

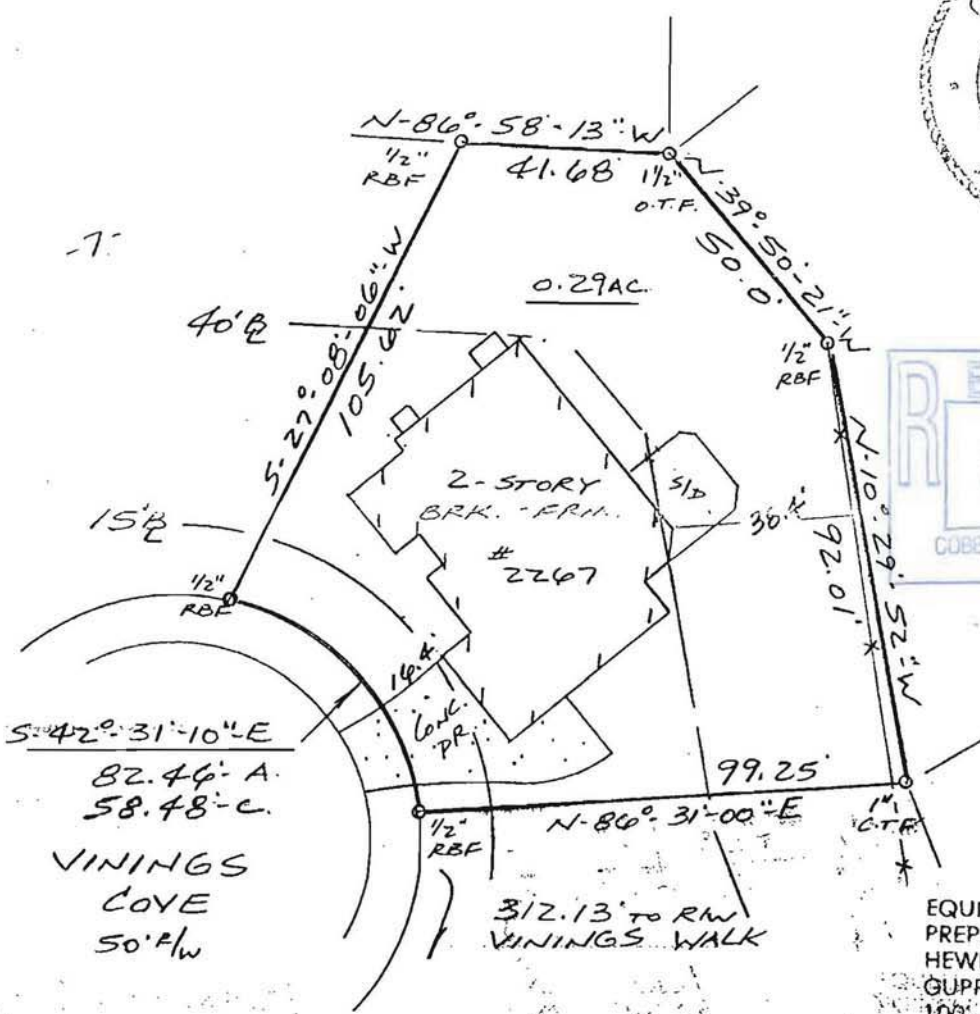
LUP-1  
(2013)

21-14

LOT 8  
BLOCK  
UNIT  
SUB. VININGS CLOSE  
SUBDIVISION

INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AND INSURANCE COMPANY OR AN APPRAISER.

MAG. NORTH



RECEIVED  
OCT 1 5 2012  
COBB CO. COMM. DEV. AGENT  
ZONING DIVISION

EQUIPMENT USED IN  
PREPARING THIS PLAT  
HEWLETT PACKARD 84  
GUPPY GTS-10D  
100' STEEL TAPE

D'JARIS ANN MOORE

This map or plat has been calculated for closure and is found to be accurate within one foot in 10,000 feet.


