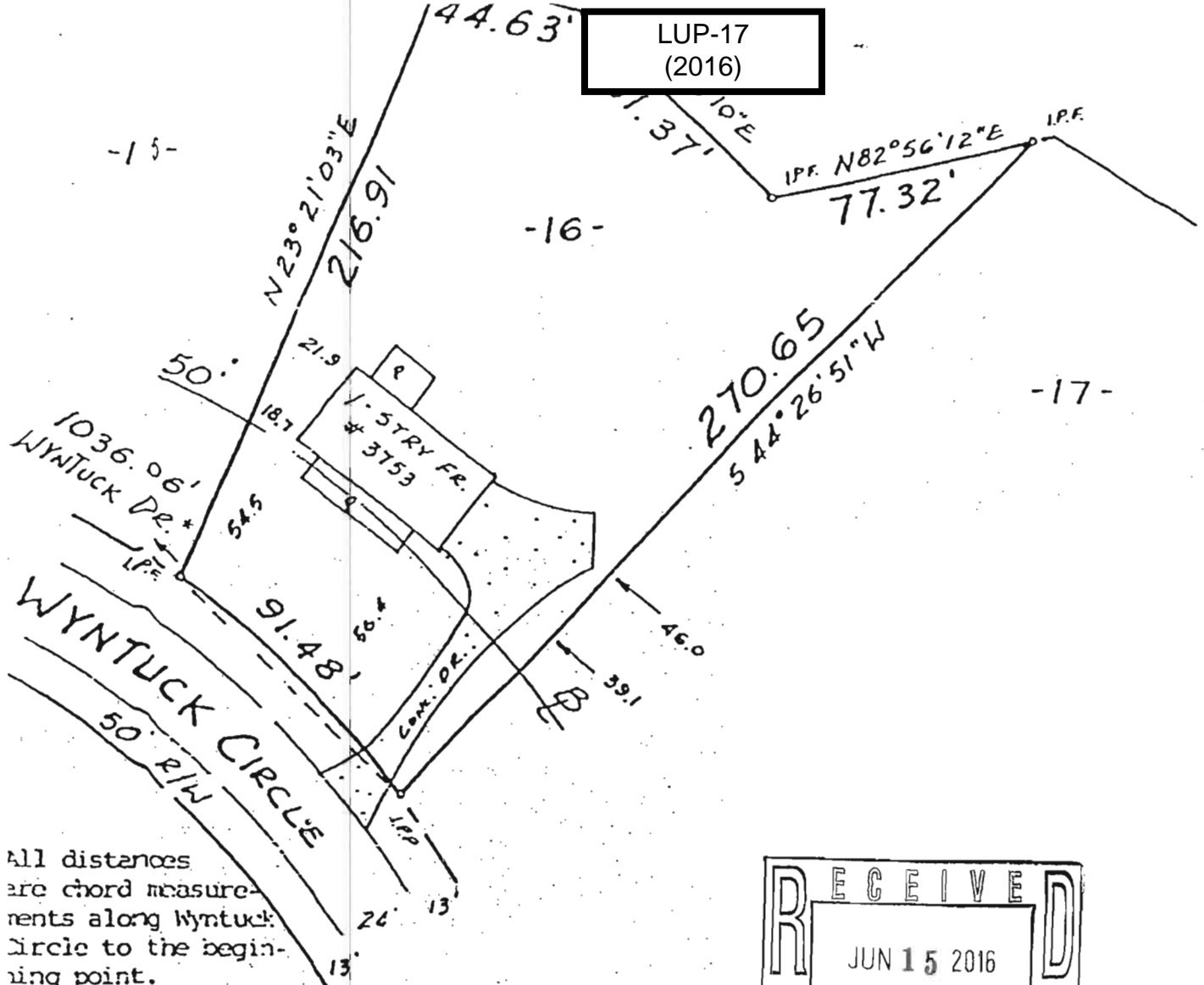


LUP-17
(2016)

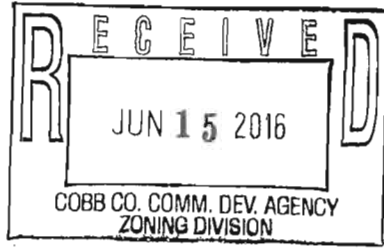
-15-

-16-

-17-



All distances are chord measurements along Wyntuck Circle to the beginning point.



Survey for FULTON FEDERAL SAVINGS & LOAN ASSOCIATION
 and THOMAS M. HUNT & EPIN L. DRISCOLL HUNT
 property at 3753 Wyntuck Circle
 16, Due West Station Subdivision, Unit 3, PS-77, Page 64
 and lot 258, 20th District, 2nd Section, Cobb County, Georgia



Date: 5/31/83 Scale 1" = 50'

THIS PROPERTY (IS) ~~IS~~ NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY "FIA OFFICIAL FLOOD HAZARD MAPS."

