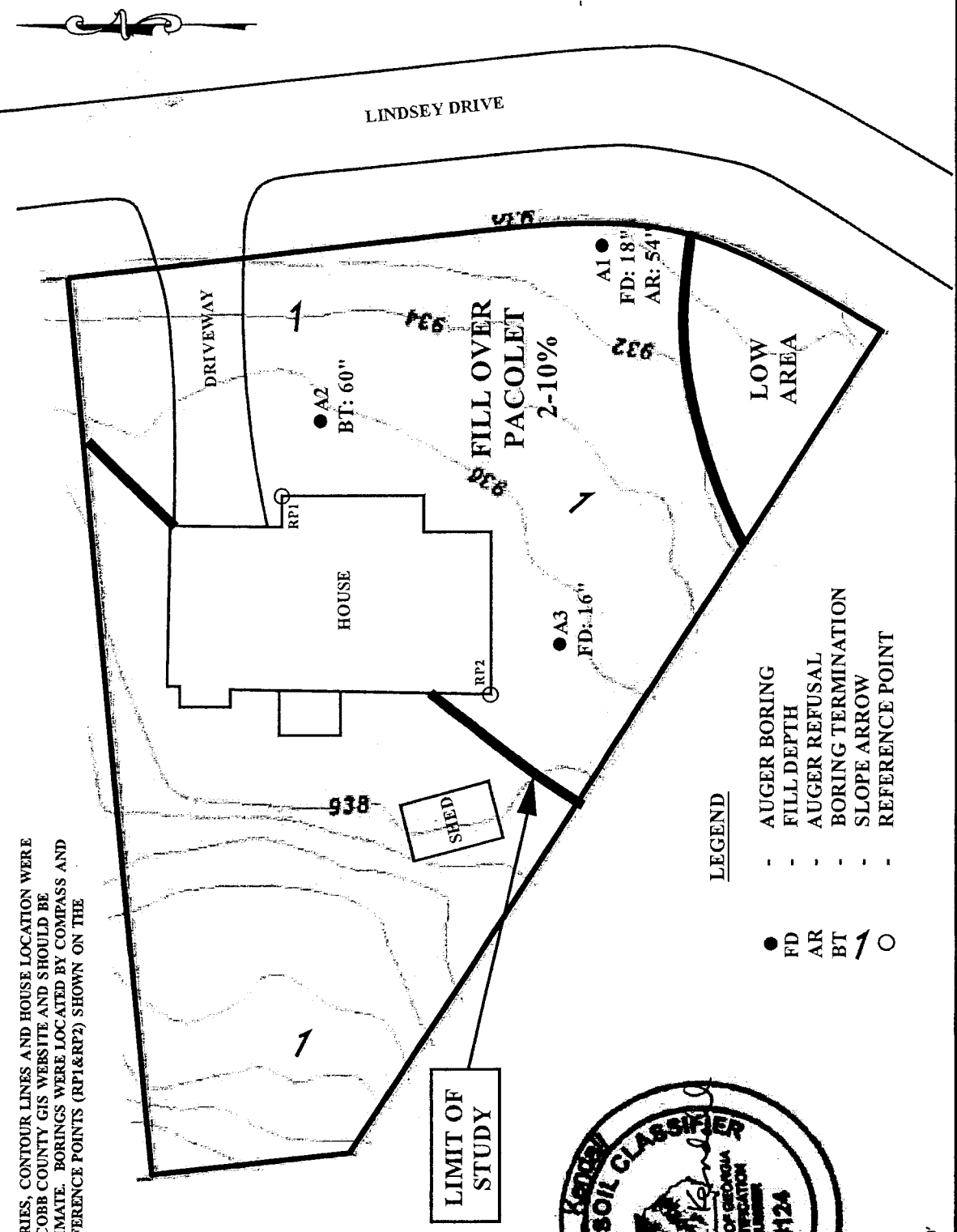


LUP-28
(2016)

NOTES:
1) PROPERTY BOUNDARIES, CONTOUR LINES AND HOUSE LOCATION WERE OBTAINED FROM THE COBB COUNTY GIS WEBSITE AND SHOULD BE CONSIDERED APPROXIMATE. BORINGS WERE LOCATED BY COMPASS AND PACING FROM THE REFERENCE POINTS (RP1&RP2) SHOWN ON THE DRAWING BELOW.



