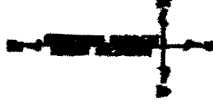
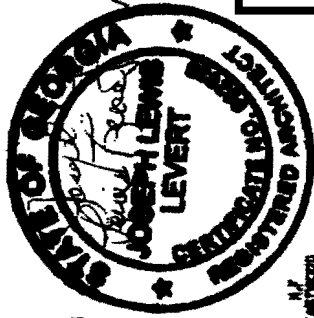
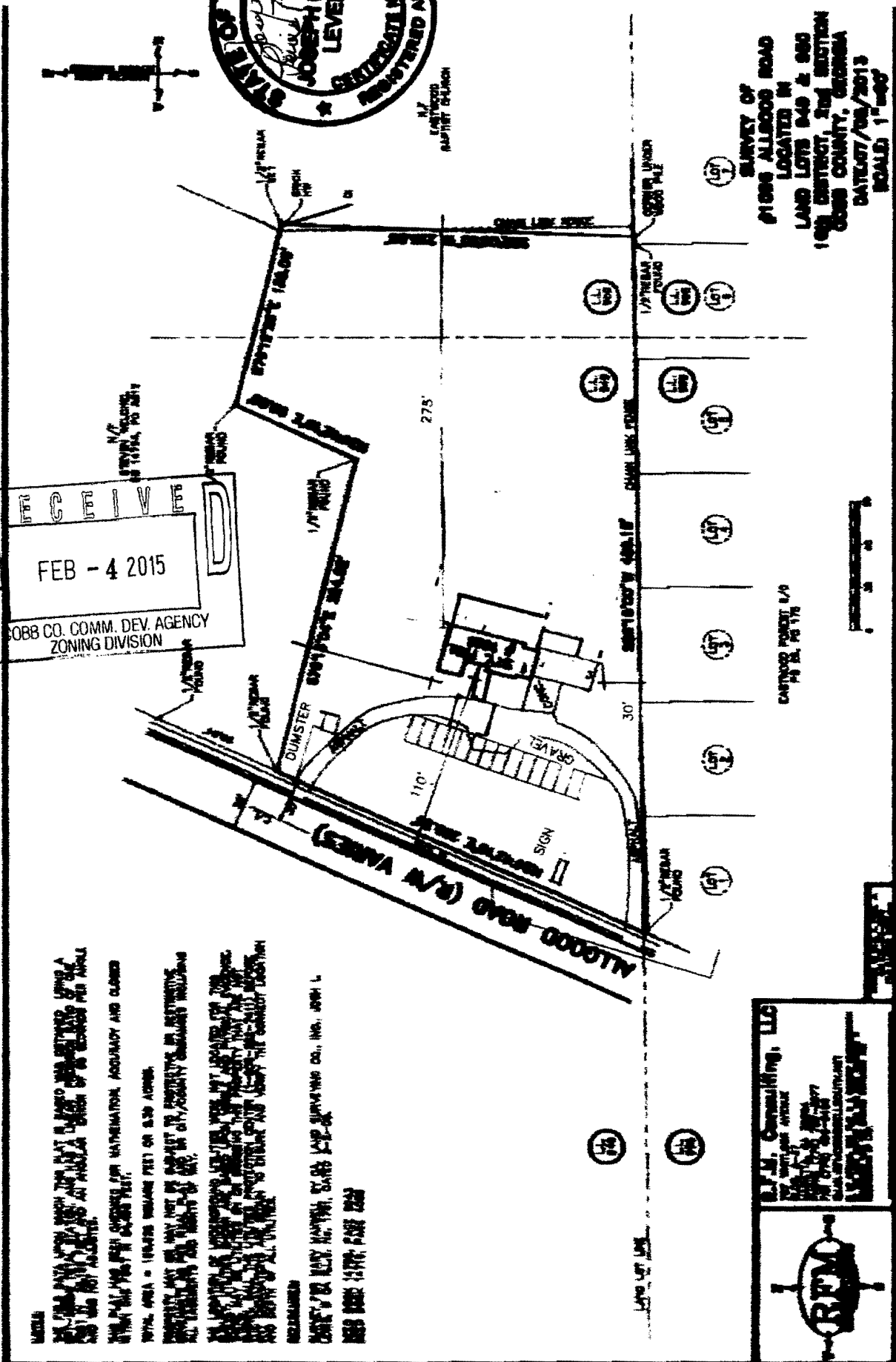


