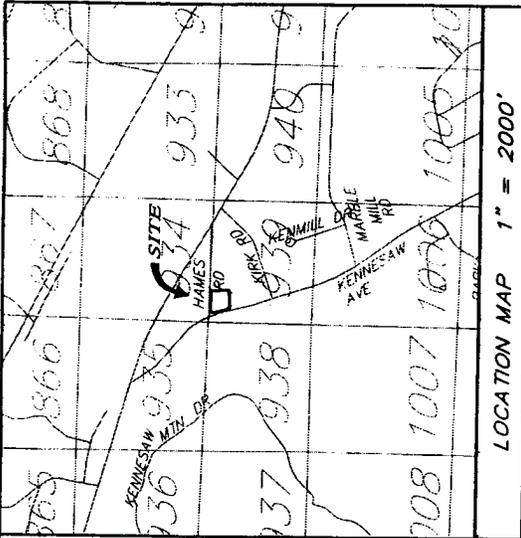
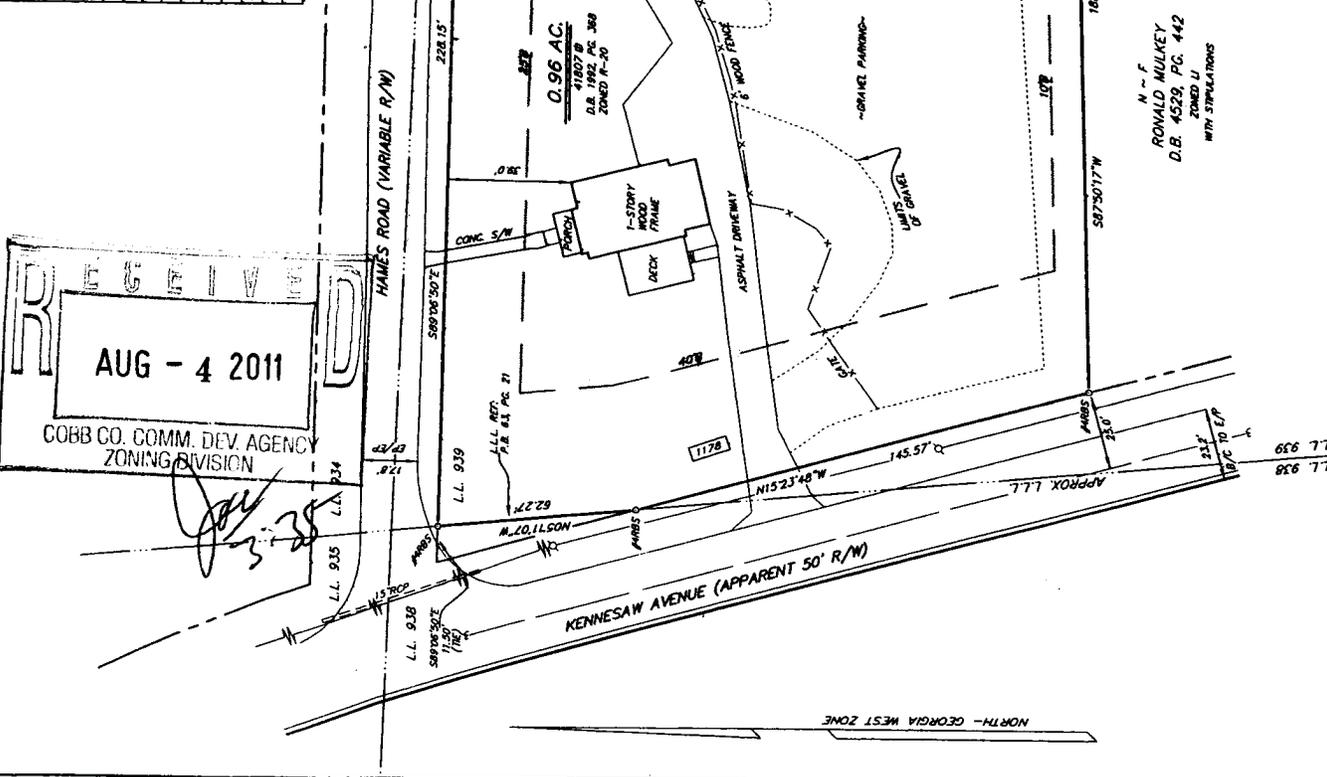


LUP-26
(2011)



