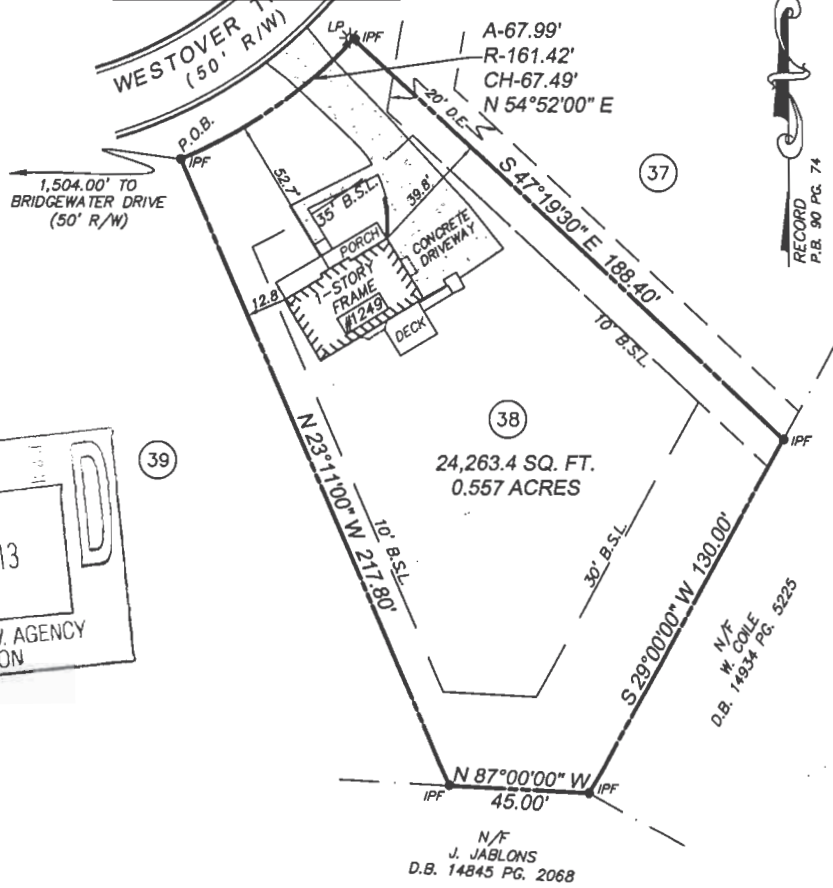


**LUP-25  
(2013)**



**ZONING NOTES**

CURRENT ZONING: R-15  
 MINIMUM LOT AREA: 15,000 SQ. FT.  
 MINIMUM BUILDING SETBACKS:  
 FRONT: 35'  
 SIDE: 10'  
 REAR: 30'  
 MAXIMUM LOT COVERAGE: 35%



**SURVEY NOTES**

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT, EASEMENTS, ENCUMBRANCES, OR ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON MAY EXIST.
2. THIS PLAT WAS PREPARED FROM A FIELD SURVEY USING A THREE SECOND TOPCON TOTAL STATION.
3. THE PRECISION OF THE FIELD DATA UPON WHICH THIS SURVEY IS BASED WAS VERIFIED WITH REDUNDANT LINEAR MEASUREMENTS. THE CALCULATED POSITIONAL TOLERANCE IS LESS THAN 0.10' PER POINT. THE FIELD DATA HAS BEEN ADJUSTED USING LEAST SQUARES.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 373,606 FEET.
5. ALL IPF & IPS ARE 1/2" REBAR UNLESS NOTED OTHERWISE.
6. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAYS, PUBLIC OR PRIVATE.
7. DISTANCES SHOWN HEREON ARE GROUND DISTANCES.
8. DATE(S) OF FIELD SURVEY: 07-12-2013
9. INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON IS BASED ON THE LOCATION OF VISIBLE APPURTENANCES. LANDPRO SURVEYING AND MAPPING, INC MAKES NO CERTIFICATION AS TO THE ACCURACY OR THOROUGHNESS OF THE INFORMATION SHOWN HEREON.

I CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION THAT IS BASED ON AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION. THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67



JAMES H RADER GEORGIA RLS# 3033



**RETRACEMENT SURVEY FOR:**

**MMJ PROPERTIES, LLC**

LAND LOT 21 DISTRICT 20 SECTION 2 COBB COUNTY, GA		LOT 38, BLOCK "A" PARKWOOD COMMONS, UNIT ONE, SECTION TWO PLAT BOOK 90 PAGE 74	
SCALE 1" = 40'	DATE 7/16/13	PROJECT NO. 20130716	SHEET 1 OF 1

**LAND PRO**  
 SURVEYING AND MAPPING  
 305 CREEKSTONE RIDGE  
 WOODSTOCK, GA 30188  
 TELE: 404-386-2170  
 FAX: 678-213-1519  
 AUTHORIZATION NO. L8F000838  
 WWW.LANDPROSURVEYING.COM  
 COPYRIGHT 2013

**APPLICANT:** Michael L. Jones and Jackie H. Jones  
770-517-2416

**REPRESENTATIVE:** Michael L. Jones and Jackie H. Jones  
770-517-2416

**TITLEHOLDER:** Michael Jones and Jackie Jones

**PROPERTY LOCATION:** Southeasterly side of Westover Trace,  
southeast of Ivy Green Court  
(1249 Westover Trace).

**ACCESS TO PROPERTY:** Westover Trace

**PHYSICAL CHARACTERISTICS TO SITE:** Single-family house

**CONTIGUOUS ZONING/DEVELOPMENT**

- NORTH:** R-15/Parkwood Commons Subdivision
- SOUTH:** R-15/Parkwood Commons Subdivision
- EAST:** R-15/Parkwood Commons Subdivision
- WEST:** R-15/Parkwood Commons 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-25

