



DATE	BY	REVISION
11-15-14	J. B. RAKESTRAW	FINAL

**LUP-37
(2014)**

CRUSSELL, RAKESTRAW & ASSOCIATES
DEVELOPMENT CONSULTANTS
1000 S. 10TH AVENUE, SUITE 100
DENVER, CO 80202

PROPERTY LOCATED IN LAND LOTS 571, 572 & 813 OF THE JOHN PETREE TRACT 3 AND 2ND SECTION, COBBLER

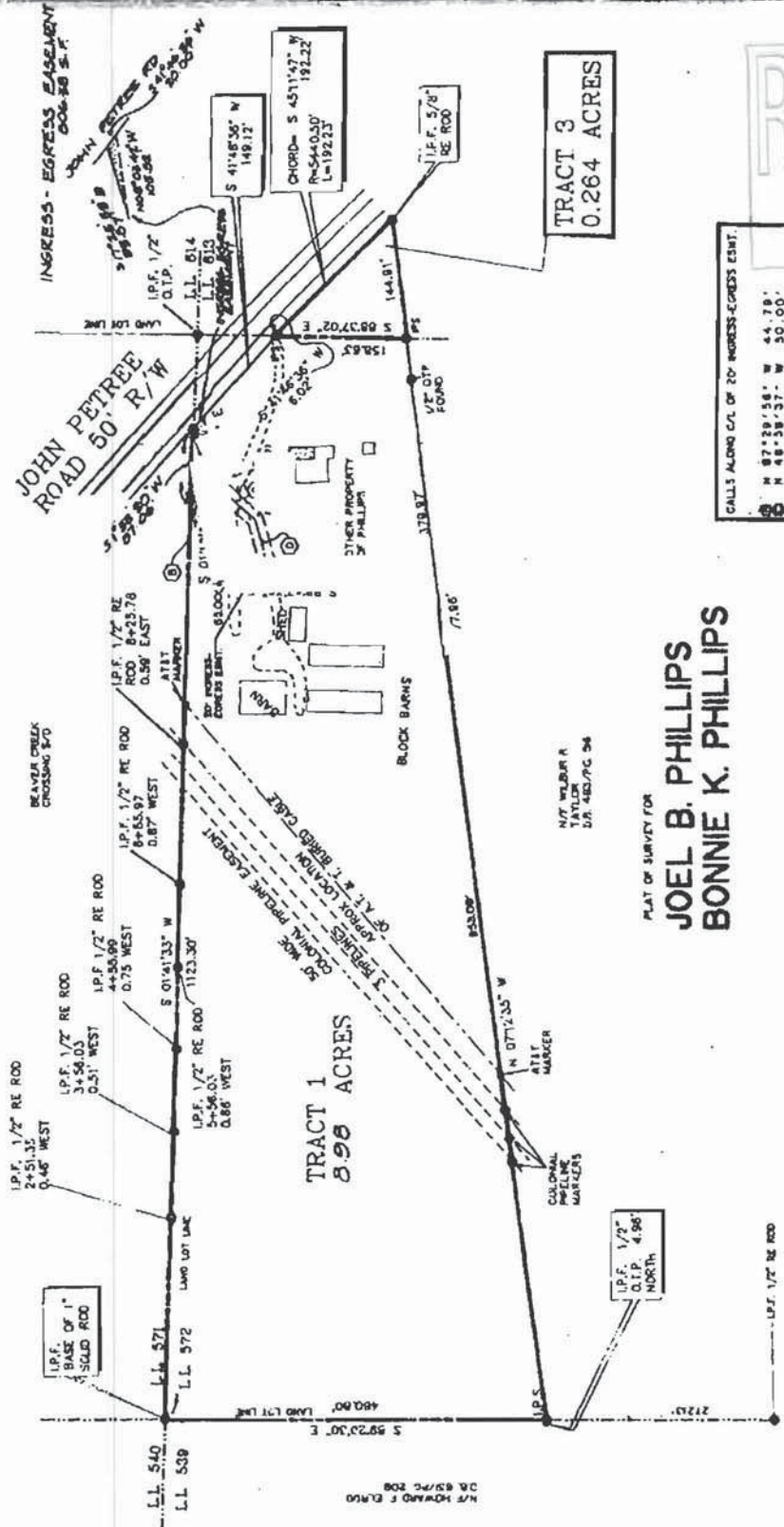
BOUNDARY SURVEY

PROJECT NO. **CO-14-01**

SHEET NO. **1**
TOTAL NO. **1**

GRAPHIC SCALE
(1" = 100 FT.)
1 inch = 100 ft.

