESERVATION REGULATIONS.
- 10. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CELESTIAL BODIES PRESERVATION ACT AND THE CELESTIAL BODIES PRESERVATION REGULATIONS.

FIRE LANE NOTES:

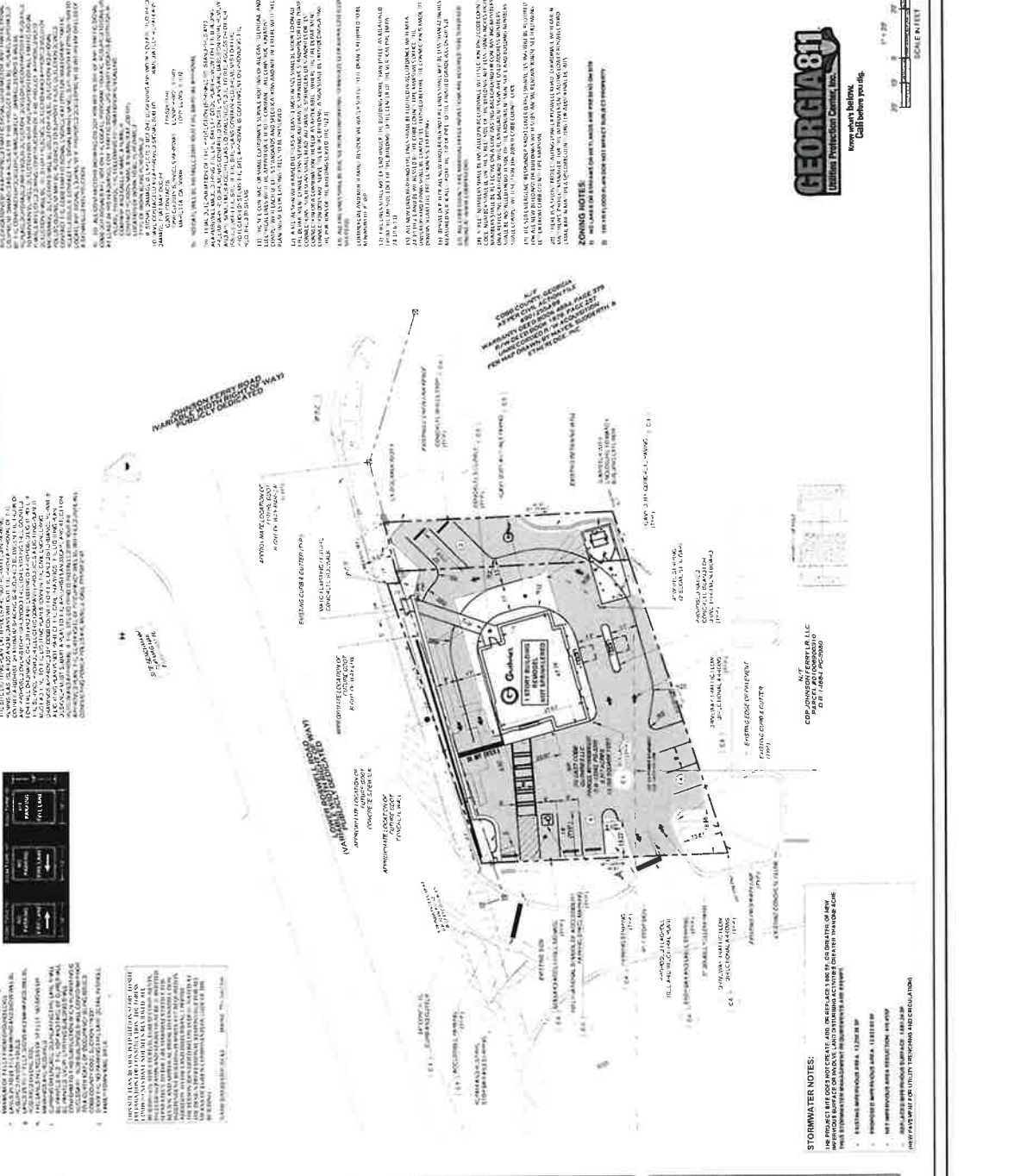
- 1. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE FIRE LANE REGULATIONS AND THE FIRE LANE MAP.
- 2. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE FIRE LANE REGULATIONS AND THE FIRE LANE MAP.
- 3. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE FIRE LANE REGULATIONS AND THE FIRE LANE MAP.
- 4. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE FIRE LANE REGULATIONS AND THE FIRE LANE MAP.
- 5. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE FIRE LANE REGULATIONS AND THE FIRE LANE MAP.
- 6. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE FIRE LANE REGULATIONS AND THE FIRE LANE MAP.
- 7. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE FIRE LANE REGULATIONS AND THE FIRE LANE MAP.
- 8. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE FIRE LANE REGULATIONS AND THE FIRE LANE MAP.
- 9. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE FIRE LANE REGULATIONS AND THE FIRE LANE MAP.
- 10. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE FIRE LANE REGULATIONS AND THE FIRE LANE MAP.