LUP-9  
(2015)



SURVEY OF  
61808 ALLEGRO ROAD  
LOCATED IN  
LAND LOTS 849 & 880  
10th DISTRICT, 3RD SECTION  
COBB COUNTY, GEORGIA  
DATE: 07/08/2013  
SCALE: 1"=40'

**RECEIVED**  
FEB - 4 2015  
COBB CO. COMM. DEV. AGENCY  
ZONING DIVISION



NOTES:  
1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACTS OF 1909 AND 1933.  
2. THE AREA SHOWN IS BASED ON THE INFORMATION PROVIDED AND IS NOT A GUARANTEE OF ACCURACY.  
3. THE AREA IS SUBJECT TO ANY AND ALL EASEMENTS, ENCUMBRANCES, AND INTERESTS.  
4. THE SURVEYOR HAS NOT CONDUCTED ANY INVESTIGATION INTO THE TITLE OR HISTORY OF THE LAND.  
5. THE SURVEYOR HAS NOT CONDUCTED ANY INVESTIGATION INTO THE EXISTENCE OF ANY AND ALL EASEMENTS, ENCUMBRANCES, AND INTERESTS.  
6. THE SURVEYOR HAS NOT CONDUCTED ANY INVESTIGATION INTO THE EXISTENCE OF ANY AND ALL EASEMENTS, ENCUMBRANCES, AND INTERESTS.  
7. THE SURVEYOR HAS NOT CONDUCTED ANY INVESTIGATION INTO THE EXISTENCE OF ANY AND ALL EASEMENTS, ENCUMBRANCES, AND INTERESTS.  
8. THE SURVEYOR HAS NOT CONDUCTED ANY INVESTIGATION INTO THE EXISTENCE OF ANY AND ALL EASEMENTS, ENCUMBRANCES, AND INTERESTS.  
9. THE SURVEYOR HAS NOT CONDUCTED ANY INVESTIGATION INTO THE EXISTENCE OF ANY AND ALL EASEMENTS, ENCUMBRANCES, AND INTERESTS.  
10. THE SURVEYOR HAS NOT CONDUCTED ANY INVESTIGATION INTO THE EXISTENCE OF ANY AND ALL EASEMENTS, ENCUMBRANCES, AND INTERESTS.

**R.F.M. Consulting, LLC**  
1000 W. WASHINGTON ST.  
ATLANTA, GA 30335  
404.525.1234  
WWW.RFCON.COM



**APPLICANT:** Maria Claudia Ortega

**PHONE#:** (770) 643-8314 **EMAIL:** mco63@hotmail.com

**REPRESENTATIVE:** Maria Claudia Ortega

**PHONE#:** (770) 643-8314 **EMAIL:** mco63@hotmail.com

**TITLEHOLDER:** Jesus Maria Silva and Maria Claudia Ortega

**PROPERTY LOCATION:** East side of Allgood Road, north of Camellia Drive (1096 Allgood Road).

**ACCESS TO PROPERTY:** Allgood Road

**PHYSICAL CHARACTERISTICS TO SITE:** Single-family house

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-20/Undeveloped wooded lot
- SOUTH:** R-20/Eastwood Forrest Subdivision
- EAST:** R-20/Eastwood Baptist Church
- WEST:** R-20/Marietta Church of God

