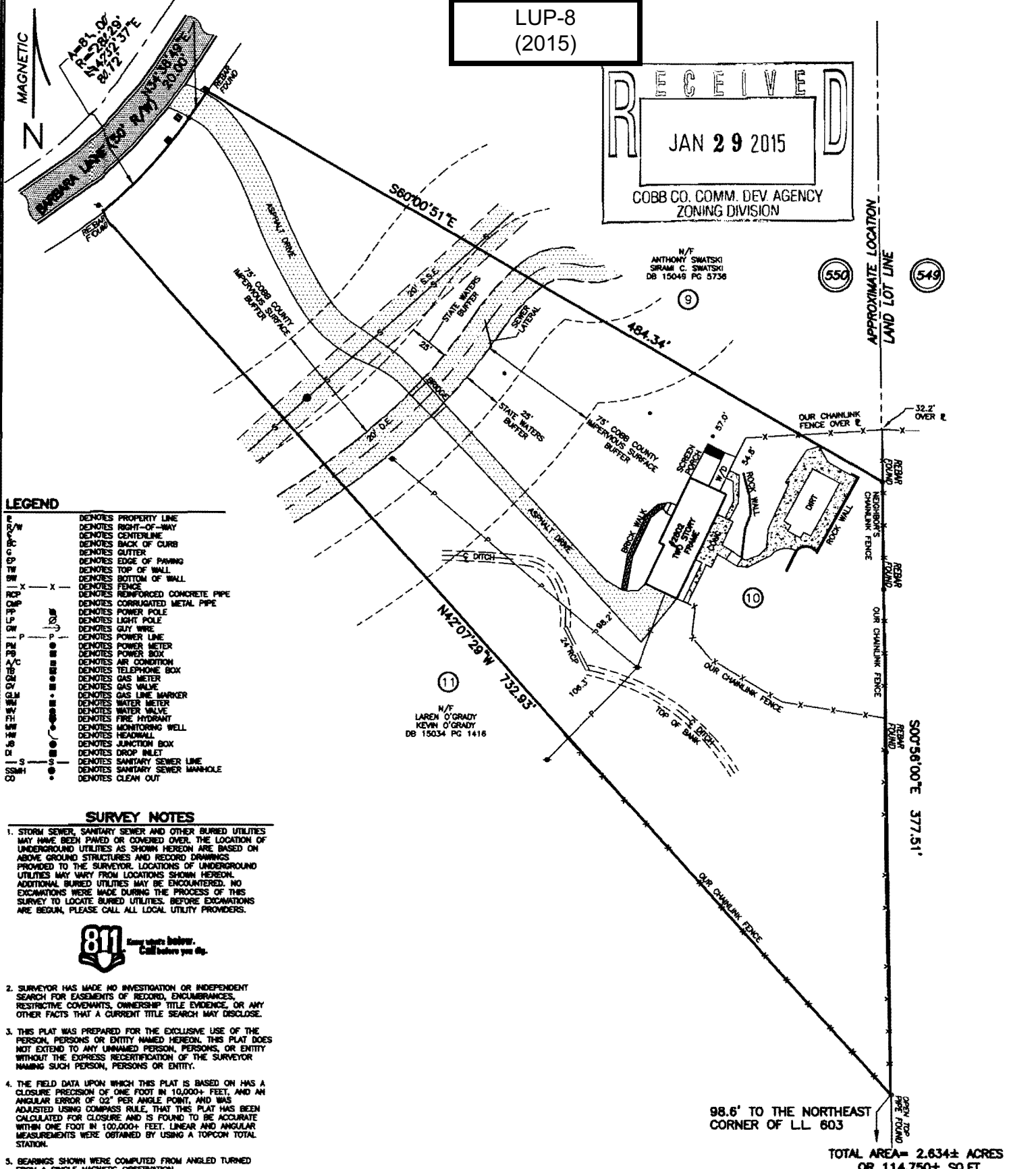


LUP-8  
(2015)

