



## Community Development – Zoning Division

John Pederson – Division Manager

### **ZONING CASE**

Z-28-2023

### **SITE BACKGROUND**

Applicant	Hernan Guerrero
Phone	404-549-1130
Email	caretornillo@gmail.com
Representative Contact	Louisa Tovar
Phone	706-332-0092
Email	louisatovar1@gmail.com
Titleholder	VAMANI LLC
Property Location	Located on the northside of Veterans Memorial Highway and on the west side of Beaver Drive
Address	330 Veterans Memorial Highway
Access to Property	Veterans Memorial Highway, Beaver Drive

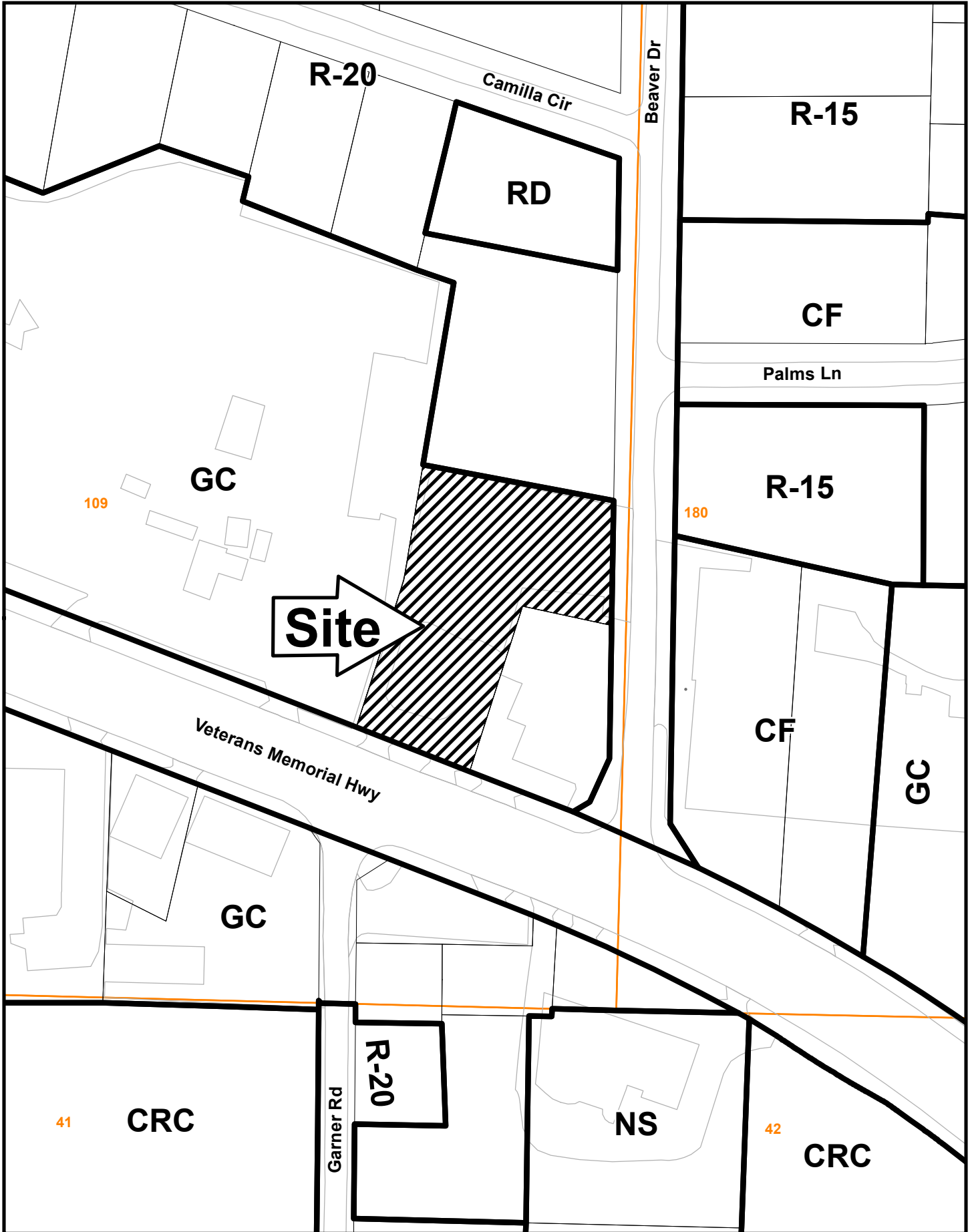
### **QUICK FACTS**

Commission District	4-Sheffield
Current Zoning	GC
Current Use of Property	Undeveloped, vacant lot
Proposed Zoning	NRC
Proposed Use	Commercial
Future Land Use	NAC
Site Acreage	0.667
District	17
Land Lot	109
Parcel #	17010900350
Taxes Paid	Yes

