

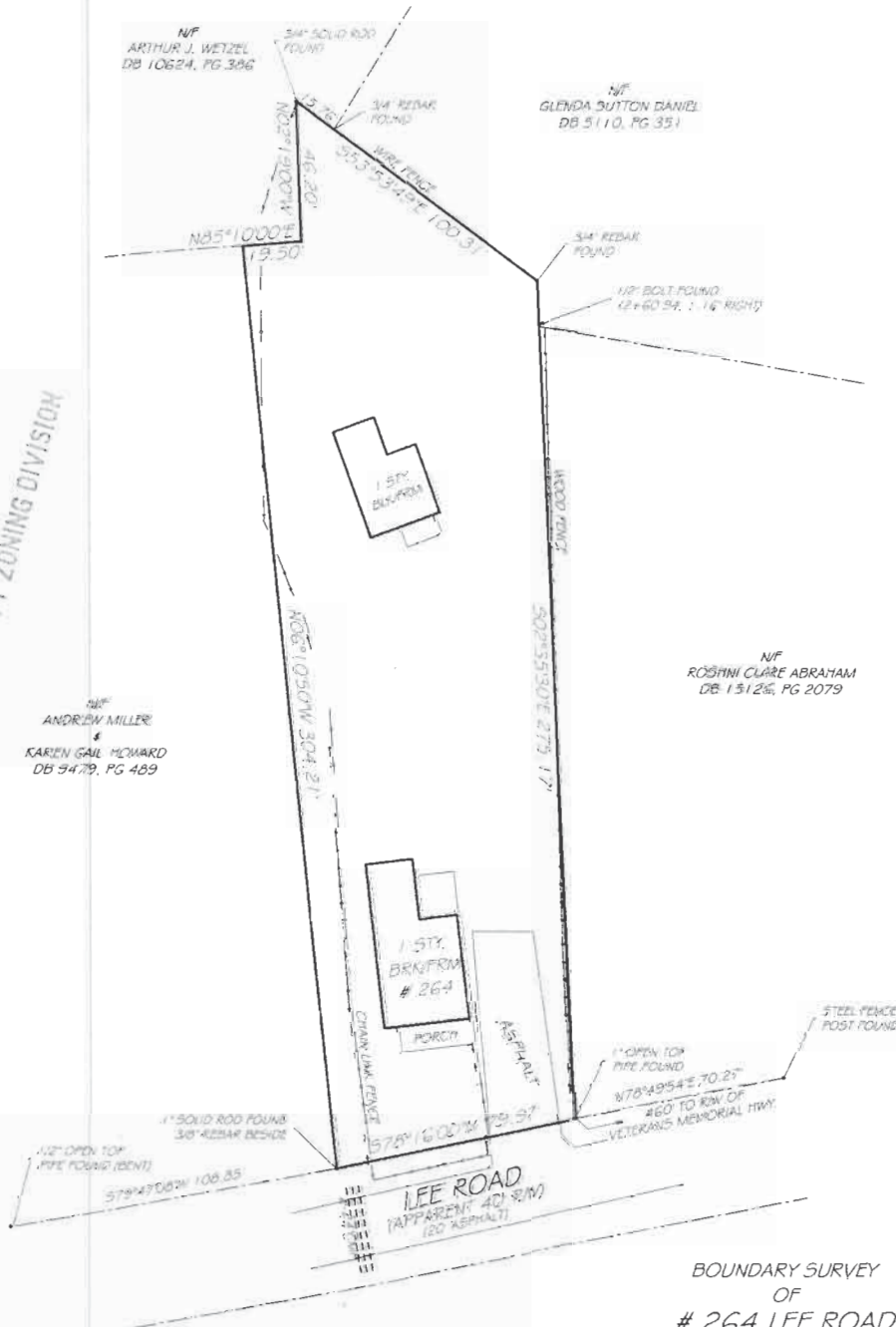
**LUP-18
(2014)**

NOTES
 THE DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED USING A GPS HAS A LINEAR PRECISION VALUE (R.M.S. ERROR) OF 29.873 FEET AND AN ANGLE PRECISION VALUE OF 1.478 SECONDS.
 THIS PLAT HAS BEEN CHECKED FOR MATHEMATICAL ACCURACY AND CLOSES WITHIN ONE FOOT IN 77,964 FEET.
 TOTAL AREA = 27,599 SQUARE FEET OR 0.632 ACRES.
 PROPERTY MAY OR MAY NOT BE SUBJECT TO PROTECTIVE OR RESTRICTIVE COVENANTS AS PER FINAL PLAT AND OR CITY/COUNTY ORDINANCES INCLUDING ALL EASEMENTS AND RIGHTS OF WAY.
 THE LOCATION OF UNDERGROUND UTILITIES WERE NOT LOCATED FOR THIS SURVEY. UTILITIES SHOWN ARE BASED UPON VISIBLE AND PHYSICAL EVIDENCE. THERE MAY BE UTILITIES ON OR CROSSING THIS PROPERTY THAT ARE NOT SHOWN. CALL THE UTILITIES PROTECTION CENTER (800-368-5898) BEFORE ANY EXCAVATIONS ARE BEGUN TO ENSURE AND VERIFY THE CORRECT LOCATION AND DEPTH OF ALL UTILITIES.

REFERENCES
 PLAT BOOK 14652, PAGE 5708
 DEED BOOK 3, PAGE 129



COBB COUNTY GEORGIA
 FILED IN OFFICE
 2014 APR -3 PM 12:53
 COBB COUNTY ZONING DIVISION



NF
 ANDREW MILLER
 &
 KAREN GAIL HOWARD
 DB 3479, PG 489

NF