RECEIVED  
JAN 29 2015  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



**LEGEND**

—	DENOTES PROPERTY LINE
- - -	DENOTES RIGHT-OF-WAY
—+—	DENOTES CENTERLINE
-·-·-	DENOTES BACK OF CURB
—x—	DENOTES GUTTER
-·-·-	DENOTES EDGE OF PAVING
—x—	DENOTES TOP OF WALL
-·-·-	DENOTES BOTTOM OF WALL
—x—	DENOTES FENCE
—x—	DENOTES REINFORCED CONCRETE PIPE
—x—	DENOTES CORRUGATED METAL PIPE
—x—	DENOTES POWER POLE
—x—	DENOTES LIGHT POLE
—x—	DENOTES GUY WIRE
—x—	DENOTES POWER LINE
—x—	DENOTES POWER METER
—x—	DENOTES POWER BOX
—x—	DENOTES AIR CONDITION
—x—	DENOTES TELEPHONE BOX
—x—	DENOTES GAS METER
—x—	DENOTES GAS VALVE
—x—	DENOTES GAS LINE MARKER
—x—	DENOTES WATER METER
—x—	DENOTES WATER VALVE
—x—	DENOTES FIRE HYDRANT
—x—	DENOTES MONITORING WELL
—x—	DENOTES HEADWALL
—x—	DENOTES JUNCTION BOX
—x—	DENOTES DROP INLET
—x—	DENOTES SANITARY SEWER LINE
—x—	DENOTES SANITARY SEWER MANHOLE
—x—	DENOTES CLEAN OUT

**SURVEY NOTES**

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, PLEASE CALL ALL LOCAL UTILITY PROVIDERS.



2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS REIDENTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED ON HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET, AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE. THAT THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
5. BEARINGS SHOWN WERE COMPUTED FROM ANGLED TURNED FROM A SINGLE MAGNETIC OBSERVATION.
6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
7. THIS PLAT IS NOT INTENDED FOR RECORDING.

8. THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. FOR MORE ACCURATE INFORMATION, A SECOND OPINION OF THE APPLICABLE FLOOD HAZARD AREA IS RECOMMENDED. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AN INSURANCE COMPANY OR APPRAISER.
9. THE EXISTENCE, SIZE, AND LOCATION OF IMPERVIOUS BUFFERS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.

**REFERENCE MATERIAL**

1. WARRANTY DEED IN FAVOR OF PATRICK COOK AND KATHERINE COOK DEED BOOK 14983 PAGE 1908 COBB COUNTY, GEORGIA RECORDS



No.	Revision	Date

**McLUNG SURVEYING SERVICES, INC.**  
4833 South Cobb Drive Suite 200  
Smyrna, Georgia 30080 (770) 434-3383  
Certificate of Authorization #LSF000732

This property is located in a Federal Flood Area as indicated by F.I.R.M. Official Flood Hazard Maps.  
Zone "A"

*In my opinion this plat is a correct representation of the land platted.*

Michael R. Nokes  
Georgia RLS #2646  
Member SAMSOG  
JOB#238448

TOTAL AREA= 2.834± ACRES  
OR 114,750± SQ.FT.  
2802 BARBARA LANE  
MARIETTA, GEORGIA

SURVEY FOR  
**PATRICK COOK**

**LOT 10  
BARBARA ESTATES  
EXTENSION NO. ONE**

LAND LOT 550  
DISTRICT 16TH, 2ND SECTION  
COBB COUNTY  
GEORGIA

PLAT PREPARED: 1-27-15  
FIELD: 1-20-15 SCALE: 1"=40'

**APPLICANT:** Patrick Cook  
**PHONE#:** (678) 558-9533 **EMAIL:** citizenssquaremusic@yahoo.com  
**REPRESENTATIVE:** Patrick Cook  
**PHONE#:** (678) 558-9533 **EMAIL:** citizenssquaremusic@yahoo.com  
**TITLEHOLDER:** Patrick Cook and Katherine Cook

**PETITION NO:** LUP-8  
**HEARING DATE (PC):** 04-07-15  
**HEARING DATE (BOC):** 04-21-15  
**PRESENT ZONING:** R-20

**PROPERTY LOCATION:** Southeast side of Barbara Lane, east of  
Timbermill Drive  
(2802 Barbara Lane).

**PROPOSED ZONING:** Land Use Permit

**ACCESS TO PROPERTY:** Barbara Lane

**PROPOSED USE:** Small Arms Reloading

**PHYSICAL CHARACTERISTICS TO SITE:** Single Family Home

**SIZE OF TRACT:** 2.634 acres

**DISTRICT:** 16

**LAND LOT(S):** 550

**PARCEL(S):** 27

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

**COMMISSION DISTRICT:** 3

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-20/ Barbara Estates
- SOUTH:** R-20/ Barbara Estates
- EAST:** R-15/Timber Bluff
- WEST:** R-20/ Barbara Estates

