

LUP-31
(2015)

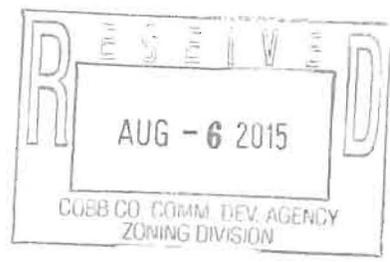
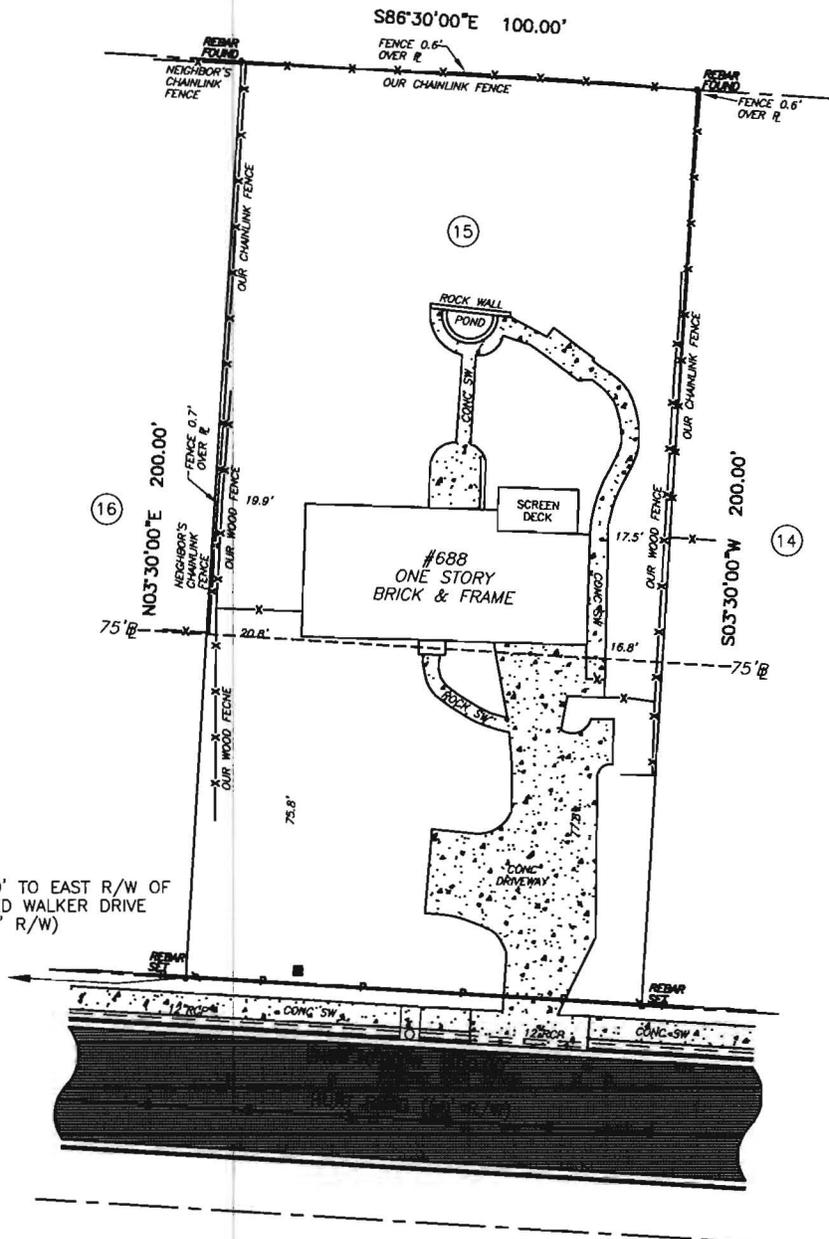
MAGNETIC
N

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 PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAN DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
4. THE FIELD DATA UPON WHICH THIS PLAN IS BASED WAS GATHERED BY AND OPEN TRAVERSE. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 147,063+ 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 PLAN IS NOT INTENDED FOR RECORDING.