### **FINAL ZONING STAFF RECOMMENDATIONS**



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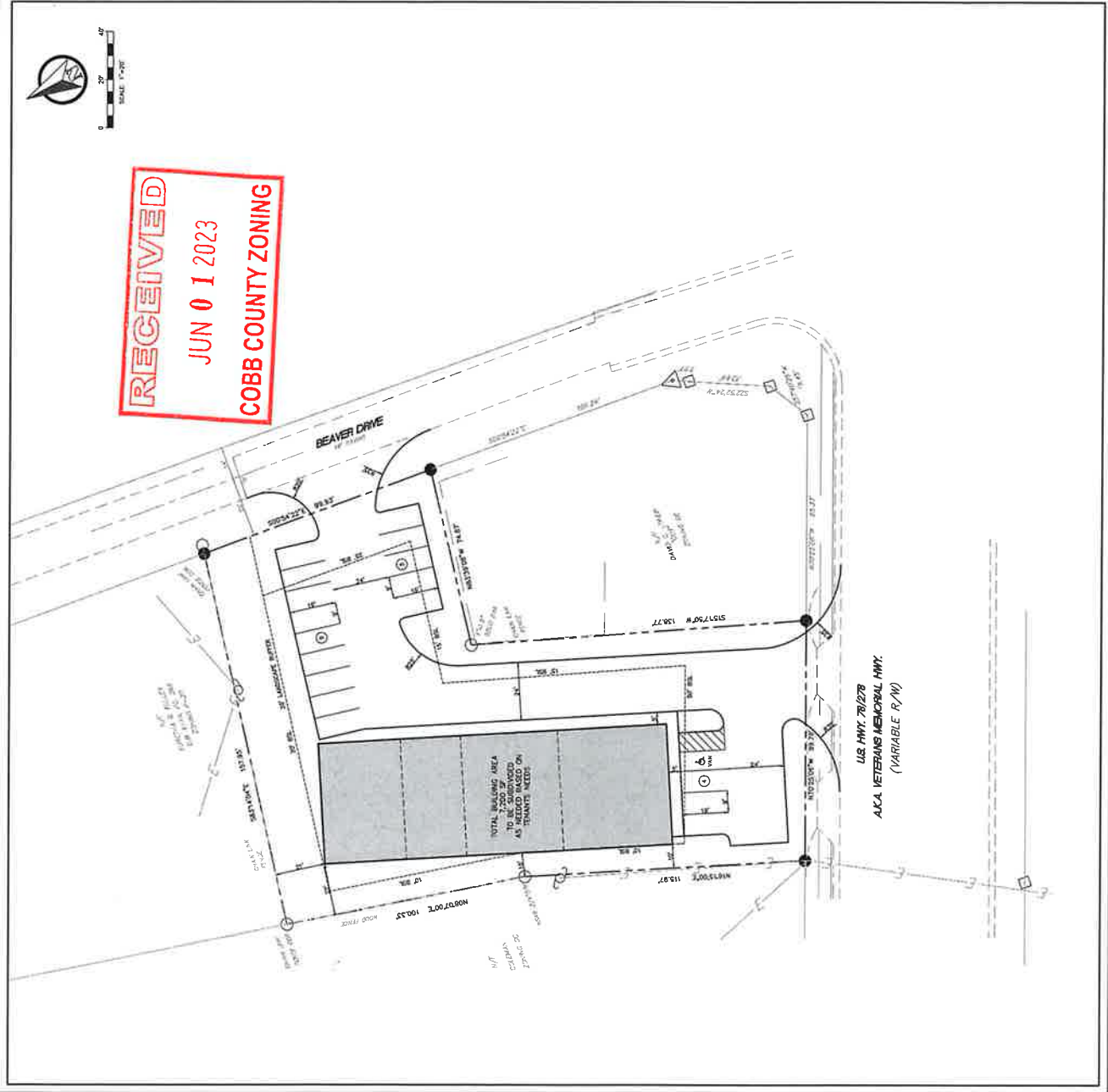
# Z-28 2023 GIS