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

**BOARD OF COMMISSIONERS DECISION**

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

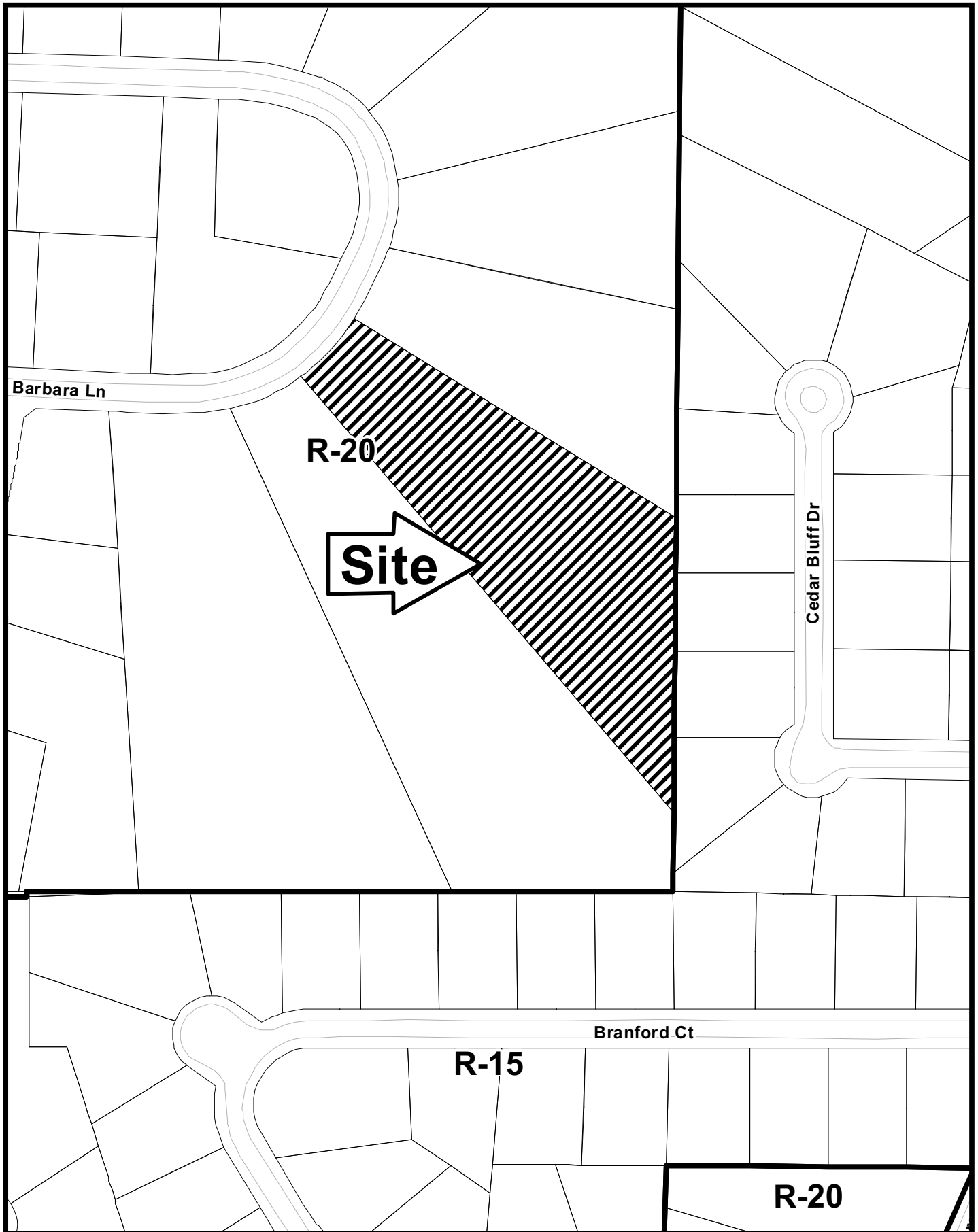
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

