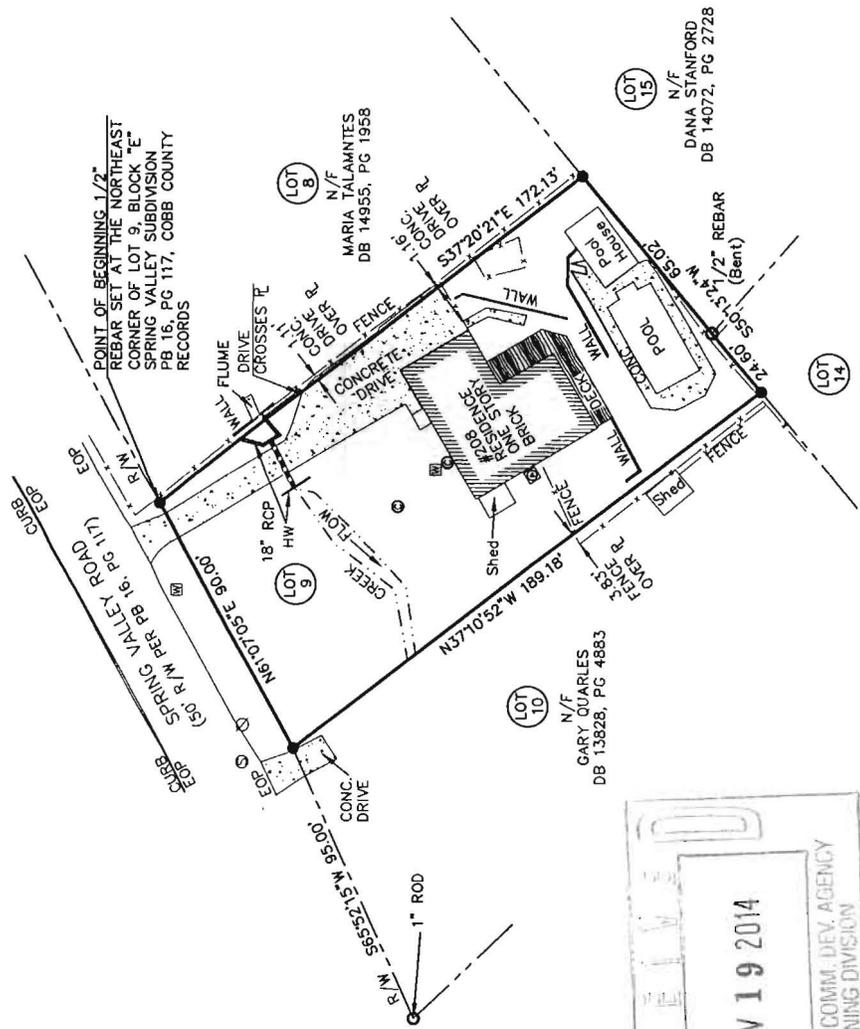


- LEGEND:**
- PROPERTY CORNER FOUND (AS NOTED)
 - 1/2" REBAR WITH CAP SET LSF# 839
 - R/W MONUMENT
 - ▲ FIRE HYDRANT
 - ⊠ WATER METER
 - ⊠ WATER VALVE
 - ⊠ POWER POLE
 - ⊠ LIGHT POLE
 - ⊠ POWER/LIGHT POLE
 - < GUY WIRE
 - ⊠ POWER METER
 - ⊠ POWER BOX
 - ⊠ A/C UNIT
 - ⊠ MANHOLE
 - ⊠ CLEAN OUT
 - ⊠ CATCH BASIN
 - ⊠ JUNCTION BOX
 - ⊠ OUTFLOW STRUCTURE
 - ⊠ DRAINAGE INLET
 - ⊠ GAS METER
 - ⊠ GAS VALVE
 - ⊠ CABLE BOX
 - ⊠ TELEPHONE BOX
 - ⊠ SIGNAL CONTROL BOX
 - △ SIGN
 - W- WATER LINE
 - U- OVERHEAD UTILITY LINE
 - S- SEWER LINE
 - G- GAS LINE
 - C- CABLE LINE
 - T- TELEPHONE LINE
 - X- FENCE LINE
 - 820- CONTOUR LINE
 - BSL BUILDING SETBACK LINE
 - CONC. CONCRETE
 - EDP EDGE OF PAVEMENT
 - LL. LAND LOT
 - N/F NOW OR FORMERLY P/L PROPERTY LINE
 - R/W RIGHT-OF-WAY
 - D.E. DRAINAGE EASEMENT
 - O.H. OVERHANG
 - CNT CANTILEVER
 - DB DEED BOOK
 - PB PLAT BOOK
 - PG PAGE
 - R. PROPERTY LINE



