

APPLICANT: James Palmer, Sr. and John Palmer
770-362-6976

PETITION NO: LUP-29
HEARING DATE (PC): 12-02-08

REPRESENTATIVE: John Palmer

HEARING DATE (BOC): 12-16-08
PRESENT ZONING: RM-8

TITLEHOLDER: James Palmer, Sr. and John Palmer

PROPOSED ZONING: Land Use Permit

PROPERTY LOCATION: Located at the northeast intersection of Flagstone Lane (private road) and Gardengate Way (private road), south of Powers Ferry Road.

PROPOSED USE: Allowing More Than Two Unrelated People to Occupy a Dwelling Unit

ACCESS TO PROPERTY: Sundial Lane (private alley)

SIZE OF TRACT: 0.10 acre
DISTRICT: 17

PHYSICAL CHARACTERISTICS TO SITE: Existing house

LAND LOT(S): 790
PARCEL(S): 183

TAXES: PAID X **DUE** _____
COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** RM-8/ Gardenside at Powers Ferry
- SOUTH:** RM-8/ Gardenside at Powers Ferry
- EAST:** RM-8/ Gardenside at Powers Ferry
- WEST:** RM-8/ Gardenside at Powers Ferry

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

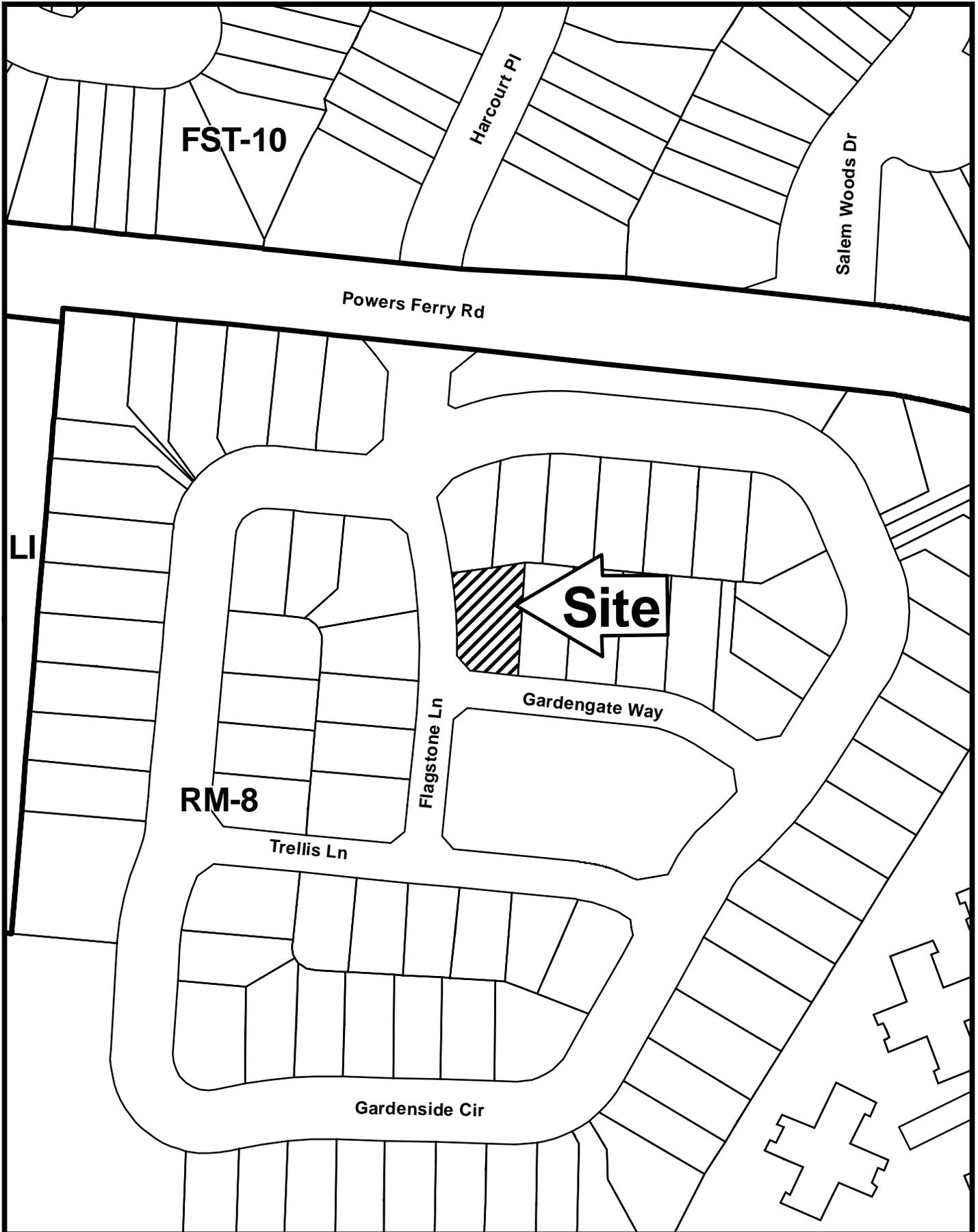
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

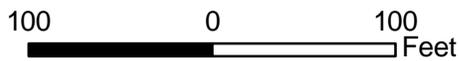
STIPULATIONS:



LUP-29



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



APPLICANT: James Palmer, Sr. and John Palmer

PETITION NO.: LUP-29

PRESENT ZONING: RM-8

PETITION FOR: LUP

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 unrelated people living in this house. The house has 2,970 square-feet per the submitted survey. The applicant has submitted a petition in support of the request signed by seven neighbors. This application is the result of a complaint.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

In City of Marietta water and sewer service area.

DEPARTMENT OF TRANSPORTATION COMMENTS:

Recommend no on-street parking

FIRE DEPARTMENT COMMENTS:

Not to be used for a group home or personnel care home without Fire Department approval. If four or more unrelated occupants, the structure must meet NFPA 101 Occupancy requirements.

STORMWATER MANAGEMENT COMMENTS:

No comments.

STAFF RECOMMENDATIONS

LUP-29 JAMES PALMER SR. AND JOHN PALMER

The applicant's proposal is located in a platted subdivision, totally surrounded by single-family houses. The applicant's request is located in an area designated as Medium Density Residential (MDR) on the *Cobb County Comprehensive Plan*. The MDR area is intended for single-family residential uses. The proposal could intensify over time, and could encourage additional requests in this residential subdivision. This application is the result of a complaint. 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.