GENERAL NOTES:

- 1. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE GENERAL REGULATIONS AND THE GENERAL MAP.
- 2. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE GENERAL REGULATIONS AND THE GENERAL MAP.
- 3. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE GENERAL REGULATIONS AND THE GENERAL MAP.
- 4. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE GENERAL REGULATIONS AND THE GENERAL MAP.
- 5. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE GENERAL REGULATIONS AND THE GENERAL MAP.
- 6. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE GENERAL REGULATIONS AND THE GENERAL MAP.
- 7. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE GENERAL REGULATIONS AND THE GENERAL MAP.
- 8. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE GENERAL REGULATIONS AND THE GENERAL MAP.
- 9. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE GENERAL REGULATIONS AND THE GENERAL MAP.
- 10. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE GENERAL REGULATIONS AND THE GENERAL MAP.

SITE NOTES:

- 1. THE PROPERTY IS SUBJECT TO THE SITE REGULATIONS AND THE SITE MAP.
- 2. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE SITE REGULATIONS AND THE SITE MAP.
- 3. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE SITE REGULATIONS AND THE SITE MAP.
- 4. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE SITE REGULATIONS AND THE SITE MAP.
- 5. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE SITE REGULATIONS AND THE SITE MAP.
- 6. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE SITE REGULATIONS AND THE SITE MAP.
- 7. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE SITE REGULATIONS AND THE SITE MAP.
- 8. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE SITE REGULATIONS AND THE SITE MAP.
- 9. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE SITE REGULATIONS AND THE SITE MAP.
- 10. ALL DEVELOPMENT MUST BE IN ACCORDANCE WITH THE SITE REGULATIONS AND THE SITE MAP.





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

LEGEND

	EXISTING CONDITIONS
	PROPOSED CONDITIONS
	PROPERTY LINE
	PROPERTY LINE
	PROPERTY LINE
	PROPERTY LINE
	PROPERTY LINE
	PROPERTY LINE
	PROPERTY LINE
	PROPERTY LINE

SITE DATA

CONTRACT NO.	18132012073
PROJECT NO.	18132012073
SHEET NO.	C-1
DATE	09/12/23
SCALE	AS SHOWN
DRAWN BY	MDD
CHECKED BY	MDD
APPROVED BY	MDD

STORMWATER NOTES:



- 1. THE PROJECT SHALL NOT CREATE, ADD, OR REPLACE ANY OF THE EXISTING OR NEW STORMWATER INFILTRATION CAPACITY OR DETENTION STORAGE CAPACITY OR STORAGE CAPACITY.
- 2. THE PROJECT SHALL NOT CREATE, ADD, OR REPLACE ANY OF THE EXISTING OR NEW STORMWATER INFILTRATION CAPACITY OR DETENTION STORAGE CAPACITY OR STORAGE CAPACITY.
- 3. THE PROJECT SHALL NOT CREATE, ADD, OR REPLACE ANY OF THE EXISTING OR NEW STORMWATER INFILTRATION CAPACITY OR DETENTION STORAGE CAPACITY OR STORAGE CAPACITY.
- 4. THE PROJECT SHALL NOT CREATE, ADD, OR REPLACE ANY OF THE EXISTING OR NEW STORMWATER INFILTRATION CAPACITY OR DETENTION STORAGE CAPACITY OR STORAGE CAPACITY.