RECEIVED
 NOV 19 2014
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION

THIS SURVEY WAS PREPARED IN CONFORMITY 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.

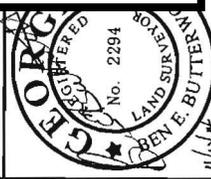
LOY HOWARD JONES
N/F
DB 14303, PG 4567

BOUNDARY SURVEY

PREPARED FOR: JOSE GARCIA
 LOT 9, BLOCK E, SPRING VALLEY
 SUBDIVISION,
 LAND LOT 277, 17TH DISTRICT
 COBB COUNTY, GEORGIA - 11/10/14

MAGNETIC NORTH
SCALE: 1"=40'

LUP-4
(2015)



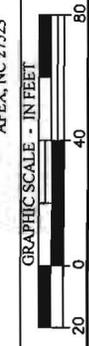
FOR THE FIRM
 BOUNDARY ZONE, INC.
 LSF #839
 NOT VALID WITHOUT
 ORIGINAL SIGNATURE

PROJECT
 1562201

SHEET
 1 OF 1

BOUNDARY ZONE, INC.
 LAND SURVEYING SERVICES
 WWW.BOUNDARYZONE.COM
 (770) 271-5772 / (919) 363-9226

4195 SOUTH LEE STREET
 SUITE 1,
 BUFORD, GA 30518
 235 PEACHTREE STREET NE
 SUITE 400,
 ATLANTA, GA 30303
 2205-C CANDLUN DRIVE
 APEX, NC 27523



TOTAL AREA: 0.370 ACRES / 16,131 SQUARE FEET
 BOUNDARY REFERENCE: DEED BOOK 14723, PAGE 3316, PLAT BOOK 16, PAGE 117
 FIELDWORK PERFORMED ON 10/31/14
 THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 941,007 FEET.
 THIS PLAT HAS BEEN PREPARED USING A TRIMBLE 5603 ROBOTIC TOTAL STATION.
 THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 32,367 FEET, AND AN ANGULAR ERROR OF 0.5 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.
 THIS DRAWING AND ITS REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.
 © COPYRIGHT 2014 - BOUNDARY ZONE, INC.

APPLICANT: Jose Garcia
PHONE#: 404-915-6917 **EMAIL:** ariana.sanchezgarcia@yahoo.com
REPRESENTATIVE: Ariana Sanchez-Garcia
PHONE#: 404-915-6917 **EMAIL:** ariana.sanchezgarcia@yahoo.com
TITLEHOLDER: Jose Garcia

PETITION NO: LUP- 4
HEARING DATE (PC): 02-03-15
HEARING DATE (BOC): 02-17-15
PRESENT ZONING: R-20

PROPERTY LOCATION: South side of Spring Valley Road, west of South Cobb Drive
(208 Spring Valley Road)
ACCESS TO PROPERTY: Spring Valley Road

PROPOSED ZONING: Land Use Permit
PROPOSED USE: Allowing More Vehicles than County Code Permits

PHYSICAL CHARACTERISTICS TO SITE: Existing single-family house

SIZE OF TRACT: 0.37 acre
DISTRICT: 17
LAND LOT(S): 277
PARCEL(S): 29
TAXES: PAID X **DUE** _____

CONTIGUOUS ZONING/DEVELOPMENT

COMMISSION DISTRICT: 4

NORTH: R-20/Spring Valley Subdivision
SOUTH: R-20/Spring Valley Subdivision
EAST: R-20/Spring Valley Subdivision
WEST: R-20/Spring Valley Subdivision

