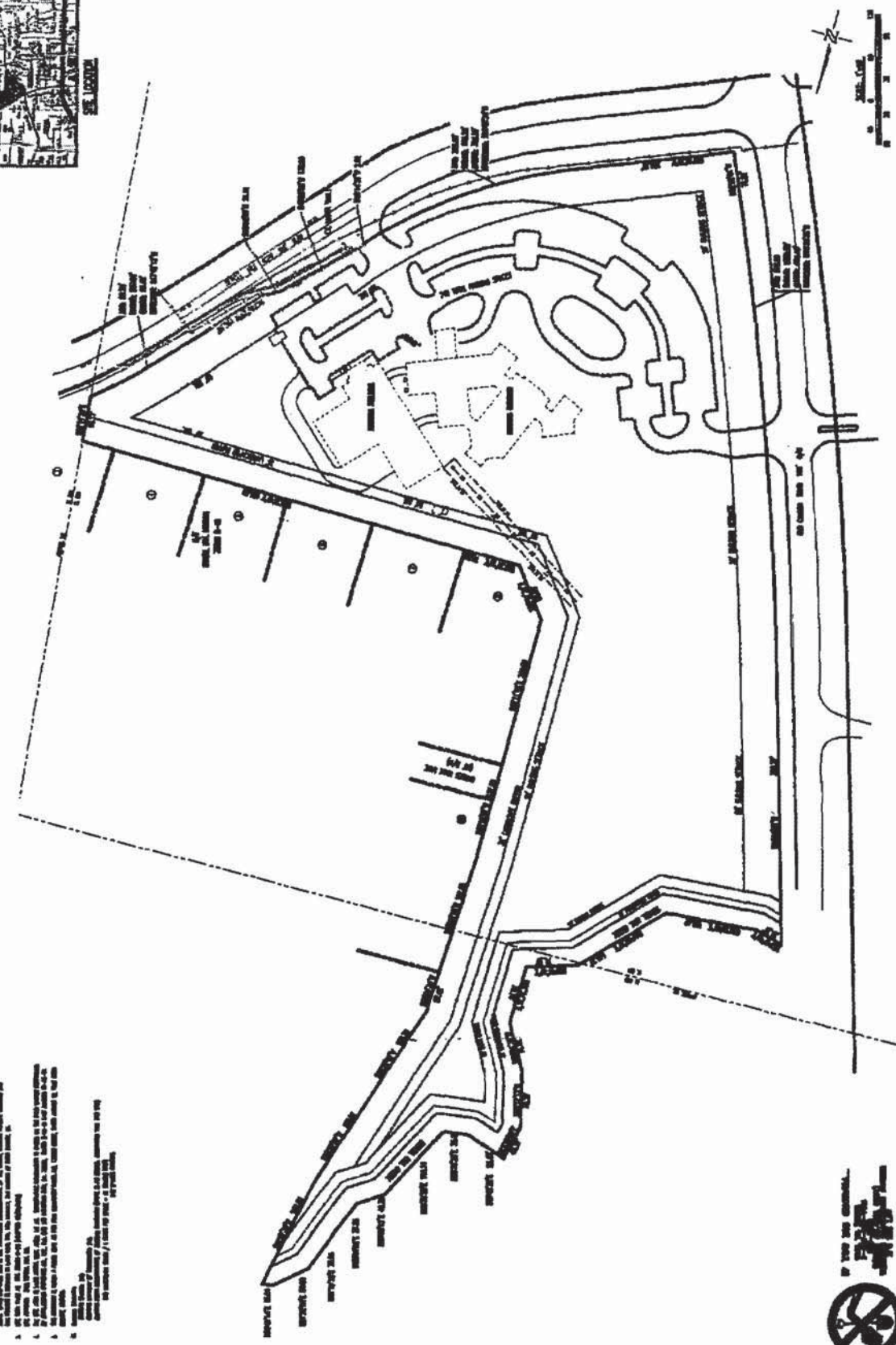


LUP-8
(2012)



