

LUP-6
(2015)

THIS PLAT IS SUBJECT TO ALL LEGAL
EASEMENTS AND RIGHT OF WAYS,
PUBLIC OR PRIVATE

THE FIELD DATA UPON WHICH THIS PLAT
IS BASED HAS A CLOSURE PRECISION OF
ONE FOOT IN 10,000 FEET + AND AN
ANGULAR ERROR OF 3" PER ANGLE
POINT. IT HAS BEEN ADJUSTED USING
LEAST SQUARES.

I CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION THAT IS BASED ON AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

NEWLAND	LAND LOTS 769 & 770 DISTRICT 19 SECTION 2 COBB COUNTY, GA	DATE 05/30/07	PROJECT NO 20070530
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REVISIONS

THIS SURVEY SHALL NOT BE USED WITH AN AFFIDAVIT OR LETTER OF ANY KIND FOR REUSE INCLUDING, BUT NOT LIMITED TO, FUTURE CLOSENS, LOT PLANS, CONSTRUCTION, LANDSCAPING, PERMITTING, ETC. IT IS A VIOLATION OF THE FEDERAL COPYRIGHT ACT TO COPY OR MODIFY AND REUSE THIS SURVEY BEYOND THE DATE AND SCOPE OF THIS SURVEY. ANDRUSO SURVEYING AND MAPPING, INC. ITS ASSOCIATES, AND/OR AGENTS SHALL NOT BE LIABLE FOR USE OF THIS SURVEY BY ANY OTHER ENTITIES OR PERSONS FOR ANY PURPOSE BEYOND THE DATE AND SCOPE

[illegible]

PETITION NO: LUP- 6

HEARING DATE (PC): 02-03-15

HEARING DATE (BOC): 02-17-15

PRESENT ZONING: R-20

PROPOSED ZONING: Land Use Permit

PROPOSED USE: Pet Dealer

(3319 Shadyside Road)

SIZE OF TRACT: 2.116 acres

DISTRICT: 19

LAND LOT(S): 769, 770

PARCEL(S): 29

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/Single-family house on wooded lot

SOUTH: R-20/Single-family house and wooded acreage

EAST: R-15/Single-family house

WEST: R-20/Green Valley Subdivision

OPPOSITION: NO. OPPOSED_____ PETITION NO:_____ SPOKESMAN _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ SECONDED _____

