

# Application for "Other Business"

OB-27

## Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 6/21/2022

Applicant: Elvia Benitez Phone #: 404 409 1511  
(applicant's name printed)

Address: 3935 Rolling Pl Conley Ga 30288 E-Mail: LV-WW@outlook.com

Address: \_\_\_\_\_  
(representative's name, printed)

Phone #: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
(representative's signature)

Signed, sealed and delivered in presence of:

My commission expires: \_\_\_\_\_  
Notary Public

Titleholder(s): Elvia Benitez <sup>Agustin</sup> Benitez Phone #: 404 409 1511  
(property owner's name printed)

Address: 6175 Mableton PKWY E-Mail: LV-WW@outlook.com

Elvia Benitez - Agustin Benitez  
(Property owner's signature)

Veronica Massa  
NOTARY PUBLIC  
Cobb County, GEORGIA  
My Commission Expires 10/18/2025  
10-18-2025

Signed, sealed and delivered in presence of:  
Notary Public My commission expires: \_\_\_\_\_

Commission District: 4 Zoning Case: Z-19 of 2017

Size of property in acres: 0.49 Original Date of Hearing: June 20, 2017

Location: 6175 Mableton PKWY Mableton Ga 30126  
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 189 and 190 District(s): 18

State specifically the need or reason(s) for Other Business: Stipulation  
Amendment to remove Stipulation # 1. Eating and drinking  
establishment only. We would like to open a retail  
store.

(List or attach additional information if needed)

MINUTES OF ZONING HEARING  
COUNTY BOARD OF COMMISSIONERS  
JUNE 20, 2017  
PAGE 4

CONSENT AGENDA

MOTION: Motion by Boyce, second by Ott, to approve the Consent Agenda *as revised*:

**Z-111<sup>'16</sup>** **RSDC1, LLC** (Brian Carter, Mildred R. Lampley, William E. Rolader and Mary L. Rolader, Jason E. Carter and William E. Rolader as Executor of the Estate of Annie I. Rolader, owners) requesting Rezoning from **R-20** to **RA-5** for the purpose of a Residential Subdivision in Land Lot 400 of the 16<sup>th</sup> District. Located on the north side of Shallowford Road, east of Lassiter Road. *(Previously held by the Planning Commission from their December 6, 2016, February 7, 2017, March 7, 2017 and April 4, 2017 hearings until the May 2, 2017 Planning Commission hearing; Continued by the Board of Commissioners from the May 16, 2017 hearing until the June 20, 2017 hearing).*

To approve Z-111<sup>'16</sup> to the **RA-5** zoning category, subject to:

1. Site plan received June 13, 2017, with the District Commissioner approving minor modifications (attached and made a part of these minutes)
2. Letter of agreeable stipulations from Sean Connelly received by the Zoning Division on June 13, 2017 (attached and made a part of these minutes)
3. Landscape plan received June 13, 2017, with the District Commissioner approving the final plan (attached and made a part of these minutes)
4. House architecture to be approved by the District Commissioner
5. Fire Department comments and recommendations
6. Water and Sewer Division comments and recommendations
7. Stormwater Management Division comments and recommendations
8. Department of Transportation comments and recommendations
9. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns

**Z-19** **CLARENCE CLAY** (Clarence Clay, owner) requesting Rezoning from **GC** to **NRC** for the purpose of Adding Storage to a Sports Bar in Land Lots 189 and 190 of the 18<sup>th</sup> District. Located on the east side of Mableton Parkway, north of Community Drive.

To approve Z-19 to the **NRC** zoning category, subject to:

1. Eating and drinking establishment use *only*
2. Generally conform to the parking plan received on May 23, 2017 (attached and made a part of these minutes), with the understanding that County parking requirements must be met, including the following:
  - A. A minimum of 30 parking spaces to be provided, with a maximum of 20% compact car spaces

CONSENT AGENDA (CONT.)

**Z-19 CLARENCE CLAY (CONT.)**

- B. Parking spaces in the front parking lot (other than the handicap spaces) to either be increased to full size spaces or marked as a compact space per County standard
- C. The gate to the rear parking area to be fully open at all times the business is open
- 3. Installation of a 20 foot landscape buffer adjacent to the eastern property line; installation of heavy landscaping for the beautification of the screening in the grassy area to the northwest of the building (size is approximately 300 square feet); landscape and buffer plan to be approved by the County Arborist and the District Commissioner; all landscaping to be maintained with any dead or damaged landscaping to be replaced within 60 days
- 4. Parking, landscaping, and buffer to be completed prior to Certificate of Occupancy being issued for the addition
- 5. No outdoor seating, decks, stages, or other uses unless approved by the Board of Commissioners via Other Business
- 6. Staff comments and recommendations, *not otherwise in conflict*