—THE NEW YORK TIMES—



1. **What is the name of the person who wrote the book "The Great Gatsby"?**
 2. **What is the name of the person who wrote the book "The Catcher in the Rye"?**
 3. **What is the name of the person who wrote the book "The Hobbit"?**
 4. **What is the name of the person who wrote the book "The Lord of the Rings"?**
 5. **What is the name of the person who wrote the book "The Hobbit and The Lord of the Rings"?**
 6. **What is the name of the person who wrote the book "The Hobbit and The Lord of the Rings"?**
 7. **What is the name of the person who wrote the book "The Hobbit and The Lord of the Rings"?**
 8. **What is the name of the person who wrote the book "The Hobbit and The Lord of the Rings"?**
 9. **What is the name of the person who wrote the book "The Hobbit and The Lord of the Rings"?**
 10. **What is the name of the person who wrote the book "The Hobbit and The Lord of the Rings"?**



Landworks Associates, Inc.
1509 ATKINSON ROAD
LAWRENCEVILLE, GEORGIA 30043
(770) 513-7100 FAX: 513-4553

EASTMINSTER
PRESBYTERIAN CHURCH
3125 SENECA MILL ROAD
NEW DUNSTON, NEW BRUNSWICK, CANADA L4B 3M7
NEWCASTLE, LANTANA BRIDGE

SECRET ONLY	DATE	12-1-81
STP	TIME	14:00
PLAN	BY	LT
	CHKD	LT
	SECRET NUMBER	
		C-1

APPLICANT: Eastminster Presbyterian Church of Marietta, Inc.

(770) 977-2976

REPRESENTATIVE: Parks F. Huff (770) 422-7016

Sams, Larkin & Huff, LLP

TITLEHOLDER: Eastminster Presbyterian Church of Marietta, Inc.

PROPERTY LOCATION: At the northeast intersection of Sewell Mill Road and Old Canton Road, and at the western terminus of Garden Lane Drive (3125 Sewell Mill Road).

ACCESS TO PROPERTY: Sewell Mill Road and Old Canton Road

PHYSICAL CHARACTERISTICS TO SITE: Existing church and church preschool

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-30 and R-20/Sewell Mill Heights and Manning Subdivisions

SOUTH: R-20/Roswell Downs Subdivision and R-15/Princeton Corners Subdivision

EAST: R-30 and R-20/Sewell Mill Heights and Manning Subdivisions

WEST: R-20/Temple Kol Emeth

PETITION NO: LUP-8

HEARING DATE (PC): 02-07-12

HEARING DATE (BOC): 02-21-12

PRESENT ZONING: R-20, R-30

PROPOSED ZONING: Land Use Permit
(Renewal)

PROPOSED USE: Preschool Program For
Church Members and Community

SIZE OF TRACT: 14.16 acres

DISTRICT: 16

LAND LOT(S): 838, 891

PARCEL(S): 1

TAXES: PAID N/A **DUE** _____

COMMISSION DISTRICT: 3

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

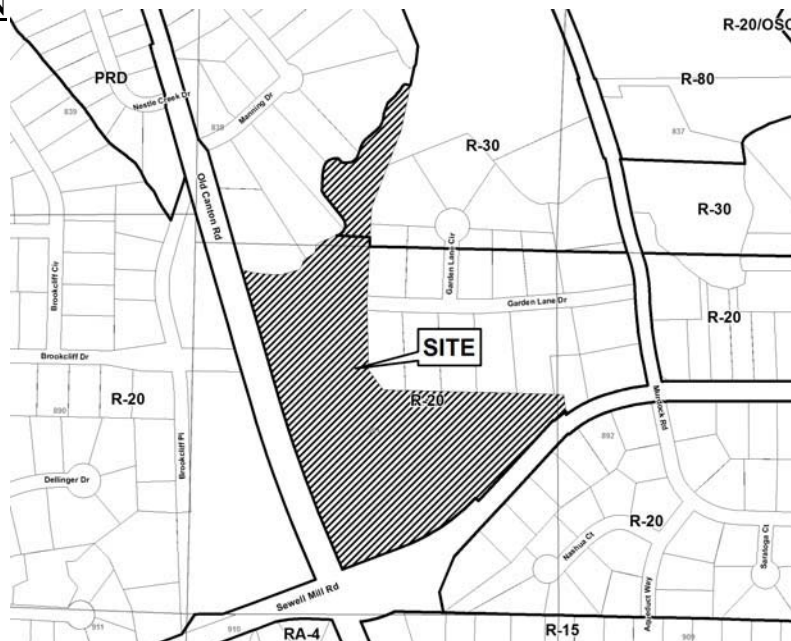
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