**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:**

**PETITION NO:** LUP-9

**HEARING DATE (PC):** 04-07-15

**HEARING DATE (BOC):** 04-21-15

**PRESENT ZONING:** R-20

**PROPOSED ZONING:** Land Use Permit

**PROPOSED USE:** Daycare

**SIZE OF TRACT:** 2.3 acres

**DISTRICT:** 16

**LAND LOT(S):** 949, 950

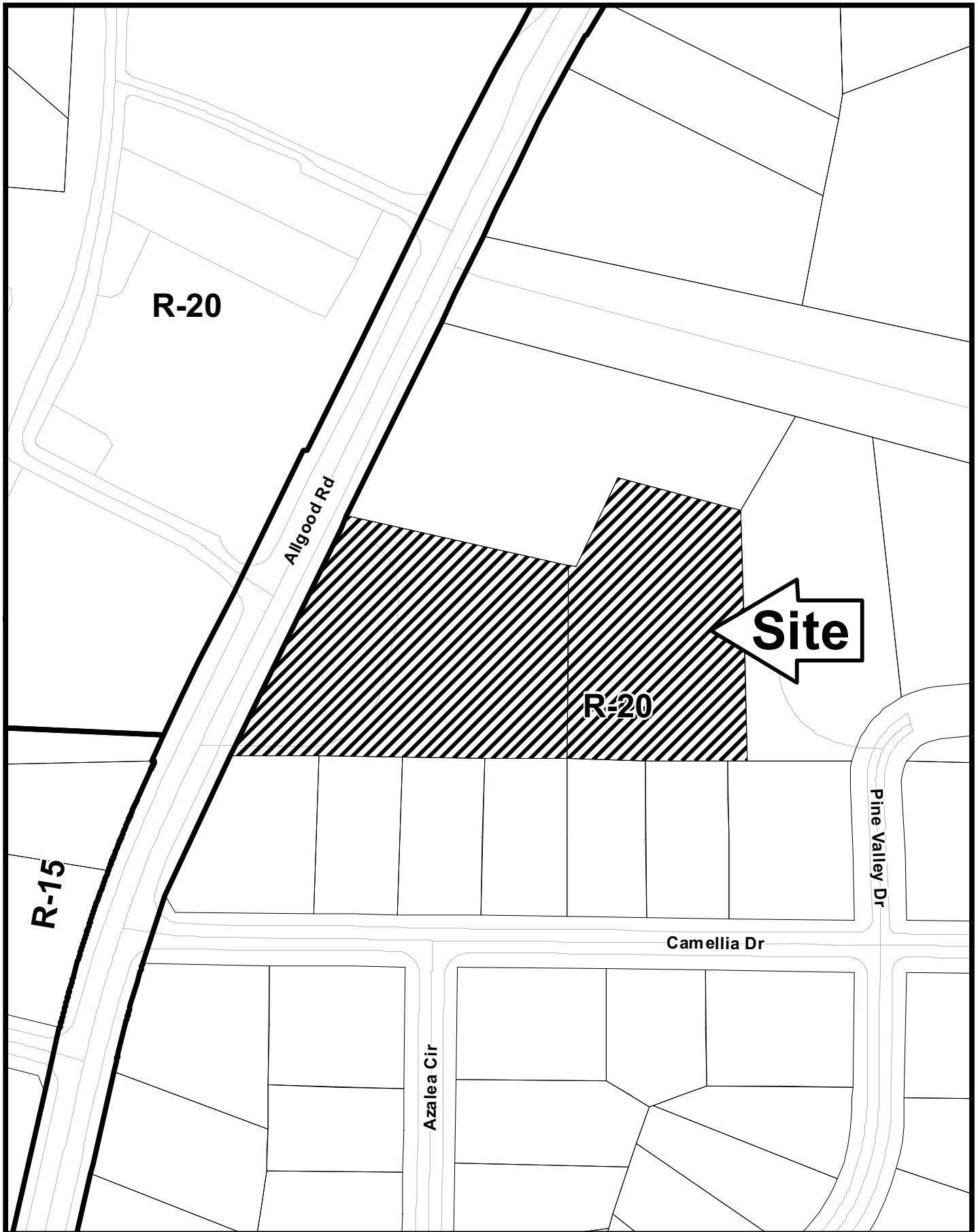
**PARCEL(S):** 28,47

**TAXES: PAID** X **DUE**       

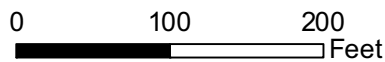
**COMMISSION DISTRICT:** 3





# LUP-9



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Maria Claudia Ortega

**PETITION NO.:** LUP-9

**PRESENT ZONING:** R-20

**PETITION FOR:** LUP

\*\*\*\*\*

**ZONING COMMENTS:** Staff Member Responsible: Kim Wakefield

Applicant is requesting a Temporary Land Use Permit for 24 months for the purpose of operating a family daycare. The hours of operation will be Monday through Friday from 7 a.m. until 6 p.m. The applicant has indicated there will be 10-12 clients coming to the house daily. The applicant will have one (1) employee. The applicant is requesting one sign at the front of the property. One (1) vehicle will be at the property and there will be a designated drop-off/pick-up area. Applicant has indicated there will be no deliveries and no outdoor storage. The applicant states she does reside at this house.

