

**LUP-16  
(2016)**

**AREA**  
36183.935 SQ. FT.  
0.831 ACRES

**LOT 2**  
Block K - Unit 59  
Plat Book 83 Page 88  
N/F  
Michael J. Morton  
Walter L. Martin  
Deed Book 15334, Page 132

**LOT 18**  
N/F  
Melvin J. Zentner  
Diana M. Zentner  
Deed Book 3748, Page 5

**LOT 3**  
Block L - Unit 59  
Plat Book 83 Page 88  
N/F  
William Scott Tucker  
Deed Book 15310, Page 3686

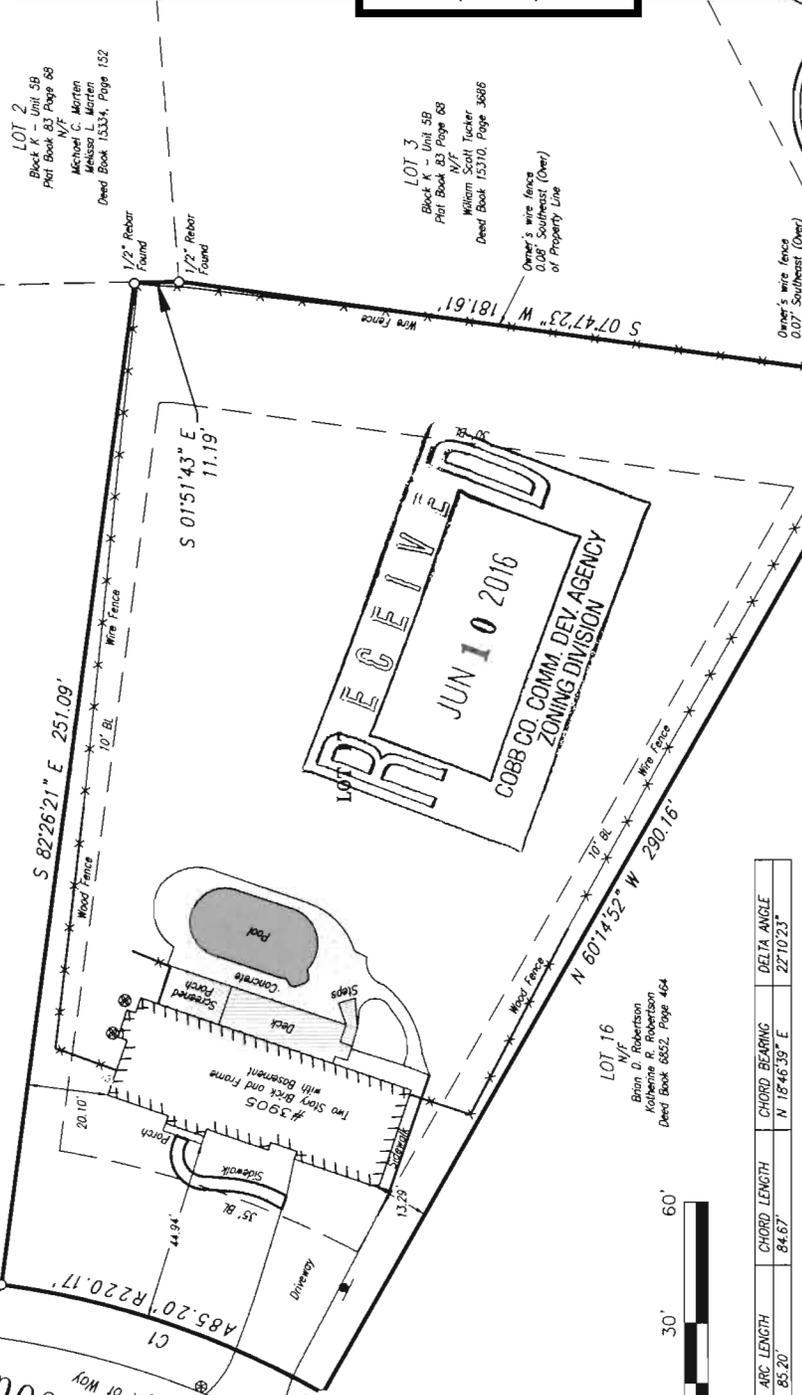
**LOT 16**  
N/F  
Blair D. Robertson  
Katherine Robertson  
Deed Book 6852, Page 464

