

LUP-17  
(2014)

RESIDENTIAL  
**MARLENE GRAHAM  
AND  
CLENTON DAYES**  
#1371 PIEDMONT ROAD  
LAND LOT 561, 1818 DISTRICT  
2nd SECTION  
COBB COUNTY, GEORGIA  
CITY OF MARLETTA  
ZONING DISTRICT R-20  
TAX ID: 16056100110

SUBJECT AREA  
31,193 Sq Ft  
0.72 Ac.



**LEGEND:**

HC	HAND-CAP
SP	SP
PC	CONCRETE FOUNDATION
CI	CONCRETE
CB	CONCRETE BLOCK
CC	CONCRETE CURB
CD	CONCRETE DRIVE
CE	CONCRETE EDGE
CF	CONCRETE FLOOR
CG	CONCRETE GROUND
CH	CONCRETE HATCH
CI	CONCRETE INTERIOR
CL	CONCRETE LANDING
CM	CONCRETE MASONRY
CP	CONCRETE PAVEMENT
CS	CONCRETE SIDEWALK
CT	CONCRETE TYPING
CU	CONCRETE UNDERGROUND
CV	CONCRETE VENT
CW	CONCRETE WALL
CX	CONCRETE X-CURB
CY	CONCRETE YARD
CZ	CONCRETE ZONE
CA	CONCRETE AREA
CB	CONCRETE BLOCK
CC	CONCRETE CURB
CD	CONCRETE DRIVE
CE	CONCRETE EDGE
CF	CONCRETE FLOOR
CG	CONCRETE GROUND
CH	CONCRETE HATCH
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CU	CONCRETE UNDERGROUND
CV	CONCRETE VENT
CW	CONCRETE WALL
CX	CONCRETE X-CURB
CY	CONCRETE YARD
CZ	CONCRETE ZONE
CA	CONCRETE AREA



**GLOBAL POSITIONING SYSTEMS INCORPORATION NOTE:**  
A PORTION OF THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED USING GLOBAL POSITIONING SYSTEMS (GPS). IT INCLUDES HORIZONTAL AND VERTICAL DATUM INFO (2011) GEORGIA STATE PLANE COORDINATES. THE EQUIPMENT USED WAS A TRIMBLE 5600 GPS RECEIVER WITH TRIMBLE DATA COLLECTION. A NETWORK ADJUSTED REAL TIME KINEMATIC SURVEY WAS PERFORMED USING CORRECTED MEASUREMENTS. THE TRIMBLE HAS REAL TIME NETWORK OPERATED BY HIPS SURVEYING, INC. POSITIONAL ACCURACY OF THE FIELD DATA UTILIZED IN THIS SURVEY IS 1 CM HORIZONTAL AND 0.5 CM VERTICAL AT THE 95% CONFIDENCE LEVEL.

**GENERAL NOTES:**  
1. INFORMATION REGARDING THE NOTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED THAT LOSS BY THESE UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE SURVEYOR HAS ADVISED THE CLIENT OF THE POSSIBILITY OF SUCH ENCOUNTERS AND HIS AGENTS SHALL VERIFY EXISTENCE. UNDERSTANDING THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.  
2. RIGHT-OF-WAY ARE BASED ON CORNER RECORDS OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.  
3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.  
4. PURSUANT TO RULE 88-1-1 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE SURVEYOR'S "CERTIFICATE" RELATING TO LAND SURVEYING SERVICES SHALL BEAN A BOND STATEMENT BASED ON FACTS AND KNOWLEDGE GAINED TO THE LAND SURVEYOR AND IS NOT A GUARANTEE OF WARRANTY, EITHER EXPRESSED OR IMPLIED.  
5. RESIDENTIAL RECLAMER: THIS PLAT MAY NOT CONFORM TO THE RECLAMER'S AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING BUT NOT LIMITED TO THE CHANGE OF THE ADVANCED SURVEYING TECHNOLOGY SUCH AS ELECTRONIC MEASURING DEVICES, MORE PRECISE ANGULAR MEASUREMENTS AND THE ADVENT OF SATELLITE SURVEYING TECHNIQUES USING "GPS" AND "GLOBAL" SATELLITE COORDINATION. SURVEYING EQUIPMENT OPERATIONS ARE CORRELATED TO THE GEORGIA STATE PLANE COORDINATE SYSTEM AND USE "ELECTRIC" OR "OPTIC" MEASUREMENT TO "MAGNETIC" NORTH.