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

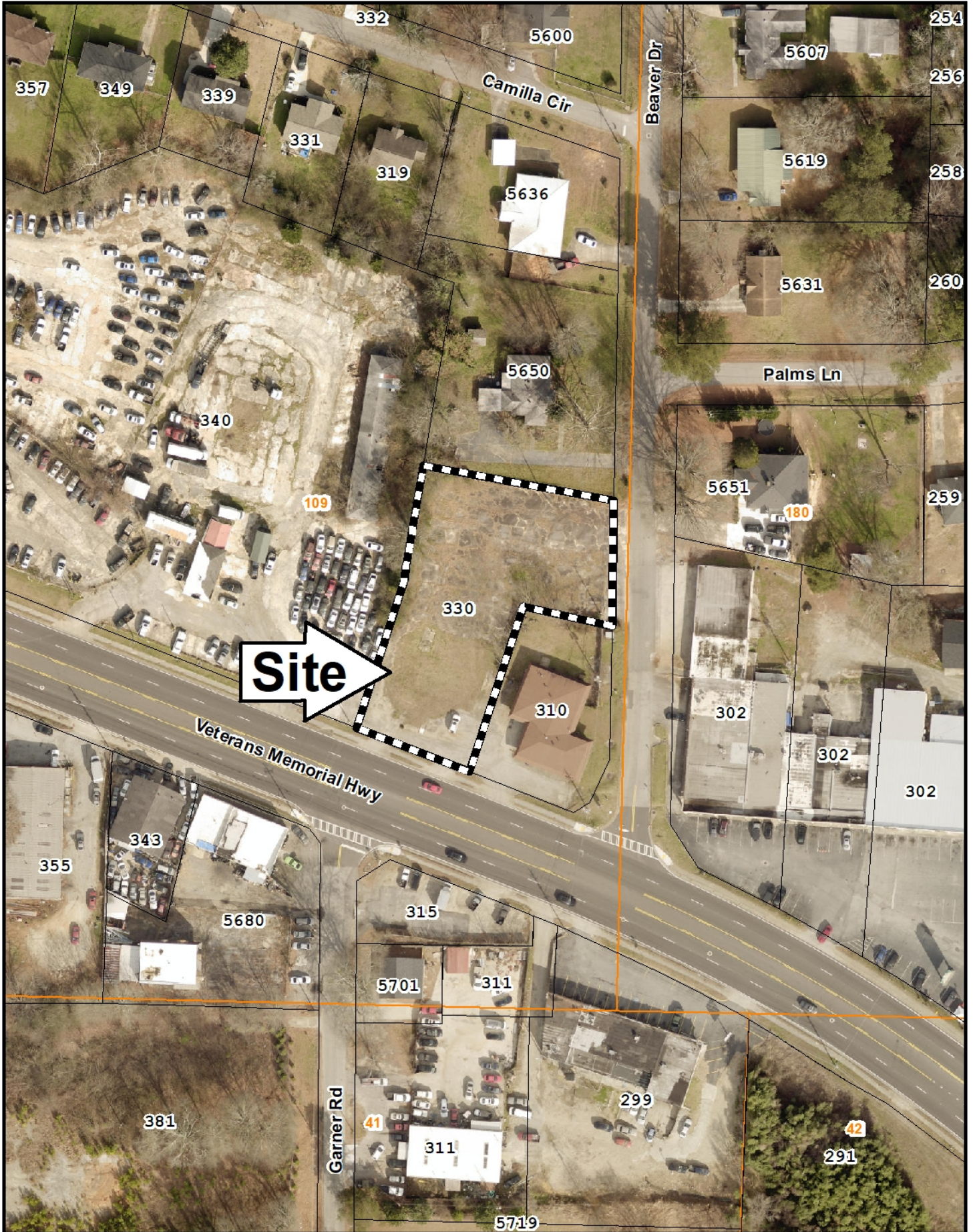


VICINITY MAP  
K.T.S.