MAGNETIC



RECEIVED

OCT - 2 2014

CO. COMM. DEV. AGENCY
ZONING DIVISION

CALLS ALONG C/L OF 20' INGRESS-EGRESS EASMT.

87°29'58" W 44.78'
48°58'37" W 50.00'
10°30'01" W 75.00'

LEGEND

L.P.S. = 1/2" IRON ROD SET
L.P.F. = IRON PEG
M.P.R. = NOW IN POSSESSION OWNED BY PHILLIPS
P.P. = IRON PEG
M.S. = MARKER
S.W. = BARBED WIRE POST
C/L = CENTERLINE
P.L. = PROPERTY LINE
M.S. = MARKER
S.W. = NORTH OF W/4
C.L.P. = CORNER TO P.P.
S.P. = IRON PEG
S.L. = IRON ROD

FLOOD CERTIFICATION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY DOES NOT LIE IN AN AREA SUBJECT TO SPECIAL FLOOD HAZARD ZONING AS DETERMINED BY THE F.L.A. FOR MISSOURI.

TECHNICAL DATA

TRANSIT PRECISION = 1/2" 20254
ANGLE PRECISION = 5" 20254
SURVEY COMPUTATION = 2014
PLAT PRECISION = 1/2" 20254

PLAT OF SURVEY FOR
**JOEL B. PHILLIPS
BONNIE K. PHILLIPS**

N/T HOWARD F. DAVIS
D.R. 83/P.C. 208

N/T WELBURN A.
TAYLOR
D.R. 48/P.C. 04

APPLICANT: Bonnie Phillips

PHONE#: (770) 439-1212 **EMAIL:** bonnie.phillips4@gmail.com

REPRESENTATIVE: Bonnie Phillips

PHONE#: (770) 439-1212 **EMAIL:** bonnie.phillips4@gmail.com

TITLEHOLDER: Bonnie Phillips

PROPERTY LOCATION: Northwesterly side of John Petree Road,
south of Macland Road
(2684 John Petree Road).

ACCESS TO PROPERTY: John Petree Road

PHYSICAL CHARACTERISTICS TO SITE: Single Family House
Accessory structures and lake

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/Vineyard Place Subdivision

SOUTH: R-20/Single Family houses

EAST: R-15/Beaver Creek Crossing Subdivision

WEST: R-20/Lake and undeveloped acreage

PETITION NO: LUP-37

HEARING DATE (PC): 12-02-14

HEARING DATE (BOC): 12-16-14

PRESENT ZONING: R-20

PROPOSED ZONING: Land Use Permit
(Renewal)