- LEGEND**
- FD
 - AR
 - BT
 - 1/
 -
 - AUGER BORING
 - FILL DEPTH
 - AUGER REFUSAL
 - BORING TERMINATION
 - SLOPE ARROW
 - REFERENCE POINT



0 15 30
GRAPHIC SCALE: 1" = 30'

LEVEL 3 SOIL MAP
4474 LINDSEY DRIVE
L.L. 1272, 19TH DISTRICT
COBB COUNTY, GEORGIA

KENDALL & ASSOCIATES, INC.
Soil and Ecological Consultants
2443 Powder Springs Road Marietta, Georgia 30064, (Ph.) 770-439-8824

APPLICANT: Open Arms Group Home
PHONE#: 770-990-6057 **EMAIL:** BARNES0521@YAHOO.COM
REPRESENTATIVE: JAMES B. BARNES
PHONE#: 770-990-6057 **EMAIL:** BARNES0521@YAHOO.COM
TITLEHOLDER: JAMES B. BARNES, TERRIL L. BARNES

PETITION NO: LUP-28
HEARING DATE (PC): 10-04-16
HEARING DATE (BOC): 10-18-16
PRESENT ZONING: R-20

PROPERTY LOCATION: West side of Lindsey Drive, north of
Jamestowne Court
(4474 Lindsey Drive)

PROPOSED ZONING: Land Use Permit

ACCESS TO PROPERTY: Lindsey Drive

PROPOSED USE: Group home for up to six
residents

PHYSICAL CHARACTERISTICS TO SITE: Single Family Home

SIZE OF TRACT: .45 acres

DISTRICT: 19

LAND LOT(S): 1272

PARCEL(S): 38

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Jamestown Pointe Subdivision
SOUTH: R-20/ Jamestown Pointe Subdivision
EAST: R-20/ Jamestown Pointe Subdivision
WEST: R-20/ Jamestown Pointe Subdivision

Adjacent Future Land Use:

