

278 LUCKY DRIVE
A EXISTING SINGLE FAMILY RESIDENCE

PATRICIA G. HOSCH
FIRM

278 LUCKY DRIVE
MARIETTA, GEORGIA 30066
CONTACT NUMBER (404) 583-5545
PHONE: 770-423-7016

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[illegible]

EXISTING CONDITIONS SITE PLAN

SCALE: 1" = 20'
DATE: November 23, 2011
PROJECT: 11143.00

THIS SEAL IS ONLY VALID IF COMPLETELY UNBROKEN
AND DATED WITH AN ORIGINAL SIGNATURE.

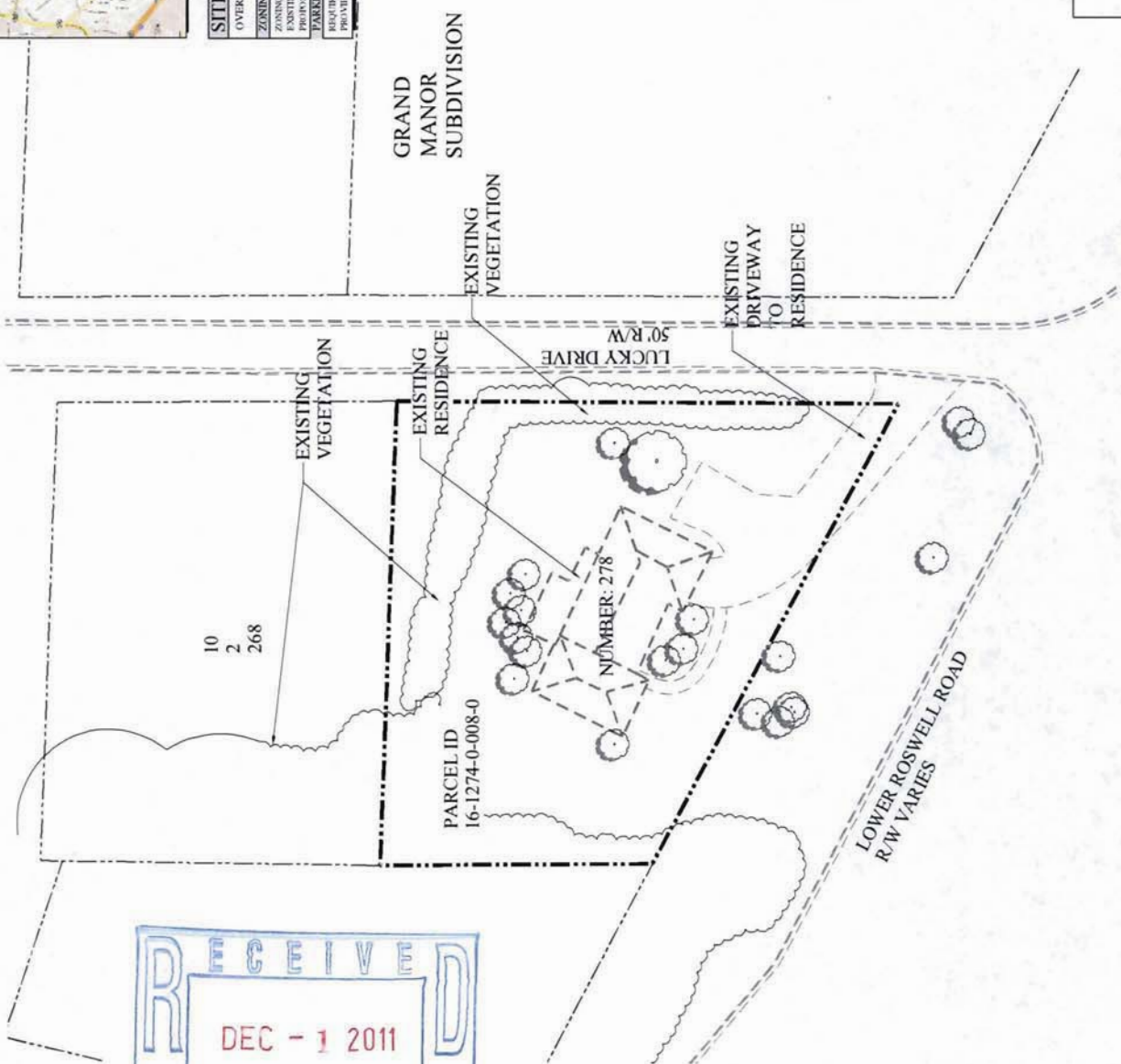


SITE DATA:	
OVERALL TOTAL SITE AREA	0.6011 ACRES
ZONING:	
ZONING JURISDICTION	CORRE COUNTY
ZONING DISTRICT	R-20 RESIDENTIAL
PROPOSED ZONING	SPECIAL LAND USE PERMIT
PARKING DATA:	
PARKING SPACES	2 SPACES
REQUIRED PARKING	4 SPACES



Know what's below.
Call before you dig.

24 HOUR CONTACT:
GARVIS SAMS @ 770-422-7016



APPLICANT: Patricia G. Hosch

(770) 971-6762

REPRESENTATIVE: Garvis L. Sams, Jr. (770) 422-7016