PROPOSED USE: Weddings and Receptions

SIZE OF TRACT: 9.244 acre

DISTRICT: 19

LAND LOT(S): 572, 613

PARCEL(S): 3

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

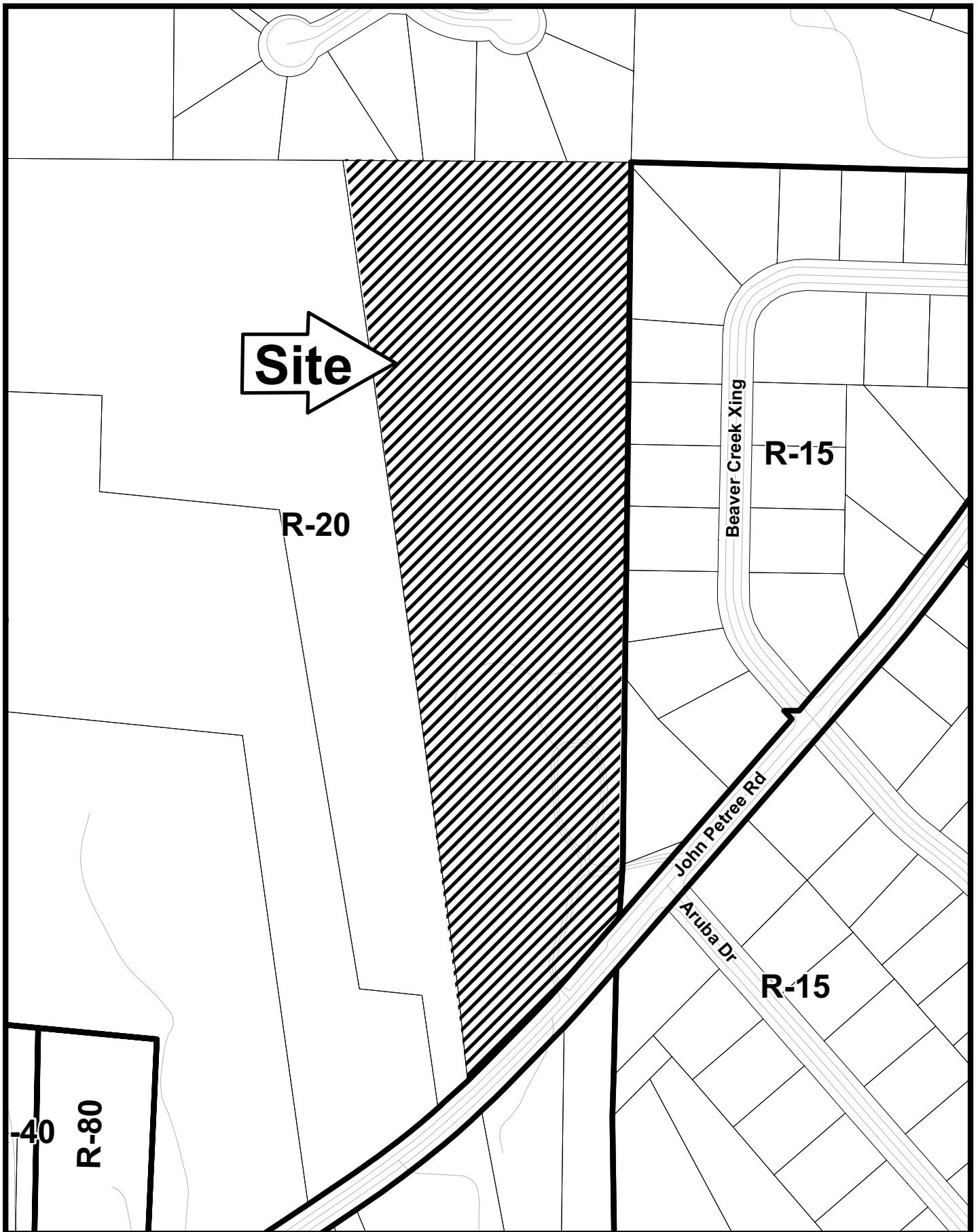
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



LUP-37



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

0 100 200
Feet



City Boundary
Zoning Boundary

APPLICANT: Bonnie Phillips

PETITION NO.: LUP-37

PRESENT ZONING: R-20

PETITION FOR: LUP

ZONING COMMENTS: Staff Member Responsible: Kim Wakefield

Applicant is requesting a renewal of their Land Use Permit for the purpose of a venue for wedding and/or receptions. The applicant has indicated that there will be a few events held each year during good weather. The hours of operation will be 10 a.m. until 5 p.m. for the laborers and 10 a.m. until 9 p.m. for the weddings. They have a truck delivery of rental tables and chairs Thursday prior to the scheduled wedding. No site improvements or changes to the property will be done this year. The applicant is requesting the renewal for 24 months.

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

Property is served by public water and private septic system. 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:

C/O: Plans must be submitted to the Cobb County Fire Marshal’s Office to initiate the Certificate of Occupancy process.