RESIDENTIAL  
COBB COUNTY - R-20  
CURRENT ZONING:  
R-20  
FRONT SETBACK = 35'  
SIDE SETBACK = 10'  
MAJOR SIDE SETBACK = 25'/35'  
REAR SETBACK = 35'



**SURVEY REFERENCES**  
**TAX INFORMATION:**  
~ NOW AND FORMERLY OWNED BY  
GRAHAM MARLENE, TAX#16056100110;  
DB:14827 PG:1610  
**SUBJECT DEED BOOK: 2773 PG:3-5**  
DATED:05/20/1983  
**EXECUTORS DEED OF ASSENT:**  
DB:13306 PG:874; DATED:11/13/2000  
**EAST ADJOINING PARCEL ALONG SHAW RD**  
DB:10470 PG:524-525;  
OWNER OF RECORD: PATRICIA SANDERS

PAGES 1 OF 1  
DATE OF FIELD SURVEY: 01/19/2014

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 82,200 FEET. AN ANGULAR ERROR OF 30.1 SECONDS PER ANGULAR POINT AND WAS RELATED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000 FEET. AN ELECTRONIC TOTAL STATION AND A 1/2" CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT.  
NO ALIAS MORTGAGE HAS BEEN FOUND WITHIN 300 FEET OF THIS PROPERTY. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS, PERSONS OF EVIDENT MIND, OR ENTITY WITHOUT EXPRESS RECOGNITION BY THE SURVEYOR MAKING THIS PLAT. THIS PLAT IS NOT EXTENDING TO ANY UNMAPPED PERIODS, OR ENTITY WITHOUT EXPRESS RECOGNITION BY THE SURVEYOR MAKING THIS PLAT. THE PROPERTY OF FRONTLINE SURVEYING & MAPPING, INC. AND NO PART THEREOF MAY BE USED, COPIED OR REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION. COPYRIGHT ©2014 FRONTLINE SURVEYING & MAPPING, INC. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.

FRONTLINE SURVEYING & MAPPING, INC.  
3595 Canton Road  
Suite 116, PMB 272  
Marietta, GA 30066  
Ph. (678) 355-9805  
Fax (678) 355-9805  
www.frontlinesurveying.com

RESIDENTIAL BOUNDARY SURVEY FOR  
**MARLENE GRAHAM AND CLENTON DAYES**  
LAND LOT 561 1618 DISTRICT 2ND SECTION COBB COUNTY, GEORGIA

DATE	02/10/2014
SCALE	1" = 20'
REVISION	BY DATE
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

I HAVE THIS DATE EXAMINED THE 7TH OFFICIAL FLOOD HAZARD MAP AND FOUND THAT IT GRAPHIC PLOTTING ON THE REFERENCE PARCEL (S) IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARD.  
MAP ID: 13057C0044C EFFECTIVE DATE: 03/19/08

JOB # 49640

FRONTLINE SURVEYING & MAPPING, INC.

**APPLICANT:** Marlene Graham and Clenton Dayes

(678) 687-7561 and (678) 368-0016

**REPRESENTATIVE:** Marlene Graham and Clenton Dayes

(678) 687-7561 and (678) 368-0016

**TITLEHOLDER:** Marlene Graham and Clenton Dayes

**PROPERTY LOCATION:** Northeast side of Piedmont Road,

west of Shaw Road

(1371 Piedmont Road).