Sams, Larkin & Huff, LLP

TITLEHOLDER: Patricia Alice Garrett Hosch

PROPERTY LOCATION: At the northwest intersection of Lower

Roswell Road and Lucky Drive

(278 Lucky Drive).

ACCESS TO PROPERTY: Lucky Drive

PHYSICAL CHARACTERISTICS TO SITE: Existing residence

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Single-family Residential

SOUTH: R-20/ Eastside Baptist Church

EAST: R-20/ Single-family Residential

WEST: R-20/ Single-family Residential

PETITION NO: LUP-7

HEARING DATE (PC): 02-07-12

HEARING DATE (BOC): 02-21-12

PRESENT ZONING: R-20

PROPOSED ZONING: Land Use Permit

PROPOSED USE: Accounting Office

SIZE OF TRACT: 0.60 acre

DISTRICT: 16

LAND LOT(S): 1274

PARCEL(S): 8

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

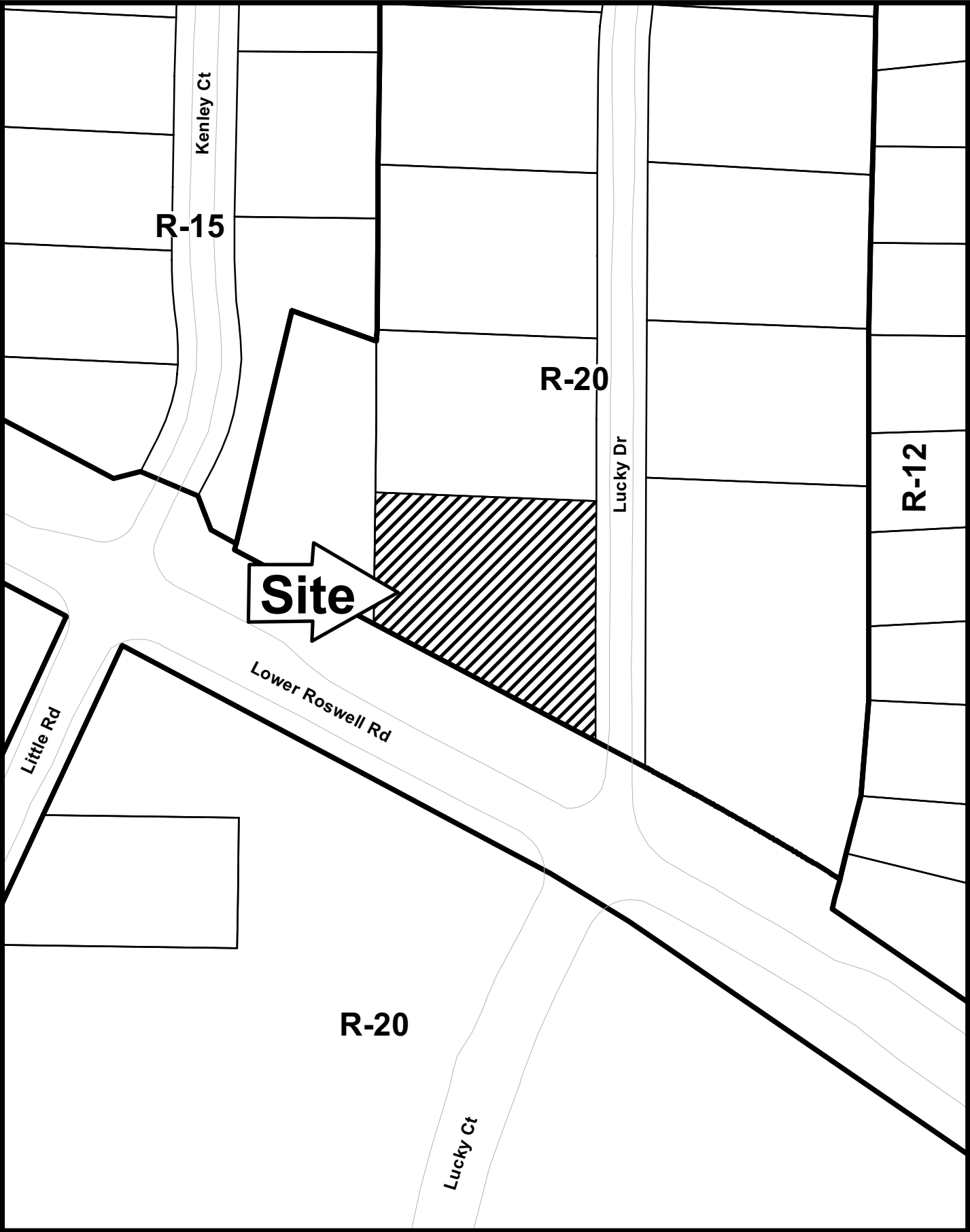
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