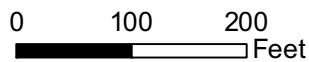
**STIPULATIONS:**



# LUP-8



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



City Boundary  
Zoning Boundary

**APPLICANT:** Patrick Cook

**PETITION NO.:** LUP-8

**PRESENT ZONING:** R-20

**PETITION FOR:** LUP

\*\*\*\*\*

**ZONING COMMENTS:** Staff Member Responsible: Donald Wells

The applicant has filed a request for a Temporary Land Use Permit (LUP) in order to operate a firearm ammunition manufacturing and reloading business from his home. The business proposed is owner-operated and no other employees are involved. There are no clients, customers, etc. expected to come to the house. The applicant will have no signs on the property but anticipates the possibility of one (1) delivery per week including regular USPS postal deliveries. The applicant requests 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.

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: Patrick Cook**

**PETITION NO.: LUP-8**

**PRESENT ZONING: R-20**

**PETITION FOR: LUP**

\*\*\*\*\*

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

## STAFF RECOMMENDATIONS

### LUP-8      PATRICK COOK

The applicant has filed a request for a Temporary Land Use Permit (LUP) in order to operate a firearm ammunition manufacturing and reloading business from his home. The business proposed is owner-operated and no other employees are involved. The applicant is required to get ATF approval, and must store and receive firearm related items at his home. There are no clients, customers, etc. expected to come to the house. The applicant will have no signs on the property but anticipates the possibility of one (1) delivery per week including regular USPS postal deliveries. The applicant has submitted consent from other neighbors for review. While the applicant is requests approval for (24) months, the property is zoned R-20 single-family residential district and located within a LDR low density residential future land use area.

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.*  
**If approved this application could potentially bring flammable materials and other ATF regulated substances to a single family neighborhood.**
- (2) *Parking and traffic considerations.*  
**There will not be any more traffic or parking than a normal single family use.**
- (3) *Number of nonrelated employees.*  
**None**
- (4) *Number of commercial and business deliveries.*  
**1 delivery per week is expected.**
- (5) *The general presumption of the board of commissioners that residential neighborhoods should not allow noncompatible business uses.*  
**The single family residential nature of neighborhoods in the County could be harmed by disruptions resulting from storage/delivery of inventory and/or materials.**
- (6) *Compatibility of the business use to the neighborhood.*  
**The inherent natures of most businesses are incompatible with neighborhoods.**
- (7) *Hours of operation.*  
**Sunday from 8:00 am- 5:00 pm.**
- (8) *Existing business uses in the vicinity.*  
**There are no known existing businesses in the area. This property is located in the middle of a platted neighborhood.**
- (9) *Effect on property values of surrounding property.*  
**The low intensity nature of this use should not have any effect on property values in the area.**

**LUP-8          PATRICK COOK (Continued)**

*(10) Circumstances surrounding neighborhood complaints.*

**This application was submitted prior to business opening.**

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

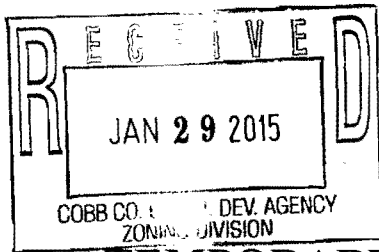
**This use could potentially increase the amount of traffic in the neighborhood due to increased deliveries.**

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

**The proposal is located well within a platted subdivision and is surrounded by residential uses.**

Based on the above analysis, and strict interpretation of the ordinance, Staff recommends **DENIAL** of the applicant's request.

**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-8  
PC Hearing Date: 4-7-15  
BOC Hearing Date: 4-21-15

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

1. Type of business, or request? SMALL ARMS AMMUNITION MANUF. / RELOADING
2. Number of employees? 0
3. Days of operation? SUNDAY
4. Hours of operation? 8AM - 5PM
5. Number of clients, customers, or sales persons coming to the house per day? 0 ; Per week? 0
6. Where do clients, customers and/or employees park?  
Driveway: \_\_\_\_\_ ; Street: \_\_\_\_\_ ; Other (Explain): N/A -  
NO CLIENTS, CUSTOMERS AND/OR EMPLOYEES ON PROPERTY
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.): N/A - 0
9. Deliveries? No \_\_\_\_\_ ; Yes  (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)  
ONE PER WEEK VIA UPS / FEDEX
10. Does the applicant live in the house? Yes  ; No \_\_\_\_\_
11. Any outdoor storage? No  ; Yes \_\_\_\_\_ (If yes, please state what is kept outside): \_\_\_\_\_
12. Length of time requested (24 months maximum): 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: Patrick D. Cook Date: 1/28/15

Applicant name (printed): PATRICK D. COOK



**\* COPY OF LETTER MAILED TO THE OCCUPANT THAT I WAS UNABLE TO MEET WITH.**

LUP-8 (2015)  
Applicant's Letter

Hello Again Neighbor!