- PROPERTY AREA 0.887 AC (38,077 SF)
- ZONING CC
- PROPOSED ZONING NRC
- FRONT BUILDING SETBACK 50'
- REAR BUILDING SETBACK 15'
- MINOR SIDE BUILDING SETBACK 30'
- REAR WALKING SETBACK\*\* 30'
- LANDSCAPE BUFFER 20'
- SEVERAL PARKING REQUIREMENT 1 SPACE PER 250 SF
- PARKING REQUIRED 458A 25 PARKING SPACES
- PARKING PROPOSED\*\*\* 18 PARKING SPACES
- \*\*VARIANCE REQUEST FOR MINOR SIDE BUILDING SETBACK REDUCTION FROM 15' TO 10'.
- \*\*VARIANCE REQUEST FOR REAR BUILDING SETBACK REDUCTION FROM 30' TO 20'.
- \*\*\*VARIANCE REQUEST FOR PARKING REDUCTION



ONE POINT, LLC 770.444.1117 ONEPOINT@ONEPOINT.COM	JURISDICTION: COBB COUNTY, GA DEVELOPMENT 330 VETERANS MEMORIAL HWY	LOCATION: 330 VETERANS MEMORIAL HWY SE MARLETON, GA 30126		REVISIONS	#	DATE
				SITE PLAN	SHEET	DATE
					C01	05/31/23

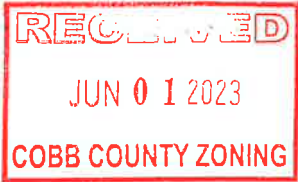
# Z-28 Aerial Map



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0 100 200 Feet

 Zoning Boundary  
 City Boundary



# Summary of Intent for Rezoning

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

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

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

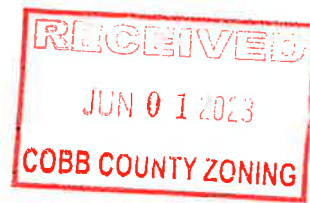
- a) Proposed use(s): Retail Commercial
- b) Proposed building architecture: Compliance with required County Codes.
- c) Proposed hours/days of operation: 8AM-9PM Monday through Friday
- d) List all requested variances:
  - ① Variance request for side setback reduction from 15' to 10'
  - ② Variance request for rear building setback from 30' to 20'

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

n/a

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**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).**

n/a



### Zoning Impact Analysis

- (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 subject property is surrounded by existing general commercial, retail, and auto related uses. Leland Plaza is located across Beaver Drive SW and has a number of commercial services such as wholesale businesses, general retail, and a coin laundry business. The immediate parcel abutting to the east (310 Veterans Memorial Hwy) is currently vacant but was used for an appliance store in the past for several years. The 3.6-acre property immediately abutting the west (340 Veterans Memorial Hwy Sw) is currently used as a car dealership (Dixie Rides). To the south of the subject property, across the street, there is a tire business, auto repair, and a car dealer as well. Immediately to the north of the subject property, a single-family home property is located as well as a residential neighborhood. Rezoning the subject property from GC (General Commercial District) to NRC (Neighborhood Retail Commercial District) is suitable based on the existing use and development of adjacent and nearby property, as it will allow retail and commercial uses that will serve nearby neighborhoods.

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

Rezoning the subject property from GC (General Commercial District) to NRC (Neighborhood Retail Commercial District) will not cause adverse effects to the existing uses or usability of adjacent and nearby property. The request is anticipated to improve the area by building and beautifying the existing property. The proposed zoning district will allow uses that complement the surrounding uses and by adding new development and investment to the area.

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

The subject property is considered by the County to have a grandfathered vacant use under the current GC Zoning District, as the GC Zoning District is not a compatible zoning district within the Neighborhood Activity Center Future Land Use Plan found in the 2040 Comprehensive Plan (adopted October 2022). Since this property is considered grandfathered to the existing use, which is currently "vacant use," as determined by the Staff, the property does not have reasonable economic use as currently zoned.

- (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 zoning proposal is not anticipated to generate increase in traffic or impact to existing utilities and schools. Commercial and retail business will be located on this property and will not create negative impact on street and transportation facilities.

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

The property is located in the Neighborhood Activity Center Future Land Use Plan and the NRC is a compatible zoning district. This project is consistent with the following policy guidelines:

NAC-P1: Low-intensity office and retail uses should be encouraged to locate in Neighborhood Activity Center. The land uses proposed in this site will follow that uses allowed in the NRC.

(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.

There are not known existing or changing conditions that will affect the use and development of the property.