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

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

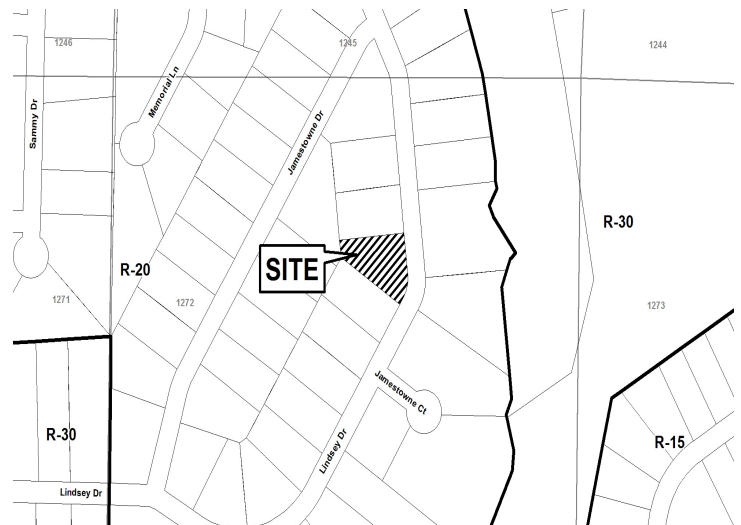
PLANNING COMMISSION RECOMMENDATION

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

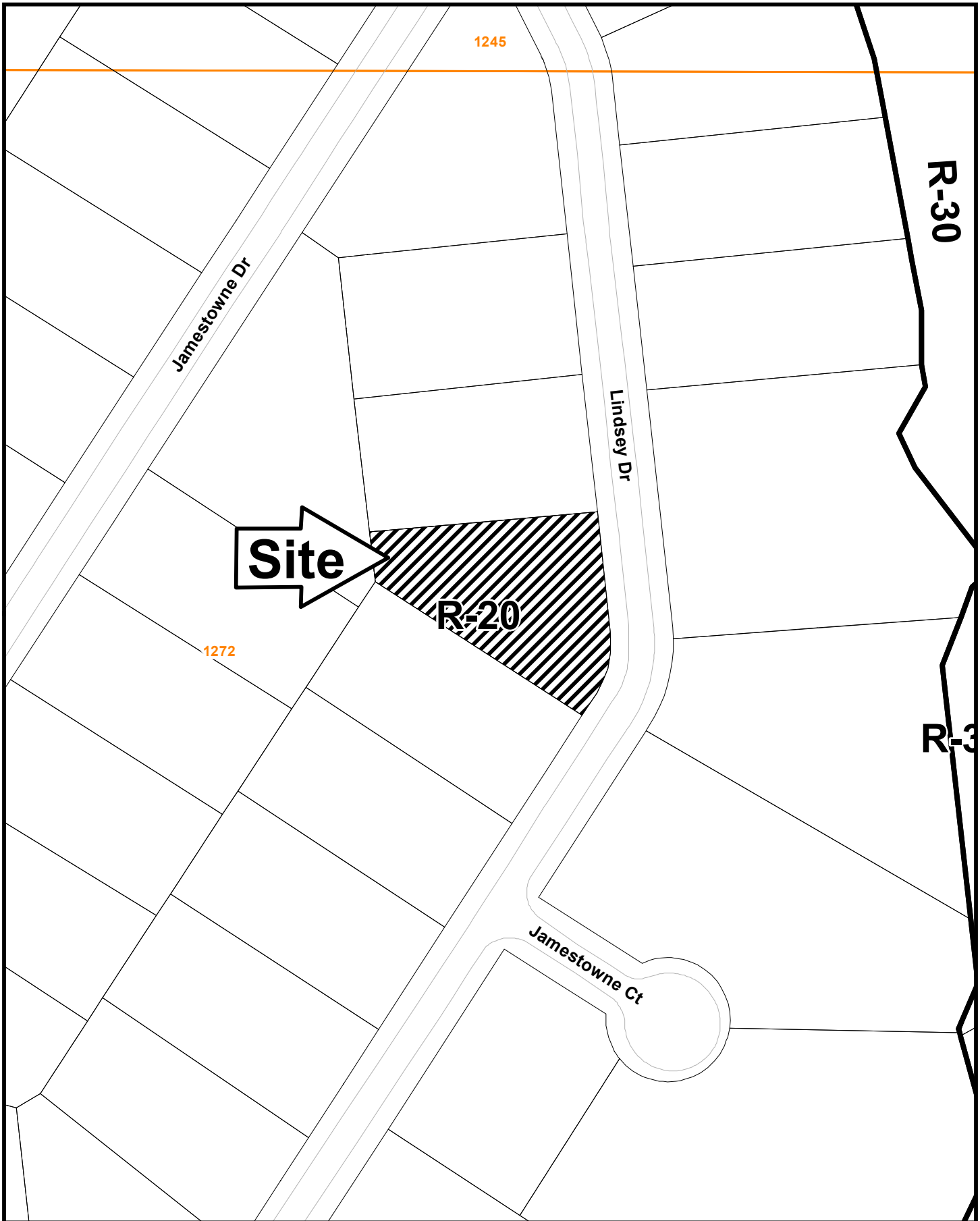
BOARD OF COMMISSIONERS DECISION

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

STIPULATIONS:



LUP-28-2016 GIS



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

0 100 200 Feet

City Boundary
Zoning Boundary

APPLICANT: Open Arms Group Home

PETITION NO.: LUP- 28

PRESENT ZONING: R-20

PETITION FOR: LUP-28

ZONING COMMENTS: Staff Member Responsible: Donald Wells

The applicant is requesting a temporary land use permit to allow six children for a group home. The code only allows a maximum of 4 children with Fire Marshal approval. The applicant intends to have 3 employees and will operate 24 hours a day 7 days a week. All customers and employees will park in the driveway and there will be no more than 2 cars at the property at a time. There will be no signs or deliveries except normal daily mail. The applicant does intend to have furniture for living room and office, and will also store office supplies outside. The applicant will not live in the house. The applicant is requesting approval for 24 months.

Historic Preservation: No comment.

Cemetery Preservation: No comment

WATER & SEWER COMMENTS:

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

TRAFFIC COMMENTS:

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

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.

APPLICANT: Open Arms Group Home

PETITION NO.: LUP-28

PRESENT ZONING: R-20

PETITION FOR: LUP

STORMWATER MANAGEMENT COMMENTS

No comment.

STAFF RECOMMENDATIONS

LUP- 28 OPEN ARMS GROUP HOME

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, and welfare of the surrounding properties because of the possibility of increased traffic by nonresidents.
- (2) *Parking and traffic considerations.*
The applicant intends to use the existing driveway for parking for employees and guests. Street parking would be inevitable due to the narrow driveway and the limited space for turning around.
- (3) *Number of nonrelated employees.*
There will be 3 employees.
- (4) *Number of commercial and business deliveries.*
There will be no deliveries other than standard mail.
- (5) *The general presumption of the board of commissioners that residential neighborhoods should not allow noncompatible business uses.*
The single family residential nature of neighborhood in the County could be harmed by disruptions from the increased traffic in the area.
- (6) *Compatibility of the business use to the neighborhood.*
Group homes are permitted in residential area with limits to protect surrounding properties.
- (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 has the potential to effect surrounding property values.
- (10) *Circumstances surrounding neighborhood complaints.*
There have not been any complaints filed with Code Enforcement.
- (11) *Intensity of the proposed business use.*
The applicant's requests will increase the amount traffic in the area.

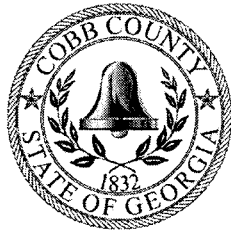
LUP- 28 OPEN ARMS GROUP HOME (Continued)

(12)Location of the use within the neighborhood.

This property is located well within a platted subdivision, and is completely surrounded by single family homes.

Based on the above analysis and a 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 #: LUP-28
PC Hearing Date: 10-4-10
BOC Hearing Date: 10-8-14

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

- 1. Type of business, or request? Group Home (6 youth)
- 2. Number of employees? 3
- 3. Days of operation? 7 Days a week
- 4. Hours of operation? 24 hrs a day
- 5. Number of clients, customers, or sales persons coming to the house per day? 6 kids ; Per week? _____
- 6. Where do clients, customers and/or employees park?
Driveway: X ; Street: _____ ; Other (Explain): _____

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.): 2 cars

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 _____ ; No X
11. Any outdoor storage? No _____ ; Yes X (If yes, please state what is kept outside): VENTURE FOR Living Room and OFFICE - OFFICE SUPPLIES

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: 8/3/16
Applicant name (printed): JAMES B. BARNES