BY ESTON PENDLEY & ASSOC., INC.
REGISTERED LAND SURVEYORS

In my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law

Eston Pendley
Member SAMSOG

APPLICANT: Erin O'Driscoll

PETITION NO: LUP-17

PHONE#: (770) 428-5021 **EMAIL:** ELD123@aol

HEARING DATE (PC): 09-08-16

REPRESENTATIVE: Erin O'Driscoll

HEARING DATE (BOC): 09-20-16

PHONE#: (770) 428-5021 **EMAIL:** ELD123@aol

PRESENT ZONING: R-20

TITLEHOLDER: Erin O'Driscoll

PROPOSED ZONING: Land Use Permit

PROPERTY LOCATION: Northeast side of Wyntuck Drive, north of Butterfield Drive

PROPOSED USE: Child Care

(3753 Wyntuck Circle)

ACCESS TO PROPERTY: Wyntuck Circle

SIZE OF TRACT: .74 acres

DISTRICT: 20

PHYSICAL CHARACTERISTICS TO SITE: Existing house

LAND LOT(S): 258

PARCEL(S): 73

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/Due West Station Subdivision

SOUTH: R-20/Due West Station Subdivision

EAST: R-30 OSC/ Woodbridge at Hamilton Lake Subdivision

WEST: R-20/Due West Station Subdivision

Adjacent Future Land Use:

Northeast: Very Low Density Residential (VLDR)

Southeast: Very Low Density Residential (VLDR)

Southwest: Very Low Density Residential (VLDR)

Northwest: Very Low Density Residential (VLDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

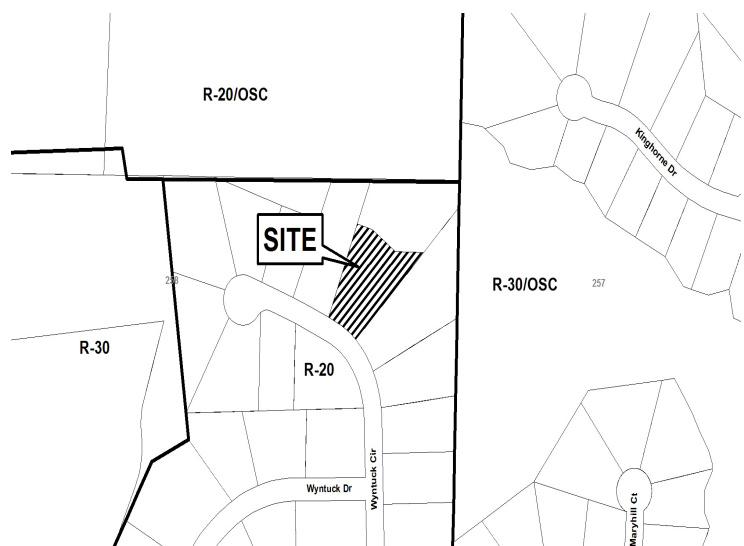
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

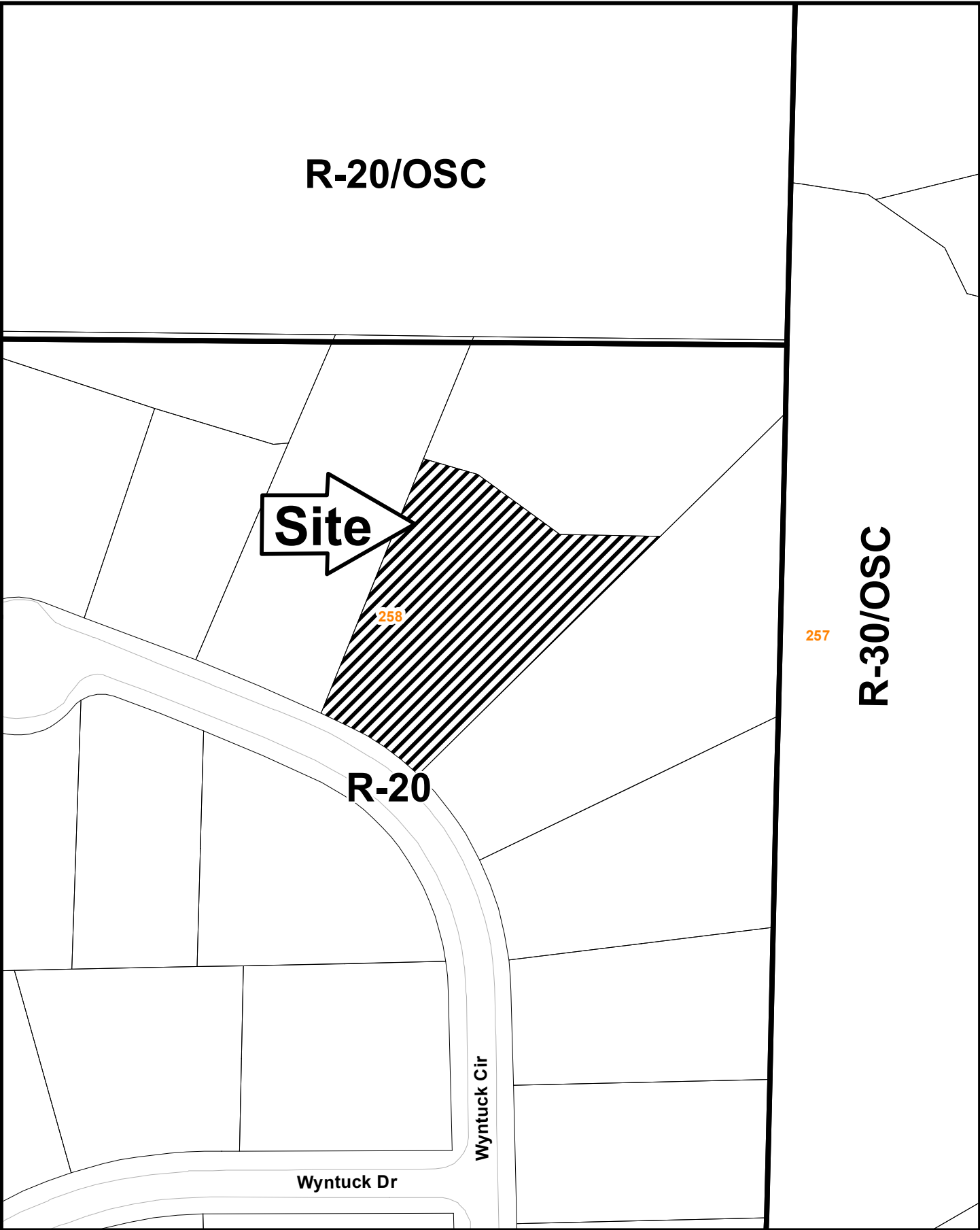
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

