

I have this date, examined the "FIA OFFICAL FLOOD HAZARD MAP" and found referenced lot (IS NOT) in an area having special flood hazards.

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

**J. A. EVANS**  
SURVEYING CO., INC.  
SMYRNA, GEORGIA  
PH. 435-7155

SURVEY FOR	
GEORGIA FEDERAL BANK, FSR.	
PROPERTY OF	
RUSSELL R. RICHARDS	
AND	
SHIRLEY R. RICHARDS	
LOT 2 BLOCK	REVISIONS
STAGS RUN EAST	
PLAT BOOK 02 PAGE 101	
LAND LOT 415	
DISTRICT - 16 <sup>TH</sup> 2 <sup>ND</sup> SECTION	CC
COUNTY - COBD	DRAWN CRS
STATE - GEORGIA	CRD
DATE: 3-26-86	JOB NO.
SCALE: 1" = 40'	96986



**APPLICANT:** Christina Marie and Rayford Clinton Kennedy Jr.

**PHONE#:** 770-565-7839 **EMAIL:** rkennedy.232@gmail.com

**REPRESENTATIVE:** Christina Marie Kennedy

**PHONE#:** 404-207-0141 **EMAIL:** rkennedy.232@gmail.com

**TITLEHOLDER:** Rayford C. Kennedy, Jr.

Christina Marie Kennedy

**PROPERTY LOCATION:** North side of Fawn Trail, south of

Ebenezer Road

(3276 Fawn Trail).

**ACCESS TO PROPERTY:** Fawn Trail

**PHYSICAL CHARACTERISTICS TO SITE:** Existing house

**PETITION NO:** LUP- 3

**HEARING DATE (PC):** 02-03-15

**HEARING DATE (BOC):** 02-17-15

**PRESENT ZONING:** R-20

**PROPOSED ZONING:** Land Use Permit

**PROPOSED USE:** Allowing More Adults and More Vehicles Than County Code Permits

**SIZE OF TRACT:** 0.6 acre

**DISTRICT:** 16

**LAND LOT(S):** 415

**PARCEL(S):** 21

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

**COMMISSION DISTRICT:** 3

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-20/ Single family houses
- SOUTH:** R-20/ Stags Run East subdivision
- EAST:** R-20/ Stags Run East subdivision
- WEST:** R-20/ Stags Run East subdivision