**Historic Preservation:** No comments.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**WATER & SEWER COMMENTS:**

Property is in Marietta's Water and Sewer Service area.

\*\*\*\*\*

**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.

Recommend one-way driveway circulation.

Recommend the driveways be upgraded to the commercial standard.

\*\*\*\*\*

**FIRE COMMENTS:**

C/O: Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

**APPLICANT: Maria Claudia Ortega**

**PETITION NO.: LUP-9**

**PRESENT ZONING: R-20**

**PETITION FOR: LUP**

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

No comment.

## STAFF RECOMMENDATIONS

### LUP-9      MARIA CLAUDIA ORTEGA

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 request should not affect the safety, health or welfare of the surrounding properties. The applicant has provided a petition of consent of several of the contiguous land owners.**
- (2) Parking and traffic considerations.*  
**Clients will park in the driveway.**
- (3) Number of nonrelated employees.*  
**There will be one (1) employee for daily operations.**
- (4) Number of commercial and business deliveries.*  
**There are no commercial deliveries associated with this request.**
- (5) The general presumption of the board of commissioners that residential neighborhoods should not allow noncompatible business uses.*  
**This use is located in area having single-family residential homes and uses; with the installation of a sign and an employee coming to the residence the intensity would be more than the surrounding properties.**
- (6) Compatibility of the business use to the neighborhood.*  
**There are no known businesses surrounding the property.**
- (7) Hours of operation.*  
**This activity is Monday through Friday from 7 a.m. through 6 p.m., which is more activity than what is normally found in R-20 zoning.**
- (8) Existing business uses in the vicinity.*  
**There are no known businesses surrounding this property.**
- (9) Effect on property values of surrounding property.*  
**N/A**
- (10) Circumstances surrounding neighborhood complaints.*  
**This request is not the result of a complaint of the Code Enforcement Division. However, the neighbors have called in opposition.**
- (11) Intensity of the proposed business use.*  
**The applicant is requesting 12 children (6 above Code allowance) and one (1) employee.**

CONTINUED ON NEXT PAGE

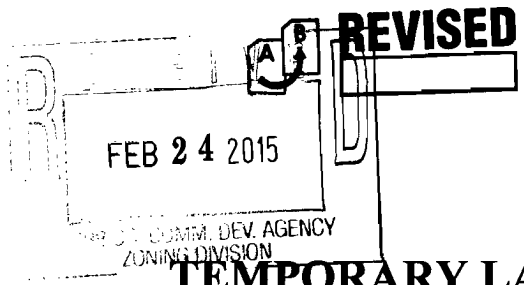
**LUP-9            MARIA CLAUDIA ORTEGA (Continued)**

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

**The proposed use is not located in a platted subdivision and is on a main thoroughfare.**

Based on the above-analysis, Staff recommends **DENIAL**.

**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 #: LHPG  
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? Family Daycare
2. Number of employees? 1
3. Days of operation? Monday - Friday
4. Hours of operation? 7 am - 6 pm
5. Number of clients, customers, or sales persons coming to the house per day? 10-12 ; Per week? 10-12
6. Where do clients, customers and/or employees park?  
Driveway: X ; Street: \_\_\_\_\_ ; Other (Explain): \_\_\_\_\_

---

7. Signs? No: \_\_\_\_\_ ; Yes: X . (If yes, then how many, size, and location): 1 small
8. Number of vehicles related to this request? (Please also state type of vehicle, i.e. dump truck, bobcat, trailer, etc.): 1 Compact