LAND LOT 771 17TH DISTRICT 2ND SECT.  
COBB COUNTY, GEORGIA

SCALE 1" = 40 DATE: 12-21-94  
REG. LAND SURVEYOR NO. 1751  
GEORGIA LAND SURVEYING CO., INC.

I have, this date, examined the "FIA OFFICIAL FLOOD HAZARD MAP" and the referenced parcel does not appear to be in an area having special flood hazards. AS PER RECORD PLAT

THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE. ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAYS, PUBLIC OR PRIVATE.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED.

148-51  NO. 138893  
(M. YOUNG) A & W (P)

332678

**APPLICANT:** Michael H. O'Rourke  
770-435-9416

**REPRESENTATIVE:** Michael H. O'Rourke  
770-435-9416

**TITLEHOLDER:** Michael H. O'Rourke

**PROPERTY LOCATION:** Northeasterly side of Vinings Cove, east of Vinings Walk (2267 Vinings Cove).

**ACCESS TO PROPERTY:** Vinings Cove

**PHYSICAL CHARACTERISTICS TO SITE:** Two (2) story brick house.

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-20/S O Simpson Subdivision
- SOUTH:** R-12/ Vinings Close Subdivison
- EAST:** R-20/S O Simpson Subdivision
- WEST:** R-12/ Vinings Close Subdivison