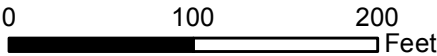
STIPULATIONS:



LUP-17-2016 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: Erin O'Driscoll **PETITION NO.:** LUP-17

PRESENT ZONING: R-20 **PETITION FOR:** LUP

ZONING COMMENTS: Staff Member Responsible: Kim Wakefield

The applicant is requesting renewal of her Temporary Land Use Permit (LUP) for the purpose of operating a childcare business from her home. The application has been renewed since 1989, with no employees, no signs, and no on-street parking. The applicant has indicated 7 clients per week and was previously approved for a maximum of 12 children as part of LUP-19 of 2014. The hours of operation are only weekdays from 7 a.m. to 6 p.m.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

No comments. Property is served by public water and septic system.

TRAFFIC COMMENTS:

Recommend no parking on the right-of-way.

FIRE COMMENTS:

No comments. If the number of children/clients (non-related) is 6 or less otherwise 7 or more will require compliance with NFPA 101-Life Safety Code.

APPLICANT: Erin O'Driscoll

PETITION NO.: LUP-17

PRESENT ZONING: R-20

PETITION FOR: LUP

STORMWATER MANAGEMENT COMMENTS

No comment (Renewal).

STAFF RECOMMENDATIONS

LUP-17 ERIN O'DRISCOLL

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 due to the increased traffic from non-residents.
- (2) *Parking and traffic considerations.*
Clients will park in the driveway.
- (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.*
Permitting business uses in residential area creates traffic and parking concerns.
- (6) *Compatibility of the business use to the neighborhood.*
The fundamental natures of most businesses are incompatible with neighborhoods. However, this applicant has been operating the daycare at this location for more than 25 years with no complaints filed with Code Enforcement.
- (7) *Hours of operation.*
The hours of operation will be 7 a.m. until 6 p.m., Monday through Friday.
- (8) *Existing business uses in the vicinity.*
There are no known businesses surrounding the property.
- (9) *Effect on property values of surrounding property.*
Staff does not think there will be a negative effect on the 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.*
The proposed use will have little effect on traffic in the area.
- (12) *Location of the use within the neighborhood.*
This proposal is located in a platted subdivision and is surrounded by residential uses.

LUP-17 ERIN O'DRISCOLL (Continued)

Based on the above analysis, Staff recommends **APPROVAL** for 24 months subject to:

1. Maximum of 12 children;
2. No employees;
3. No signs, and
4. No on-street parking.

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.



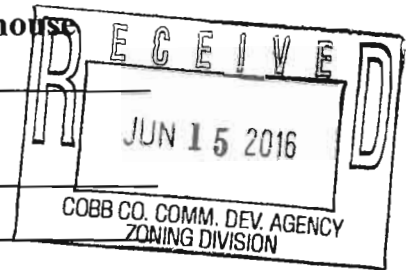
Application #: LVR-17

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? CITILD CARE
2. Number of employees? 0
3. Days of operation? 5
4. Hours of operation? 7-6
5. Number of clients, customers, or sales persons coming to the house per day? 7 ; Per week? 7
6. Where do clients, customers and/or employees park?
Driveway: ; Street: _____ ; Other (Explain): _____
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.): 1
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
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: Ferris Driscoll te: 6-15-16

Applicant name (printed): _____