**HEARING DATE (PC):** 10-01-13

**HEARING DATE (BOC):** 10-15-13

**PRESENT ZONING:** R-15

**PROPOSED ZONING:** Land Use Permit

**PROPOSED USE:** Allow More Unrelated  
Adults than the County Code Permits, and  
Allow More Vehicles Parked Outside

**SIZE OF TRACT:** 0.557 acre

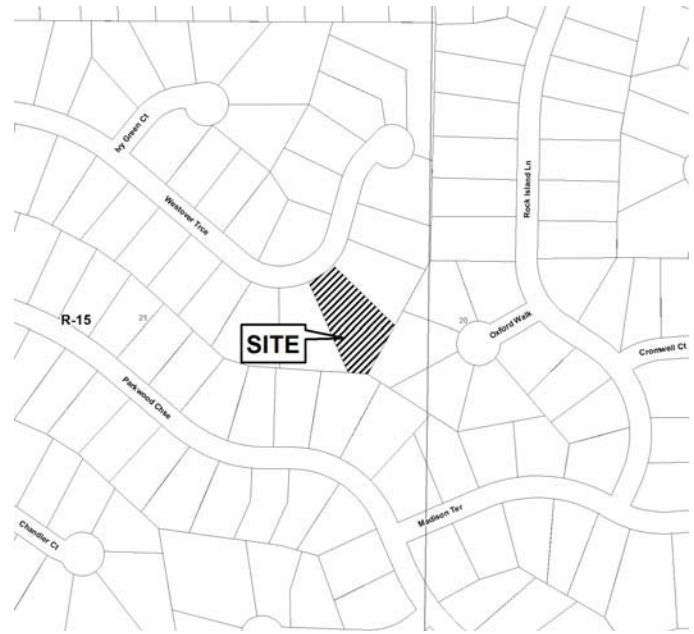
**DISTRICT:** 20

**LAND LOT(S):** 21

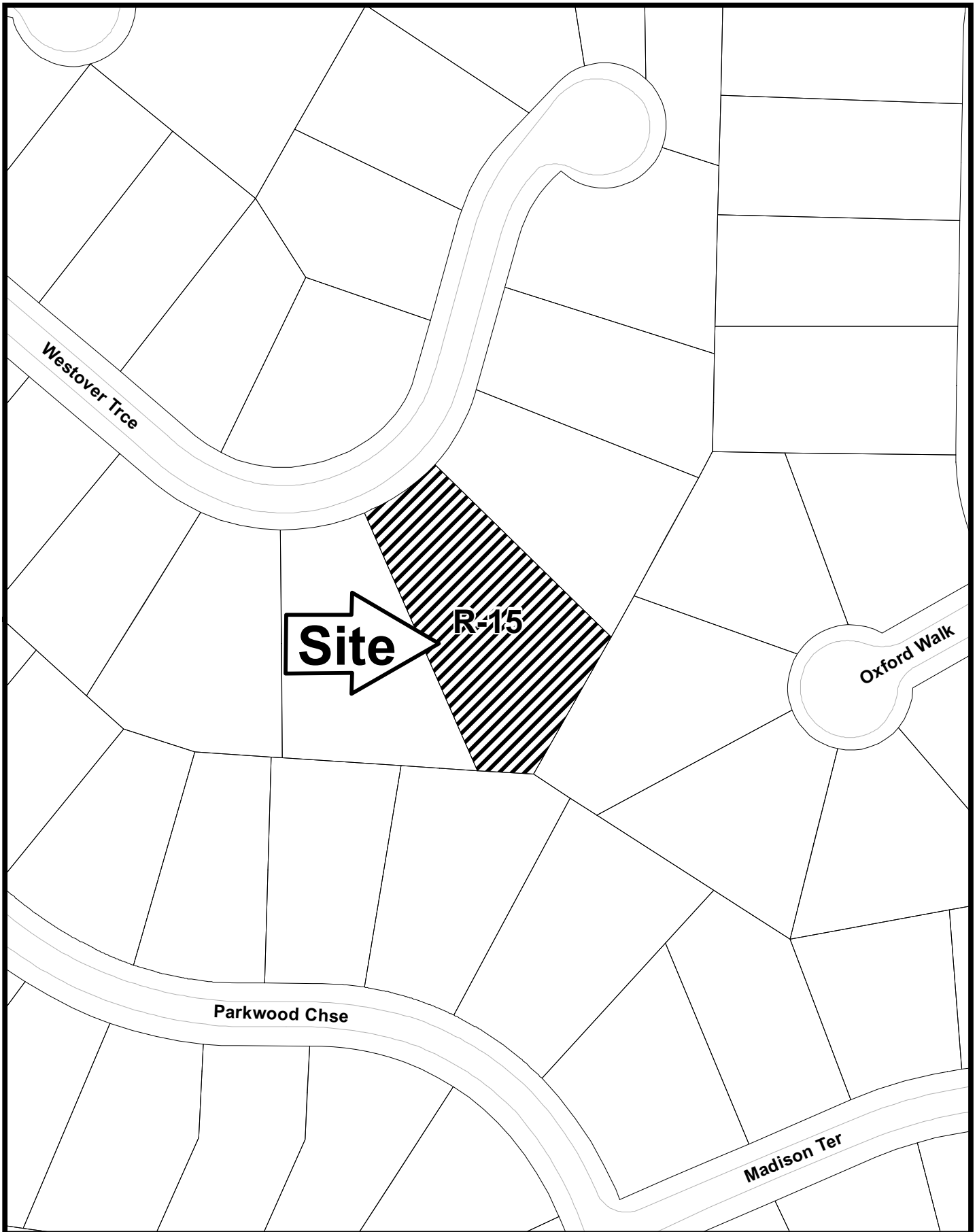
**PARCEL(S):** 177

**TAXES: PAID** X **DUE** \_\_\_\_\_

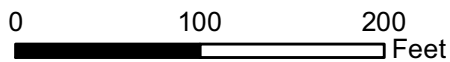
**COMMISSION DISTRICT:** 3



# LUP-25



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



-  City Boundary
-  Zoning Boundary

**APPLICANT:** Michael L. Jones and Jackie H. Jones

**PETITION NO.:** LUP-25

**PRESENT ZONING:** R-15

**PETITION FOR:** LUP

\*\*\*\*\*

**ZONING COMMENTS:** Staff Member Responsible: Jason A. Campbell

The applicant is requesting a Temporary Land Use Permit (LUP) in order allow five students (two are related) to live in a single-family residence. Per the County Code, only one person is allowed per 390 square feet of living area as documented by the tax records. In this instance, there is a total recorded square footage of 1,734 square feet in the house which would allow no more than four related persons to be living in the home. Also, this same rule applies to the number of vehicles allowed at a residence. Currently, the applicant has a total of five vehicles (one more than the allowed four based on the square footage of the house). The applicant is requesting approval for 24 months. This application is the result of a complaint received by the Code Enforcement Division. Applicants have submitted the attached "Consent of Contiguous Occupants or Land Owners" for your review.

**Historic Preservation:** No comments.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**WATER & SEWER COMMENTS:**

No comments.

\*\*\*\*\*

**TRAFFIC COMMENTS:**

Recommend no parking on the right-of-way.

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

\*\*\*\*\*

**FIRE COMMENTS:**

No comments for this request, however, not to be used for a group home or personnel care home, without Fire Department approval. If there are four or more unrelated occupants, the structure must meet NFPA 101 Occupancy requirements.