220' TO EAST R/W OF
FRED WALKER DRIVE
(50' R/W)

TOTAL AREA= 0.458± ACRES
OR 20,000± SQ.FT.

688 HURT ROAD
SMYRNA, GEORGIA

SURVEY FOR
STEPHEN M. DALEAS

LOT 15
NICKAJACK HOMES SUBDIVISION
TRACT #2

LAND LOT 50
DISTRICT 17H, 2ND SECTION
COBB COUNTY
GEORGIA

PLAT PREPARED: 7-29-15
FIELD: 7-27-15 SCALE: 1"=20'

LEGEND

PL	PROPERTY LINE
R/W	RIGHT-OF-WAY
CL	CENTERLINE
BC	BACK OF CURB
G	GUTTER
EP	EDGE OF PAVING
TW	TOP OF WALL
BW	BOTTOM OF WALL
X-X	FENCE
RCP	REINFORCED CONCRETE PIPE
CSP	CORRUGATED METAL PIPE
PP	POWER POLE
LP	LIGHT POLE
GW	GUY WIRE
PL	POWER LINE
PM	POWER METER
PB	POWER BOX
A/C	AIR CONDITION
TB	TELEPHONE BOX
GM	GAS METER
GV	GAS VALVE
GLM	GAS LINE MARKER
WM	WATER METER
WV	WATER VALVE
FH	FIRE HYDRANT
MW	MONITORING WELL
H	HEADWALL
JB	JUNCTION BOX
DI	DROP INLET
S	SANITARY SEWER LINE
SMH	SANITARY SEWER MANHOLE
CO	CLEAN OUT

REFERENCE MATERIAL

1. WARRANTY DEED IN FAVOR OF
STEPHEN MARK DALEAS
DEED BOOK 15177 PAGE 4878
COBB COUNTY, GEORGIA RECORDS



ME LUNG
SURVEYING SERVICES, INC.

4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383
Certificate of Authorization #LSF000762

This property IS NOT located
in a Federal Flood Area as
indicated by F.I.R.M.
Official Flood Hazard Maps.

In my opinion this plot is a
correct representation of the
land plotted.



Michael R. Hales
Georgia RLS #2848
Member SLS&SG
JOB#230963

No.	Revision	Date
3		
2		

15
14

APPLICANT: Christopher Bernaski

PHONE#: (404) 857-7380 **EMAIL:** chris@kostaprivatehomecare.com

REPRESENTATIVE: Christopher Bernaski

PHONE#: (404) 857-7380 **EMAIL:** chris@kostaprivatehomecare.com

TITLEHOLDER: Stephen Mark Daleas

PROPERTY LOCATION: North side of Hurt Road, east of

Fred Walker Drive

(688 Hurt Road)

ACCESS TO PROPERTY: Hurt Road

PHYSICAL CHARACTERISTICS TO SITE: Single family house

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Nickajack Homes

SOUTH: R-20/ Nickajack Homes

EAST: R-20/ Nickajack Homes

WEST: R-20/ Nickajack Homes

PETITION NO: LUP-31

HEARING DATE (PC): 10-06-15

HEARING DATE (BOC): 10-20-15

PRESENT ZONING: R-20

PROPOSED ZONING: Land Use Permit

(Renewal)