**ACCESS TO PROPERTY:** Piedmont Road

**PHYSICAL CHARACTERISTICS TO SITE:** Existing two-story

brick residence

**PETITION NO:** LUP-17

**HEARING DATE (PC):** 06-03-14

**HEARING DATE (BOC):** 06-17-14

**PRESENT ZONING:** R-20

**PROPOSED ZONING:** Land Use Permit

**PROPOSED USE:** Group Home

**SIZE OF TRACT:** 0.60 acre

**DISTRICT:** 16

**LAND LOT(S):** 561

**PARCEL(S):** 11

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

**COMMISSION DISTRICT:** 3

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** R-20/ Single-family residences

**SOUTH:** R-20/ Single-family residences

**EAST:** R-20/ Single-family residences

**WEST:** R-20/ Single-family residences

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

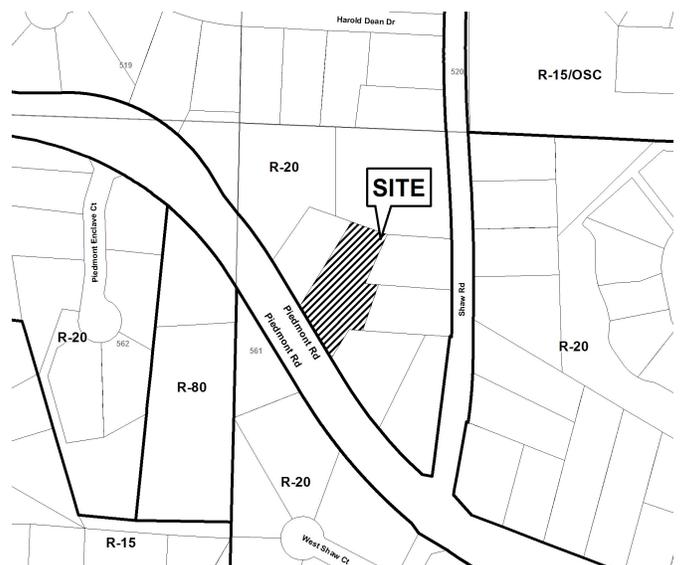
**BOARD OF COMMISSIONERS DECISION**

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

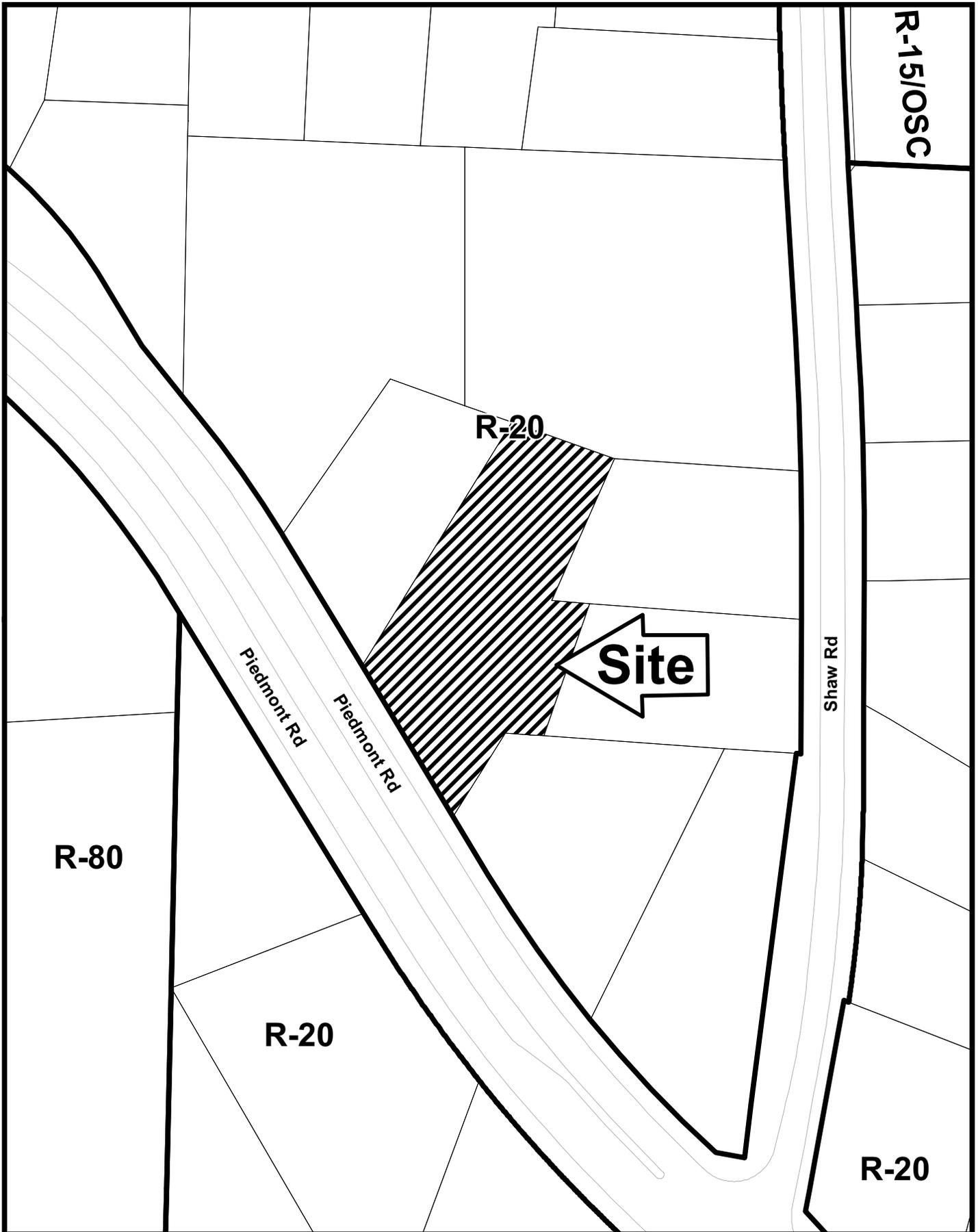
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