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

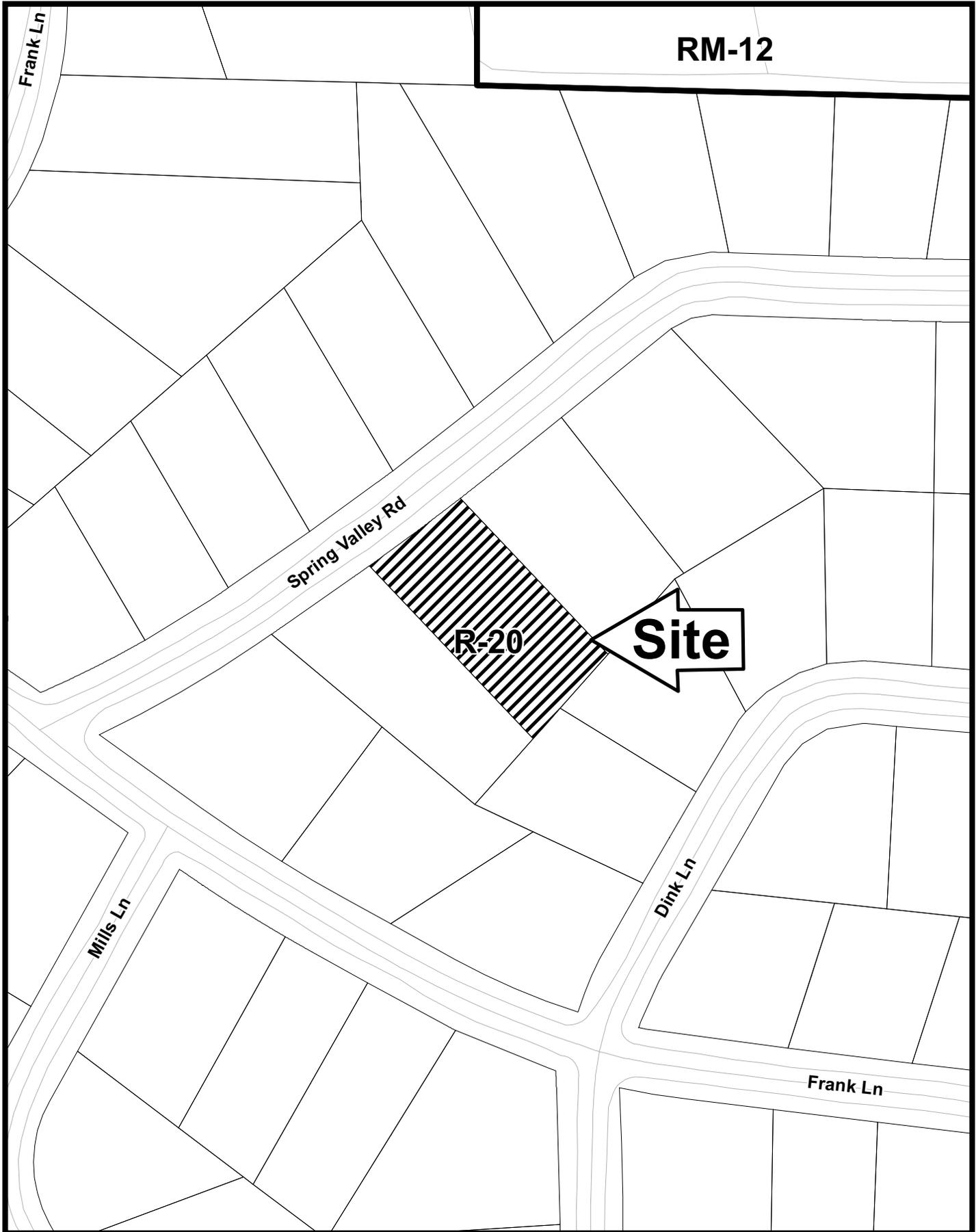
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

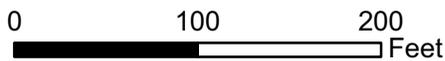
STIPULATIONS:



LUP-4



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Jose Garcia

PETITION NO.: LUP-4

PRESENT ZONING: R-20

PETITION FOR: LUP

ZONING COMMENTS: Staff Member Responsible: Jason A. Campbell

Applicant is requesting a Temporary Land Use Permit for the purpose of allowing more cars than permitted by the Zoning Ordinance. The request is to allow six vehicles at the house where four related adults live. According to the Cobb County Tax Assessor’s records, the house has 1,700 square feet of living space, which would allow four vehicles. 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: Jose Garcia

PETITION NO.: LUP-4

PRESENT ZONING: R-20

PETITION FOR: LUP

STORMWATER MANAGEMENT COMMENTS

No comments.