PROPOSED USE: Personal Care Home

SIZE OF TRACT: 0.459 acres

DISTRICT: 17

LAND LOT(S): 50

PARCEL(S): 36

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

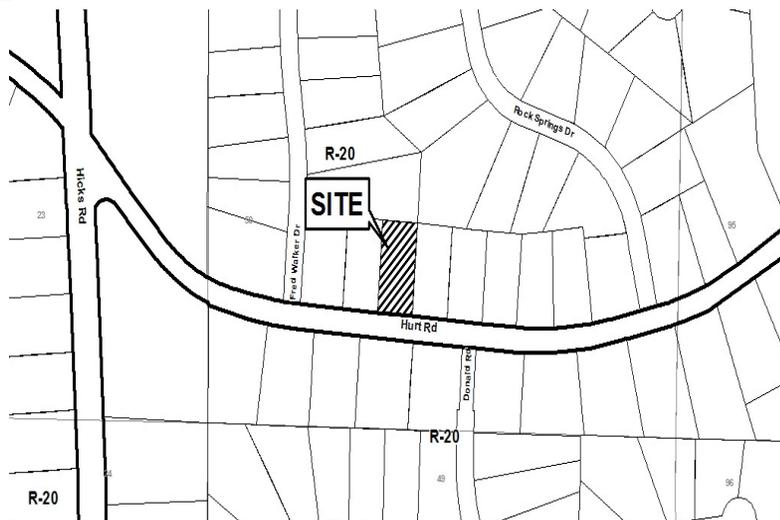
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

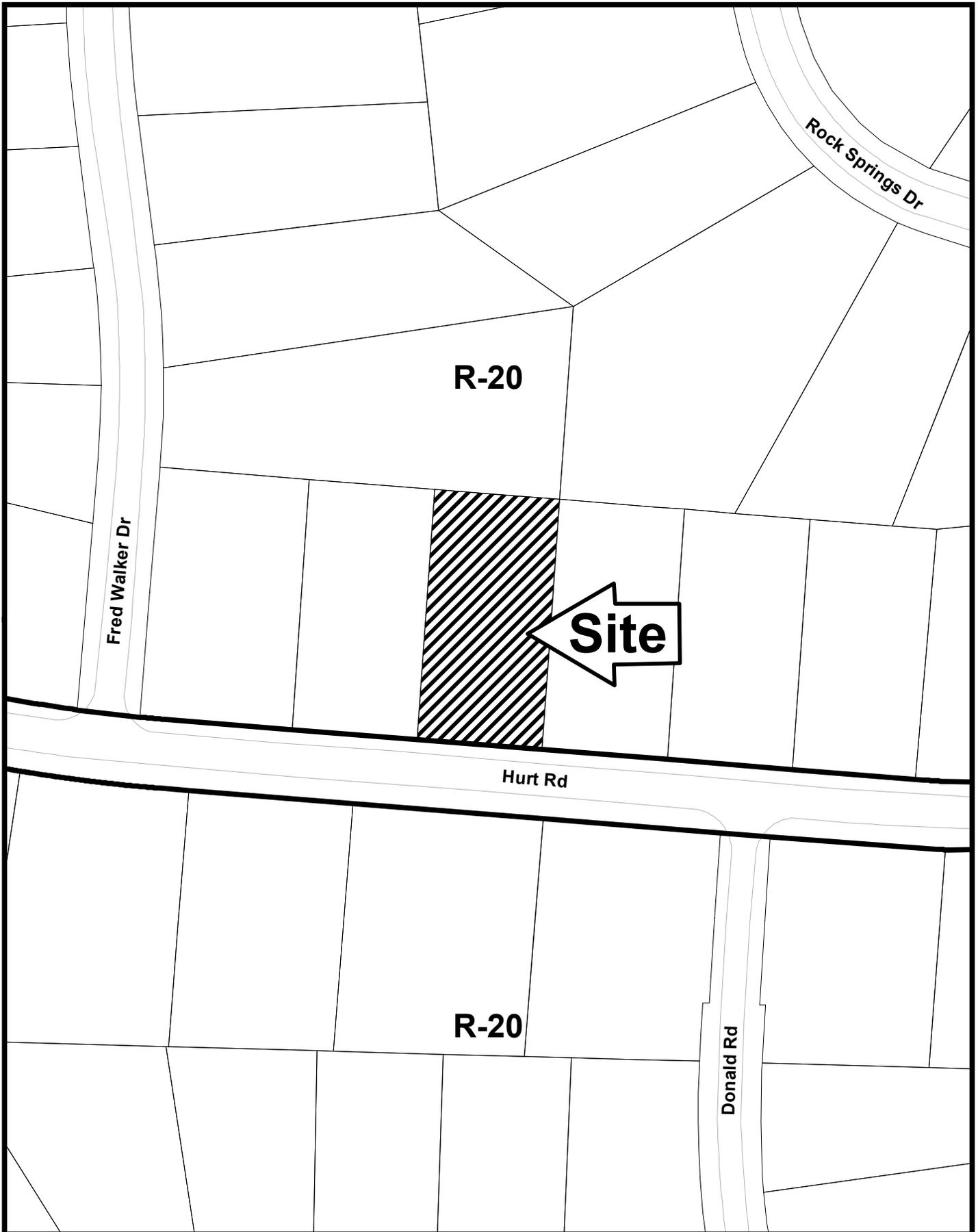
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