**PETITION NO:** LUP-1

**HEARING DATE (PC):** 02-05-13

**HEARING DATE (BOC):** 02-19-13

**PRESENT ZONING:** R-12

**PROPOSED ZONING:** Land Use Permit

**PROPOSED USE:** Allow two Unrelated Adults

**SIZE OF TRACT:** 0.29 acre

**DISTRICT:** 17

**LAND LOT(S):** 771

**PARCEL(S):** 57

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

**COMMISSION DISTRICT:** 2

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

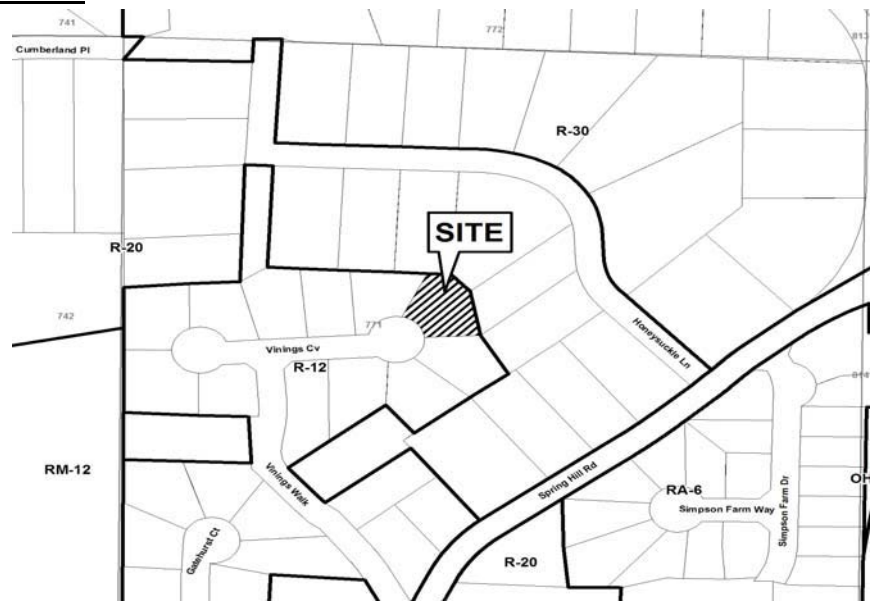
**BOARD OF COMMISSIONERS DECISION**

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

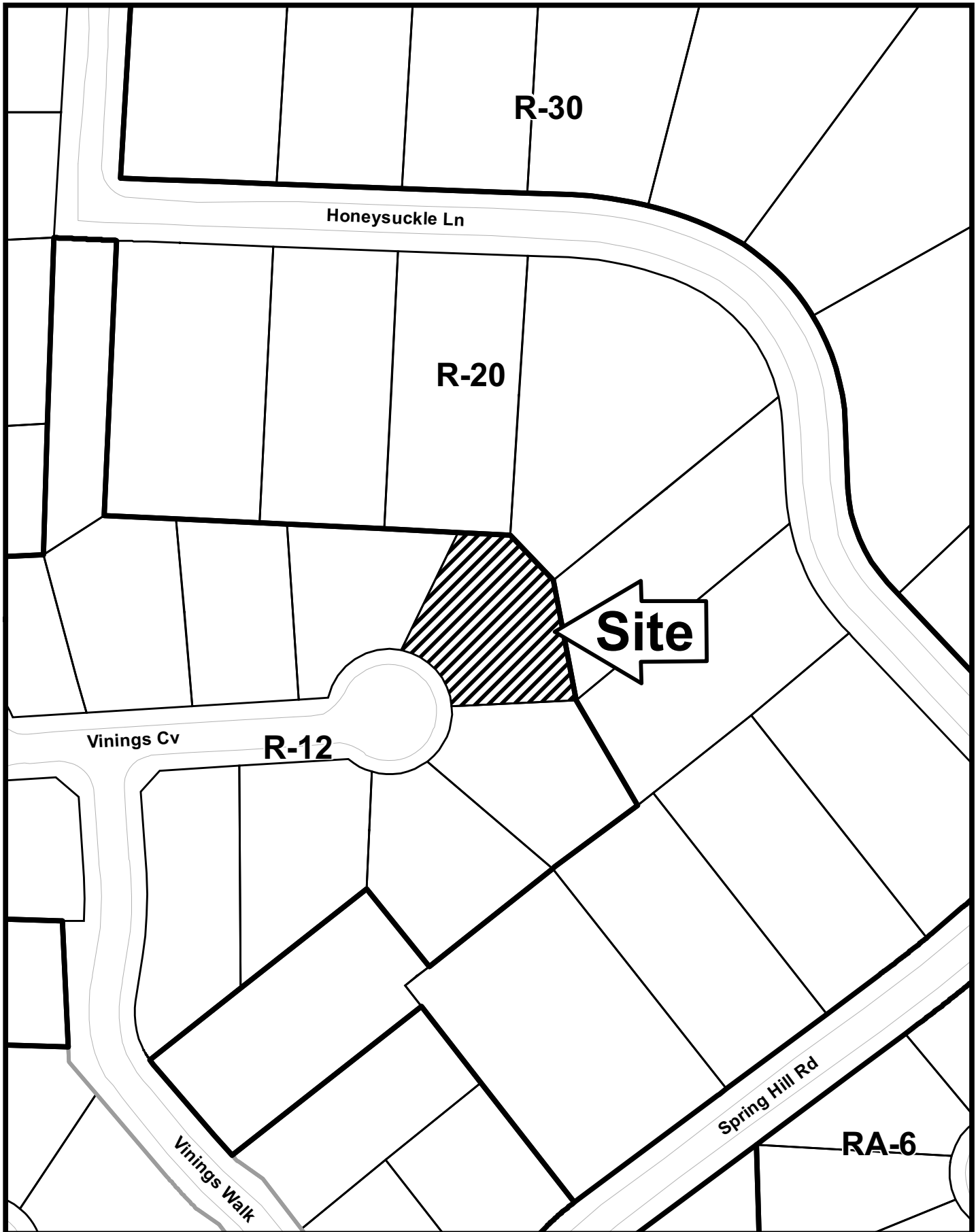
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

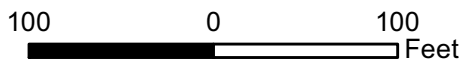
**STIPULATIONS:**





# LUP-1



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Michael H. O'Rourke

PETITION NO.: LUP-1

PRESENT ZONING: R-12

PETITION FOR: LUP

\*\*\*\*\*

**ZONING COMMENTS:** Staff Member Responsible: Donald Wells

The applicant is requesting a Temporary Land Use Permit (LUP) in order to allow three (3) unrelated adults to reside at the subject property. The applicant has indicated that he needs two caregivers to care for him due to his physical disabilities. Per the *County Code*, no more than two (2) unrelated adults may live within a dwelling unit. This application was spurred when the owner was placed on notice in response to a complaint regarding too many adults and a broken window on the home.