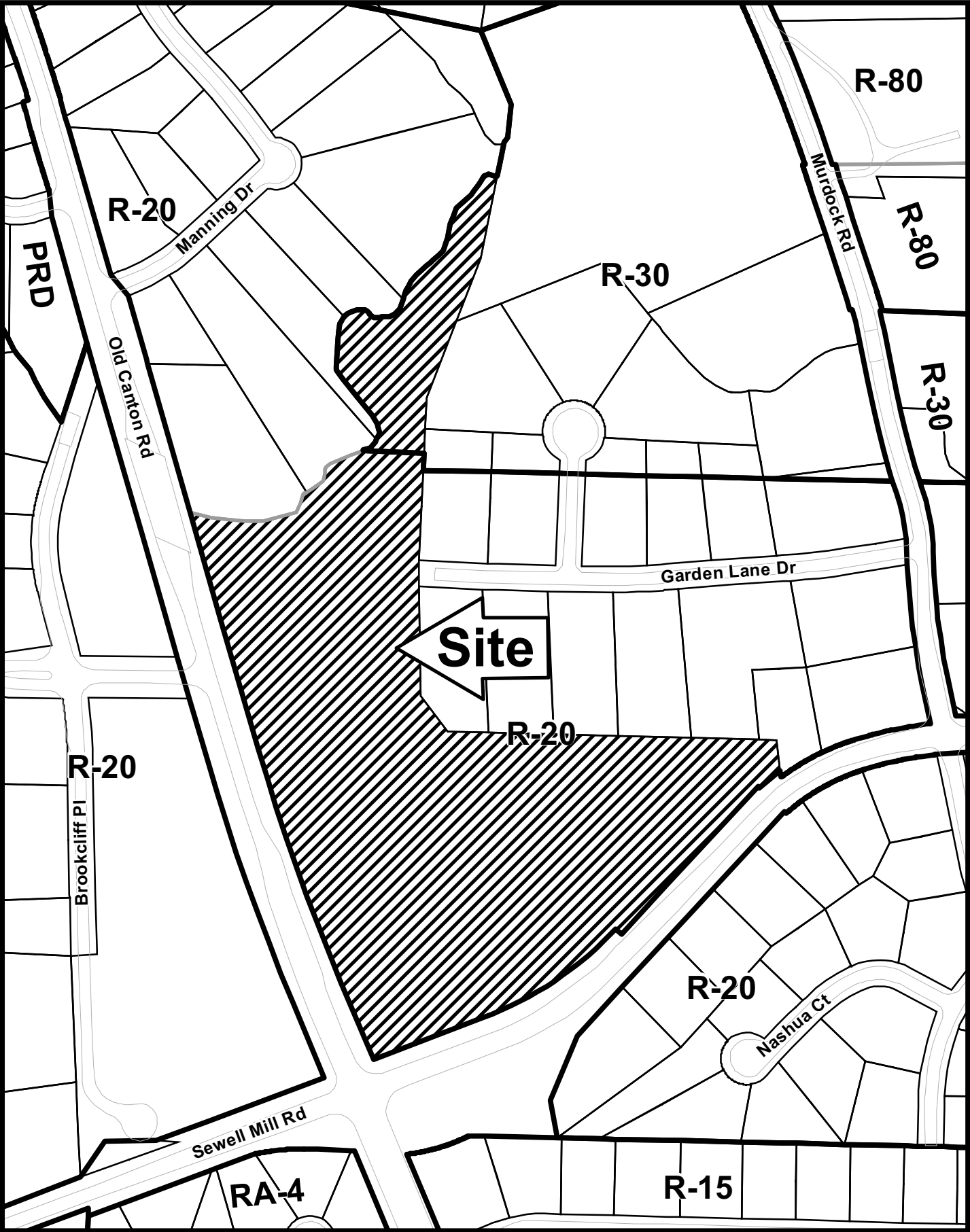
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