---

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 ; No \_\_\_\_\_
11. Any outdoor storage? No X ; Yes \_\_\_\_\_ (If yes, please state what is kept outside): \_\_\_\_\_

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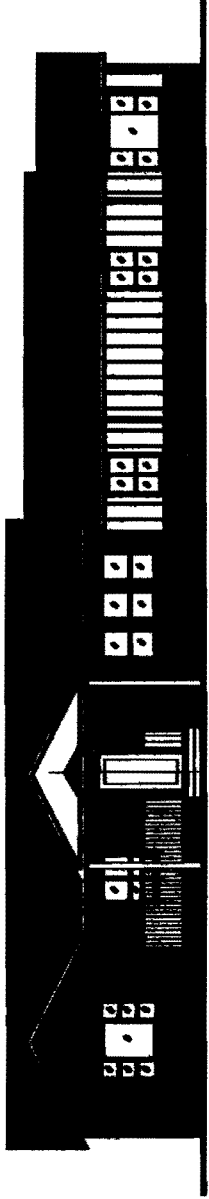
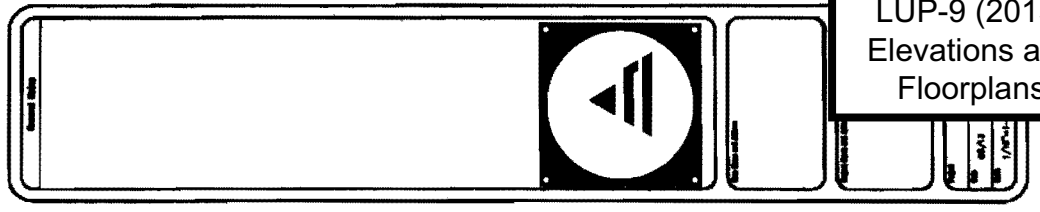
12. Length of time requested (24 months maximum): 24 months
13. Is this application a result of a Code Enforcement action? No X ; Yes \_\_\_\_\_ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).
14. Any additional information? (Please attach additional information if needed): \_\_\_\_\_

Applicant signature: [Signature] Date: 2/24/15

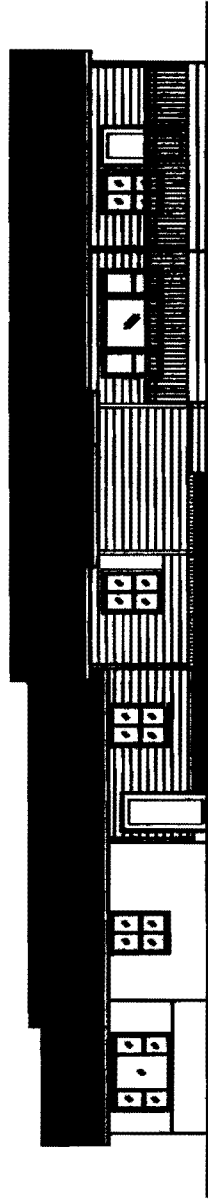
Applicant name (printed): Mania Claudia Ortega