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

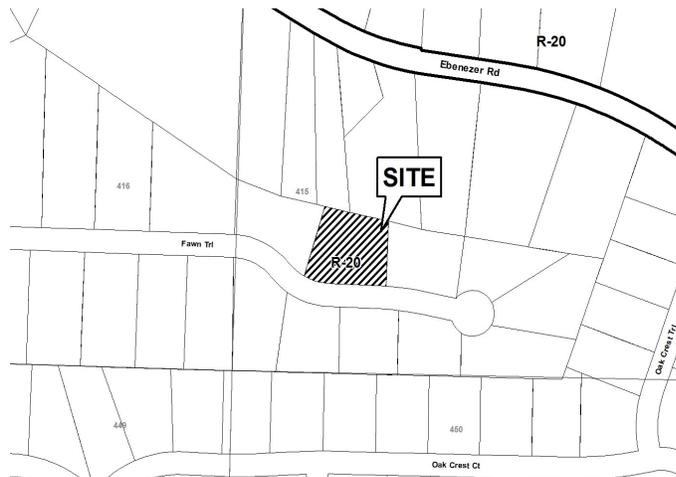
**BOARD OF COMMISSIONERS DECISION**

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

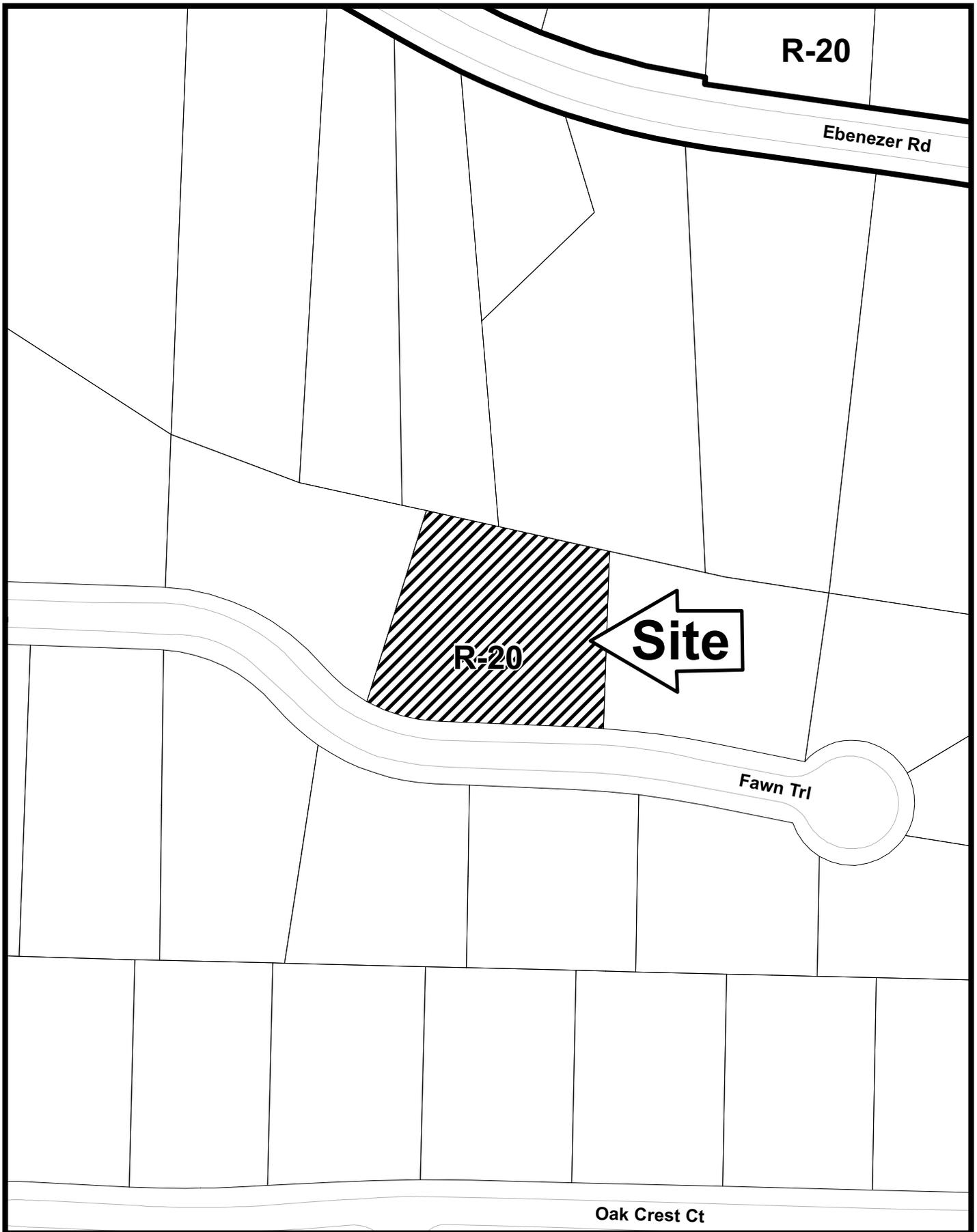
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

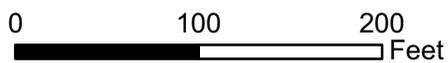
**STIPULATIONS:**



# LUP-3



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Christina Marie and Rayford Clinton Kennedy Jr. **PETITION NO.:** LUP-3

**PRESENT ZONING:** R-20 **PETITION FOR:** LUP

\*\*\*\*\*

**ZONING COMMENTS:** Staff Member Responsible: John P. Pederson

The applicant is applying for a Land Use Permit to allow a total of six vehicles on the property in lieu of the five vehicles allowed by county code. Also, five vehicles would be parked outside of a garage or carport in lieu of the maximum of three vehicles parked outside. Lastly, the applicant is asking for a maximum of six related adults in the house in lieu of the maximum number of five related adults. There are not any unrelated adults living at the home. The applicant intends to park one vehicle in the garage and park five vehicles in the driveway. According to the Cobb County Tax Assessor records, the applicant has 2,268 square feet of total living space in the house. This application is the result of a Code Enforcement complaint. The applicant is requesting approval for 24 months.

**Historic Preservation:** No comments.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**WATER & SEWER COMMENTS:**

Property is served by public water and sewer. No comments.

\*\*\*\*\*

**TRAFFIC COMMENTS:**

Recommend no parking on the right-of-way.

\*\*\*\*\*

**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: Christina Marie & Rayford Clinton Kennedy Jr PETITION NO.: LUP-3**

**PRESENT ZONING: R-20**

**PETITION FOR: LUP**

\*\*\*\*\*

<b>STORMWATER MANAGEMENT COMMENTS</b>
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No comments.

## STAFF RECOMMENDATIONS

### LUP-3      CHRISTINA MARIE AND RAYFORD CLINTON KENNEDY, JR.

The applicant is applying for a Land Use Permit to allow five vehicles parked outside of a garage or carport. The code only allows for a maximum of the three vehicles parked outside of a garage or carport for properties located in the R-20 zoning district. The Department of Transportation would not recommend parking on the Right of Way. The applicant will not have any unrelated adults living at the home. The applicant intends to have six related adults live at the home instead of the code maximum of five related adults. The applicant intends to have one vehicle parked in the garage with the other five vehicles parking in the driveway. The property is zoned R-20 and totally surrounded by residentially zoned property. The property is located within a Low Density Residential (LDR) category on the *Cobb County Comprehensive Plan*, which is intended for low intensity residential use. Approval of the request could encourage other requests that are more intensive uses. This application is the result of a Code Enforcement complaint. There are twelve criteria that must be considered for a Temporary Land Use Permit. The criteria are below in italics, with the Staff analysis following in bold.