LEGEND

□	P.P. - POWER POLE
○	C.B. - CATCH BASIN
—	R.C.P. - REINFORCED CONCRETE PIPE
—	L.P. - LIGHT POLE
—	F.H. - FIRE HYDRANT
⊗	M.H. - SANITARY SEWER MANHOLE
⊗	W.M. - WATER METER
⊗	G.M. - GAS METER
⊗	R.S. - REINFORCING BAR SET
⊗	R.B. - REINFORCING BAR FOUND
⊗	C.T. - CRIMP TOP PIPE FOUND
⊗	O.T. - OPEN TOP PIPE FOUND
⊗	P.M. MON. - RIGHT-OF-WAY MONUMENT
—	X - TYPE OF FENCE
⊗	J.B. - JUNCTION BOX
⊗	D.I. - DROP INLET / YARD INLET
⊗	A.C.O. - SEWER CLEAN OUT
⊗	TELEPHONE MANHOLE
—	OVERHEAD ELECTRICAL LINE
—	NW-HEADWALL
—	POWEROBOX
—	UNDERGROUND TELEPHONE LINE
—	WATER LINE
—	GAS LINE
—	UNDERGROUND TELEPHONE LINE



REGISTERED
AUG - 4 2011
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

LOCATION MAP 1" = 2000'

1178 KENNESAW AVENUE PROPERTY LINE DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 939 OF THE 10TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF KENNESAW AVENUE (APPARENT 50' R/W);

THENCE LEAVING SAID EASTERLY RIGHT OF WAY OF KENNESAW AVENUE AND FOLLOWING THE SOUTHERLY RIGHT OF WAY OF HAMES ROAD SOUTH 89 DEGREES 08 MINUTES 50 SECONDS WEST, 50 FEET TO A $\frac{1}{4}$ REBAR SET AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF HAMES ROAD AND THE WESTERN LINE OF LAND LOT 938, SAID POINT BEING THE POINT OF BEGINNING;

THENCE LEAVING SAID WESTERN LINE OF LAND LOT 939 AND CONTINUING ALONG THE SOUTHERLY RIGHT OF WAY OF HAMES ROAD SOUTH 89 DEGREES 08 MINUTES 50 SECONDS EAST, 228.15 FEET TO A $\frac{1}{4}$ REBAR SET AT THE INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY OF HAMES ROAD SOUTH 01 DEGREES 15 MINUTES 15 SECONDS EAST, 178.45 FEET TO A 1.25" CIMPED TO THE PLUMB, 10" O.D. DEGREES, 16 MINUTES 00 SECONDS EAST, 13.33 FEET TO A $\frac{1}{4}$ REBAR SET ON THE EASTERLY RIGHT OF WAY OF KENNESAW AVENUE;

THENCE FOLLOWING ALONG THE EASTERLY RIGHT OF WAY OF KENNESAW AVENUE AND FOLLOWING THE WESTERN LINE OF LAND LOT 939 NORTH 05 DEGREES 11 MINUTES 23 SECONDS WEST, 145.57 FEET TO A $\frac{1}{4}$ REBAR SET AT THE INTERSECTION OF THE WESTERN LINE OF LAND LOT 939 NORTH 05 DEGREES 11 MINUTES 23 SECONDS WEST, 62.27 FEET TO A $\frac{1}{4}$ REBAR SET AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF HAMES ROAD AND THE WESTERN LINE OF LAND LOT 938, SAID POINT BEING THE POINT OF BEGINNING;

SAID 1178 KENNESAW AVENUE CONTAINS 0.96 ACRES (41,807 SQUARE FEET).

ZONING NOTES:

TOTAL ACRES OF PARCELS: 0.96 ACRES (41,807 S.F.)

ZONING REQUIREMENTS:

EXISTING ZONING: R-20

SETBACKS: FRONT (MAJOR COLLECTOR) - 40 FEET

SIDE (MINOR) - 10 FEET

SIDE (MAJOR) - 25 FEET

MIN. LOT SIZE: 35 FEET

MIN. LOT WIDTH: 35 FEET

MIN. LOT DEPTH: 35 FEET

MAX. BUILDING HEIGHT: 35 FT

MAX. COVERAGE: 35%

SPECIAL LAND USE PERMIT NOTES:

1.) THIS SPECIAL LAND USE PERMIT IS TO ALLOW FOR THE STORAGE OF PARKED EQUIPMENT AND MORE THAN ONE BUSINESS VEHICLE IN THE GRAVEL PARKING AREA IN THE SIDE YARD.

