

**LEGEND**

- SS = Sanitary Sewer
- PP = Power Pole
- IPP = Iron Pin Placed
- IPF = Iron Pin Found
- POB = Point of Beginning
- B/C = Back of Curb
- ⊕ SSMH = Sewer Manhole
- SSE = Sanitary Sewer Ease.
- PL = Property Line
- DE = Drainage Easement
- ⊗ WM = Water Meter
- ⊗ WV = Water Valve
- ⊗ FH = Fire Hydrant
- R/W = Right of Way
- BL = Building Setback Line

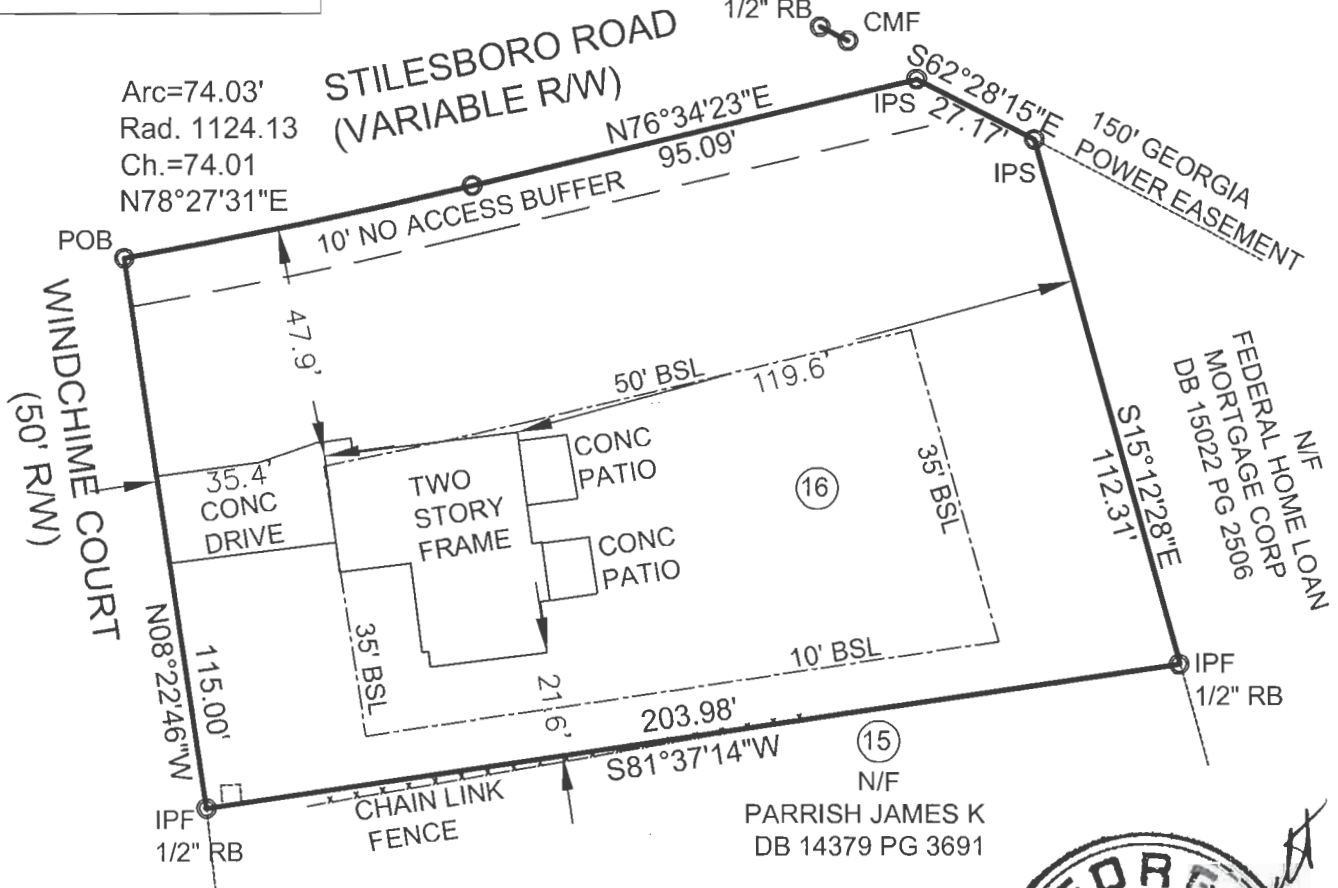
**LUP-32  
(2013)**

COBB COUNTY GA  
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COBB COUNTY ZONING DIVISION

**ZONING INFORMATION**

Property Zoned R-20  
Single Family Residential District  
Min. Lot Area = 20,000 S.F.  
Units per Acre 1.75avg  
Min Floor 1,200 S.F.  
Min Street Frontage = 50 Feet  
Max Lot Coverage = N/A