 GLENDA SUTTON DANIEL
 DB 5110, PG 331

NF
 ROSHNI CLARE ABRAHAM
 DB 13126, PG 2079

**BOUNDARY SURVEY
 OF
 # 264 LEE ROAD
 SOUTHERN PORTION OF LOTS 30 & 31
 SMITH SUBDIVISION**

LOCATED IN
 LAND LOT 42
 18th DISTRICT, 2nd SECTION
 COBB COUNTY, GEORGIA
 DATE: 03-25-2014 ~ SCALE: 1"=40'



R.F.M. Consulting, LLC
 107 WHITLOCK AVENUE BLDG.
 A-37 MARIETTA, GA 30064
 PHONE (770) 757-3977 FAX
 (770) 499-81496
 EMAIL:RFMCOIN@BELLSOUTH.NET

NOTE
 THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH. THERE MAY BE BURDENS, EASEMENTS, RESTRICTS AND OR RIGHTS OF WAY NOT SHOWN OR REFERENCED THAT A CURRENT TITLE REPORT WOULD REVEAL.

THIS SURVEY WAS PREPARED IN COMPLIANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67 AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22

Created By: Mark E. Pugh, Jr.
 Date: 03-25-2014 11:53 AM
 Plot: LUP-18.dwg

APPLICANT: Willie (Windy) Abernathy

(704) 968-5040

REPRESENTATIVE: Donna M. Jordan

(704) 968-5040

TITLEHOLDER: Mildred Sharlene Mahaffey, Willie Gene Abernathy,

and Donna Marie Jordan

PROPERTY LOCATION: North side of Lee Road, west of

Veterans Memorial Highway

(264 Lee Road).