**Z-28**

~~FATIMAH WILLOUGHBY (Marietta Properties, LLC, owner) requesting Rezoning from NS to NRC for the purpose of a Nursery School/Child Day Care in Land Lot 311 of the 16<sup>th</sup> District. Located on the north side of Shallowford Road, west of Steinhauer Road.~~

To approve Z-28 to the NRC zoning category, subject to:

- 1. Site plan received by the Zoning Division on April 6, 2017, with District Commissioner approving minor modifications (attached and made a part of these minutes)
- 2. No automotive related uses
- 3. District Commissioner to approve any other uses allowed within the NRC zoning district
- 4. Applicant to utilize existing free standing signage
- 5. Fire Department comments and recommendations
- 6. Water and Sewer Division comments and recommendations
- 7. Stormwater Management Division comments and recommendations;
- 8. Department of Transportation comments and recommendations
- 9. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns

TRANSVERSE CLOSURE - 1:821.08  
 ANGULAR ERROR - 1 SEC./STA.  
 ADJUSTMENT - TOPCON GPT 300S  
 EQUIPMENT - TOPCON GPT 300S  
 PLAT CLOSURE - 1:224.184  
 MAGNETIC BEARING ROTATED TO  
 MATCH REFERENCE DEED.  
 ALL MATTERS OF TITLE EXCEPTED.

REFERENCE DEED:  
 DE 4111, PG. 256 - DEPARTMENT OF  
 TRANSPORTATION RIGHT OF WAY DEED  
 PROJECT NO. A-0554(6)  
 DE. 1-4-94, PG. 12-42

REFERENCE PLAT:  
 SURVEY FOR C.T. SAMPLES, JR. &  
 MILDRED B. SAMPLES BY PAUL E.  
 LEE RLS#1746, DATED 11-28-1984.

TRACT I:  
 PROPERTY ADDRESS:  
 6170 MABLETON PARK SW  
 MABLETON, GEORGIA 30126  
 TAX PARCEL ID #:  
 18018900030

TRACT II:  
 PROPERTY ADDRESS:  
 426 COMMUNITY DRIVE  
 MABLETON, GEORGIA 30126  
 TAX PARCEL ID #:  
 18018900040

TRACT III:  
 PROPERTY ADDRESS:  
 6211 MABLETON PARK SW  
 MABLETON, GEORGIA 30126  
 TAX PARCEL ID #:  
 18018900050

There are no residential properties  
 within 300 feet of the entrance to  
 6175 Mableton Parkway

SURVEY NOTES:  
 STATEMENTS MADE NO INVESTIGATION OR  
 INDEPENDENT SEARCH FOR EVIDENCE OF  
 RECORD, ENCUMBRANCES, RESTRICTIVE  
 COVENANTS, OWNERSHIP TITLE EVIDENCE, OR  
 ANY OTHER FACTS THAT MAY AFFECT AND  
 CURRENT TITLE SEARCH MAY DISCLOSE.

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. THE SURVEYOR MAKES NO  
 REPRESENTATION OF THE SURVEYOR NAMING  
 SUCH PERSON, PERSONS OR ENTITY.

**Jason L. Hulsey**  
 P.O. BOX 188 BIRMEH, GA 30110  
 PHONE: (678) 449-6566  
 email: HULSEYLANDSURVIVAL@YAHOO.COM

TRACT	ACRES	SQ. FT.
I	0.468	21,157
II	0.769	33,513
III	0.434	21,601
TOTAL	1.749	78,171

ESTIMATE: I HEREBY CERTIFY THIS PLAT TO BE A TRUE AND  
 ACCURATE REPRESENTATION OF THE CONDITIONS ON THIS PROPERTY.  
 11-28-13  
 Jason L. Hulsey  
 SURVEY PROFESSIONAL WITHOUT CURRENT TITLE SERVICE

THIS PROPERTY IS NOT LOCATED WITHIN A  
 PLANNED COMMUNITY DEVELOPMENT SUBJECT TO  
 GEORGIA COUNTY PLANNING AND ZONING  
 COMMUNITY DEVELOPMENT CODE, 2013.  
 MAP #153070022H

**LEGEND**

●	PROPERTY CORNER
○	IRON PIN FOUND
PS	IRON PIN SET
CAF	CONCRETE MENTION FOUND
BB	REBAR
OT	OPEN TOP PIPE
⊕	POWER POLE
⊖	POWER LINE
⊗	GUY WIRE
⊘	WATER METER
⊙	CATCH BASIN
P.O.B.	POINT OF BEGINNING