**LOT 1**  
Block J - Unit 59  
Plat Book 83 Page 88  
N/F  
Michael J. Morton  
Walter L. Martin  
Deed Book 15334, Page 132

**OWNER'S WIRE FENCE**  
0.07' Southeast (Over)  
of Property Line

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0.07' Southeast (Over)  
of Property Line

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0.07' Southeast (Over)  
of Property Line



**DATE:** 6/7/16  
**SCALE:** 30'



**EDWARD L. KENNEDY IV**  
Professional Land Surveyor  
No. 33628  
Josh L. Dyer  
Professional Land Surveyor  
No. 33628

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, authority O.C.G.A. Secs. 15-6-67, 43-13-4, 43-15-6, 43-15-9, 43-15-22.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	220.17'	85.20'	84.67'	N 18°46'39" E	22°10'23"

**155 CLIFWOOD DRIVE - ATLANTA, GEORGIA 30328 - TELEPHONE: (404) 255-4671 - FAX: (404) 255-6607 - WWW.GEORGIALANDSURVEYING.COM**

**3905 Glenraven Court, Roswell Georgia 30075**

**EDWARD L. KENNEDY IV**  
Professional Land Surveyor  
No. 33628  
Josh L. Dyer  
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**LAND LOT:** 30  
**2nd SECTION**  
**Cobb County, GA**

**UNIT:** 4  
**PHASE:**

**LEGEND**  
These standard symbols may be found in the drawing.

- 1/2" Rebar Set
- Iron Pin Found
- BL Building Line
- CL Catch Basin
- Drop Inlet
- Gas Meter
- Air Conditioning Unit
- Mailbox
- Telephone Pedestal
- Basketball Goal
- Wire Fence
- Wood Fence

**ZONING**  
(Cobb County Jurisdiction)  
(R-15) (Single Family Residential)  
Front yard setback--35'  
Side yard setback--10'  
Rear yard setback--30'  
Note: Graphic depiction of setback lines are the interpretation of the Surveyor and should be verified with a zoning official prior to design work.

**SURVEY NOTES**  
1. Equipment used: Leica 1200 robotic total station and Allegro BX data collector.  
2. Software used: Carlson Survey 2013 and Carlson Survey.

**CLOSURE STATEMENT**  
The field data upon which this plat is based was gathered by an open traverse. This plat has been calculated for closure and found to be accurate to 1 foot in 715,165 feet.

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**PHASE:**

**DRAWING NUMBER** F34-131

**JOB NUMBER** 196273

**PLAT BOOK** 80, PAGE 193  
**DRAFTER:** BJC  
**DEED BOOK** 14929, PAGE 620  
**PARTY CHIEF:** D.R.

**FIELD DATE:** 6/7/16  
**SHEET** 1 OF 1

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**PHASE:**

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECTIFICATION BY THE SURVEYOR NAMED SAID PERSON, PERSONS, OR ENTITY. ALL CHANGES, PERMANENT OR TEMPORARY, TO THIS PLAT ARE EXCEPTED.