**APPLICANT: Michael L. and Jackie H. Jones**

**PETITION NO.: LUP-25**

**PRESENT ZONING: R-15**

**PETITION FOR: LUP**

\*\*\*\*\*

**STORMWATER MANAGEMENT COMMENTS**

No comments.

## STAFF RECOMMENDATIONS

### **LUP-25      MICHAEL L. JONES AND JACKIE H. JONES**

The applicant is requesting a Temporary Land Use Permit (LUP) in order to allow five adults (two are related), as well as five vehicles at the residence. In both instances, the County Code would allow only four related people and four vehicles based on the total square footage of the house recorded in the tax records (based on the ordinance allowance of one person/vehicle per 390 square feet of floor area). Per the definition of *single-family dwelling unit* (§134-1 of the Cobb County Zoning Ordinance), “Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of three or less (of the total) parked outside of a garage, carport or the like for properties zoned RA-5, R-15 and R-20”. The property is located in a platted subdivision (Parkwood Commons) within the Low Density Residential (LDR) land use category on the *Cobb County Comprehensive Plan*, and is zoned R-15. Based on the above analysis and a strict interpretation of the Code, Staff recommends **DENIAL** of the applicants’ request.

**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.**

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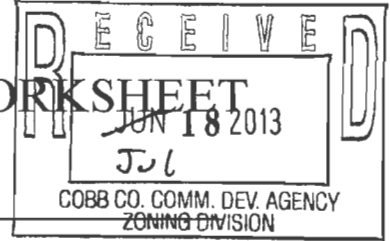
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Application #: LVP-25

PC Hearing Date: 10/1/13

BOC Hearing Date: 10/15/13



# TEMPORARY LAND USE PERMIT WORKSHEET

- 1. Type of business? N/A
- 2. Number of employees? N/A
- 3. Days of operation? N/A
- 4. Hours of operation? N/A
- 5. Number of clients, customers, or sales persons coming to the house per day? N/A; Per week? N/A
- 6. Where do clients, customers and/or employees park? N/A  
Driveway: \_\_\_\_\_; Street: \_\_\_\_\_; Other (Explain): §

7. Signs? No: N/A; 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 N/A; 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):

