

APPLICANT: Garfield McCook
PHONE#: 678-778-6335 **EMAIL:** STILESBOROAL@COMCAST.NET
REPRESENTATIVE: Garfield McCook
PHONE#: 678-778-6335 **EMAIL:** STILESBOROAL@COMCAST.NET
TITLEHOLDER: Garfield McCook

PETITION NO.: LUP-26
HEARING DATE (PC): 10-04-16
HEARING DATE (BOC): 10-18-16
PRESENT ZONING: R-30

PROPERTY LOCATION: South of Stilesboro Road, west of
Allatoona Lane
(4549 Stilesboro Road)

PROPOSED ZONING: Land Use Permit
(renewal and increase in residents)

ACCESS TO PROPERTY: Stilesboro Road

PROPOSED USE: Group home for up to
10 residents

PHYSICAL CHARACTERISTICS TO SITE: Single-family house

SIZE OF TRACT: 1.3 acres
DISTRICT: 20
LAND LOT(S): 222
PARCEL(S): 158
TAXES: PAID X **DUE** _____

CONTIGUOUS ZONING/DEVELOPMENT

COMMISSION DISTRICT: 1

NORTH: R-30/Single-family house
SOUTH: R-30/Single-family house
EAST: R-30/Single-family house
WEST: R-30/Single-family house

Adjacent Future Land Use:

North: Very Low Density Residential (VLDR)
East: Very Low Density Residential (VLDR)
South: Very Low Density Residential (VLDR)
West: Very Low Density Residential (VLDR)

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

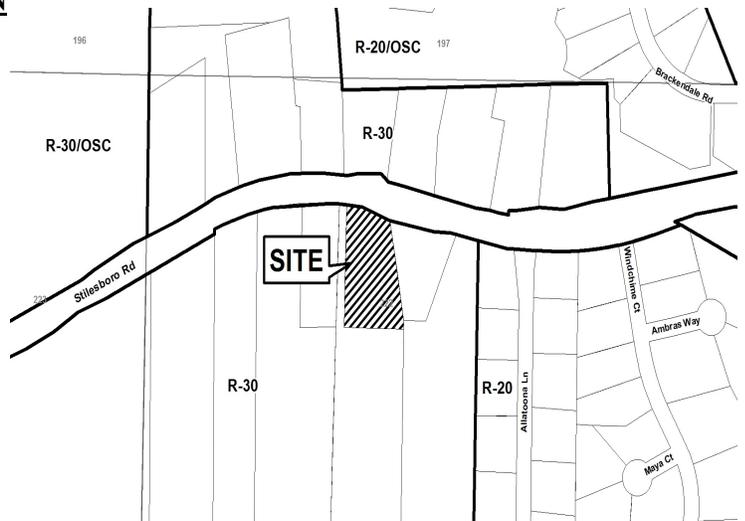
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

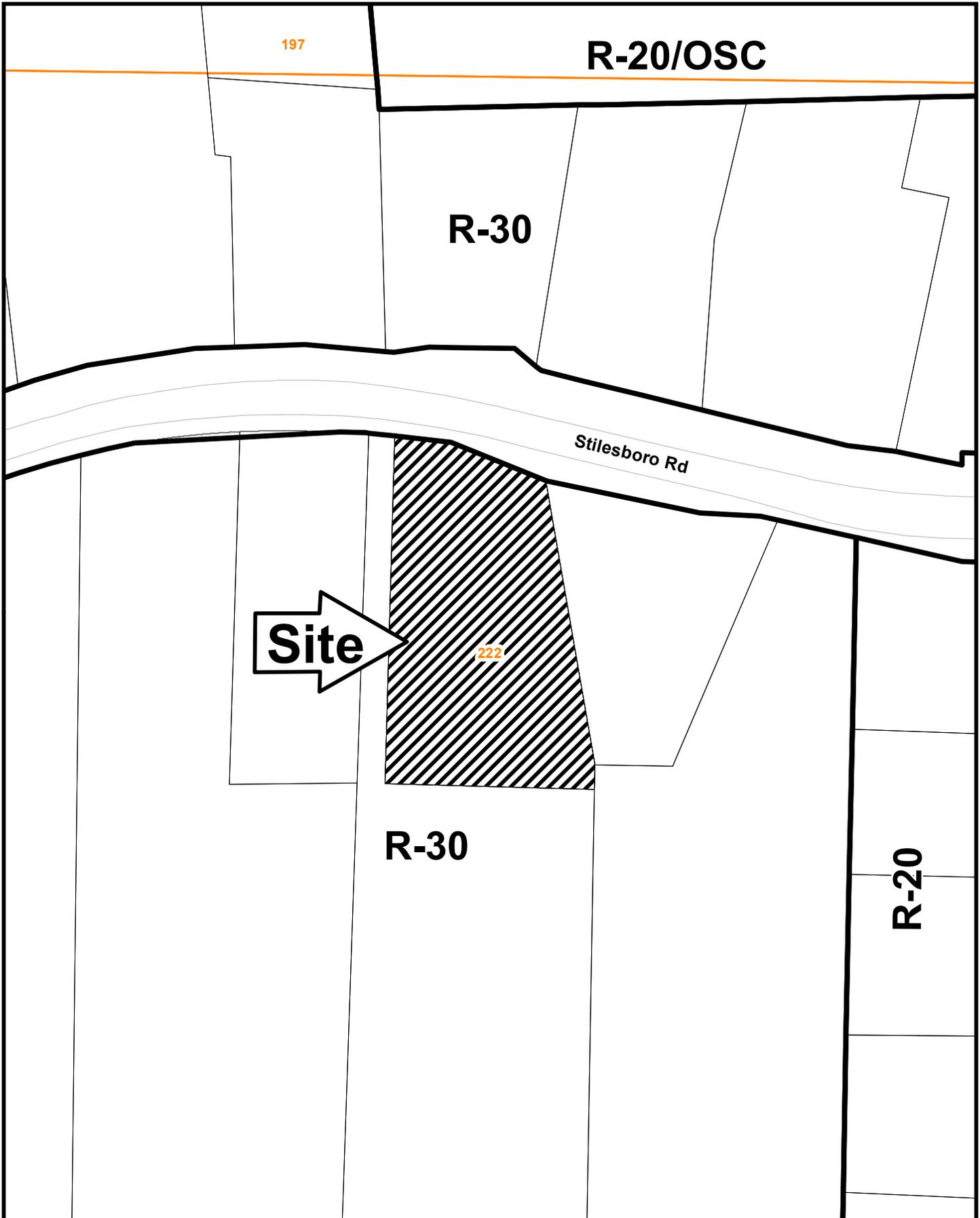
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

