

https://www.mdjonline.com/news/local/cobb-county-revisits-proposal-to-allow-accessory-dwelling-units/article_97f1d403-e38a-4029-bd06-c608099059dc.html

Cobb County revisits proposal to allow accessory dwelling units

Lucinda Warnke | lwarnke@mdjonline.com

Sep 23, 2026



District 3 Commissioner JoAnn Birrell speaks during Tuesday's Board of Commissioners work session.

Lucinda Warnke

 Gift this article

MARIETTA — The Cobb County Board of Commissioners discussed language that would allow accessory dwelling units in the county during their work session Tuesday.

ADUs are secondary independent residential units located on the same lot as a detached single-family home. They are often referred to by other names such as secondary suites, granny flats, mother-in-law suites or accessory apartments.

Cobb County previously tried to pass language allowing ADUs in 2024, but the proposal was tabled indefinitely in November of that year due to public backlash.

Despite Cobb prohibiting ADUs, the cities of Acworth, Mableton, Marietta and Powder Springs allow them.

According to the proposed amendment, ADUs would be allowed as a special land use permit, meaning that property owners would need to come before the commission for approval before they can construct an ADU on their property.

Jessica Guinn, community development director with Cobb County, said the special land use permitting measure will allow the commission to give input on each proposed ADU.

“Since it’s a zoning process, you all get to review every request on its own merits as a special land use permit,” Guinn said.

According to the proposed language, ADUs would not be allowed to be used as short-term rental properties, and the owner must live in one of the structures on the property. ADUs would also not be allowed to exceed half the gross square footage of the main structure, could not be taller than the main structure and could not be more than one story.

The language further requires that at least one off-street parking spot should be available for the ADU and that ADUs be located in the rear of the primary residence. No more than one ADU would be allowed per single-family lot, and ADUs must be connected to the same utility as the main structure.

As part of the application process, applicants would be required to submit an affidavit attesting that having an ADU on the property does not conflict with neighborhood covenants, deed restrictions or by-laws.

While the county can't legally enforce covenants, requiring the affidavit affirming that property owners aren't breaking those rules would help the county be respectful of neighborhoods and communities that don't allow ADUs, Guinn said.

Board of Commissioners Chair Lisa Cupid said that allowing ADUs in the county may catch some neighborhoods and home owners associations off guard, and asked if it would be possible to provide a window to notify HOAs so they can act accordingly.

"This policy may not have been addressed in their covenants," Cupid said.

Guinn said county staff are working on providing a 12-month window before the law is put into place so HOAs have time to change their rules in the event that the amendment is approved.

Commissioners also expressed concern around enforcing some of the proposed requirements for ADUs.

Commissioner Keli Gambrell expressed concern about how the county will verify that the owner of the property is living there, and that the ADU is not being rented out.

Guinn acknowledged that it can be hard for code enforcement to determine who is living on a property and how they are related to each other. Code enforcement is not permitted to search homes, only to knock on doors and speak to residents, Guinn said, meaning they must take people at their word.

"We're not requiring DNA tests and marriage certificates and birth certificates," Guinn said. "You never know if they're telling you who's actually there or not."

Guinn said county staff plans to continue working with commissioners to refine the language before they vote on it.

The county will hold three public hearings on the proposed language. The first hearing will be held on Tuesday, Oct. 6, at 9 a.m. before the Cobb Planning Commission. The second hearing will take place on Oct. 13 at 9 a.m. before the Cobb Board of Commissioners. Another hearing before the board is on Oct. 27 at 7 p.m., followed by a vote.

All three hearings will be held at 100 Cherokee Street in Marietta, in the Board of Commissioners meeting room.