**APPLICANT:** Edward Lee Kennedy

**PETITION NO:** LUP-16

**PHONE#:** (770) 883-9531 **EMAIL:** edkennedyhome@gmail.com

**HEARING DATE (PC):** 09-08-16

**REPRESENTATIVE:** Edward Lee Kennedy

**HEARING DATE (BOC):** 09-20-16

**PHONE#:** (770) 883-9531 **EMAIL:** edkennedyhome@gmail.com

**PRESENT ZONING:** R-15

**TITLEHOLDER:** Edward Lee Kennedy

**PROPOSED ZONING:** Land Use Permit

**PROPERTY LOCATION:** East side of Glenraven Court, south of Johnson Ferry Road

**PROPOSED USE:** One-on-One Private Swim Lessons in backyard pool

(3905 Glenraven Court)

**ACCESS TO PROPERTY:** Glenraven Court

**SIZE OF TRACT:** 0.831 acres

**DISTRICT:** 1

**PHYSICAL CHARACTERISTICS TO SITE:** Existing single-family house

**LAND LOT(S):** 30

**PARCEL(S):** 12

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

**COMMISSION DISTRICT:** 3

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-15/Chimney Lakes Subdivision
- SOUTH:** R-15/Chimney Lakes Subdivision
- EAST:** R-15/Chimney Lakes Subdivision
- WEST:** R-15/Chimney Lakes Subdivision

*Adjacent Future Land Use:*

- Northeast: Low Density Residential (LDR)
- Southeast: Low Density Residential (LDR)
- Southwest: Low Density Residential (LDR)
- (Park / recreational / Conservation (PRC) touches the southerly Corner)
- Northwest: Low Density Residential (LDR)