Setbacks:  
Front - 35 Feet  
Sides -10 Feet 50' Stilesboro per Plat  
Rear - 35 Feet



Arc=74.03'  
Rad. 1124.13  
Ch.=74.01  
N78°27'31"E

STILESBORO ROAD  
(VARIABLE R/W)

WINDCHIME COURT  
(50' R/W)

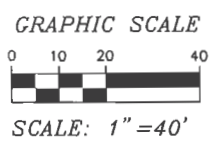
FEDERAL HOME LOAN  
MORTGAGE CORP  
DB 15022 PG 2506  
N/F

PARRISH JAMES K  
DB 14379 PG 3691  
N/F



Job #: 010013

AREA  
Lot 16  
23,681 Square Feet Total  
(0.54 Acres)



- All iron pins are 1/2" Rebar unless otherwise noted.
- Equipment used: Topcon GTS Total Station
- The field data upon which this plat is based has a closure precision of 1 foot in 25,000 feet and an angular error of 03 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 54,200 feet.
- This plat subject to all easements public and private.
- This plat may be based on a recorded plat from Iron pins referenced on said plat for closure tie in.
- According to F.I.R.M. Community Panel # 13067C0081G, dated 12/16/2008 this property is not located in an area having special flood hazards.

**Survey for:  
Temporary Land Use Permit**

Tax ID : 20022201130  
Lot 16, Emerald Oaks S/D  
1759 Windchime Court  
Land Lot 222 20th District 2nd Section  
Cobb County, Georgia



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

Party Chief: KN  
Date Surveyed: 9/2/13  
Date Drawn: 9/5/13

Computed by: KN  
Drawn by: JF  
Checked by: KN

REFERENCES  
Plat Bk: 107 Pg. 15  
Deed Bk. 14863 Pg. 1675

**APPLICANT:** Chandra L. Yates  
269-369-7493

**REPRESENTATIVE:** William R. Thomas  
770-222-2245

**TITLEHOLDER:** Jay R. Yates and Chandra L. Yates

**PROPERTY LOCATION:** Southeast intersection of Stilesboro  
Road and Windchime Court  
(1759 Windchime Court).

**ACCESS TO PROPERTY:** Windchime Court

**PHYSICAL CHARACTERISTICS TO SITE:** Single-family house

**PETITION NO:** LUP-32

**HEARING DATE (PC):** 11-05-13

**HEARING DATE (BOC):** 11-19-13

**PRESENT ZONING:** R-20

**PROPOSED ZONING:** Land Use Permit

**PROPOSED USE:** Allow More Unrelated  
Adults than the County Code Permits

**SIZE OF TRACT:** 0.54 acre

**DISTRICT:** 20

**LAND LOT(S):** 222

**PARCEL(S):** 113

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

**COMMISSION DISTRICT:** 1

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-20/OSC/ Old England Lake
- SOUTH:** R-20/ Emerald Oaks
- EAST:** R-20/ Emerald Oaks
- WEST:** R-20/ Emerald Oaks