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

APPLICANT: Bonnie Phillips

PETITION NO.: LUP-37

PRESENT ZONING: R-20

PETITION FOR: LUP

FIRE COMMENTS: (Continued)

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

HYDRANT: Show fire hydrants arranged to have a hydrant available for the distribution of hose to any portion of any building on premises at distances not exceeding 500 feet (driving distance). Hydrants shall be at least 40 feet from the building (steamer connection facing street) (NFPA 24-7.2.3). Fire hydrants shall be spaced not more than 500 feet apart. Hydrants shall not be connected to water lines on the positive side (discharge side) of a fire pump. Minimum 8” supply lines to all hydrants.

APPLICANT: Bonnie Phillips

PETITION NO.: LUP-37

PRESENT ZONING: R-20

PETITION FOR: LUP

STORMWATER MANAGEMENT COMMENTS

No comments.

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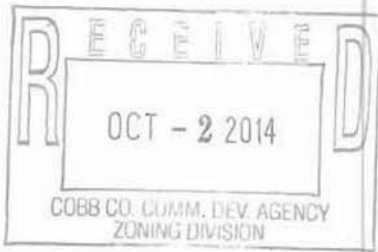
STAFF RECOMMENDATIONS

LUP- 37 BONNIE PHILLIPS

The applicant is requesting a renewal of their Land Use Permit (LUP) in order to continue to use their property as a venue for weddings and/or receptions. The applicant resides at the property with her husband. The applicant has indicated that there are 2 full-time employees and 3-4 part-time employees. They operate approximately 10 days a month on event months. The applicant is not requesting a sign, but rental truck deliveries will be made prior to each wedding. The attached letter from the applicant indicates they have taken measures to comply with the stipulations placed on the previously approved Land Use Permit; however, Code Enforcement has received complaints stating the applicant has violated said stipulations (i.e.: having events every weekend and having amplified music). Although the applicant has obtained 20 signatures on the Consent of Contiguous Occupants or Land Owners form, only 3 of the signatures appear to actually be contiguous neighbors.

The property is zoned R-20, single-family residential and located within the Low Density Residential future land use area. Staff believes this is disruptive for adjacent neighbors. 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-37
PC Hearing Date: 12-2-14
BOC Hearing Date: 12-16-14

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

1. Type of business, or request? weddings & events /receptions
 2. Number of employees? 2 Full time 3-4 part time
 3. Days of operation? 10 days/month on event months
 4. Hours of operation? 10-5 labours 10-9 weddings
 5. Number of clients, customers, or sales persons coming to the house per day? 3-4 ; Per week? 34 Thurs - Monday
 6. Where do clients, customers and/or employees park?
Driveway: _____ ; Street: _____ ; Other (Explain): behind barn

 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 SUV & truck delivering tables + chairs /rental
 9. Deliveries? No _____ ; Yes (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)
Thursday before the scheduled weddings
 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 (24 months maximum): 24 months
 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). renewal
 14. Any additional information? (Please attach additional information if needed):
A Few events held each year during good weather.
- Applicant signature: Bonnie Phillips Date: 9/29/14
- Applicant name (printed): Bonnie Phillips

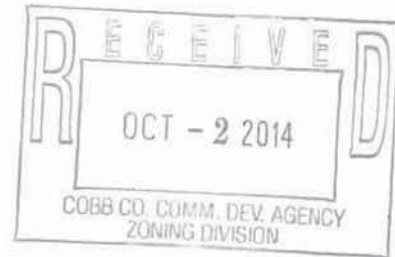
The Muscadine Vine

2684 John Petree Road
Powder Springs, GA 30127

T:770-439-1212 F:770-439-4107
E bonnie.phillips4@gmail.com



September 30, 2014



The Muscadine Vine Request for Land Use Permit Renewal

One year has quickly gone by and we, our neighbors and our clients believe that The Muscadine Vine has been a beautiful success. The gathering of families for the happiest of events has been a great source of joy for Joel and I.

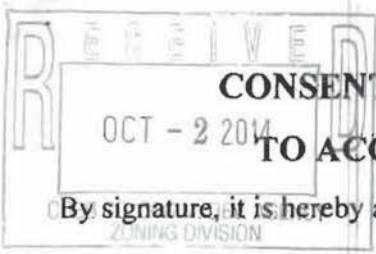
We carefully chose the few wedding couples for our spring and fall season and were able to be a part of the beginning of these brand new families who live in our county.