DATE	3-25-10	REVISIONS
SCALE	1"=30'	
DRAWN BY	MAN	
CHECKED BY	CAE	
FIELD BOOK	564	

Gaskins

ENGINEERING • SURVEYING • LAND PLANNING • ENVIRONMENTAL

1716 Powder Springs Rd
Marietta, Georgia 30067

Phone: (770) 241-1168
Fax: (770) 241-1593



RONALD MULKEY
D.B. 4529, PG. 442
ZONED U
WITH STIPULATIONS

CATLE A. LOWE
D.B. 11640, PG. 5325
ZONED R-20
4-18 MARCH 2010

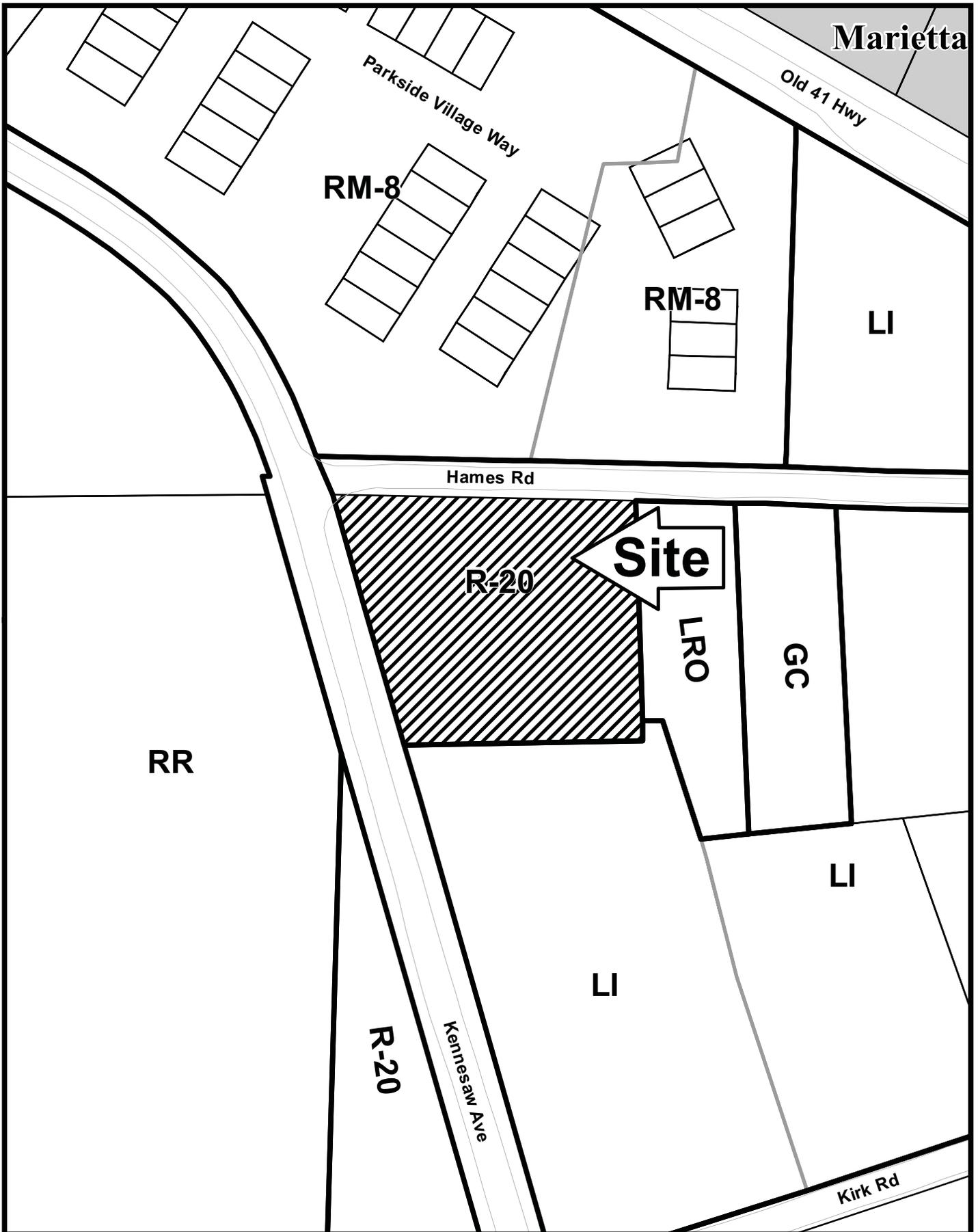
THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS NOT SUBJECT TO ANY SPECIAL COMMUNITY NUMBER 1. ACCORDING TO F.E.M.A. (F.I.A) J. 13087 C 0102 G DATED DECEMBER 15, 2008.