HELD _____ **CARRIED** _____

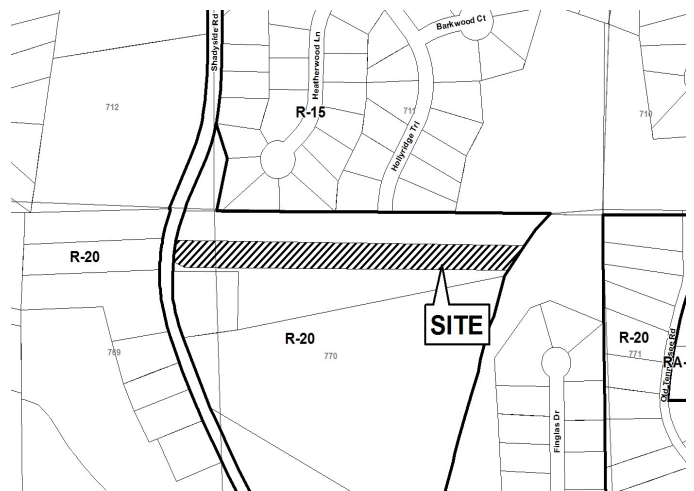
BOARD OF COMMISSIONERS DECISION

APPROVED_____ **MOTION BY**_____

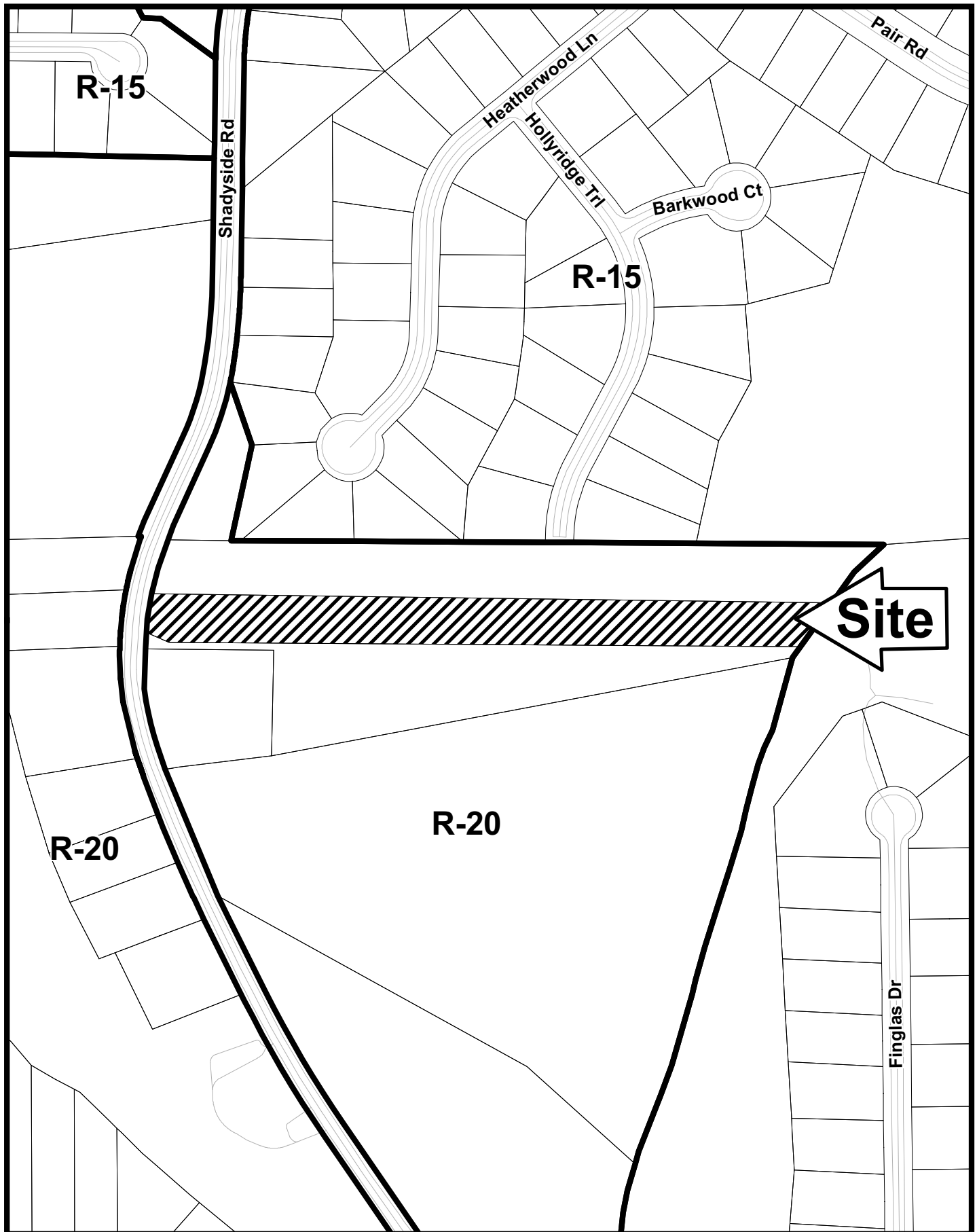
REJECTED _____ SECONDED _____

HELD	CARRIED
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STIPULATIONS:



LUP-6



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

0 200 400 Feet



City Boundary
Zoning Boundary

APPLICANT: Dathan Johnson

PETITION NO.: LUP-6

PRESENT ZONING: R-20

PETITION FOR: LUP

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

Applicant is requesting a Temporary Land Use Permit for the purpose of operating a pet dealer's business from his home. The applicant has indicated that there will be no employees and the hours of operation will be only when pets are available. Most of the pets will be delivered to the new owners. The applicant has one pick-up truck related to this request. The applicant is proposed outdoor storage of pet food, lawn equipment and cleaning products. This application IS NOT the result of a Code Enforcement complaint, but is instead a requirement of the Georgia Department of Agriculture which requires one to have a Pet Dealer License if he or she produces more than one litter in a calendar year. The applicant plans to have more than one litter per year, not to exceed five. The applicant is requesting to be approved for 24 months.

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

Property is served by public water and sewer. No comments.

TRAFFIC COMMENTS:

Recommend no parking on the right-of-way.

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: Dathan Johnson

PETITION NO.: LUP-6

PRESENT ZONING: R-20

PETITION FOR: LUP

STORMWATER MANAGEMENT COMMENTS

All dog runs are to be covered and pet waste composted or disposed of offsite.

STAFF RECOMMENDATIONS

LUP-6 DATHAN JOHNSON

The applicant is requesting the Temporary Land Use Permit for the purpose of operating a pet dealer business from his home. The applicant needs approval of the LUP in order to obtain a license from the State of Georgia. The applicant has indicated that the pets will be small family-friendly dogs, specifically English and French Bulldogs. The subject property is over two acres and the dogs will be kept one acre into the property. The applicant has submitted signatures of consent from four neighbors.