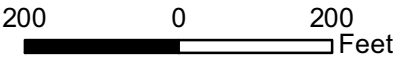
STIPULATIONS:



LUP-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: Eastminster Presbyterian Church of Marietta, Inc.

PETITION NO.: LUP-8

PRESENT ZONING: R-20

PETITION FOR: LUP

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Applicant is requesting a renewal of a Land Use Permit for the purpose of operating a preschool for church members and adding the use for the community members as well. The preschool will operate Monday through Friday from 9 a.m. to 1:30 p.m. and will generally follow the Cobb County School System calendar. The attached worksheet indicates that the total enrollment will be up to 100 students. The worksheet also indicates the preschool will have 14 employees. The school is limited to seven existing classrooms and will offer classes for children ages two to four. The class structure includes two-day per week, three-day per week and five-day per week options. Applicant was previously granted a LUP on 2009 (LUP-20).

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

No comments.

TRAFFIC COMMENTS:

Recommend a right-in-right-out driveway with painted island for entrance on Sewell Mill Road. Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

FIRE COMMENTS:

Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process.

APPLICANT: Eastminster Presbyterian Church

PETITION NO.: LUP-8

PRESENT ZONING: R-20

PETITION FOR: LUP

DRAINAGE COMMENTS

No comments.

STAFF RECOMMENDATIONS

LUP-8 EASTMINSTER PRESBYTERIAN CHURCH OF MARIETTA, INC.

Applicant is seeking a renewal for the existing use of a preschool that was granted as LUP-20 of 2009. The current proposal is to continue the use and also offer the preschool to the community members as in addition to church members. No complaints have been received regarding this request. Applicant's proposal is in keeping with the previously approved LUP. Based upon the above analysis, staff recommends APPROVAL for 24 months subject to the following:

- Site plan received by the Zoning Division, with the District Commissioner approving minor modifications;
- Maximum of 100 students;
- Fire Department comments and recommendations; 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.



Application #: LUP-8

PC Hearing Date: 02/07/12

BOC Hearing Date: 02/21/12

TEMPORARY LAND USE PERMIT WORKSHEET

1. Type of business? Preschool
2. Number of employees? 14
3. Days of operation? Monday through Friday
4. Hours of operation? 9:00 a.m. through 1:30 p.m.
5. Number of clients, customers, or sales persons coming to the house per day? _____; Per Week? Total enrollment up to 100 students
6. Where do clients, customers and/or employees park:
Driveway: _____; Street: _____; Other (Explain): On-site parking lot
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.): N/A
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 X; Yes _____ (If yes, please state what is kept outside): _____
12. Length of time requested: 2 years
13. Any additional information? Please attach additional information if needed):

See proposed narrative.

Applicant Signature: [Signature] Date: 11-29-2011

Applicant name (printed): Parks F. Huff, Attorney for Applicant

Eastminster Presbyterian Church

Preschool Narrative

Eastminster Presbyterian Church proposes to operate a Preschool within our existing facility at 3125 Sewell Mill Road, Marietta, GA 30062. The school is limited to 7 existing class rooms and shall offer classes for children ages 2 through 4 years of age (through Pre-K). The class structure includes 2 day per week, 3 day per week and 5 day per week options. The school shall operate Monday through Friday, from 9:00 a.m. until 1:30 p.m. and shall generally follow the Cobb County School System Calendar.