- (1) *Safety, health, welfare and moral concerns involving the surrounding neighborhood.*  
**This applicant was the result of a complaint due to vehicle parked on the grass, the number of people living in the house and litter in the yard. The use and condition of the property has adversely affected the surrounding neighborhood.**
  
- (2) *Parking and traffic considerations.*  
**According to the Code Enforcement records, there were up to eight vehicles parked on the grass and driveway on the weekends and some nights. The code only allows three vehicles parked outside on a hardened treated surface.**
  
- (3) *Number of nonrelated employees.*  
**Not applicable.**
  
- (4) *Number of commercial and business deliveries.*  
**Not applicable.**
  
- (5) *The general presumption of the board of commissioners that residential neighborhoods should not allow noncompatible business uses.*  
**Not applicable.**
  
- (6) *Compatibility of the business use to the neighborhood.*  
**Not applicable.**
  
- (7) *Hours of operation.*  
**The activity on this property has been so disruptive to the neighbors on the weekends and at night that a complaint was made to Code Enforcement.**
  
- (8) *Existing business uses in the vicinity.*  
**There are not any adjacent of adjoining properties that have caused this type of problem.**

(Continued on the next page)

*(9) Effect on property values of surrounding property.*

**The three items from the initial Code Enforcement complaint could have a negative effect on property values. Having a multitude of cars parked on a property starts to erode the low intensity character of a residential neighborhood.**

*(10) Circumstances surrounding neighborhood complaints.*

**The use of the property has caused a complaint to Code Enforcement.**

*(11) Intensity of the proposed business use.*

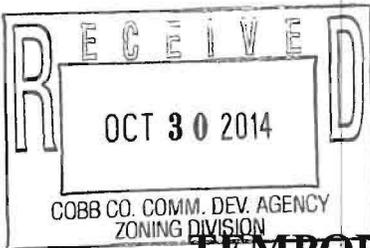
**Not applicable.**

*(12) Location of the use within the neighborhood.*

**The proposal is located well within a platted subdivision and is surrounded by residential uses. The number of vehicles parked on the property is very visible to the neighbors.**

Based on the above analysis and strict interpretation of the code, Staff recommends **DENIAL** of the application.

**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-3  
PC Hearing Date: 2-3-15  
BOC Hearing Date: 2-17-15

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

1. Number of unrelated adults in the house? 0
2. Number of related adults in the house? 6
3. Number of vehicles parked on the driveway? 5
4. Number of vehicles parked in garage? 1
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): 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: *Christina Marie Kennedy* Date: 10/28/2014  
Rayford C. Kennedy Jr.  
 Applicant name (printed): Christina Marie Kennedy

#### ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: R-20  
 Size of house per Cobb County Tax Assessor records: 2,268 sq ft  
 Number of related adults proposed: 6 Number permitted by code: 5  
 Number of unrelated adults proposed: 0 Number permitted by code: 1  
 Number of vehicles proposed: 6 Number permitted by code: 5  
 Number of vehicles proposed to be parked outside: 5 Number of vehicles permitted 3

Outside



Cobb County...Expect the Best!

COBB COUNTY CODE ENFORCEMENT
CASE SYNOPSIS

Re
10/9/2014

LUP-3 (2015)
Code Enforcement
Complaint

CASE #: CODE-2014-08103 OPEN DATE: 10/3/2014
COMPLAINANT: PHONE #:

DESCRIPTION: dwelling /unit and 8 vehicle parking on grass and d/w.
best time to see the cars on weekend and night

PRIMARY ADDRESS: 3276 FAWN TRL MARIETTA, GA 30066
OWNER ADDRESS: KENNEDY RAYFORD C JR & CHRISTINA MARIE
3276 FAWN TRL
MARIETTA, GA 30066

Table with 4 columns: Inspection/Activity Date, Inspection/Activity Type, Status, Comments. Contains two rows of inspection data.



Cobb County...Expect the Best!

## COBB COUNTY CODE ENFORCEMENT CASE SYNOPSIS

Rep  
10/9/2014

LUP-3 (2015)  
Code Enforcement  
Complaint

Inspection/Activity Date	Inspection/Activity Type	Status	Comments
10/06/2014	Case Details		2268 SQFT IN R-20 ALLOWS FOR 5/5/3. 5 VEHICLES ON PROPERTY UPON MY ARRIVAL: WHITE FORD P/U, BLACK ACURA, RED FORD EXPLORER IN DRIVEWAY, SILVER FORD ESCAPE IN DRIVEWAY, BLACK JEEP LIBERTY HALF ON LAWN/STREET. SPOKE WITH OWNER'S DAUGHTER, CATHERINE KENNEDY, WHO STATED THERE WERE 8 ADULTS, INCLUDING 2 UNRELATED LIVING IN HOUSE. EXPLAINED OPTION FOR A LUP AND LEFT NOTICE AND SFD DOCUMENTS WITH HER. BAG OF LITTER ON FRONT LAWN. PLACED ON NOTICE FOR SFD, PS, AND LITTER. DH