In addressing the requirements of our Land Use Permit:

- We have outlined the specific details in our contract with couples.
- We have eliminated bands and DJs.
- We have moved the allowed music to the back side of the long chicken houses to remain on the farthest side of the property from Beaver Creek Crossing.
- The allowed music ends at 8:45 for the send-off of the Bride & Groom
- Bonnie walks the east property line from 7pm-9pm to assure that music is subdued
- The gatherings are quite small, under 100 considering the size of our 22 acre farm
- We employ the assistance of a police officer at all events
- As money allows we have future plans to enclose the back side of one of our chicken houses to celebrate indoor events giving us the ability to host the number of events allowed.

No site improvements or changes in our property will be done this year.

Joel and I appreciate the opportunity to maintain and share our acreage and gardens for the people of District 4 in Cobb County, as well as the surrounding districts. Thirty plus years of overseeing this green space has been our life's work and our desire is to remain here. Thank you in advance for considering our request.



LUP-37 (2014)
Consent of Contiguous
Property Occupants or Land
Owners

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 Bonnie Thelley

planning consent intends to make an application for a Land Use Permit for the purpose of
planning consent on the premises described in the application.

Signature	Printed name	Address
1. Kay Minter	Kay Minter	2667 John Petree Rd
2. Frank Minter	Frank Minter	2667 John Petree Rd.
3. Betty M Rice	Betty M. Rice	2677 John Petree Rd.
4. Lori Cardamone	Lori Cardamone	2770 John Petree Rd
5. Pedro Villatoro	Pedro Villatoro	3157 Colorado Dr.
6. Kristy Gonzales	Kristy Gonzales	3215 Craven Ridge Dr.
7. Lorena Linares	Lorena Linares	3215 Craven Ridge Dr.
8. Enrique Coronado	Enrique Coronado	2748 Aruba dos Powder Springs Ga
9. Wendy Cassanella	Wendy Cassanella	2688 John Petree Road, P56A
10. Tyler Robbins	Tyler Robbins	2524 John Petree Rd P.S. 30127
11. Jessie Robbins	Jessie Robbins	2524 John Petree Rd Powder Springs Ga 30127
12. Billy Dunn	BILLY DUNN	2526 John Petree Rd Powder Springs Ga 30127
13. Tommy Robbins	Tommy Robbins	2524 John Petree Rd Powder Springs Ga 30127
14. Kellie Robbins	Kellie Robbins	2522b John Petree Rd P.S. 30127
15. Adam Camp	Adam Camp	2522 B John Petree RD P.S. 30127
16. Brandon Filion	Brandon Filion	2712 Aruba Drive PS 30127
17. Dusty Rhodes	Dusty Rhodes	2695 Beaver Creek Crossing
18. Felicia Michaels	Felicia Michaels	2713 Aruba Drive
19. Alex Dumas	Alex Dumas	2678 Beaver Creek Crossing
20. Stanford Booker	Stanford Booker	2674 Beaver Creek Crossing

ORIGINAL DATE OF APPLICATION: _____ 10-15-13

APPLICANTS NAME: _____ BONNIE PHILLIPS

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS**BOC DECISION OF 11-19-13 ZONING HEARING:**

BONNIE PHILLIPS (owner) requesting a Land Use Permit for the purpose of Weddings and Wedding Receptions in Land Lots 571, 572 and 613 of the 19th District. Located on the northwest side of John Petree Road, south of Beaver Creek Crossing (2684 John Petree Road). *(Previously continued by the Planning Commission from their October 1, 2013 hearing)*

The public hearing was opened and Mr. Kevin Moore and Ms. Wendy Cassarella addressed the Board. Following presentation and discussion, the following motion was made:

MOTION: Motion by Cupid, second by Ott, to approve Land Use Permit for 12 months subject to:

- No amplified music or drums
- All events to end by 9:00 p.m.
- No more than two events in any month, and no more than 15 events per year
- No more than 100 people allowed at any event
- 30 foot continuous landscape buffer to be placed along the property line adjacent to the properties located along Beaver Creek Crossing and 2688 John Petree Road; for the purpose of providing a visual and sound barrier for the neighborhood (where plantings not allowed due to the Colonial Pipeline easement, buffer to be "wrapped" along the pipeline for a length equaling the width of the easement)
- Landscape plan to be submitted to the Cobb County Arborist within 30 days of this approval; the plan is subject to approval by the County Arborist and the District Commissioner
- Landscaping to be completed and certificate of compliance to be obtained from the County Arborist within 90 days of this approval (failure to complete landscaping within the 90 day timeframe shall result in no music being allowed until such time as a certificate of compliance is obtained)
- No parking allowed on John Petree or Beaver Creek Crossing
- Applicant to submit a parking plan to the Zoning Division for approval, within 30 days of this approval
- Parking plan to provide for at least 25 parking spaces; parking can be either paved and striped, or gravel of appropriate material and thickness for commercial use
- Parking requirements to be completed within 90 days of this approval (failure to complete parking lot within the 90 day timeframe shall result in an automatic suspension of the Land Use Permit until such time as the parking is complete)

LUP-26 continued on next page

ORIGINAL DATE OF APPLICATION: _____ 10-15-13

APPLICANTS NAME: _____ BONNIE PHILLIPS

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERSBOC DECISION OF 11-19-13 ZONING HEARING: (Continued)

- Applicant to send notice to all property owners located within 1,000 feet of the subject property, stating that the applicant has been granted a temporary Land Use Permit for the purposes of holding weddings and wedding receptions, that all events are required to end by 9:00 p.m., no amplified music or drums are allowed, no more than two events are allowed per month, no more than 100 people are allowed at an event, and that violations of these restrictions should be reported to Cobb County Code Enforcement
- Signage to be posted near the entrance to each building stating the following: Per Cobb County stipulations, all events are required to end by 9:00 p.m., no amplified music or drums are allowed, no more than 100 people allowed at any event (these signs to be at least 12 inches by 12 inches and be permanently attached to the building)
- The 12 month time period for the temporary Land Use Permit is date certain, the time period will not be extended if the permit is suspended for any reason
- Fire Department comments and recommendations
- Water and Sewer Division comments and recommendations
- Cobb DOT comments and recommendations

VOTE: ADOPTED 4-0, Chairman Lee absent

APPLICANT: Bonnie Phillips

PETITION NO.: LUP

PRESENT ZONING: R-20

PETITION FOR: LUP

ZONING COMMENTS: Staff Member Responsible: Jason A. Campbell

Applicant is requesting a Land Use Permit for the purpose of a venue for weddings and/or receptions. The applicant has indicated that there will be a few weddings each year primarily in the spring and fall; set-up for the weddings requires two-three days before and one day after to clean up; the hours of operation will be 10 a.m. to 5 p.m. for workers and 5 p.m. to 10 p.m. for weddings. No signs are requested. Rental delivery trucks will be used to deliver tables and chairs on Thursdays before the scheduled wedding. The number of guests will be limited to 150. Applicant has submitted the attached "Consent of Contiguous Occupants or Land Owners" forms for your review. This application is the result of a complaint received by the Code Enforcement Division.

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

Department of Environmental Health requires application for new on-site sewage management system.

TRAFFIC COMMENTS:

Recommend upgrading the existing driveway apron to the commercial standard.

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

FIRE COMMENTS:

C/O: Plans must be submitted to the Cobb County Fire Marshal's Office to initiate the Certificate of Occupancy process if any of the existing structures will be accessed by the public. Other requirements will be mandated if the structures are to be used such as, fire department access and fire hydrant placement.

TENTS: All tents 200sf with sides or 700sf without sides are to be permitted through the Cobb County Fire Marshal's Office.



TREE / LANDSCAPE PLAN APPROVAL

This plan is in compliance with all tree preservation and/or landscaping requirements of the Cobb County Code. If any changes must be made due to plan unavailability, site conditions or other reasons, a new plan must be submitted to the Community Development Site Management Section for review and approval before the site is implemented. Failure to obtain the necessary site plan approval will result in a delay in the final project approval.

C. Henney 1-27-14
 Date

REVISION

10 DELETE 2 PAVING & CIVIL BUFFER

Parking is landscape buffer for The Muscadine Vine