ACCESS TO PROPERTY: Lee Road

PHYSICAL CHARACTERISTICS TO SITE: Two single-family

houses

PETITION NO: LUP-18

HEARING DATE (PC): 06-03-14

HEARING DATE (BOC): 06-17-14

PRESENT ZONING: R-20

PROPOSED ZONING: Land Use Permit

PROPOSED USE: Two Houses On

One Parcel (Existing)

SIZE OF TRACT: 0.63 acre

DISTRICT: 18

LAND LOT(S): 42

PARCEL(S): 27

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/Single-family House

SOUTH: R-20/Single-family House

EAST: R-20/Single-family House

WEST: R-20/Single-family House

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

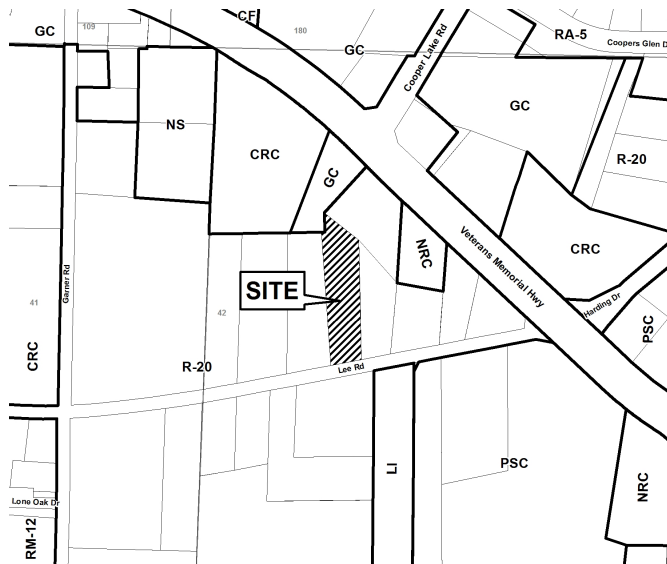
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

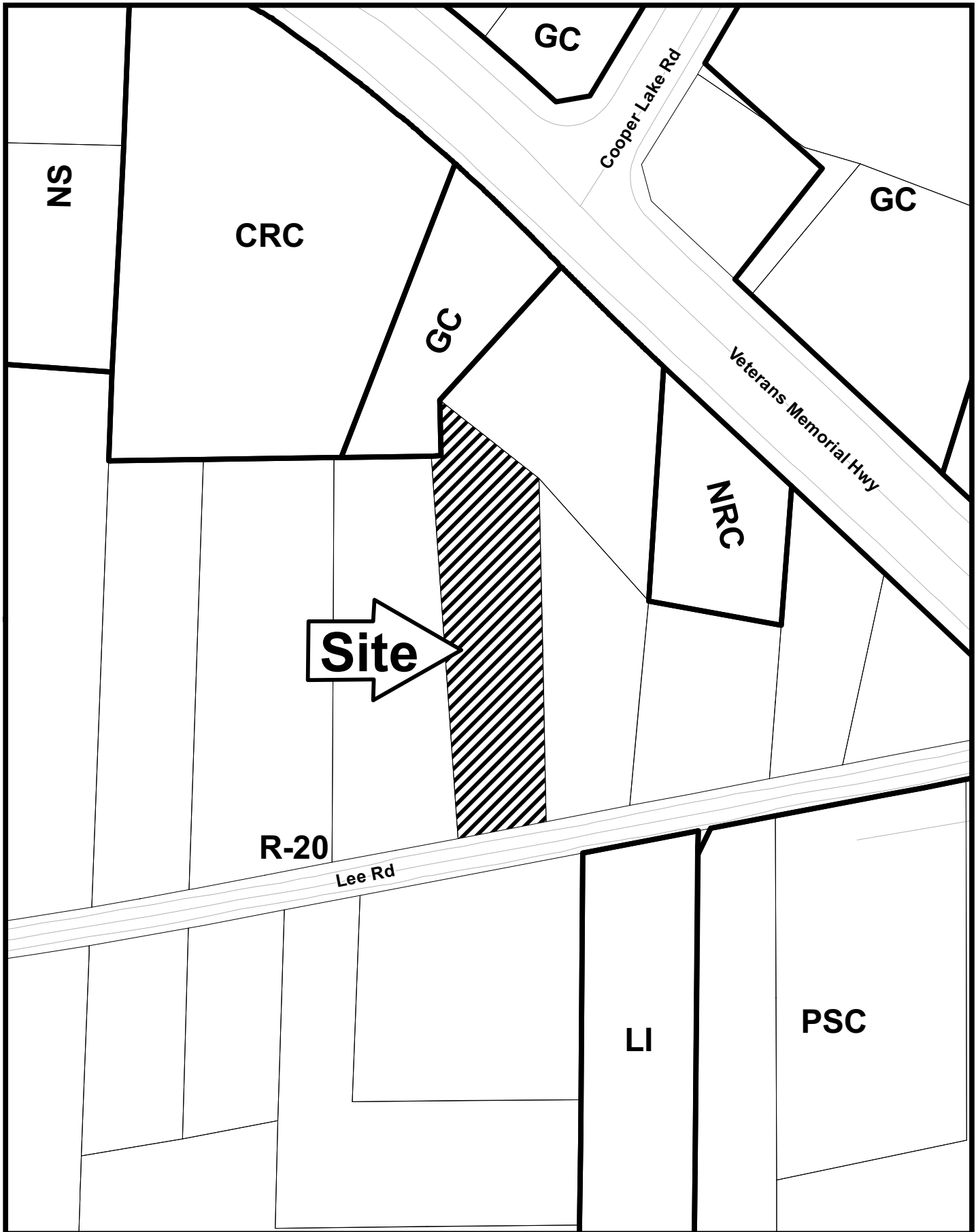
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