**Historic Preservation:** No comments.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**WATER & SEWER COMMENTS:**

No comments.

\*\*\*\*\*

**TRAFFIC COMMENTS:**

Recommend no parking on the right-of-way.

\*\*\*\*\*

**FIRE COMMENTS:**

No comments for this request, however, not to be used for a group home or personnel care home, without Fire Department approval. If there are four or more unrelated occupants, the structure must meet NFPA 101 Occupancy requirements.

**APPLICANT: Michael H. O'Rourke**

**PETITION NO.: LUP-1**

**PRESENT ZONING: R-12**

**PETITION FOR: LUP**

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

No comments.

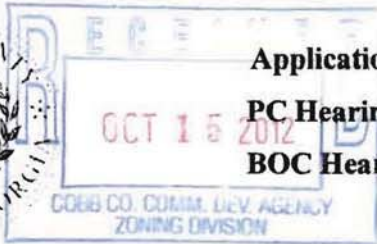
## **STAFF RECOMMENDATIONS**

### **LUP- 1      MICHAEL H. O'ROURKE**

The applicant is requesting a Temporary Land Use Permit (LUP) in order to allow three (3) unrelated adults to reside at the subject property. The property is zoned R-12 single family residential and located within an area delineated as LDR low density residential on the *Cobb County Comprehensive Plan*. Per the *County Code*, no more than two (2) unrelated adults may live within a dwelling unit. This application was spurred when the owner was placed on notice in response to a complaint regarding too many adults and a broken window on the home. Staff is concerned about this use intensifying and also encouraging like uses in the neighborhood. 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 #: LVP-1  
 PC Hearing Date: 2/5/13  
 BOC Hearing Date: 2/19/13

## TEMPORARY LAND USE PERMIT WORKSHEET

1. Type of business? NA
2. Number of employees? 0
3. Days of operation? 0
4. Hours of operation? 0
5. Number of clients, customers, or sales persons coming to the house per day? 0 ; Per week? 0
6. Where do clients, customers and/or employees park?  
 Driveway: \_\_\_\_\_ ; Street: \_\_\_\_\_ ; Other (Explain): NA

7. Signs? No:  ; 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.): NONE

9. Deliveries? No  ; Yes \_\_\_\_\_. (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)

10. Does the applicant live in the house? Yes  ; No \_\_\_\_\_

11. Any outdoor storage? No  ; Yes \_\_\_\_\_. (If yes, please state what is kept outside): \_\_\_\_\_

12. Length of time requested: 1 year

13. Any additional information? (Please attach additional information if needed):  
seeking permit to have two unrelated care givers in my home, need due to physical disability

Applicant signature: Michael H. O'Keefe Date: 10/12/12

Applicant name (printed): MICHAEL H. O'KEEFE

LUP-1  
Feb. 2013

EXHIBIT "A"



October 11, 2012

To whom it may Concern:

I, Michael H. O'Rourke, the applicant and property owner, am applying for this Temporary Land Use Permit due to medical hardship.

I am totally and permanently disabled due to a number of medical problems, and as such cannot care for myself, my home, lawn and gardens without assistance. At the same time I am trying to get the house and gardens in tiptop shape so I can put it on the market in the near future.

Two friends are living with me and assisting me with day to day needs, as well as working to get the house ready to put it on the market, most likely in early Spring 2013.

If I need to submit any documentation regarding my health, please advise me. I currently get a tax break from the county due to my disability.

There are not, nor will there be any changes to the house or the property. There will be no clients, customers or employees parking on the property other than two cars, ~~one~~ in the garage and one on the parking pad next to the garage for the two friends here to assist me. There will be no signs, nor deliveries.

Michael H. O'Rourke, Applicant and Home owner