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

**PLANNING COMMISSION RECOMMENDATION**

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

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

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

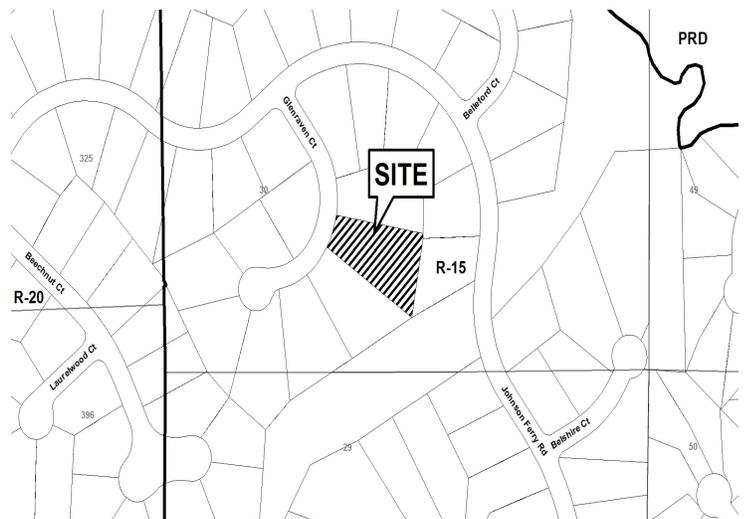
**BOARD OF COMMISSIONERS DECISION**

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

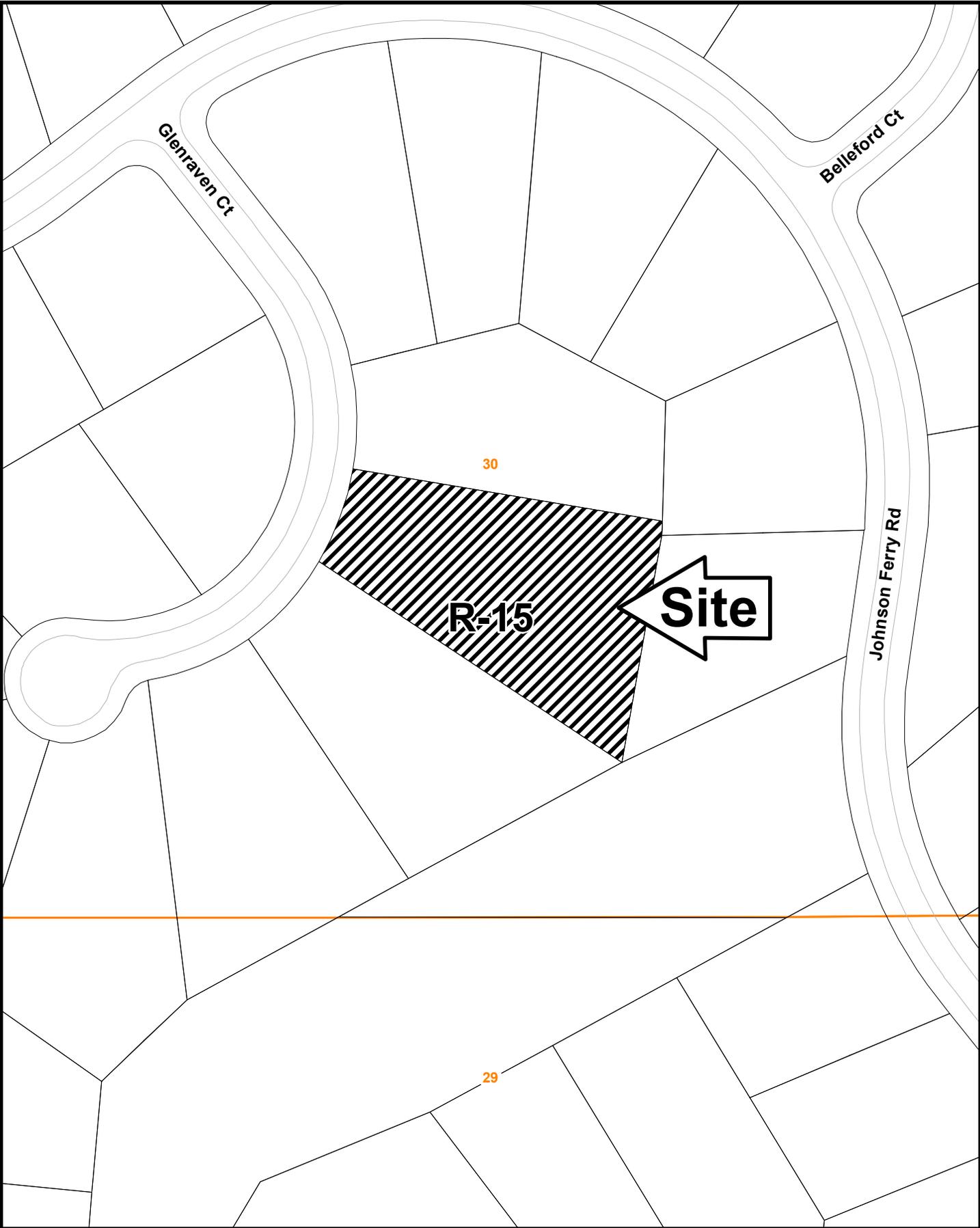
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

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

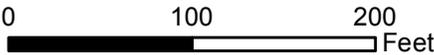
**STIPULATIONS:**



# LUP-16-2016 GIS



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



- City Boundary
- Zoning Boundary

**APPLICANT:** Edward Lee Kennedy **PETITION NO.:** LUP-16

**PRESENT ZONING:** R-15 **PETITION FOR:** LUP

\*\*\*\*\*

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

The applicant is requesting a Temporary Land Use Permit (LUP) for 24 months to have one-on-one private swim lessons at his home. Applicant has indicated that he will be operating Monday through Friday for the months of April through August. The hours will vary between 9 a.m. and 3 p.m. The applicant indicates that the number of clients will vary on a daily and weekly basis. He is not requesting any employees or a sign, and will not have any deliveries related to the business. Applicant has further indicated that parking will be in the driveway and the street in front of his residence.