I have been unable to touch base with you to discuss the matter described in the letter that I left in your mailbox on 1/12/2015 (attached below, for your reference). To my knowledge, you have made no attempt to contact me regarding this matter. At this point I have decided to move forward with the application process for obtaining a Temporary Land Use Permit from Cobb County.

From here, I must appear before the Planning Commission and the Board of Commissioners at two separate Zoning Hearings that are scheduled for April 7, 2015 at 9am, and April 21, 2015 at 9am. Hearings are held at 100 Cherokee Street, Marietta, GA 30060, in the second floor Commissioners Meeting Room. Feel free to attend these hearings if you wish to oppose my case. Otherwise, there is no further action required on your part. Please feel free to call me with any questions at 678-558-9533.

Thanks,

Patrick Cook

(Copy of letter left in mailbox on 1/12/2015)

**Hello Neighbor!**

***This is not a solicitation.***

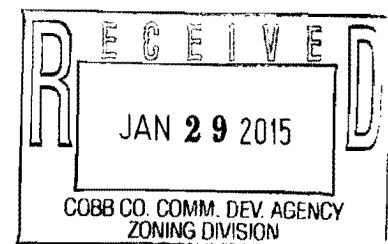
***My name is Patrick Cook and I live in the white house behind you (2802 Barbara Lane NE, Marietta, GA 30062). My family and I are starting a home-based business and I just wanted to let you know some of the details, and most importantly, why I need your involvement. Thank you for taking the time to read this!***

*I have been a firearms instructor and competitive pistol shooter for many years. As someone who shoots A LOT, I manufacture my own ammunition (known in the industry as reloading). This saves cost and allows me to customize ammunition for specific firearms/applications. For various reasons, not all competitive/recreational shooters are able to do this for themselves. Long story short, I am going to start selling some of the ammunition that I manufacture, on a small scale.*

*There are some licenses/permits that we must acquire before we are able to sell the ammunition that we produce... The first being a Temporary Land Use Permit from the Cobb County Zoning Office. This will basically give us permission to keep inventory and machinery on the property for a temporary period of time (up to 24 months), until we grow enough to obtain a more permanent, commercial location. As part of the application for this permit, we need to obtain signatures from contiguous occupants (you ☺).*

*I understand that you may have some questions or concerns about this, so I would like to address some of them now:*

- 1. Question: Will you be shooting or discharging firearms on the property?***



**Answer: Absolutely not. It is illegal to discharge a firearm on residential property in Unincorporated Cobb. All testing will be done off site. I consider myself a firearms safety advocate and would never jeopardize the safety of my family or the families of those around me.**

**2. Question: Will you be storing explosives on the property?**

**Answer: No. Modern Smokeless Gun Powder (Propellant) is classified as a Flammable Solid, and is not nearly as volatile as the black powder that you see in old westerns. Specific properties and requirements for storing smokeless powder can be found here: [http://www.saami.org/specifications\\_and\\_information/publications/download/SAAMI\\_ITEM\\_200-Smokeless\\_Powder.pdf](http://www.saami.org/specifications_and_information/publications/download/SAAMI_ITEM_200-Smokeless_Powder.pdf)**

**We will strictly adhere to all Federal and Local storage requirements.**

**3. Question: This sounds noisy...**

**Answer: Manufacturing/Reloading ammunition on a small scale does not require noisy equipment. Feel free to come by and take a look at the set up.**

**4. Question: Will there be any modification to the outside of the property?**

**Answer: No. Property value and keeping our neighborhood nice is of great concern to us. This venture will not require any visible modifications to our property.**

*I really appreciate you taking the time to read this. I will be walking around the neighborhood on Saturday, 1/17, to attempt to obtain signatures for our application (I may bring my 1 year old depending on weather ☺). If you have questions or would like me to come by at a different time, please feel free to give me a call. My cell phone number is 678-558-9533.*

*Sincerely,*

*Patrick, Katherine, and Collin Cook*