STAFF RECOMMENDATIONS

LUP-4 JOSE GARCIA

The applicant is requesting a Temporary Land Use Permit in order to allow six vehicles to be parked at the property. The Zoning Ordinance allows one vehicle per 390 square feet of living space. The Tax Assessor's records indicate this house is 1,700 square and this would allow four cars at the property. Only three vehicles may be parked outside of a garage or carport in the R-20 zoning category. This property is located in the middle of a platted residential subdivision and is in the Low Density Residential (LDR) land use category. 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 application is the result of a complaint regarding the number of vehicles parked outside of a garage.

- (2) *Parking and traffic considerations.*
According to the Code Enforcement records, there were too many vehicles parked outside of a garage. Based on the square footage of the house, six vehicles are allowed at the property, but only three would be permitted outside of a garage. The request is for six vehicles to be parked outside.

- (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.*
This activity is continuous and has caused a complaint to be made with the Code Enforcement Division.

- (8) *Existing business uses in the vicinity.*
There are no known problems of this nature with adjacent or adjoining properties.

- (9) *Effect on property values of surrounding property.*
Having more cars parked outside than permitted by the Zoning Ordinance will start to diminish the low intensity character of a residential neighborhood.

CONTINUED ON NEXT PAGE

LUP-4 JOSE GARCIA (Continued)

(10)Circumstances surrounding neighborhood complaints.

The number of vehicles parked outside at this residence has resulted in a complaint to the Code Enforcement Division.

(11)Intensity of the proposed business use.

Not applicable.

(12)Location of the use within the neighborhood.

The proposal is located 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 ordinance, 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-4
 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? 4
3. Number of vehicles parked on the driveway? 0
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): 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: Jose R Garcia Date: 11-17-14

Applicant name (printed): Jose R. Garcia

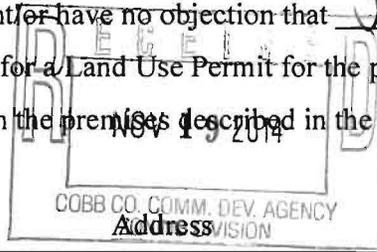
ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: R-20
 Size of house per Cobb County Tax Assessor records: 1,700 sq ft
 Number of related adults proposed: 4 Number permitted by code: 4
 Number of unrelated adults proposed: 0 Number permitted by code: 1
 Number of vehicles proposed: 6 Number permitted by code: 4
 Number of vehicles proposed to be parked outside: 6 Number of vehicles permitted 3
Outside

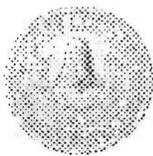
CONSENT OF CONTIGUOUS OCCUPANTS OR LAND OWNERS

TO ACCOMPANY APPLICATION FOR LAND USE PERMIT

By signature, it is hereby acknowledged that I give my consent or have no objection that Jose R Garcia intends to make an application for a Land Use Permit for the purpose of _____ on the premises described in the application.



Signature	Printed name	Address
Handwritten signature	Fernando Maspueda	207 Spring Valley Rd Marietta GA
Handwritten signature	Ruben Guzman	205 Spring Valley Rd Marietta Ga
Juan A Gonzalez	Juan A Gonzalez	211 Spring Valley Rd Marietta GA
Maria Godinez	Clance Godinez	215 Spring Valley Rd Marietta GA
Juan Rodriguez	Juan Rodriguez	216 Spring Valley R. Marietta GA
Rubio Perez	Pablo Perez	212 Spring Valley R. Marietta GA
Claudia Galarraga	claudia Galarraga	203 Spring Valley Rd Marietta Ga
8.		
9.		
10.		
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16.		
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18.		
19.		
20.		