5 female students - 2 are related  
5 cars will be regularly parked there

Applicant signature: Jackie H Jones Date: 7/18/13  
MICHAEL L. JONES

Applicant name (printed): JACKIE H. JONES



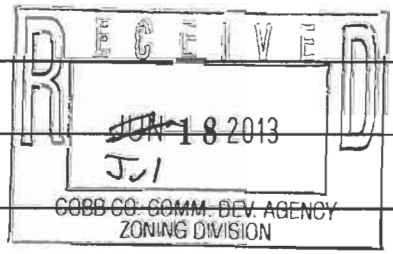
**CONSENT OF CONTIGUOUS OCCUPANTS OR LAND OWNERS  
TO ACCOMPANY APPLICATION FOR LAND USE PERMIT**

LUP-25 (2013)  
Consent Form

By signature, it is hereby acknowledged that I give my consent/or have no objection that Jackie & Michael Jones intends to make an application for a Land Use Permit for the purpose of maintaining lease with KSN college students on the premises described in the application.

Signature	Printed name	Address
1. <i>[Signature]</i>	Richard Twiss	1247 Westover trace
2. <i>[Signature]</i>	Maureen Huff	1245 Westover Trace
3. <i>[Signature]</i>	Jennifer Kemp	1246 Westover Trace
4. <i>[Signature]</i>	Glenn Daughenbaugh	1255 Westover Trace
5. <i>[Signature]</i>	Bill Metton	1261 Westover Trace
6. <i>[Signature]</i>	Kristel Fuchs	1260 Westover Trace 404-797-7494
7. <i>[Signature]</i>	Raphael Mejia	1263 Westover Trace 770-824-0548
8. MARY BENSON	MARY BENSON	1252 Westover Trace
9. Jessica Farah	Jessica Farah	1252 Westover Trace 678-650-6397
10. <i>[Signature]</i>	LISA TAYLOR	1328 Chandler Ct
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

HOA  
PERSON



**COBB COUNTY - COMMUNITY DEVELOPMENT AGENCY  
 Code Enforcement Division**



Cobb County...Expect the Best!

Mailing Address: P.O. Box 649 Marietta, GA 30061  
 Physical Address: 1150 Powder Springs Rd. Suite 400 Marietta, GA 30064  
 Phone: (770)528-2180 Fax: (770)528-2092

# Notice of Violation

**Violation Number** CODE-2013-05057 **Date** July 9, 2013

**The Cobb County Code Enforcement Division has grounds to believe the property located at:**

<u>1249 WESTOVER TRCE</u>	<u>20</u>	<u>0021</u>	<u>177</u>	<u>R-15</u>
(Address)	(City/State/Zip)	(Dist)	(Land Lot)	(Par) (Zoning)

and/or JONES MICHAEL & JACKIE (522 CHEROKEE MILLS DR, WOODSTOCK, GA 30189)  
 and/or STEPHANI DAVENPORT

**may be in violation of the Official Code of Cobb County, Georgia. You have 10 days to bring the violation(s) into compliance. An inspection will be made on or about 10 days from July 9, 2013 . Failure to comply could result in a citation being issued for you to appear in the Cobb County Magistrate Court, and you may be subject to a fine, imprisonment, or both.**

<u>Violation</u>	<u>Code Section</u>	<u>Requirement for Compliance</u>
PARKING STANDARDS	134-272 (5) b & c	All vehicles must be parked on a hardened/treated surface. All tires must be on hardened/treated surface. Surface must be installed flush with the ground and capable of supporting all vehicle/equipment tires without driving onto or over an unapproved parking surface.
PERMITTED USE/SINGLE FAMILY DWELLING	134- <sup>198</sup> <del>197</del> (2)	Must comply with all requirements in the attached definition of dwelling unit. **see attached**
<u>D. MILLER</u> Inspector	<u>770-528-2023</u> Telephone	