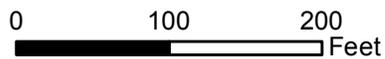
STIPULATIONS:



LUP-26-2016 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: GARFIELD MCCOOK

PETITION NO.: LUP-26

PRESENT ZONING: R-30

PETITION FOR: LUP-26

ZONING COMMENTS: Staff Member Responsible: Donald Wells

Applicant is requesting to renew a Temporary Land Use Permit for the purpose of increasing the amount of residents from six to ten for a group home. The applicant intends to build a one story addition to accommodate more residents. The hours of operation will continue to be seven days per week, 24 hours per day. The applicant has indicated that there will continue to be two employees, no signs, no deliveries and no outdoor storage. The applicant does not live in the house. The applicant does not intend to change anything but the maximum residents from the previous approved Land Use Permit.

Historic Preservation: No comment.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission’s Inventory listing which is located in this, or adjacent land lot.

WATER & SEWER COMMENTS:

Environmental Health Dept. approval needed for continued use of septic system with the permitted occupancy.

TRAFFIC COMMENTS:

Recommend no parking on the right-of-way.

FIRE COMMENTS:

NO 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.

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STORMWATER MANAGEMENT COMMENTS

No comment.

STAFF RECOMMENDATIONS

LUP-26 GARFIELD MCCOOK

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.

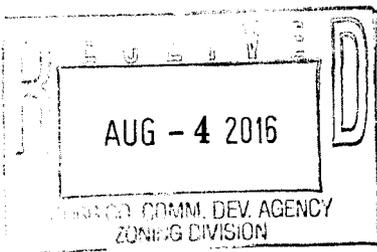
- (1) *Safety, health, welfare and moral concerns involving the surrounding neighborhood.*
This request should not affect the safety, health or welfare of the surrounding properties.
- (2) *Parking and traffic considerations.*
Employees and visitors will park in the driveway.
- (3) *Number of nonrelated employees.*
The applicant has two (2) employees for the proposal.
- (4) *Number of commercial and business deliveries.*
None
- (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 many years without any complaints with six residents. The applicant is requesting to increase the number of residents to ten. Staff is concerned this single family area may not be compatible with a more institutional use.
- (6) *Compatibility of the business use to the neighborhood.*
There are no known businesses surrounding the property. However, this use has been here for a long time 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 property is not located in a platted neighborhood, and is 1.34 acres.

LUP-26 GARFIELD MCCOOK (Continued)

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

- Maximum of six (6) residents;
- Maintain turn around capabilities of driveway so that vehicles can exit the property frontwards;
- No exterior signs;
- Maintain all State and County required permits;
- Maintain size of the lot as it exists currently;
- Fire Department comments and recommendations and;
- Cobb DOT comments and recommendations.

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.



Previous case LUP 21/2014

Application #: LUP-26
PC Hearing Date: 10-4-16
BOC Hearing Date: 10-18-16

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

1. Type of business, or request? PERSONAL CARE HOME
2. Number of employees? 2
3. Days of operation? 7 DAYS PER WEEK
4. Hours of operation? 24 HOURS
5. Number of clients, customers, or sales persons coming to the house per day? 0 ; Per week? _____
6. Where do clients, customers and/or employees park?
Driveway: _____ ; Street: _____ ; Other (Explain): PARKING AREA

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): _____

Increase capacity from 6 to 10 residents.

Applicant signature: [Signature] Date: 8/4/16

Applicant name (printed): GARFIELD MCCOOK