PAGE 2 OF 7

APPLICATION NO. LUP

ORIGINAL DATE OF APPLICATION: 08-18-09

APPLICANTS NAME: EASTMINSTER PRESBYTERIAN CHURCH
OF MARIETTA, INC.

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 08-18-09 ZONING HEARING:

EASTMINSTER PRESBYTERIAN CHURCH OF MARIETTA, INC. (owner) requesting a **Land Use Permit** for the purpose of Child Care and Preschool in Land Lots 838 and 891 of the 16th District. Located at the northeast intersection of Sewell Mill Road and Old Canton Road and at the western terminus of Garden Lane Drive.

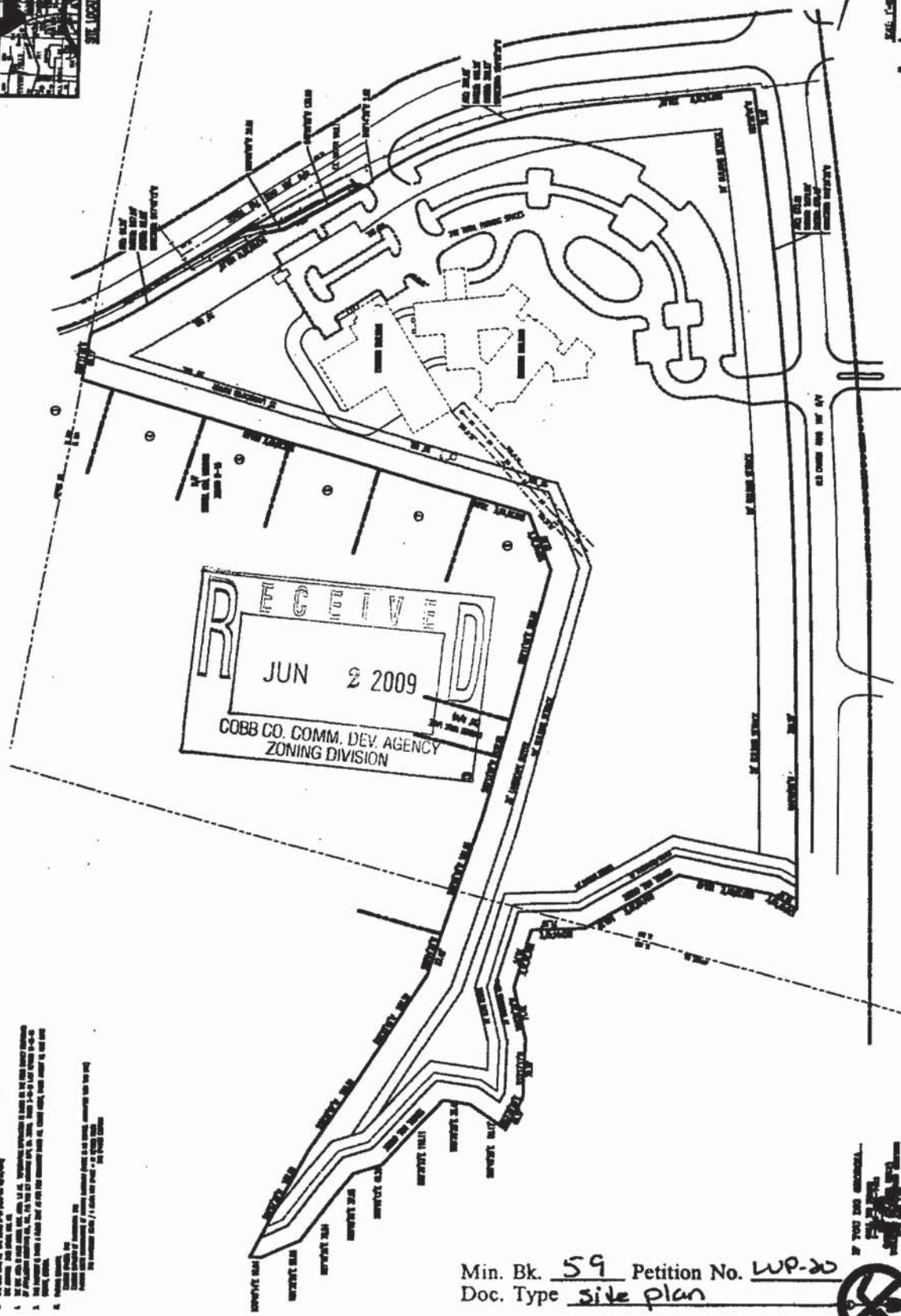
MOTION: Motion by Goreham, second by Lee, as part of the Consent Agenda, to **approve** Land Use Permit for **12 months** subject to:

