



**APPLICANT:** David Zaccaria  
770-975-0128

**REPRESENTATIVE:** David Zaccaria  
770-975-0128

**TITLEHOLDER:** David D. Zaccaria

**PROPERTY LOCATION:** On the southern side of Brown Deer Trail, south of Brown Deer Lane (2435 Brown Deer Trail).

**ACCESS TO PROPERTY:** Brown Deer Trail

**PHYSICAL CHARACTERISTICS TO SITE:** Split level residential House.

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-20/ Etheridge Glen Subdivision
- SOUTH:** R-30/ Great Oaks Estates Subdivision
- EAST:** R-20, R-30/ Etheridge Glen Subdivision
- WEST:** R-20, R-30/ Etheridge Glen Subdivision

**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:**

**PETITION NO:** LUP-8

**HEARING DATE (PC):** 04-05-11

**HEARING DATE (BOC):** 04-19-11

**PRESENT ZONING:** R-20, R-30

**PROPOSED ZONING:** Land Use Permit

**PROPOSED USE:** Teaching, Producing, And Record Engineering

**SIZE OF TRACT:** 0.53 acre

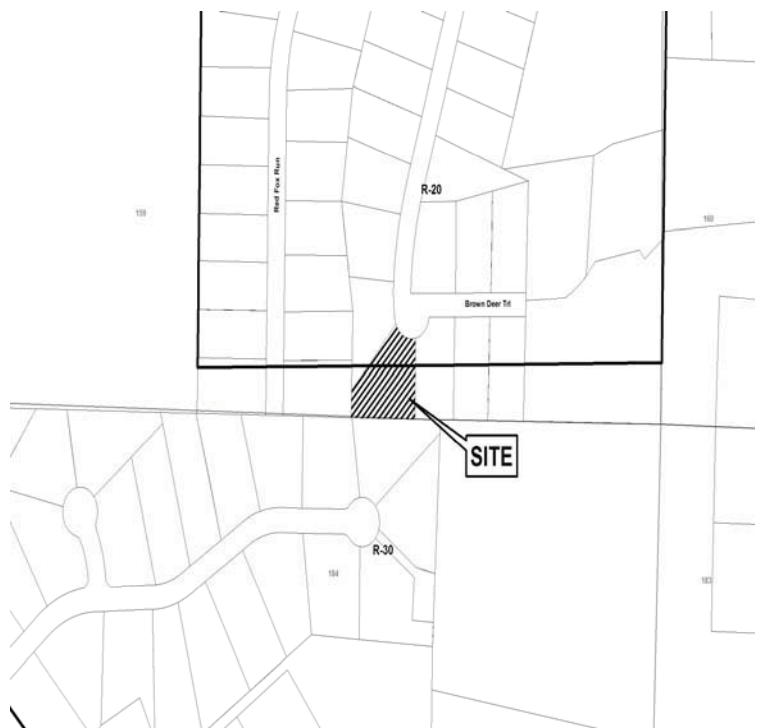
**DISTRICT:** 20

**LAND LOT(S):** 159

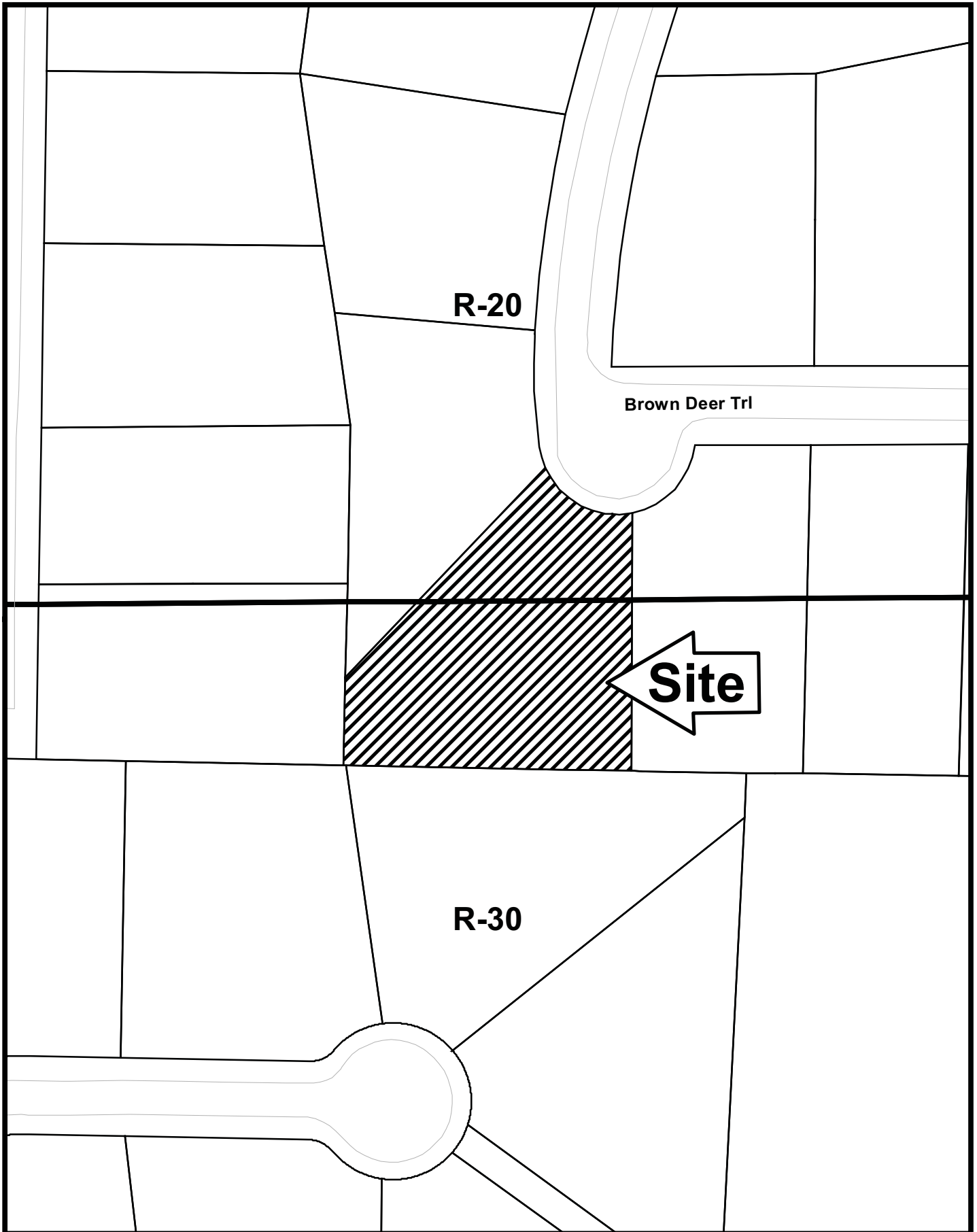
**PARCEL(S):** 41

**TAXES: PAID** X **DUE**       

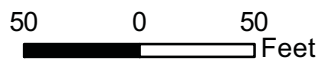
**COMMISSION DISTRICT:** 1





# LUP-8



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



-  City Boundary
-  Zoning Boundary

APPLICANT: David Zaccaria

PETITION NO.: LUP-8

PRESENT ZONING: R-30

PETITION FOR: LUP

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**ZONING COMMENTS:** Staff Member Responsible: Terry Martin, MPA

The applicant is requesting a Temporary Land Use Permit (LUP) to allow a teaching, producing, and recording engineering business from his residence. The applicant describes the work as mostly solitary in nature with most of the production work done on the computer with “weeks, hours, and months” spent alone with others visiting the property for business related purposes on brief occasions. There are no employees other than the applicant who resides at the property and clients are expected 1-3 a month as previously described. Parking for clients, when they do visit the property, can be accommodated in the existing driveway and off the public right of way. No signs or outdoor storage is proposed. The applicant has submitted an extensive list evidencing neighbors (17 in number) from within the subdivision who have expressed their support for the request (attached as Exhibit A).

**Historic Preservation:** No comment.

**Cemetery Preservation:** No comment.

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**WATER & SEWER COMMENTS:**

Records show address connected to both water and sewer.

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**TRAFFIC COMMENTS:**

Recommend no on-street parking.

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**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: David Zaccaria

PETITION NO.: LUP-8

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PETITION FOR: LUP

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**DRAINAGE COMMENTS**

No comments.