Oscar Silva-Ortega

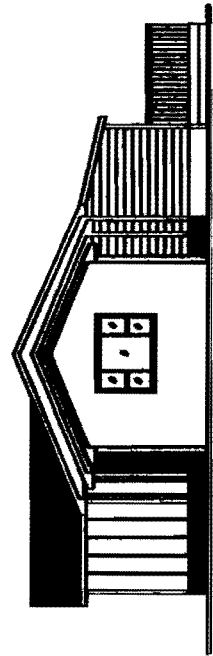




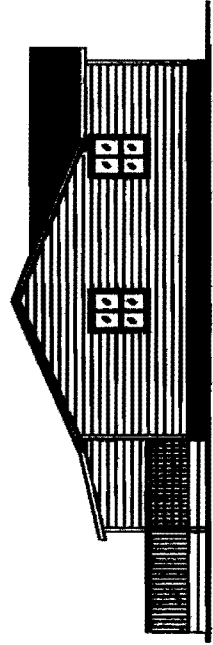
FRONT ELEVATION



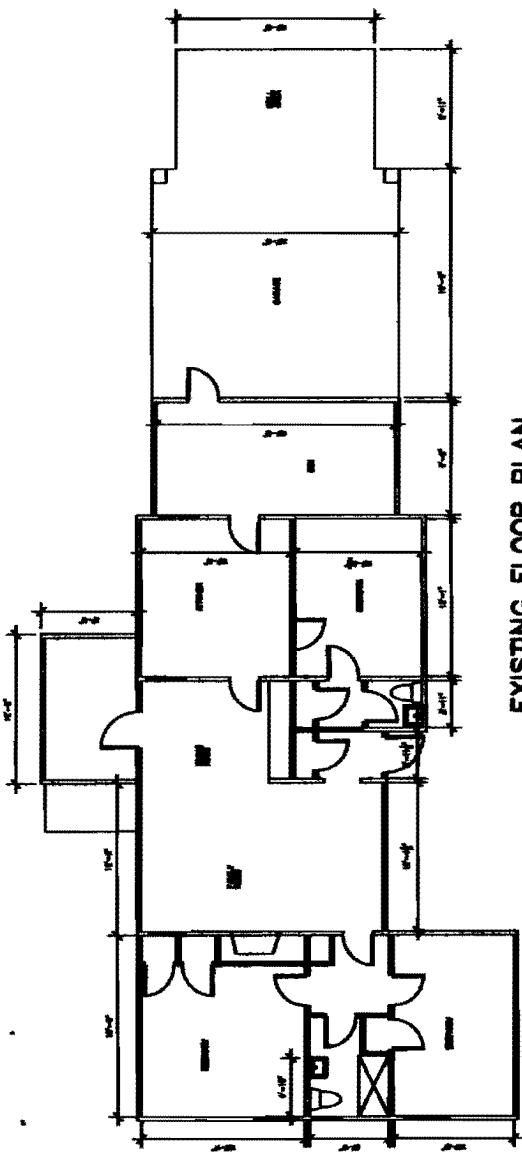
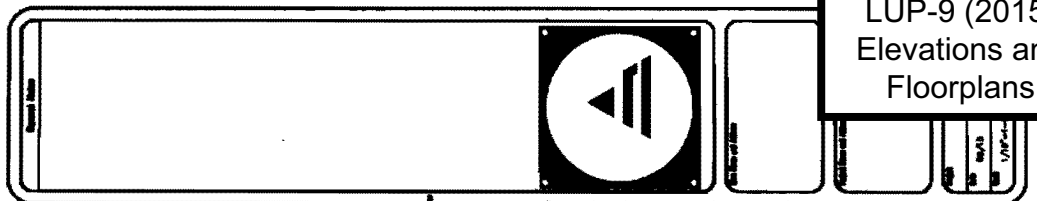
REAR ELEVATION