**Historic Preservation:** No comment

**Cemetery Preservation:** No comment

\*\*\*\*\*

**WATER & SEWER COMMENTS:** No comments. Property served by water and sewer.

\*\*\*\*\*

**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: Edward Lee Kennedy**

**PETITION NO.: LUP-16**

**PRESENT ZONING: R-15**

**PETITION FOR: LUP**

\*\*\*\*\*

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

## STAFF RECOMMENDATIONS

### LUP-16      EDWARD LEE KENNEDY

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 has the potential to affect the safety, health or welfare of the surrounding properties due to the increased traffic from non-residents.**

(2) *Parking and traffic considerations.*

**Clients will park in driveway and street in front of residence.**

(3) *Number of nonrelated employees.*

**No employees are being requested with the application.**

(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.*

**The single family residential nature of neighborhoods in the County could be harmed by disruptions from the increased traffic in the area.**

(6) *Compatibility of the business use to the neighborhood.*

**The fundamental natures of most businesses are incompatible with neighborhoods.**

(7) *Hours of operation.*

**The hours of operation will be Monday through Friday for the months of April through August. The hours will vary between 9 a.m. and 3 p.m.**

(8) *Existing business uses in the vicinity.*

**There are no known businesses surrounding the property.**

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

**This request has the potential to effect property values.**

(10) *Circumstances surrounding neighborhood complaints.*

**The request is the result of a complaint of the Code Enforcement Division.**

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

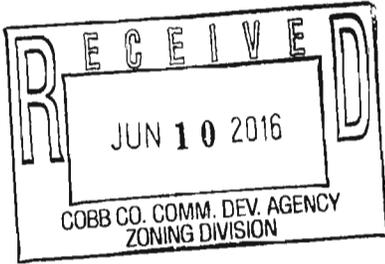
**This application is an increase of the residential use and could erode the low intensity character of the neighborhood.**

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

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

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 #: LVP-16

PC Hearing Date 9-8-16

BOC Hearing Date: 9-20-16

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

1. Type of business, or request? One-on-one private swim lessons
2. Number of employees? None - sole proprietorship
3. Days of operation? M-F April - August only
4. Hours of operation? varies 9A-3p
5. Number of clients, customers, or sales persons coming to the house per day? Varies ; Per week? varies
6. Where do clients, customers and/or employees park?  
Driveway:  ; Street:  ; Other (Explain): \*Only in front of our house, but car driveway is always available
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.):  
None
9. Deliveries? No  ; 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  ; 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):  
First enforcement visit officer stated no permit needed.

Applicant signature: Edward L. Kennedy Date: June 5<sup>th</sup>, 2016

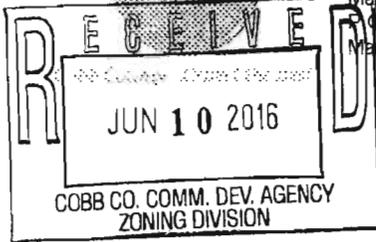
Applicant name (printed): Edward L. Kennedy

**COBB COUNTY - COMMUNITY DEVELOPMENT AGENCY  
Code Enforcement Division**

Fax: (770) 528-2092

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-2016-03988

Date: 5/20/2016

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

3905 GLENRAVEN CT	ROSWELL, GA 30075	01	0030	012	R-15
(Address)	(City/State/Zip)	(Dist)	(Land Lot)	(Par)	(Zoning)

and/or KENNEDY EDWARD L IV (3905 GLENRAVEN CT NE ROSWELL, GA 30075)

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 May 20, 2016. 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>
TEMPORARY LAND USE PERMIT REQUIRED	134-36	Temporary Land Use Permit required for swimming lessons at residentially-zoned property. Contact Cobb County Zoning Division to apply for Temporary Land Use Permit.

**Dwayne Hepler (dwayne.hepler@cobbcounty.org)**

**(770)528-2185**

Officer

Telephone

Contact the Officer listed above by telephone or email for further information. Officer availability 8:00-9:00 a.m. and 3:30-4:30 p.m. Monday through Friday. You may leave voice mail or send email at any time.

A COMPLETE COPY OF THE COBB COUNTY ORDINANCE MAY BE VIEWED AT [WWW.COBBCOUNTY.ORG](http://WWW.COBBCOUNTY.ORG)