Z-49 Aerial Map



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

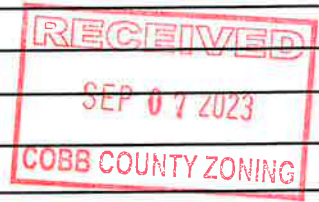
0 100 200 Feet

 Zoning Boundary
 City Boundary

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)

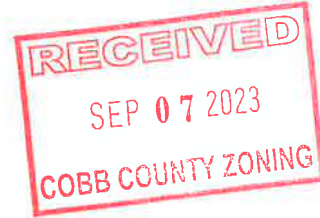
- a) Proposed use(s): RESTAURANT
- b) Proposed building architecture: Hendon + Huckestein PC
2126 Morris Ave Birmingham AL 35203 Ph: 205 322 1751
- c) Proposed hours/days of operation: Monday - Sunday
10:00 Am - 9:30pm
- d) List all requested variances: NONE

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

.....
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).

September 05, 2023

Cobb County Community Development Agency
Zoning Division
1150 Powder Springs Street, Suite 400
Marietta, GA 30064



RE: Rezoning
4774 Lower Roswell Road Ne
PIN 01006900220

Dear Zoning Division:

This letter shall serve as the documented, written analysis of the impact of the proposed zoning with respect to the following matters:

The existing use is a 2,074 SF single-story commercial structure located on 0.317 acres. The current project proposed the re-use and renovation of this existing building to be used as a Guthrie's Quick Service Restaurant.

The current zoning of the property is PSC (Planned Shopping Center). Per conversations with Zoning Division Staff, the property must be rezoned as the current zoning is non-compliant for the proposed use. This application is requesting a Rezoning from PSC (Planned Shopping Center) to NRC (Neighborhood Retail Commercial) with associated variances. The variances requested are as follows: Reduction of Minimum Lot Size (existing conditions), Reduction of Front Setback (existing condition), Reduction of required parking for proposed use (predominately Drive Thru service)

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

The adjacent property, a CVS Pharmacy, is zoned CRC. The nearby properties, shopping centers and other commercial uses, are predominately zoned GC with a few zoned CRC and NRC. This zoning proposal will bring the current property in greater compliance with the County Code and will be suitable with the use of the adjacent and nearby properties.

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

The zoning proposal is submitted to bring the current property in greater compliance with County Code. The previous use of the facility was a commercial medical office, and the proposed use will be a commercial quick service restaurant. The proposed use remains commercial and will be appropriate considering the adjacent commercial uses and similar uses in the immediate vicinity.

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

The existing property is non-compliant with the existing zoning of PSC. The proposed rezoning application is being submitted to bring the current property into greater compliance with County Codes as the property is being renovated. The current zoning of PSC is not appropriate for the existing property.

(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;

The existing property is non-compliant with the existing zoning of PSC. The proposed rezoning application is being submitted to bring the current property into greater compliance with County Codes as the property is being renovated. The current zoning of PSC is not appropriate for the existing property. The proposed use will not place an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed use is appropriate for this intersection and corresponds with adjacent uses and adjacent zonings.

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

The future land use plan for this area is Community Activity Center. Per Cobb County Code Sec. 134-213

(1) Purpose and intent. The NRC district is established to provide locations for convenience shopping facilities which are on properties delineated within a neighborhood activity center, community activity center or regional activity center as defined and shown on the Cobb County Comprehensive Plan

The zoning proposal is in conformity with the policy and intent of the 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.

The property currently contains an older, vacant medical office. The proposed use is to renovate the property and building to bring it into compliance with Design Overlay Requirements and to breath new life into the property. This will be an added benefit to the County and this Community Activity Center. The existing zoning is grandfathered, non-compliant and the Zoning Division staff are requiring this rezoning for the proposed redevelopment of the property. Approval of this application is the only way for this property to be renovated and redeveloped.

Thank you for your time and consideration.

Sincerely,
FORESITE GROUP, LLC

David Stoniecki
Land Development Practice Leader