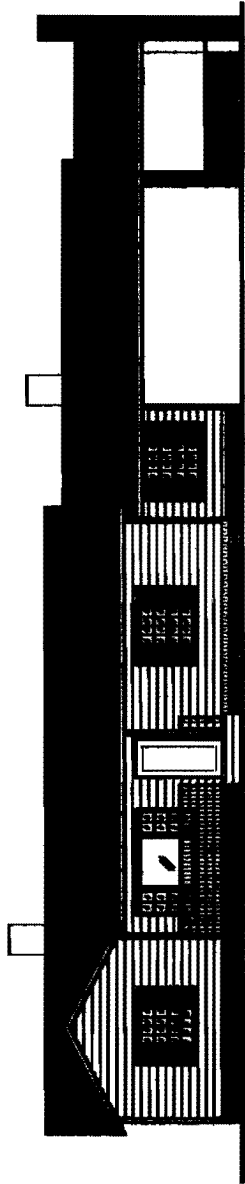
EAST ELEVATION



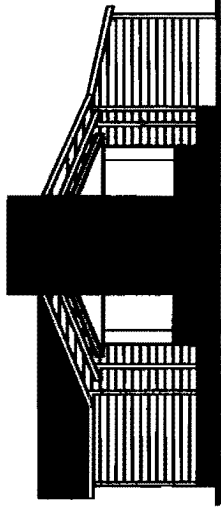
WEST ELEVATION



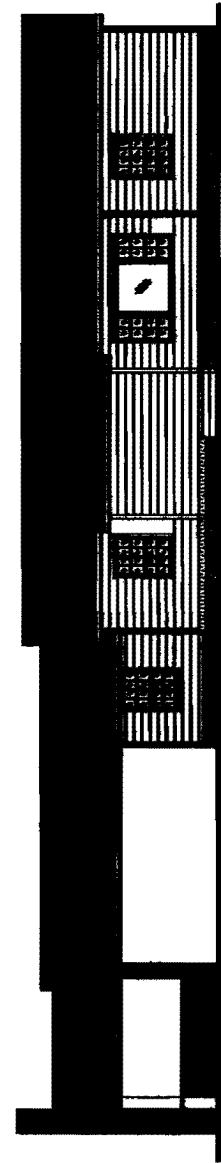
EXISTING FLOOR PLAN



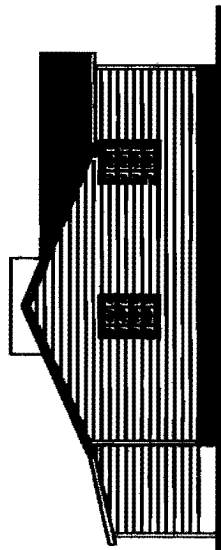
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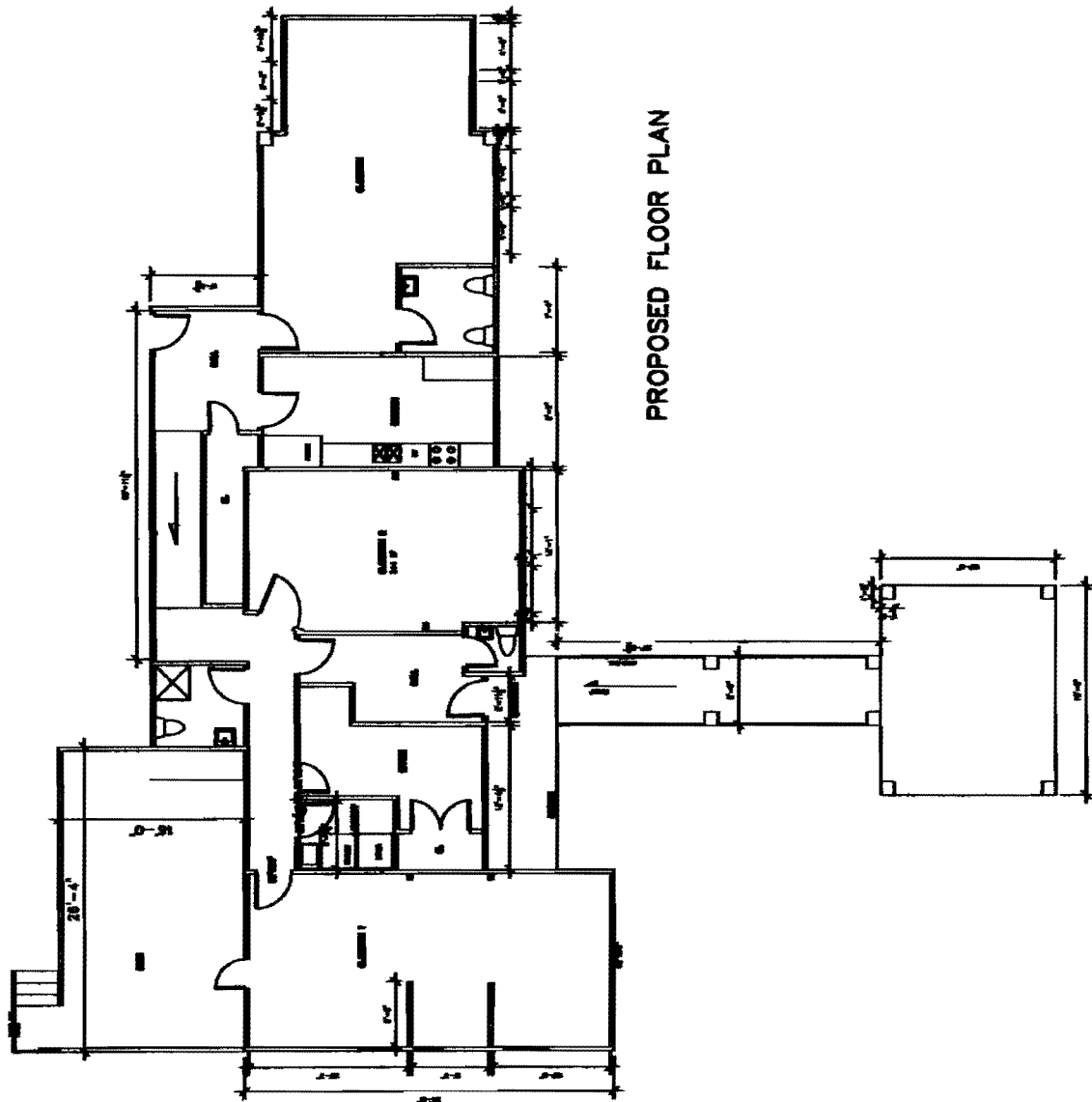
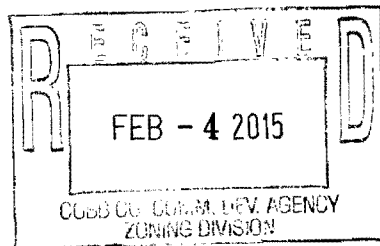
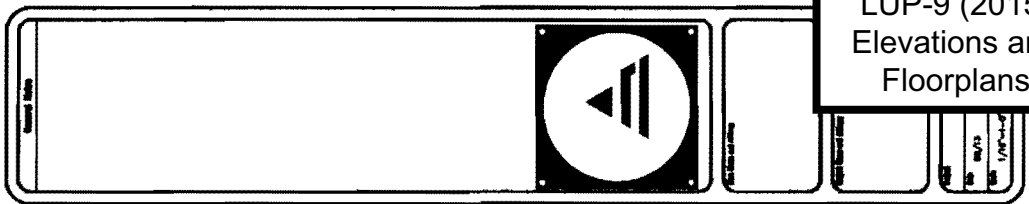
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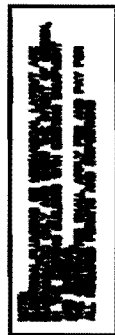
REAR ELEVATION



