

# LUP-6

Frey Lake Road (50' RW)  
(pavement width: 30' BC-BC)

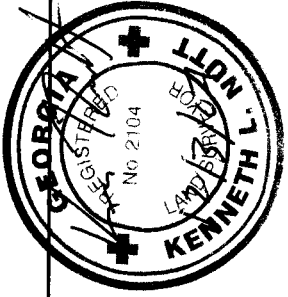
Job #: 025107

**LEGEND**

- FH = Fire Hydrant
- PP = Power Pole
- O IPF = Iron Pin Placed
- O IPF = Iron Pin Found
- POB = Point of Beginning
- C/L = Centerline
- = Fence
- SSMH = Sewer Manhole
- WV = Water Valve
- WM = Water Meter

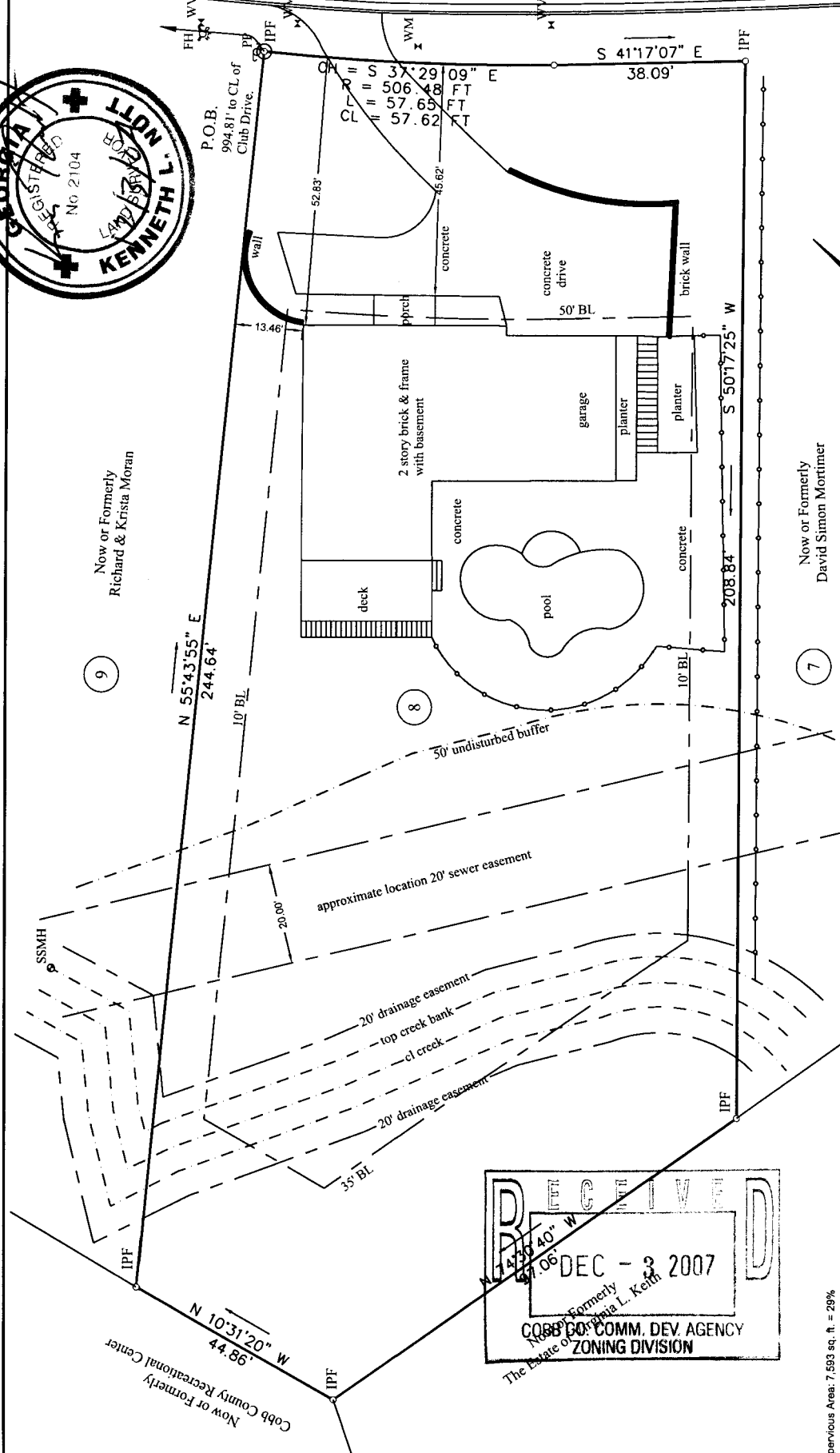
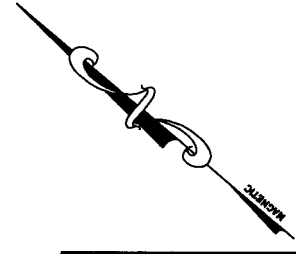
**ZONING INFORMATION**