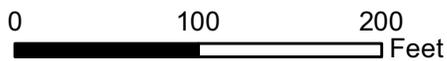
**STIPULATIONS:**



# LUP-17



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Marlene Graham and Clenton Dayes

**PETITION NO.:** LUP-17

**PRESENT ZONING:** R-20

**PETITION FOR:** LUP

\*\*\*\*\*

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

The applicants are requesting consideration for a Temporary Land Use Permit (LUP) to be allowed a total of six (6) residents over the current maximum of four (4) at their Group Home. The Group Home or “personal care home” has been in operation since 2011 and operates seven (7) days a week, 24 hours a day with a staff of two (2) employees. The applicants are requesting approval for 24 months with the intention of renewal each subsequent term.

**Historic Preservation:** No comment.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**WATER & SEWER COMMENTS:**

No comments.

\*\*\*\*\*

**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:**

C/O: Plans must be submitted to the Cobb County Fire Marshal’s Office to initiate the Certificate of Occupancy process.

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

**APPLICANT: Marlene Graham and Clenton Daves**

**PETITION NO.: LUP-17**

**PRESENT ZONING: R-20**

**PETITION FOR: LUP**

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

Any future improvements or expansion must be subject to Stormwater Management Plan Review.

## STAFF RECOMMENDATIONS

### **LUP-17      MARLENE GRAHAM and CLENTON DAYES**

The applicants are requesting a Temporary Land Use Permit (LUP) in order to expand their currently operating Group Home from a total of four (4) residents to six (6). Having been in operation since 2012, the LUP is necessary to accommodate more than the Code-limited four (4) residents. The Home operates seven (7) days a week, 24 hours a day with a staff of two (2). While Staff is not aware of any Code compliance issues at this location, the requested increase to six (6) residents may be detrimental to the overall character of the neighborhood with the associated increase in traffic and daily operations that can be expected from the increase. Moreover, located within an area delineated as LDR low density residential on the future land use map, granting approval to the requested increase may be seen as a step away from the low density character forecast by the *Cobb County Comprehensive Plan*. Therefore, based on the above analysis and a strict interpretation of the Code, 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.**



Application #: LUP-17  
PC Hearing Date: 6-3-14  
BOC Hearing Date: 6-17-14

### TEMPORARY LAND USE PERMIT WORKSHEET (FOR BUSINESS USE OR FOR A USE NOT PERMITTED)

- 1. Type of business, or request? Personal Care Home
- 2. Number of employees? 2
- 3. Days of operation? Seven days per week
- 4. Hours of operation? 24 hours
- 5. Number of clients, customers, or sales persons coming to the house per day? \_\_\_\_\_ ; Per week? \_\_\_\_\_

6. Where do clients, customers and/or employees park?  
Driveway: XXXX; Street: \_\_\_\_\_; Other (Explain): Garage - Detached.