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

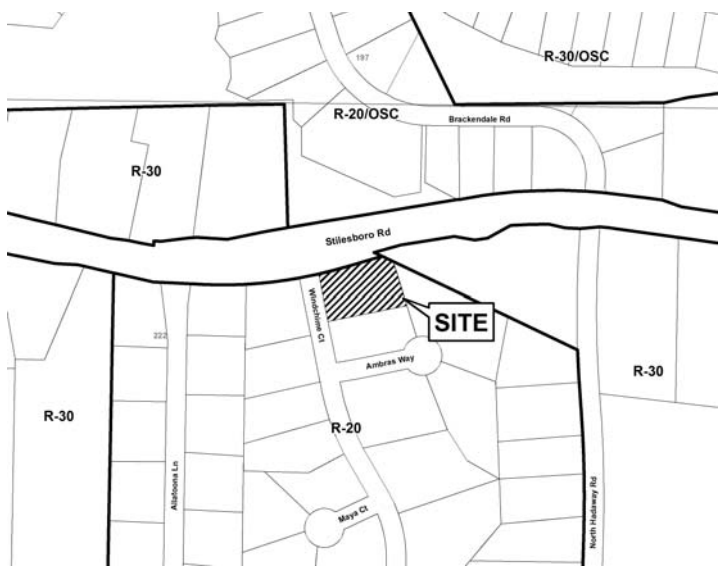
**BOARD OF COMMISSIONERS DECISION**

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

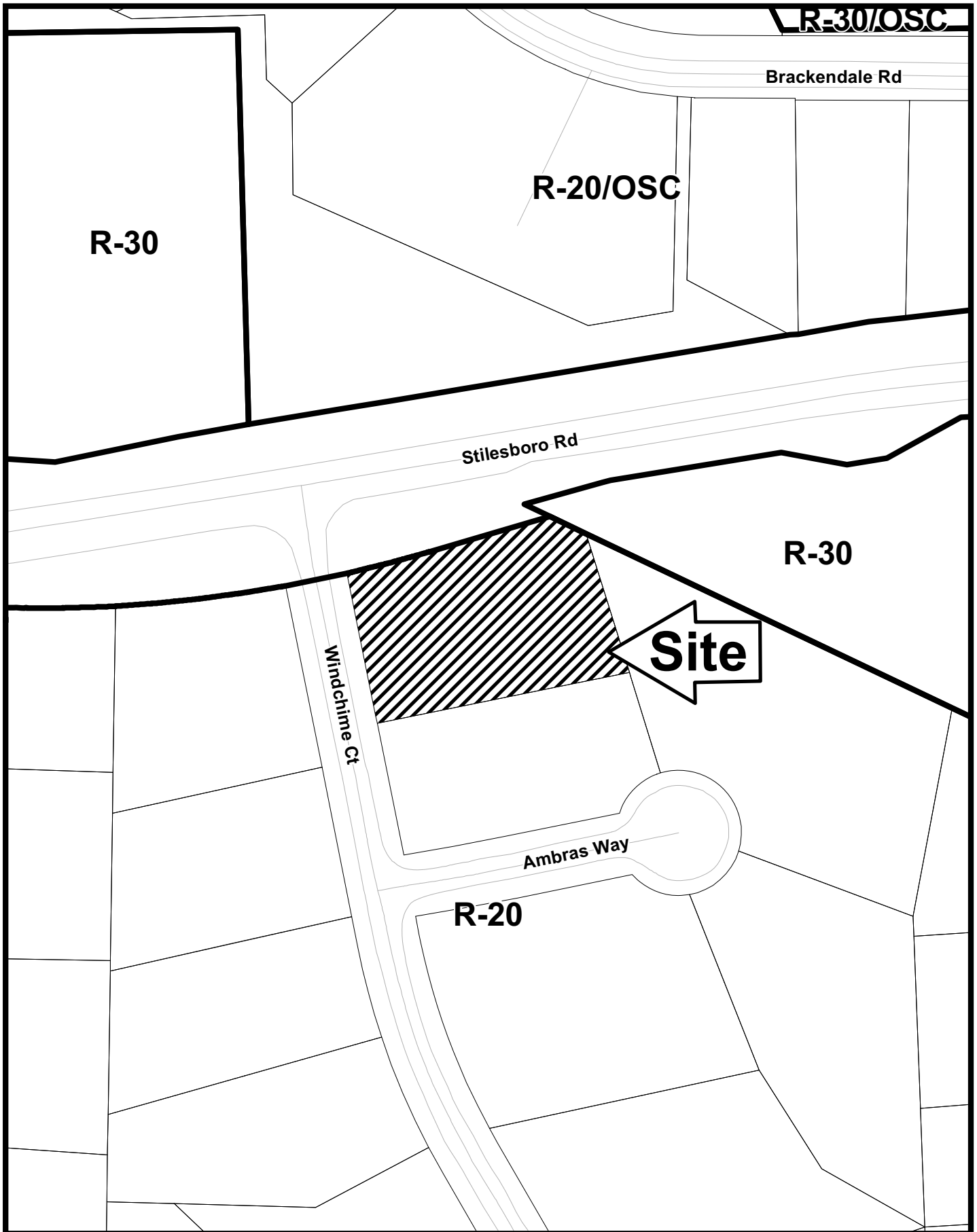
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

**STIPULATIONS:**



# LUP-32



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

0 100 200 Feet



City Boundary  
Zoning Boundary

APPLICANT: Chandra L. Yates

PETITION NO.: LUP-32

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 allow three (3) unrelated individuals to live in a single-family residence. Per the County Code, only one person is allowed per 390 square feet of living area as documented by the tax records. However, the Code restricts occupants to no more than two (2) unrelated persons in any case. Yet, as a matter of reference, the total recorded square footage of 1,754 square feet would allow no more than four (4) *related* persons to live in the home. Also, this same rule applies to the number of vehicles allowed at a residence. The applicant is requesting approval for 24 months. This application is the result of a complaint received by the Code Enforcement Division.