WEST ELEVATION



PROPOSED FLOOR PLAN



**SCHEDULE MATERIALS**

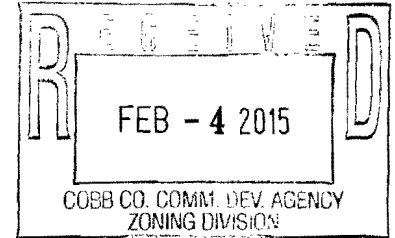
NO.	DESCRIPTION	QTY.	UNIT
1	WOOD PANELING		
2	WALL PAPER		
3	CEILING		
4	FLOORING		
5	PAINT		
6	GLASS		
7	IRONING BOARD		
8	STOVE		
9	REF.		
10	WASH. MACHINE		
11	DRYER		
12	WATER HEATER		
13	STOVE		
14	REF.		
15	WASH. MACHINE		
16	DRYER		
17	WATER HEATER		



LUP-9 (2015)  
Health  
Department  
Letter

January 27, 2014

**Laura Silva  
Or Current Owner  
1096 Allgood Rd.  
Marietta, GA 30062**



**RE: daycare located at 1096 Allgood Rd. Marietta, GA 30062**

**Dear Owner(s) and/or Responsible Party(s):**

The septic system at 1096 Allgood Dr. Marietta, GA 30062 was repaired on 12/24/14. In accordance with our regulations, this property is now approved for 37 people total. This is the total number of people approved, children and employees for a daycare.

Issuance of this letter for an on-site sewage management system shall not be construed as a guarantee that such system will function satisfactorily for a given period of time; furthermore, said representatives do not, by any action taken, assume liability for damages which are caused, or may be caused by the malfunction of such system.

Sincerely,

Jessica Awotona  
Environmental Health Specialist.

/jca