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): Detached Garage (2 car)

12. Length of time requested (24 months maximum): 24 months and to be renewed every 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: Braham Date: 3/31/14

Applicant name (printed): Marlene Abraham



Application #: LUP-17

PC Hearing Date: 6-3-14

BOC Hearing Date: 6-17-14

APR - 2 2014  
COBB CO. COMM. DEV. AGENCY

### TEMPORARY LAND USE PERMIT WORKSHEET (FOR BUSINESS USE OR FOR A USE NOT PERMITTED)

1. Type of business, or request? Personal Care Home
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3. Days of operation? Seven days per week
4. Hours of operation? 24 hours
5. Number of clients, customers, or sales persons coming to the house per day? \_\_\_\_\_ ; Per week? \_\_\_\_\_
6. Where do clients, customers and/or employees park?  
Driveway: None; Street: \_\_\_\_\_; Other (Explain): Garage - Detached

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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

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

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10. Does the applicant live in the house? Yes \_\_\_\_\_ ; No
11. Any outdoor storage? No \_\_\_\_\_ ; Yes \_\_\_\_\_ (If yes, please state what is kept outside): Detached 2 car garage
12. Length of time requested (24 months maximum): 24 months and to be renewed every 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: [Signature] Date: 3/30/14

Applicant name (printed): CLENTON DAYES



Application #: LUP-17

PC Hearing Date: 6-3-14

BOC Hearing Date: 6-17-14

APR - 2 2014

## TEMPORARY LAND USE PERMIT WORKSHEET (FOR NUMBER OF ADULTS AND/OR VEHICLES)

1. Number of unrelated adults in the house? 4
2. Number of related adults in the house? None
3. Number of vehicles parked on the driveway? None
4. Number of vehicles parked in garage? None
5. Number of vehicles parked on the street? None
6. Does the property owner live in the house? Yes \_\_\_\_\_ ; No
7. Any outdoor storage? No \_\_\_\_\_ ; Yes \_\_\_\_\_ (If yes, please state what is kept outside): Detached Garage
8. Length of time requested (24 months maximum): 24 months and to be renewed every 24 months.
9. 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).
10. Any additional information? (Please attach additional information if needed):  
\_\_\_\_\_  
\_\_\_\_\_

Applicant signature: Abraham Date: 3/31/14

Applicant name (printed): Marlene Abraham

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### ZONING STAFF USE ONLY BELOW THIS LINE

---

Zoning of property: \_\_\_\_\_

Size of house per Cobb County Tax Assessor records: \_\_\_\_\_

Number of related adults proposed: \_\_\_\_\_ Number permitted by code: \_\_\_\_\_

Number of unrelated adults proposed: \_\_\_\_\_ Number permitted by code: \_\_\_\_\_

Number of vehicles proposed: \_\_\_\_\_ Number permitted by code: \_\_\_\_\_

Number of vehicles proposed to be parked outside: \_\_\_\_\_ Number of vehicles permitted \_\_\_\_\_



Application #: LUP-17

PC Hearing Date: 6-3-14

BOC Hearing Date: 6-17-14

APR - 2 2014

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6. Does the property owner live in the house? Yes \_\_\_\_\_ ; No

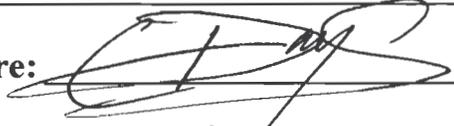
7. Any outdoor storage? No \_\_\_\_\_ ; Yes \_\_\_\_\_ (If yes, please state what is kept outside): Detached garage

8. Length of time requested (24 months maximum): 24 months and to be renewed every 24 months.

9. 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).

10. Any additional information? (Please attach additional information if needed):

\_\_\_\_\_

Applicant signature:  Date: 3/30/14

Applicant name (printed): CLENTON DAYES

## ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: \_\_\_\_\_

Size of house per Cobb County Tax Assessor records: \_\_\_\_\_

Number of related adults proposed: \_\_\_\_\_ Number permitted by code: \_\_\_\_\_

Number of unrelated adults proposed: \_\_\_\_\_ Number permitted by code: \_\_\_\_\_

Number of vehicles proposed: \_\_\_\_\_ Number permitted by code: \_\_\_\_\_

Number of vehicles proposed to be parked outside: \_\_\_\_\_ Number of vehicles permitted \_\_\_\_\_