

APPLICANT: Top of the Line Residential Care
PHONE#: (770) 943-8277 **EMAIL:** topoftheline@bellsouth.net
REPRESENTATIVE: Edith M. Page
PHONE#: (770) 335-2246 **EMAIL:** topoftheline@bellsouth.net
TITLEHOLDER: Edith Page

PETITION NO: LUP-26
HEARING DATE (PC): 08-05-14
HEARING DATE (BOC): 08-19-14
PRESENT ZONING: R-20

PROPERTY LOCATION: Southwest side of Meadows Road,
southeast of Lewis Road, and southwest of C.H. James Parkway
(4712 Meadows Road).

PROPOSED ZONING: Land Use Permit
(Renewal)

ACCESS TO PROPERTY: Meadows Road

PROPOSED USE: Group Home

PHYSICAL CHARACTERISTICS TO SITE: Existing single-family
house

SIZE OF TRACT: 3.82 acres

DISTRICT: 19

LAND LOT(S): 1097, 1124

PARCEL(S): 9

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/Single-family House and Church
- SOUTH:** R-20/Single-family House
- EAST:** R-20/Single-family House
- WEST:** R-20/Single-family House and Pine Oaks Subdivision

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____ **REJECTED** _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

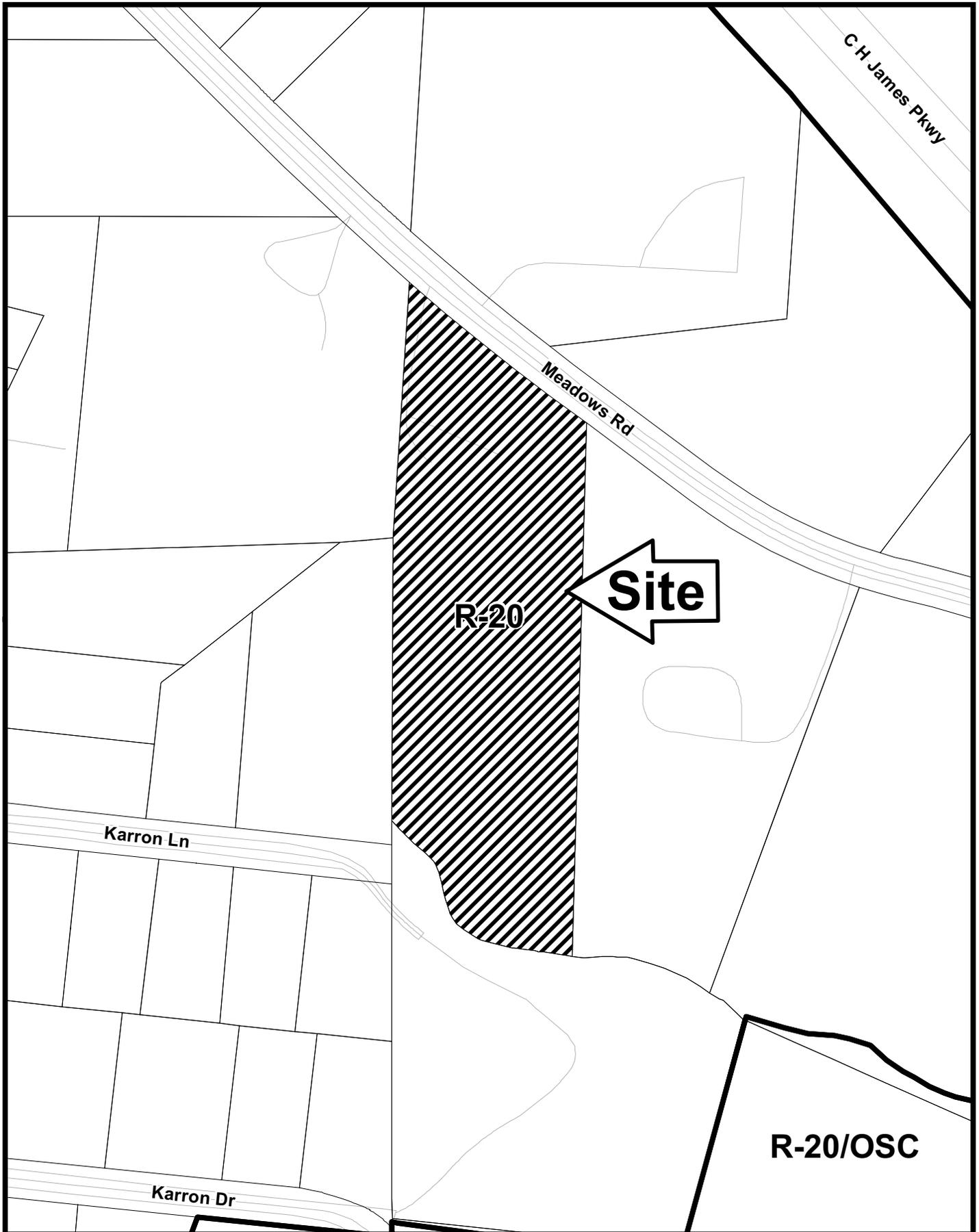
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