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 may permit a use that will adversely affect neighboring properties; however, most pets will be delivered to new owners and this use will be seasonal.
- (2) *Parking and traffic considerations.*
Clients will park in the driveway.
- (3) *Number of nonrelated employees.*
Not applicable.
- (4) *Number of commercial and business deliveries.*
Not applicable.
- (5) *The general presumption of the board of commissioners that residential neighborhoods should not allow noncompatible business uses.*
Permitting business uses in residential areas creates traffic and parking concerns.
- (6) *Compatibility of the business use to the neighborhood.*
The proposed use is surrounded by residential uses and is indicated as Low Density Residential (LDR) on the Cobb County Comprehensive Plan.
- (7) *Hours of operation.*
This activity will be seasonal and there are no set days of operation.
- (8) *Existing business uses in the vicinity.*
There are no known businesses in this residential area.
- (9) *Effect on property values of surrounding property.*
The proposed use may start to diminish the low intensity character of a residential neighborhood.

CONTINUED ON NEXT PAGE

(10)Circumstances surrounding neighborhood complaints.

This request *IS NOT* the result of a complaint to the Code Enforcement Division.

(11)Intensity of the proposed business use.

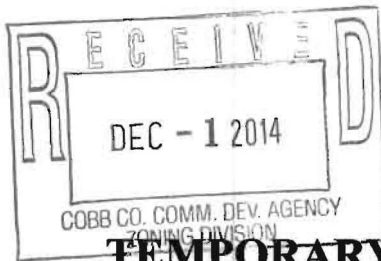
The proposed use may increase traffic in the area.

(12)Location of the use within the neighborhood.

The proposed use is located in an area that is predominantly single-family residential and it is also surrounded by single-family residential.

The property has the R-20, single-family residential zoning and is located in the Low Density Residential (LDR) land use category. Based on the above-analysis, Staff recommends DENIAL of the applicant's 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.



Application #: LUP-6
PC Hearing Date: 2-3-15
BOC Hearing Date: 2-17-15

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

1. Type of business, or request? Pet Dealer
2. Number of employees? 0
3. Days of operation? No set days, only when pets are available
4. Hours of operation? Routine maintenance
5. Number of clients, customers, or sales persons coming to the house per day? _____ ; Per week? Seasonal - Most will be delivered
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.): 1 - Pickup
9. Deliveries? No ✓ ; 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 _____
11. Any outdoor storage? No _____ ; Yes ✓ (If yes, please state what is kept outside): Pet Food, Lawn Equipment, Cleaning products
12. Length of time requested (24 months maximum): 24 mths
13. Is this application a result of a Code Enforcement action? No ✓ ; 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):
N/A

Applicant signature: [Signature] Date: 11/2

Applicant name (printed): Dathan Johnson

Cobb County Zoning Division
P.O. Box 649
Marietta, GA 30061

LUP-6 (2015)
Letter from
Applicants

RE: Temporary Land Use Permit

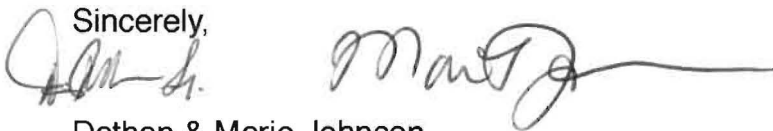
December 1, 2014

To Whom It May Concern,

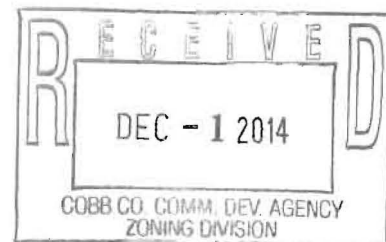
Let me start by stating, we appreciate your attention to our request for a Temporary Land Use Permit. We have been residents of Cobb County for 7 1/2 years having purchased our home in June 2007. In addition, we are the parents of 3 children in which 2 are a set of twins. The twins were born at 24 weeks and have required a great deal of doctors care over the years, as a result of their needs our home was reduced to one income.

We selected this home largely because of the land as we have always been animal lovers and wanted to have more than enough space for our pets to live happily as well as our children to play. The permit requested is in response to the Georgia Department of Agriculture that states that one must have a Pet Dealer License if he or she produces more than one litter in a calendar year. We are novice breeders, but we do intend to have more than one litter a year not to exceed five. This will serve as a source of supplemental income for our family. We own small family friendly dogs, specifically English and French Bulldogs. Our land spreads over 2 acres in which the dogs are situated 1 acre into our property. The purpose for the permit is to insure that we are within the guidelines of the state to be granted a Pet Dealer License. We love our animals and our primary concern is to insure that we are following all rules and regulations as it pertains to them. Thanks again for your consideration.

Sincerely,



Dathan & Marie Johnson



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 Dathan
Johnson intends to make an application for a Land Use Permit for the purpose of
Pet Dealer on the premises described in the application.

Signature	Printed name	Address
1. [Signature]	Denise James	3301 Shadyside Rd SW Marietta GA
2. [Signature]	Bob Conn	3337 SHADY SIDE RD
3. Becky Ridgway	Becky Ridgway	3305 Shadyside Rd
4. Marcus Parker	Marcus Parker	3318 Shadyside Rd
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