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER. LINEAR PRECISION OF TRAVERSE: 1" / 84,218'; ANGULAR PRECISION OF THIS PLAT: 1" / 151,858'. WAITERS OF TITLE ARE ADVISED.

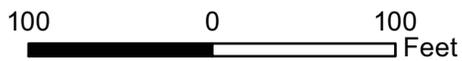
ADDITIONAL NOTES: THIS PROPERTY IS SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED. THIS DEEMING THEM UNDETERMINED AND NOT BEING INTENDED FOR THE PARTIES STATED ON THE FACE OF SURVEY. NONE OF THE SURVEYED THIRD PARTIES IS AT THEIR OWN RISK.

COBB COUNTY, GEORGIA

LUP-26



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Chatfield Contracting, Inc.

PETITION NO.: LUP-26

PRESENT ZONING: R-20

PETITION FOR: LUP

ZONING COMMENTS: Staff Member Responsible: Terry Martin, MPA

The applicant is requesting a renewal of previously granted Temporary Land Use Permit to operate a general contracting business from this property. The business will continue to be open Monday through Friday, from 7:00 a.m. to 7:00 p.m. The business has eight (8) employees that work at offsite jobsites. Any visitors to the property park in the driveway. The applicant keeps two (2) tractors, two (2) dump trucks, two (2) trailers, two (2) backhoes, and two (2) bobcats behind a six (6) foot tall opaque privacy fence. Storage is kept in two (2) storage containers. There will be no signs or deliveries to this property.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

No water comments. Existing septic system OK, per Environmental Health Department.

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. **(Unless the residential structure is intended to be used for Business, then they need to submit to initiate a C/O)**

APPLICANT: Chatfield Contracting, Inc.

PETITION NO.: LUP-26

PRESENT ZONING: R-20

PETITION FOR: LUP

DRAINAGE COMMENTS

No comment on renewal of LUP.

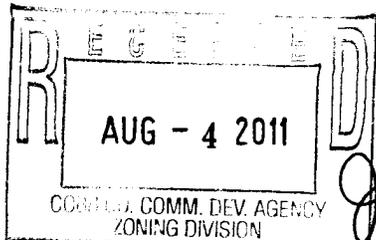
STAFF RECOMMENDATIONS

LUP-26 CHATFIELD CONTRACTING, INC.

The applicant's property is not located in a subdivision and is designated as Industrial Compatible on the *Cobb County Comprehensive Plan*. The property has LI light industrial zoned property to the south, and GC general commercial and other LI property to the east. The property directly to the east has recently been rezoned to LRO low rise office. The applicant maintains the property in good condition and screens any evidence of the business behind a six (6) foot opaque fence to the rear of the property, adjacent to other LI zoned property. The applicant has also submitted a petition of support from numerous adjacent property owners. Based on the above analysis, Staff recommends APPROVAL for twelve (12) months subject to:

- Site plan received by the Zoning Division on August 4, 2011;
- Stipulations of previous LUP-17 of 2010;
- Clients park in the driveway;
- No signs and no deliveries;
- Applicant maintain the property in its current residential state;
- Water and Sewer comments;
- Fire Department comments;
- Stormwater Management comments; and
- 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.



JFK 3/25



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

TEMPORARY LAND USE PERMIT WORKSHEET

1. Type of business? General Contractor
2. Number of employees? 8
3. Days of operation? Mon - Friday
4. Hours of operation? 7:00 am to 7:00 pm
5. Number of clients, customers, or sales persons coming to the house per day? None ; Per week? None
6. Where do clients, customers and/or employees park?
Driveway: _____ ; Street: _____ ; Other (Explain): behind Privacy fence.

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 tractors 2 dump trucks 2 trailers 2 backhoes and 2 bobcats
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): inclosed storage containers
12. Length of time requested: 12 months with potential renewal
13. Any additional information? (Please attach additional information if needed):
property has been utilized in same fashion since purchase date of 1996, the surrounding land owners show no concerns.

Applicant signature: Robert E. Chatfield IV Date: 8-4-11

Applicant name (printed): Robert E. Chatfield IV

ORIGINAL DATE OF APPLICATION: 06-15-10APPLICANTS NAME: CHATFIELD CONTRACTING, INC.THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERSLUP-26
(2011)
--Previous
Minutes**BOC DECISION OF 07-20-10 ZONING HEARING:**

CHATFIELD CONTRACTING, INC. (Robert Emmett Chatfield and Timothy Scott Higdon, owners) requesting a Land Use Permit for the purpose of a General Contractor's Business in Land Lot 934 of the 16th District. Located at the southeast intersection of Kennesaw Avenue and Hames Road (1178 Kennesaw Avenue).