- site plan received by the Zoning Division dated June 2, 2009 (attached and made part of these minutes)
- letter of agreeable conditions from Mr. Parks Huff dated July 28, 2009 *with the following change* (attached and made a part of these minutes):
 - Item No. 8 shall read as follows: *"The school will operate Monday through Friday from 8:30 a.m. to 1:00 p.m."*
- letter of agreeable conditions from Mr. Parks Huff dated August 3, 2009 (attached and made part of these minutes)
- Fire Department comments and recommendations
- Cobb DOT comments and recommendations, *with the exception of requirement for construction of a left turn lane on Old Canton Road, and allowing four (4) months from the date of this decision for the Applicant/owner to complete the required right-in/right-out striping on Sewell Mill Road*

VOTE: **ADOPTED 4-0**



PAGE 3 OF



RECEIVED
JUN 2 2009
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION

Min. Bk. 59 Petition No. WP-20
Doc. Type side plan

Meeting Date August 18, 2009

[illegible]

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

SAMSLARKINHUFF.COM

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

MELISSA P. HAISTEN
JUSTIN H. MEEKS

July 28, 2009

PAGE 4 OF

VIA HAND DELIVERY

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Division
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661



Re: Application of Eastminster Presbyterian Church of Marietta, Inc. for Temporary Land Use Permit (No. LUP-20)

Dear John:

I represent Eastminster Presbyterian Church of Marietta, Inc. in relation to their Temporary Land Use Permit application to operate a pre-school program on their property known as 3125 Sewell Mill Road. The church is located on fourteen (14) acres of intersection of Old Canton Road and Sewell Mill Road. The proposed preschool program will be open to both church members and nonmembers and will be in operation Monday through Friday during the school year.

The preschool program will use the existing church facility. The facility has a generous parking lot and good access to Sewell Mill Road that will easily accommodate children being picked up and dropped off without conflicting with the public road.

This letter and the conditions contained herein supersede the previous stipulation letter dated July 21, 2009. Following is a revised list of conditions that my client will agree to become a condition on the grant of the Temporary Land Use Permit and binding upon the subject property during the term of the Land Use Permit:

- 1) The preschool program will serve children from the ages of twelve (12) months through six (6) years of age.
- 2) The program will be limited to no more than 100 children at the facility at one time.
- 3) The school will maintain a drop-off and pick-up schedule and circulation plan to ensure that there is free-flowing ingress and egress to the church and that there will not be a conflict along the adjacent roadway.

VIA HAND DELIVERY

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Division
July 28, 2009
Page 2

PAGE 5 OF

- 4) The term of the Temporary Land Use Permit will be for an initial term of twelve (12) months, with an anticipated renewal at that time.
- 5) The preschool will operate during the normal school year and will not be a year-round program.
- 6) Either the church or an affiliated non-profit organization will manage the pre-school program.
- 7) The school will use the five classrooms existing buildings and playground area. Any additions to the playground will be submitted to the District Commissioner for approval.
- 8) The school will operate Monday through Friday from 7:30 am to 1:00 pm.
- 9) The school will use the existing access points to the adjacent roadways.
- 10) Minor modifications to the conditions may be approved by the District Commissioner.

Please do not hesitate to contact me if you have any questions or concerns regarding the application or the terms and conditions proposed in this letter.