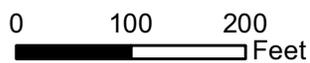
STIPULATIONS:



LUP-26



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Top of the Line Residential Care

PETITION NO.: LUP-26

PRESENT ZONING: R-20

PETITION FOR: LUP (Renewal)

ZONING COMMENTS: Staff Member Responsible: Donald Wells

Applicant is requesting the renewal of a Land Use Permit for the purpose of operating a group home for eight residents. The attached worksheet indicates a request for approval for 24 months, with annual reviews. Applicant has indicated there will be two employees, each working 12-hour shifts, seven days per week, 24 hours per day. Applicant lives in the house 50% of the time. There is a shed for storing the riding lawnmower. The house will have “nanny cams” in main living areas and outdoors for 24/7 monitoring. The house already has an active fire alarm. During the course of the year since the last renewal application was approved, applicant did comply with the comments and recommendations from the Board of Commissioners and various departments.

Historic Preservation: No comments.

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:

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.

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PRESENT ZONING: R-20

PETITION FOR: LUP

STORMWATER MANAGEMENT COMMENTS

No comment (Renewal).

STAFF RECOMMENDATIONS

LUP- 26 TOP OF THE LINE

Applicant's original application for a group home at this property was approved by the Board of Commissioners on July 17, 2012 and renewed for 12 months on July 19, 2013 (minutes attached). The Board approved the renewal with several conditions and stipulations. All previous conditions and stipulations have been met and there have not been any valid complaints received by Code Enforcement. The applicant intends to have only 2 employees or care takers that work 12 hour shifts. The home will be open 24 hours a day and 7 days a week. The maximum amount of clients will be 8 people living at the home at once. The applicant will live at the home but will only be there 50% of the time. The applicant has nanny cams throughout the living areas of the house, and is equipped with a monitored fire and burglar alarm system. Staff recommends **APPROVAL** for 24 months subject to:

- Maximum of eight residents;
- If State License is denied or revoked the Land Use Permit will be revoke;
- If any complaints are found valid from any law enforcement agency, then Land Use Permit will be revoked;
- Fire Department comments and recommendations; and
- Cobb DOT 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.

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Application #: WUP-26
PC Hearing Date: 8-5-14
BOC Hearing Date: 8-19-14

TEMPORARY LAND USE PERMIT WORKSHEET

1. Type of business? PERSONAL CARE HOME / ADULT DAY HOME
2. Number of employees? 2 PERSONS, EACH w/ 12 HR SHIFTS
3. Days of operation? 7 days A WEEK
4. Hours of operation? 24 HOURS A DAY
5. Number of clients, customers, or sales persons coming to the house per day? 8 clients ; Per week? 17 days
6. Where do clients, customers and/or employees park?
Driveway: X ; Street: _____ ; Other (Explain): PLENTY OF PAVED PARKING
NO PARKING IN FIRE LANE OR ON THE STREET
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.): NONE
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.)
10. Does the applicant live in the house? Yes X - 50% ; No _____
11. Any outdoor storage? No _____ ; Yes X (If yes, please state what is kept outside): SHED ALREADY EXIST w/ RIDING LAWN MOWER
12. Length of time requested: 24 months w/ ANNUAL REVIEW
13. Any additional information? (Please attach additional information if needed):
WE WILL HAVE CAMERAS IN MAIN LIVING AREAS OF THE HOME "NANNIE CAM" AND OUTDOORS, MOUNTED 24/7, ALSO HAVE FIRE BURGLAR ALARM ALREADY ACTIVE
Applicant signature: Edith M Page Date: _____
Applicant name (printed): Edith M Page

ORIGINAL DATE OF APPLICATION: 07-16-13APPLICANTS NAME: TOP OF THE LINETHE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 07-16-13 ZONING HEARING:**

TOP OF THE LINE (Edith Page, owner) requesting a **Land Use Permit (Renewal)** for the purpose of a Group Home For Eight Residents in Land Lots 1097 and 1124 of the 19th District. Located on the southwest side of Meadows Road, southeast of Lewis Road, and southwest of C. H. James Parkway (4712 Meadows Road).

The public hearing was opened and Ms. Edith Page addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Cupid, second by Birrell, to **approve** Land Use Permit for **12 months** subject to:

- **Maximum of eight residents**
- **Applicant to report in writing with proof of delivery to manager of the Zoning Division within 30 days of any convictions, plea agreements, diversion agreements, or other similar agreements entered into by Edith Page, Oswaldo Hernandez, Steven Caldwell, or John Mitchell relating to the events of January 16 and 17, 2013. The land use permit shall automatically terminate without notice if Applicant fails to report said actions within the 30 day timeframe.**
- **Approval is contingent upon issuance of the state license; if license is denied then the land use permit will be revoked**
- **Approval is contingent upon outcome of criminal investigation, if Applicant is convicted the land use permit will be suspended and Applicant would come before the Board of Commissioners in a show cause hearing to determine if license should be revoked**
- **Fire Department comments and recommendation**
- **Cobb DOT comments and recommendations**

VOTE: **ADOPTED** unanimously