## STAFF RECOMMENDATIONS

### **LUP-8 DAVID ZACCARIA**

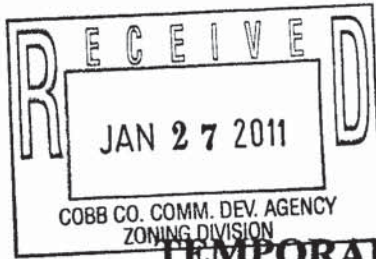
The applicant's request is to allow a teaching, producing, and recording engineering business from his residence. Situated within a platted subdivision, the applicant's property is located within an area designated as Low Density Residential on the *Cobb County Comprehensive Plan*. The applicant's request, as summarized in the staff comments, is presented as one that will have little or no impact on adjacent property owners/residents. Moreover, several surrounding property owners have signed the supplied petition in support of the request. While *County Code* may disallow such businesses outside the strict limitations of a "Customary Home Occupation," the limited nature of the proposed business, as well as the supplied neighborhood support of the applicant's request, may pose reason to give consideration to the request. Based on the above analysis and strict interpretation of *County Code*, Staff recommends **DENIAL**.

**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.**

**CONSENT OF CONTIGUOUS OCCUPANTS OR LAND OWNERS  
TO ACCOMPANY APPLICATION FOR LAND USE PERMIT**

By signature, it is hereby acknowledged that I give my consent/or have no objection that DAVID ZACCARIA  
DAVID ZACCARIA intends to make an application for a Land Use Permit for the purpose of  
Teaching, Producing, Record Engineering, Audio Video Editing on the premises described in the application.

Signature	Printed name	Address
	Thomas J. Fitzgerald	2431 Brown Deer Trl NW
	PAUL C Kemp	2439 Brown Deer Trl.
	Christy Conway	2417 Brown Deer Trl.
	Jerlene Barnes	2438 Brown Deer Tr. N.W.
	Jerry Williams	2444 Brown Deer Tr. N.W.
	Heather Olsen	2455 Brown Deer Trl. NW
	Jim Wolden	2456 Brown Deer Trail N.W.
	KEN YOUNG	2426 BROWN DEER TRAIL N.W.
	WILL CHASTEEN	2427 BROWN DEER TRAIL
	JERE B. NORRIS	2462 BROWN DEER TRAIL
	THOMAS GRIFFIN	2463 BROWN DEER TRL
	Edwin King	2480 Brown Deer Trl.
	CARL CROCKER	4450 BROWN DEER LANE
	DARRELL SMITH	4458 BROWN DEER LANE
	Richard Pennington	2463 Brown Deer Trl
	Dore Wilbelm	2459 BROWN DEER TRAIL
	GAIL SAXE	2443 BROWN DEER TRAIL



Application #: LUP-8  
PC Hearing Date: 4-5-11  
BOC Hearing Date: 4-19-11

### TEMPORARY LAND USE PERMIT WORKSHEET

- 1. Type of business? Teaching, Producing, Record Engineering audio/wides editing.
- 2. Number of employees? 0 - NONE
- 3. Days of operation? MON. THRU. SAT.
- 4. Hours of operation? 9 To 5 sometimes 5 To 10pm
- 5. Number of clients, customers, or sales persons coming to the house per day? 0 ; Per week? usually 1 or 2 or 3 monthly
- 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.): CARS ONLY AND ALWAYS IN DRIVEWAY. (1 VEHICLE - 1986 Toyota)

9. Deliveries? No  ; Yes \_\_\_\_\_ (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)  
FED EX. ONCE OR TWICE a YEAR.

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: (02-03-11) → 7 YEARS / (Most often BRIEF) (NOTE BELOW!)

13. Any additional information? (Please attach additional information if needed):  
Most of this work is directing and Teaching and Editing with (some) RECORDING, BECAUSE most of what is Produced is done in the computer with plug INS.

NOTE:  
Applicant signature: DD. J. S. Date: 1-27-2011

Applicant name (printed): DAVID ZACCARIA

People do not need to be on property most of the time, and when on the property, it is brief. (Revised October 1, 2009) (weeks HOURS & Months are spent ALONE with the type of work.)