Property Zoned = R20  
Residential District  
Min. Setbacks:  
Front - 35 Feet  
Rear - 35 Feet  
\*50 Feet as per plat recorded at PB 87 PG 51  
Corner - 25 Feet  
Sides - 10 Feet  
Rear - 35 Feet  
Building Height = 35 Feet

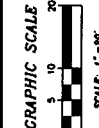


Now or Formerly  
Richard & Krista Moran

Now or Formerly  
David Simon Mortimer



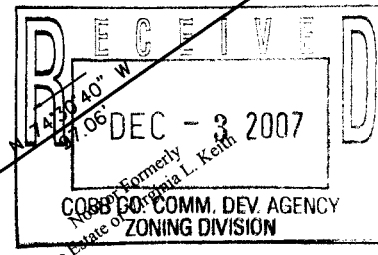
**Area = 0.60 Acres (25,927 Sq. Ft.)**  
This plat may be based on a recorded plat from iron pins referenced on said plat for closure as in.  
According to F.I.R.M. Community Panel # 130052 0030F, dated 08/18/1992, this property is not located in an area having special flood hazards.  
Computed by: MCK  
Drawn by: JMC  
Party Chief: MCK  
Date Surveyed: 11/27/07  
Date Drawn: 11/27/07



**Boundary Survey for Gary Binette**  
The Fairways of Pinetree  
Unit One, Lot 8  
3621 Frey Lake Road  
Cobb County, Georgia  
Plat Book: 87  
Deed Book:  
Page: 51  
Page:

Impervious Area: 7,593 sq. ft. = 29%  
All iron pins are 1/2" Rearr unless otherwise noted.  
Equipment used: Topcon GTS Total Station  
Field data upon which this plat is based has a closure precision of 1 foot in 25,000 feet and a total error of 0.3 seconds per angle point, and was adjusted using Compass Rule.  
This plat has been calculated for closure and is found accurate within one foot in 5,900,023 feet.  
This plat subject to all easements public and private.

**Perimeter Surveying & Development Co.**  
1065 Sandtown Road, Marietta, GA 30008  
Phone: (770) 425-6824 Fax: (770) 425-6768



Now or Formerly  
Cobb County Recreational Center

APPLICANT: Gary Binette

770-935-4746

REPRESENTATIVE: Gary Binette

770-935-4746

TITLEHOLDER: Freeport Title & Guaranty, Inc. as Trustee of the

3621 Frey Lake Road Dinsmore Fiduciary Estoppel Trust

PROPERTY LOCATION: Located on the westerly side of Frey

Lake Road, south of Club Drive

(3621 Frey Lake Road).

ACCESS TO PROPERTY: Frey Lake Road

PHYSICAL CHARACTERISTICS TO SITE: Existing house

PETITION NO: LUP-6

HEARING DATE (PC): 02-05-08

HEARING DATE (BOC): 02-19-08

PRESENT ZONING: R-20

PROPOSED ZONING: Land Use Permit

PROPOSED USE: Renting to students (Allow more than two unrelated people to occupy a dwelling unit)

SIZE OF TRACT: 0.60 acre

DISTRICT: 20

LAND LOT(S): 94

PARCEL(S): 38

TAXES: PAID X DUE \_\_\_\_\_

COMMISSION DISTRICT: 1

**CONTIGUOUS ZONING/DEVELOPMENT**

NORTH: R-20/ The Fairways of Pinetree

SOUTH: R-20/ The Fairways of Pinetree

EAST: R-20/ The Fairways of Pinetree

WEST: R-20/ The Fairways of Pinetree

OPPOSITION: NO. OPPOSED \_\_\_\_\_ PETITION NO: \_\_\_\_\_ SPOKESMAN \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