**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



Notice of Violation

Violation Number: CODE-2014-00423

Date: 1/31/2014

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

<u>208 SPRING VALLEY RD</u>	<u>MARIETTA, GA 30060</u>	<u>17</u>	<u>0277</u>	<u>029</u>	<u>R-20</u>
(Address)	(City/State/Zip)	(Dist)	(Land Lot)	(Par)	(Zoning)

and/or GARCIA JOSE B (208 SPRING VALLEY RD MARIETTA, GA 30060-4924)

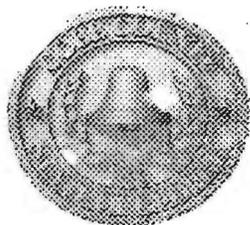
may be in violation of the Official Code of Cobb County, Georgia. You have 10 days to bring the violation(s) into compliance. An inspection will be made on or about 10 days from January 31, 2014. Failure to comply could result in a citation being issued for you to appear in the Cobb County Magistrate Court, and you may be subject to a fine, imprisonment or both.

<u>Violation</u>	<u>Code Section</u>	<u>Requirement for Compliance</u>
PERMITTED USE/SINGLE FAMILY DWELLING	134-197 (3)	Must comply with all requirements in the attached definition of dwelling unit. see attached
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.

C PICKETT
Inspector

(770) 528-2112
Telephone

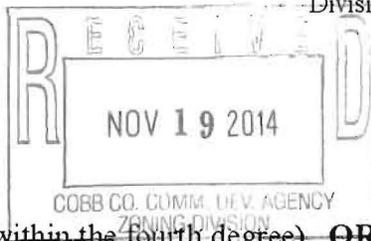
Land use permit 770 528-2045



COBB COUNTY COMMUNITY DEVELOPMENT AGENCY

Code Enforcement Division
1150 Powder Springs St, Ste 400
Marietta, Georgia 30064
(770) 528-2180 fax (770) 528-2092

Jerry Lanham
Division Manager



Incident Number:

Follow the attached ordinances – One family (~~within the fourth degree~~) **OR** two or fewer unrelated adults may occupy a single-family residence. There must be at least 390 square feet of total building square footage for each related adult occupant and each vehicle regularly parked at the residence.

The tax records for this property show 1700 square feet which allows for 4 related adults or two or fewer unrelated adults; and 4 vehicles to be regularly parked at this residence however only 3 vehicles may be regularly parked outside of the garage area.

Please provide a notarized statement within the next 10 days stating how many adults reside at this residence, and how they are related. Additionally, please state the vehicles that are regularly parked at this residence.

Section 134-1 DEFINITIONS

Adult means any person over the age of 18 years old or legally emancipated in the State of Georgia

Family means two or more persons related by blood, legal adoption, or marriage, occupying a dwelling. Related means persons are all related to each other within the fourth degree, as defined in O.C.G.A. § 53-2-1, which includes parents, children, grandparents, grandchildren, brothers and sisters. State of Georgia authorized foster children of a family member shall also be deemed a member of the family for this purpose

Single-family dwelling unit. A single-family dwelling unit consists of one or more rooms which are arranged, designed or used as living quarters for one family or two or fewer unrelated adults and their children and/or grandchildren.

- (1) A single-family dwelling unit shall have an interior bathroom and complete kitchen facilities, permanently installed.
- (2) A single-family dwelling unit shall have at least 390 square feet of living building square footage (as determined and maintained in the records of the Cobb County Tax Assessor) per each adult occupant.

(3) No more than one vehicle per 390 square feet of living building square footage may be parked regularly overnight on the property upon which the single-family dwelling unit exists. Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of three or less (of the total) parked outside of a garage, carport or the like for properties zoned RA-5, R-15 and R-20. Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of four or less (of the total) parked outside of a garage, carport or the like for properties zoned R-30 and R-40. Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of five or less (of the total) parked outside of a garage, carport or the like for properties zoned R-80 and RR. This includes vehicles parked within the right-of-way adjacent to a dwelling unit. "Regularly" means a majority of nights in any seven-day period.

Exceptions to subparagraphs (2) and (3) may be considered as part of a land use permit processed in accordance with section 134-36