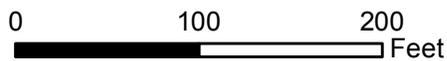
STIPULATIONS:



LUP-31



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Christopher Bernaski

PETITION NO.: LUP-31

PRESENT ZONING: R-20

PETITION FOR: LUP

ZONING COMMENTS: Staff Member Responsible: Donald Wells

Applicant is requesting to renew a Land Use Permit for the purpose of operating a group home for 5 residents. The group home will have three employees and will operate 24 hours per day, seven days per week. The group home will have up to 2 health care professionals visit per week. There will be medication deliveries 2 times a month via small car. The house is licensed by the state for 6 residents and the applicant wants to continue to have no more than 5 adults live at the home. The applicant has submitted consent of contiguous occupants for your review.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS: No comment.

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: Christopher Bernaski

PETITION NO.: LUP-31

PRESENT ZONING: R-20

PETITION FOR: LUP

STORMWATER MANAGEMENT COMMENTS

No comments.

STAFF RECOMMENDATIONS

LUP-31 CHRISTOPHER BERNASKI

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.
- (2) *Parking and traffic considerations.*
Employees and visitors will park in the driveway.
- (3) *Number of nonrelated employees.*
The applicant is requesting 3 employees/ 1 per shift.
- (4) *Number of commercial and business deliveries.*
Medication delivery twice per month via courier.
- (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. However, the proposed use has been here for the past year without any complaints.
- (6) *Compatibility of the business use to the neighborhood.*
There are no known businesses surrounding the property. However, this use has been here for the past year without adversely affecting the neighbors.
- (7) *Hours of operation.*
24 hours a day, 7 days a week.
- (8) *Existing business uses in the vicinity.*
There are no known businesses in the area.
- (9) *Effect on property values of surrounding property.*
This request should not have an effect on property values.
- (10) *Circumstances surrounding neighborhood complaints.*
This request is not the result of a complaint of the Code Enforcement Division.
- (11) *Intensity of the proposed business use.*
This application is a renewal of an existing use.
- (12) *Location of the use within the neighborhood.*
This proposal is located in a platted neighborhood and surrounded by residential uses.

LUP-31 CHRISTOPHER BERNASKI (Continued)

Based on the above analysis, and strict interpretation of the ordinance, Staff recommends **APPROVAL** of the applicant's request for 24 months subject to;

- Maximum of 5 residents.

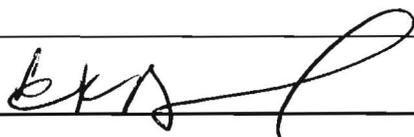
The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.



Application #: LUP-31
PC Hearing Date: 10-6-15
BOC Hearing Date: 10-20-15

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

1. Type of business, or request? Residential Care Facility/Personal Care Home
2. Number of employees? 3 employees- 1on premises every hr shift
3. Days of operation? 7 days a week
4. Hours of operation? 24 hours
5. Number of clients, customers, or sales persons coming to the house per day? 0 ; Per week? 2 visiting Health Care Professionals MD
6. Where do clients, customers and/or employees park?
Driveway: X ; Street: _____ ; Other (Explain): _____
Ample Concrete Driveway/Parking pad parking for up to 8 vehicles
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.): 1
(personal car of Certified Nursing Assistant on duty)
9. Deliveries? No _____ ; Yes X (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)
Medication Delivery twice month via Courier (Small car)
10. Does the applicant live in the house? Yes _____ ; No X
11. Any outdoor storage? No X ; 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 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:  Date: 8-6-2015

Applicant name (printed): Chris Bernaski