**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 comment.

\*\*\*\*\*

**TRAFFIC COMMENTS:**

Recommend no parking on the right-of-way.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

\*\*\*\*\*

**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: Chandra L. Yates**

**PETITION NO.: LUP-32**

**PRESENT ZONING: R-20**

**PETITION FOR: LUP**

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

No comments.

## STAFF RECOMMENDATIONS

### LUP-31      CHANDRA L YATES

The applicant is requesting a Temporary Land Use Permit (LUP) in order to allow three (3) unrelated individuals to live in a single-family residence. Per the County Code, only one person is allowed per 390 square feet of living area as documented by the tax records. However, the Code restricts occupants to no more than two (2) unrelated persons in any case. Yet, as a matter of reference, the total recorded square footage of 1,754 square feet would allow no more than four (4) *related* persons to live in the home. The property is located in a platted subdivision (Emerald Oaks) within the Very Low Density Residential (VLDR) land use category on the *Cobb County Comprehensive Plan*, and is zoned R-20 Single-Family Residential District. Based on the above analysis and a strict interpretation of the Code, 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.**

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COBB COUNTY GEORGIA  
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Application #: LUP-32

PC Hearing Date: 11-5-13

BOC Hearing Date: 11-19-13

## TEMPORARY LAND USE PERMIT WORKSHEET

1. Type of business, or request? 1/A
2. Number of employees? NA
3. Days of operation? NA
4. Hours of operation? NA
5. Number of clients, customers, or sales persons coming to the house per day? NA ; Per week? NA
6. Where do clients, customers and/or employees park?  
Driveway: YES ; Street: NO ; Other (Explain): NO
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 (24 months maximum): 24 MONTHS
13. Is this application a result of a Code Enforcement action? No  ; Yes  (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
14. Any additional information? (Please attach additional information if needed): \_\_\_\_\_

Applicant signature: \_\_\_\_\_

Date: 9/5/13

Applicant name (printed): William R Thomas



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 COBB COUNTY CODE ENFORCEMENT DIVISION

**COBB COUNTY - COMMUNITY DEVELOPMENT AGENCY  
 Code Enforcement Division**

Mailing Address: P.O. Box 649 Marietta, GA 30061  
 Physical Address: 1150 Powder Springs Rd. Suite 400 Marietta, GA 30064  
 Phone: (770)528-2180 Fax: (770)528-2092

LUP-32 (2013)  
 Notice of  
 Violation

**Notice of Violation**

**Violation Number** CODE-2013-06078 **Date** August 8, 2013

The Cobb County Code Enforcement Division has grounds to believe the property located at:

<u>1759 WINDCHIME CT</u>	<u>KENNESAW, GA 30152</u>	<u>20</u>	<u>0222</u>	<u>113</u>	<u>R-30</u>
(Address)	(City/State/Zip)	(Dist)	(Land Lot)	(Par)	(Zoning)

and/or YATES JAY R & CHANDRA L (1759 WINDCHIME CT NW, KENNESAW, GA 30152)

may be in violation of the Official Code of Cobb County, Georgia. You have 10 days to bring the violation(s) into compliance. An inspection will be made on or about 10 days from August 8, 2013 . Failure to comply could result in a citation being issued for you to appear in the Cobb County Magistrate Court, and you may be subject to a fine, imprisonment, or both.

<u>Violation</u>	<u>Code Section</u>	<u>Requirement for Compliance</u>
PARKING STANDARDS	134-272 (5) b & c	All vehicles must be parked on a hardened/treated surface. All tires must be on hardened/treated surface. Surface must be installed flush with the ground and capable of supporting all vehicle/equipment tires without driving onto or over an unapproved parking surface.
PERMITTED USE/SINGLE FAMILY DWELLING	134-196 (3)	Must comply with all requirements in the attached definition of dwelling unit. **see attached**

<u>OFFICER J R PACPACO</u>	<u>(770)420-6666 / 8:00a - 8:30a &amp; 3:30p - 4:30p</u>
Inspector	Telephone

*Kim*  
 2031