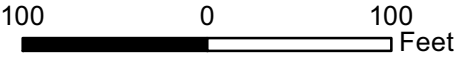
STIPULATIONS:





LUP-7



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Patricia G. Hosch

PETITION NO.: LUP-7

PRESENT ZONING: R-20

PETITION FOR: LUP

ZONING COMMENTS: **Staff Member Responsible:**Terry Martin, MPA

The applicant is requesting a Temporary Land Use Permit (LUP) in order to continue operating an accounting office in the home. The business employs one additional person who helps operate the business during its normal hours of 9 a.m. to 5 p.m. Monday through Friday. The applicant states that approximately 15 clients are seen per week and that adequate parking is provided by the existing driveway. While the application was spurred by Code Enforcement action regarding the in home business, the applicant states that no deliveries, outdoor storage, or signs are utilized or proposed. The applicant requests approval for 24 months.

Historic Preservation: No comments.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

WATER & SEWER COMMENTS:

No comments (Marietta Service Area).

TRAFFIC COMMENTS:

Recommend no on-street parking.

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Patricia G. Hosch

PETITION NO.: LUP-7

PRESENT ZONING: R-20

PETITION FOR: LUP

DRAINAGE COMMENTS

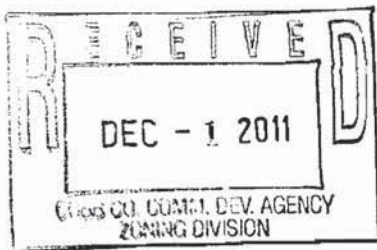
No comments.

STAFF RECOMMENDATIONS

LUP-7 PATRICIA G. HOSCH

The applicant is requesting a Temporary Land Use Permit (LUP) in order to continue operating an accounting office from her home. With the aid of one (1) employee, the applicant estimates she sees 15 clients per week during normal business hours of Monday through Friday 9 a.m. to 5 p.m. The applicant states that the customers are able to park in the driveway and no signs or other evidence of the business exists outside. Yet, the request was prompted by Code Enforcement action and the property, zoned R-20 single-family residential, is located within an area delineated as LDR low density residential on the future land use map. Based on the above analysis, and strict interpretation of the ordinance, Staff recommends **DENIAL** of the applicant's request.

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.