MOTION: Motion by Goreham, second by Ott, as part of the Consent Agenda, to **approve** Land Use Permit for **12 months subject to:**

- **site plan received by the Zoning Division dated April 1, 2010 *for reference only* (attached and made a part of these minutes)**
- **letter of agreeable conditions from Mr. Garvis L. Sams, Jr., dated May 26, 2010 *not otherwise in conflict and with the following change* (attached and made a part of these minutes):**
 - **Delete Item No. 2 in its entirety**
- **clients to park in the driveway**
- **no signs and no deliveries**
- **applicant to maintain the property in its current residential state**
- **District Commissioner may approve minor changes**
- **Fire Department comments and recommendations *not otherwise in conflict***
- **Water and Sewer Division comments and recommendations *not otherwise in conflict***
- **Stormwater Management Division comments and recommendations *not otherwise in conflict***
- **Cobb DOT comments and recommendations *not otherwise in conflict***

VOTE: **ADOPTED 4-0**

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP
SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI
MELISSA P. HAISTEN
JUSTIN H. MEEKS

May 26, 2010

VIA E-MAIL and
FIRST CLASS MAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
P. O. Box 649
Marietta, GA 30061

Re: Application of Chatfield Contracting, Inc. for a
Temporary Land Use Permit (No. LUP-17)

Dear John:

As you know, this firm has been engaged by and represents Chatfield Contracting, Inc. ("Chatfield") concerning the above-captioned application for a Temporary Land Use Permit. In that regard, the application is scheduled to be heard and considered by the Cobb County Planning Commission on June 3, 2010 and, thereafter, is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on June 15, 2010.

The subject property consists of a 0.93 acre tract of land which is located on the south side of Hames Road and the east side of Kennesaw Avenue in an area denominated as Industrial Compatible (IC) under Cobb County's Future Land Use Map. Since purchasing the property in 1996, Chatfield has leased the house on the property for residential use and utilized the balance of the property for the parking and storing of equipment used in connection with Chatfield's contracting business.

While this application has been pending, we have established a dialogue with representatives of The Gates at Parkside Village ("The Gates"). As a result of those discussions, Chatfield is in a position to agree to the following stipulations becoming conditions and a part of the grant of the requested Temporary Land Use Permit and binding upon the subject property thereafter:

1. The stipulations and conditions set forth herein shall replace and supercede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned application for rezoning.

VIA E-MAIL and
FIRST CLASS MAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
Page 2
May 26, 2010

2. Erecting an opaque wooden fence behind the mature Leyland Cypress trees along the subject property's frontage on Kennesaw Avenue.
3. Permanently removing the two (2) large pieces of equipment: Komatsu 200 and the Komatsu 138 track excavators.
4. Permanently removing the lowboy trailers used to haul the track excavators.
5. Keeping the gates on the existing opaque fencing closed except in the mornings when machinery and equipment are taken to job sites and in the afternoons when the machinery and equipment is returned.
6. Although there may be isolated circumstances which necessitate a deviation from the following schedule, an agreement that the hours of utilization of the subject property shall be from Monday through Friday from 7:00 a.m. until 7:00 p.m.
7. Compliance with the recommendations from the Stormwater Management Division with respect to providing detention and water quality upon redevelopment of the subject property.
8. Compliance with the recommendations from the Cobb County Fire Department as contained in the Zoning Analysis.
9. Compliance with the recommendations from the Cobb County Water System with respect to the availability and utilization of water and sewer relative to the site.
10. Compliance with the recommendations from the Cobb County Department of Transportation related to project improvements upon redevelopment of the subject property.

VIA E-MAIL and
FIRST CLASS MAIL

Mr. John P. Pederson, AICP, Manager
Cobb County Zoning Division
Community Development Agency
Page 3
May 26, 2010

Please do not hesitate to call should you have any questions whatsoever regarding these matters or if you need additional information or documentation. With regards, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP



Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLSjr/jbmc

cc: Members, Cobb County Board of Commissioners – VIA Hand Delivery
Members, Cobb County Planning Commissioner – VIA E-Mail
Mr. Robert L. Hosack, Jr., AICP, Director – VIA E-Mail
Mr. David W. Breaden, P.E. – VIA E-Mail
Ms. Jane Stricklin, PE – VIA E-Mail
Ms. Karen King, Assistant County Clerk – VIA Hand Delivery
Ms. Lori Presnell, Deputy County Clerk – VIA Hand Delivery
Mr. Ron Bush, The Gates at Parkside HOA – VIA E-Mail
Mr. Chad Chatfield – VIA E-Mail