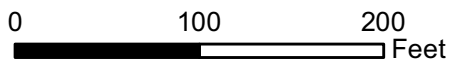
STIPULATIONS:





LUP-18



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Willie (Windy) Abernathy

PETITION NO.: LUP-18

PRESENT ZONING: R-20

PETITION FOR: LUP

ZONING COMMENTS: Staff Member Responsible: Jason A. Campbell

Applicant is requesting a Temporary Land Use Permit to allow the continuance of two houses being occupied on one parcel of land. Tax records indicate that the main house was built in 1942. The applicant has indicated that her father built the second house in 1975 and that she has lived in it since 1979. The two houses have been owned and occupied by the same family for many years. This application is the result of a Code Enforcement complaint.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

County Code 122-113 requires separate water and wastewater services to separate buildings. Water and/or wastewater service to the rear building cannot pass through the front building.

TRAFFIC COMMENTS:

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

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: Willie (Windy) Abernathy

PETITION NO.: LUP-18

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-18 WILLIE (WINDY) ABERNATHY

While the situation relevant to the subject property has been in existence for many years, the current Zoning Ordinance does not allow two houses on one parcel of land. As previously stated, the main house was built in 1942 and the second house was built in 1975. The second house has been utilized by the applicant since 1979.

Based on the above analysis, Staff recommends APPROVAL for 24 months subject to the following conditions:

- Site plan submitted to the Zoning Division on April 3, 2014;
- This applicant and current family use only;
- If the property is sold to another party, or the applicant or their family cease the second house's use, then second house shall be converted to a storage building;
- Second house not to be used as a rental unit;
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- Department of Transportation comments and recommendations.

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 #: L 012-18

PC Hearing Date: 6-3-14

BOC Hearing Date: 6-17-14

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

1. Number of unrelated adults in the house? _____
2. Number of related adults in the house? 1
3. Number of vehicles parked on the driveway? 3
4. Number of vehicles parked in garage? 0
5. Number of vehicles parked on the street? 0
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): _____
8. Length of time requested (24 months maximum):
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):

COBB COUNTY ZONING DIVISION
2014 APR -3 PM 12:53
COBB COUNTY GEORGIA
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Applicant signature: Willie (Windy) Abernathy Date: 3-20-14

Applicant name (printed): Willie (Windy) Abernathy

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 _____