Application #: LUP- 7

PC Hearing Date: 02/07/12

BOC Hearing Date: 02/21/12

TEMPORARY LAND USE PERMIT WORKSHEET

1. Type of business? Accounting office in home
2. Number of employees? 1
3. Days of operation? Monday through Friday
4. Hours of operation? 9:00 a.m. - 5:00 p.m.
5. Number of clients, customers, or sales persons coming to the house per day? 1; Per Week? 15 per month
6. Where do clients, customers and/or employees park:
Driveway: X; Street: _____; Other (Explain): _____
7. Signs? No: X; Yes: _____. (If yes, then how many, size, and location): _____
8. Number of vehicles related to this request? (Please also state type of vehicle, i.e., dump truck, bobcat, trailer, etc.): 2 vehicles
9. Deliveries? No X; Yes _____ (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, FedEx, UPS, etc.)
N/A
10. Does the applicant live in the house? Yes X; No _____
11. Any outdoor storage? No X; Yes _____ (If yes, please state what is kept outside): _____
12. Length of time requested: 24 months
13. Any additional information? Please attach additional information if needed):

The subject property is located directly across Lower Roswell Road from the Eastside Baptist Church campus.

Applicant Signature: _____

Date: _____

Applicant name (printed): Garvis L. Sams, Jr. / Attorney for Applicant

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

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January 11, 2012

VIA E-MAIL
and HAND DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Community Development Agency
Zoning Division
1150 Powder Springs Road
Suite 400
Marietta, GA 30064



Re: Application of Patricia G. Hosch for Temporary Land Use Permit (No. LUP-7)

Dear John:

You will recall that this firm represents Mrs. Patricia G. Hosch who is the Applicant and the Executrix of her late husband's Estate which owns the property which is the subject matter of this Application. The Application is scheduled to be heard and considered by the Cobb County Planning Commission on February 7, 2012 and, thereafter, is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on February 21, 2012.

For some time, Mrs. Hosch has operated a small accounting office from her home. The work in which Mrs. Hosch engages comes close to meeting the permitted uses under the Customary Home Occupation section of the Cobb County Zoning Ordinance (Sec. 134-197)(3)) in that there is no signage, no inventory and no deliveries. However, Mrs. Hosch does have one (1) employee and a small number of clients, some of whom come to the home office for accounting consultation.

Since the filing of the Application, we have continued our dialogue with the County's Professional Staff. In that regard, I have been asked by Mrs. Hosch to submit this letter of agreeable stipulations which, if the Application is approved as submitted, shall become conditions and a part of the grant of the Land Use Permit and binding upon the subject property:

1. The stipulations and conditions set forth herein shall replace and supercede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned Application.

VIA E-MAIL
and HAND DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Community Development Agency
Zoning Division
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January 11, 2012

2. An agreement to limit the Land Use Permit to accounting office in the home with a maximum of one (1) employee.
3. Hours of operations shall be from 9:00 a.m. until 5:00 p.m. Monday through Friday.
4. An agreement to limit the number of clients coming to the subject property to a maximum average of five (5) clients per month.
5. An agreement that there shall be no signage, no inventory, no equipment and no deliveries to the subject property.

The subject property is zoned in the R-20 classification; however, it is directly across Lower Roswell Road from the East Side Baptist Church campus which is zoned residentially but which is clearly an intense institutional use. Being thusly positioned, oriented toward Lower Roswell Road and vegetatively screened from adjacent homes, Mrs. Hosch's request to continue a small home accounting office constitutes a request which is entirely appropriate. However, please do not hesitate to contact me should you or the Staff require any additional information or documentation prior to formulating your analysis and recommendation. With kind regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLSjr/brl

cc: Shown next page.

VIA E-MAIL
and HAND DELIVERY

Mr. John P. Pederson, AICP, Manager
Cobb County Community Development Agency
Zoning Division
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January 11, 2012

cc: Members, Cobb County Board of Commissioners – VIA E-Mail and Hand Delivery
Members, Cobb County Planning Commission – VIA E-Mail
Mr. Robert L. Hosack, Jr., AICP, Director – VIA E-Mail and Hand Delivery
Mr. Jason Campbell, Planner II – VIA E-Mail and Hand Delivery
Mr. Terry Martin, Planner II – VIA E-Mail and Hand Delivery
Ms. Jane Stricklin, P.E. – VIA E-Mail
Mr. Dave Breaden, P.E. – VIA E-Mail
Ms. Karen King, Assistant County Clerk – VIA E-Mail
Ms. Lori Presnell, Deputy County Clerk – VIA E-Mail
Ms. Jill Flamm, President, East Cobb Civic Association – VIA E-Mail
Ms. Patricia G. Hosch – VIA E-Mail