**CAUTION:**  
 Do not disturb or place items  
 on this survey.

IF YOU DO DISTURB  
 1-800-231-2411  
 1-800-231-2411  
 (TOLL FREE) 1-800-231-2411  
 (TOLL FREE) 1-800-231-2411

FIELD BOOK BY: C.T. SAMPLES, JR. - 11-28-1984  
 DATE OF FIELD BOOK: 11-15-2013  
 FIELD BOOK NUMBER: 125913-1  
 SURVEY NUMBER BY: J.L. HULSEY, PLS  
 CORRECT CHECKED BY: J.L. HULSEY, PLS

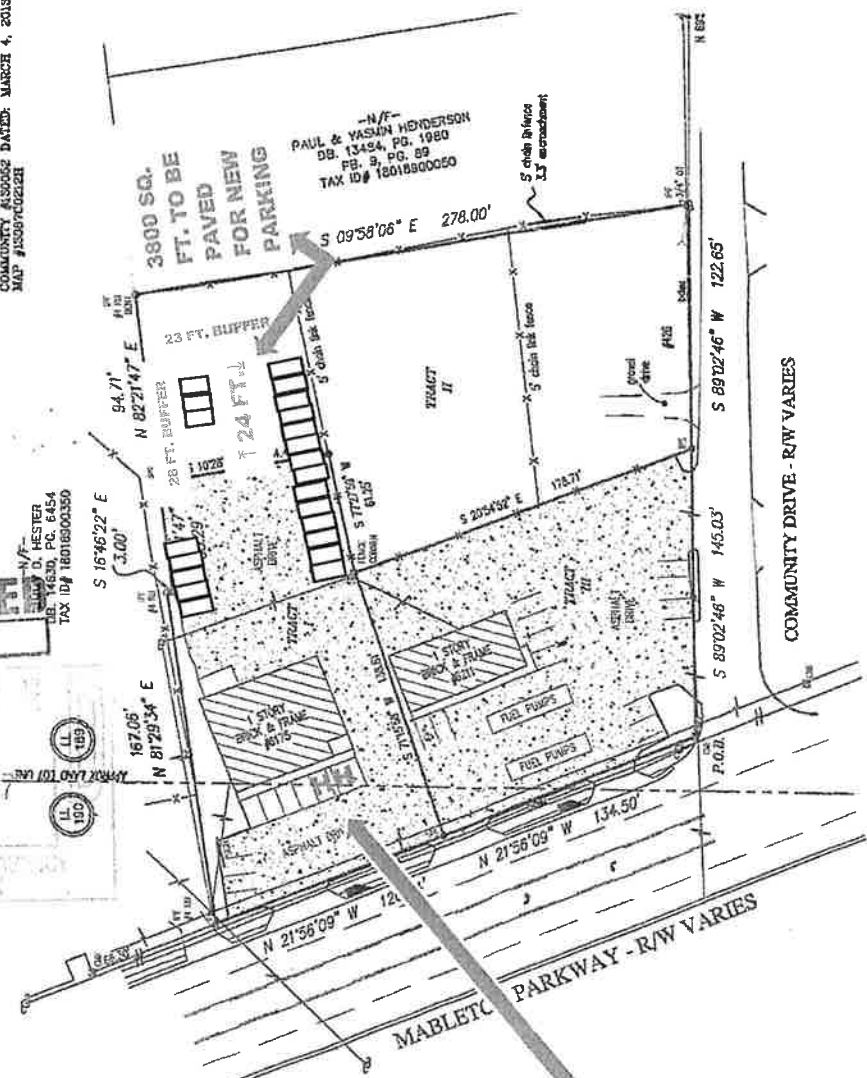
ALL PARKING  
 SPACES ARE A  
 MINIMUM OF 9X17  
 FT. (31 SPACES  
 TOTAL INC. 2  
 HANDICAP SPACES)

UNLESS OTHERWISE NOTED ALL P.S. (IRON PIN SET)  
 ARE IN PLACE WITH A RED SURVEY CAP BEARING  
 THE SURVEYOR'S NAME AND SURVEY NUMBER.  
 BRANDY, MATCHES, FOLD NOTES, ELECTRONIC FILED  
 DATA, COMPUTER FILES, AND OTHER OBJECTS  
 DOCUMENTS ARE HEREBY UNAVAILABLE FOR THE  
 SUCH AS TO RETAIN THE PROPERTY OF THE SURVEYOR.

SURVEY FOR:  
**C.T. SAMPLES, JR. &  
 MILDRED B. SAMPLES**  
 PROPERTY IS LOCATED IN LAND LOTS 189 & 190  
 OF THE 16TH DISTRICT, 2ND SECTION  
 COBB COUNTY, GEORGIA  
 DATE: 11/26/13

MAY 28 2017

REVISE



This survey was prepared in the conformity with the  
 Technical Standards for Property Surveys in Georgia  
 as set forth in Chapter 100-7 of the Rules of the  
 Georgia Board of Registration for Professional  
 Surveyors, promulgated pursuant to the Georgia  
 Code, Title 40, Chapter 100, Section 100-7-1.