Sincerely,

SAMS, LARKIN & HUFF, LLP



Parks F. Huff
phuff@samslarkinhuff.com

PFH/brl

cc: Members, Cobb County Planning Commission
Members, Cobb County Board of Commissioners
Mr. Don Farrell, East Cobb Civic Association – (VIA E-Mail)
Ms. Jill Flamm, East Cobb Civic Association, Vice President – (VIA E-Mail)
Ms. Karen King, Deputy County Clerk – (VIA E-Mail)
Eastminster Presbyterian Church of Marietta, Inc.

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

MELISSA P. HAISTEN
JUSTIN H. MEEKS

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

Min. Bk. 59
Doc. Type Letter
conditions
Meeting Date Aug 3

LUP-8 (2012)
Previous Minutes

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

SAMSLARKINHUFF.COM

August 3, 2009

PAGE 6 OF

VIA HAND DELIVERY

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Division
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661



Re: Application of Eastminster Presbyterian Church of Marietta, Inc. for Temporary
Land Use Permit (No. LUP-20)

Dear John:

On behalf of Eastminster Presbyterian Church of Marietta, Inc. in relation to their Temporary Land Use Permit, I submitted a stipulation letter dated July 28, 2009 detailing stipulations that the applicant agrees to being a condition on the grant of the Land Use Permit. Following are two additional stipulations that are in addition to the stipulations outlined in that letter.

- 1) The preschool program will comply with all state requirements in terms of licensing, class size, student/teacher ratios and other pertinent requirements for the program.
- 2) The applicant agrees to the request for right in/ right out striping on Sewell Mill Road to be installed within four (4) months of the approval of the Land Use Permit.
- 3) The applicant agrees with all other staff recommendation with the exception of the request to install a left turn lane on Old Canton Road.

VIA HAND DELIVERY

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Division
August 3, 2009
Page 2

Please do not hesitate to contact me if you have any questions or concerns regarding the application or the terms and conditions proposed in this letter.

Sincerely,

SAMS, LARKIN & HUFF, LLP


Parks F. Huff
phuff@samslarkinhuff.com

PFH/snb

cc: Members, Cobb County Planning Commission
Members, Cobb County Board of Commissioners
Mr. Don Farrell, East Cobb Civic Association - (VIA E-Mail)
Ms. Jill Flamm, East Cobb Civic Association, Vice President - (VIA E-Mail)
Ms. Karen King, Assistant County Clerk
Ms. Lori Prensell- Deputy County Clerk
Eastminster Presbyterian Church of Marietta, Inc.

APPLICANT: Eastminster Presbyterian Church of Marietta, Inc.

PETITION NO.: LUP

PRESENT ZONING: R-20

PETITION FOR: LUP

ZONING DIVISION COMMENTS:

Staff Member Responsible: John P. Pederson, AICP

The applicant is requesting a Temporary Land Use Permit to provide child care and preschool to non-members of the church. The church currently has a Pre-K daycare program for the members only, but would like to expand to provide a "mother's morning out" service. The applicant's proposal would enroll approximately 165 children. The daycare program operates Monday through Friday, from 9:00 a.m. to 1:00 p.m. The existing facility would be utilized, and there would be 12 employees. There will be no new additions, no new signage, and no change in the current pick-up/drop-off operation. The applicant would like the application approved for 24 months.

Historic Preservation: No comments.

Cemetery Preservation: No comments.

WATER & SEWER COMMENTS:

Water and sewer available and records show connected.

TRAFFIC COMMENTS:

Recommend a left turn lane on Old Canton Road.

Recommend a right-in-right-out driveway with painted island for entrance on Sewell Mill Road.

Recommend replacing all disturbed sidewalk, curb and gutter along the road frontage.

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

FIRE COMMENTS:

Must obtain a new Certificate of Occupancy to enable the existing structure to be used for a daycare.

STORMWATER MANAGEMENT COMMENTS:

No site improvements are proposed. No comments.