APPROVED \_\_\_\_\_ MOTION BY \_\_\_\_\_

REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

HELD \_\_\_\_\_ CARRIED \_\_\_\_\_

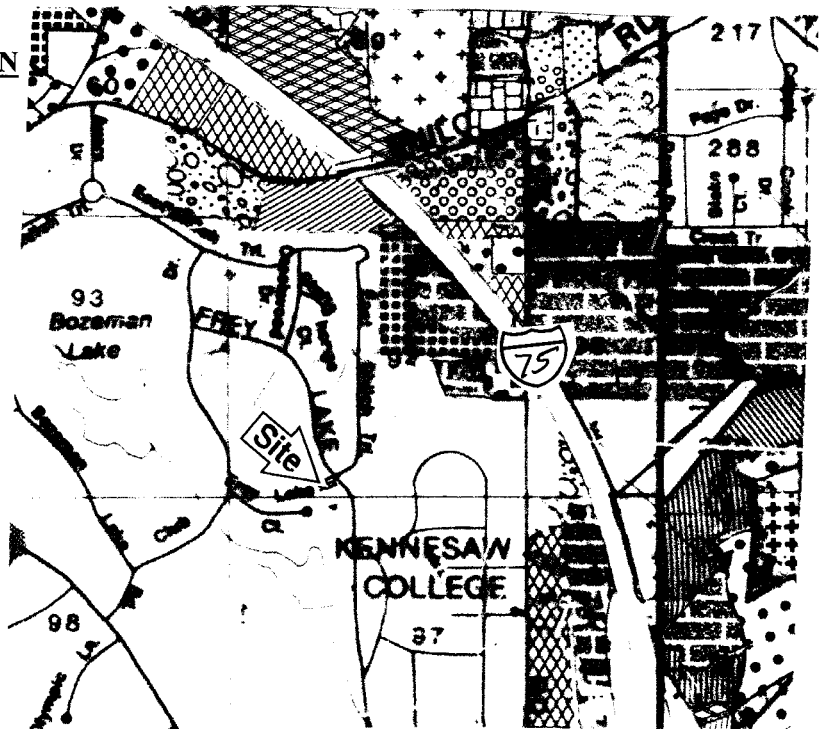
**BOARD OF COMMISSIONERS DECISION**

APPROVED \_\_\_\_\_ MOTION BY \_\_\_\_\_

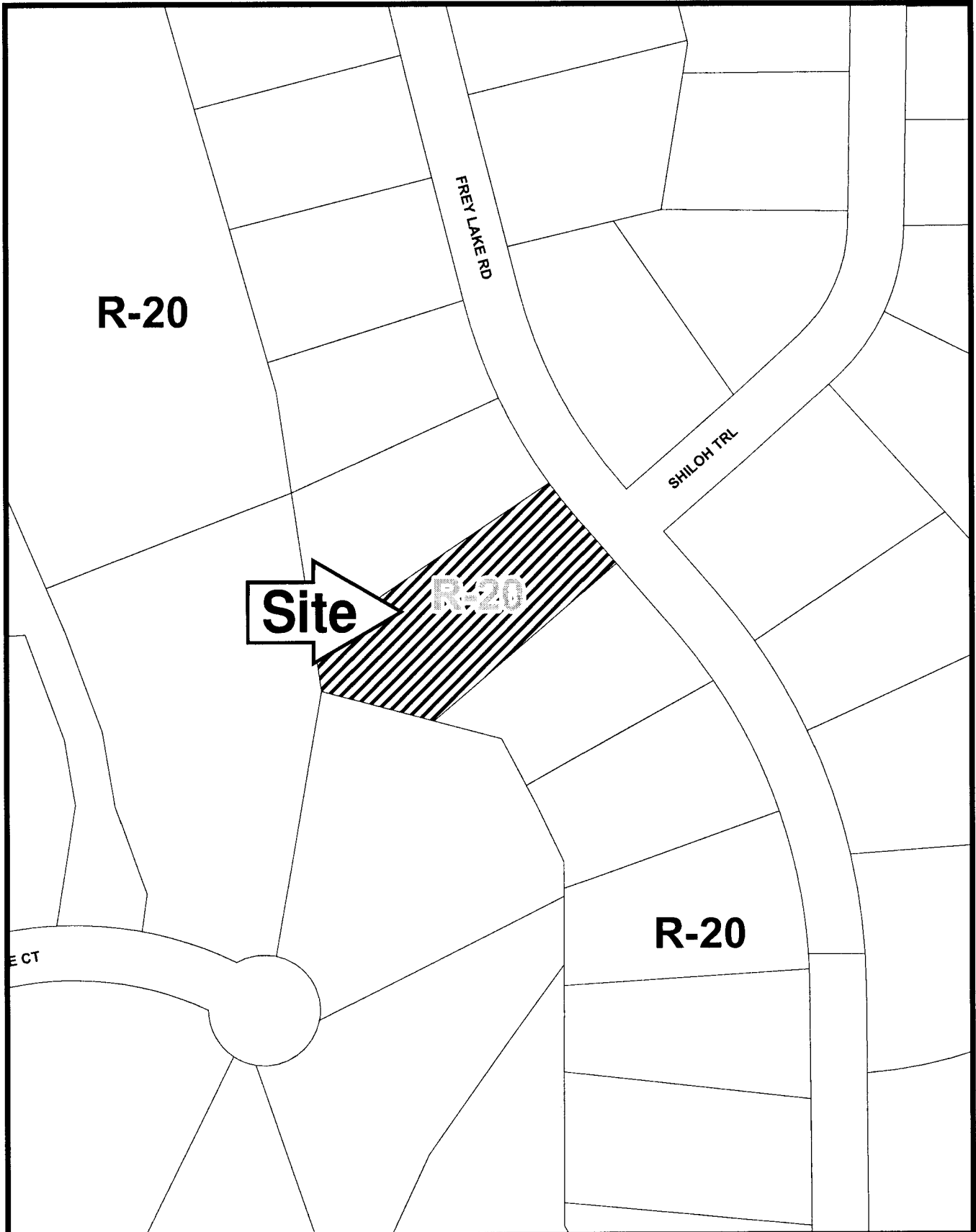
REJECTED \_\_\_\_\_ SECONDED \_\_\_\_\_

HELD \_\_\_\_\_ CARRIED \_\_\_\_\_

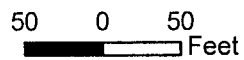
STIPULATIONS:





# LUP-6



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



-  Draft Parcel Boundary
-  Approximate Zoning Boundary

APPLICANT: Gary Binette

PETITION NO.: LUP-6

PRESENT ZONING: R-20

PETITION FOR: LUP

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**PLANNING COMMENTS:** Staff Member Responsible: John P. Pederson, AICP

The applicant is requesting a Temporary Land Use Permit to allow more than two unrelated people to occupy a dwelling unit. There will be four to six unrelated people living in this house. This application is the result of a complaint.

Note: The Code Enforcement report indicates five (5) adults residing at this residence. Three (3) are unrelated and two (2) are brothers. The house is approximately 2608 square feet of living space.

**Historic Preservation:** No comment.

**Cemetery Preservation:** No comment.

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**WATER & SEWER COMMENTS:**

Records show connected to water and sewer.

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**TRAFFIC COMMENTS:**

Recommend no on-street parking.

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**FIRE COMMENTS:**

No comments for this request, however, not to be used for a group home or personnel care home without Fire Department approval.

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**STORMWATER MANAGEMENT COMMENTS:**

No comments.

## STAFF RECOMMENDATIONS

**LUP-6      GARY BINETTE**

The applicant's proposal is located in the center of a platted subdivision. The applicant's request is located in an area designated as Low Density Residential on the *Cobb County Comprehensive Plan*. The R-20 zoning district is primarily intended for single-family residential uses. The proposal could intensify over time, and could encourage additional requests in this residential subdivision. Lastly, the applicant's proposal could be disruptive and destabilizing to the surrounding residential properties. Based on the above analysis, Staff recommends DENIAL.

**The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.**