

LUP-34
(2015)

DB 14983 PG 6381

07° 54' W
(138.96')

10' S77° 05' 30" W
139.10'

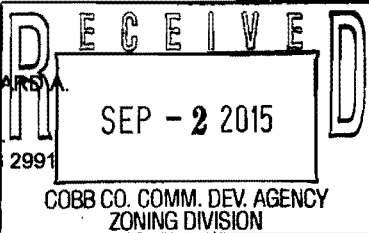
-N/F-
GLENNY, JEFFERSON L.
&
KAREN W.
DB 14797 PG 6249

L=105.52'
R=129.99'
Δ=46°30'33"
CH=102.64'
CB=N6° 38' 31"E
(CH=102.68')
(CB=N7° 28' 00"E)

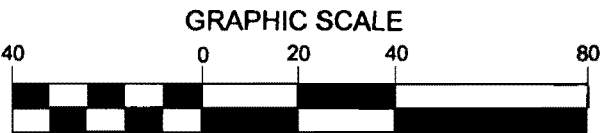
HIGH ROCK TERRACE
-50' R/W-



-N/F-
GRANT, RICHARD A.
&
TINA M.
DB 13940 PG 2991



I CERTIFY THAT 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.



1 inch = 40 ft.

FENCE OVER PROPERTY LINE

-N/F-
TELLA, ESTHER O.
DB 14777 PG 6001

LEGEND	
AC	- ACRE
ASPH	- ASPHALT
B/L	- BUILDING LINE
CONC	- CONCRETE
DE	- DRAINAGE EASEMENT
FC	- FENCE
N/F	- NOW OR FORMALLY
LWB	- LOCAL WATER BUFFER
PB/PG	- PLAT BOOK PAGE
R/W	- RIGHT OF WAY
SF	- SQUARE FEET
SSE	- SANITARY SEWER EASEMENT
SWB	- STATE WATER BUFFER
WA	- WATER EASEMENT
○	- MONUMENT FOUND
●	- CAPPED RE-BAR SET MSC
△	- COMPUTED POINT
— X —	- FENCE LINE
- - -	- RIGHT-OF-WAY
- - - - -	- LAND LOT LINE

MEASUREMENT NOTE

DIMENSIONS ENCLOSED BY "()" ARE PER SUBDIVISION PLAT RECORDED IN PB 128 PG 29. ALL OTHER DIMENSIONS ARE ACTUAL BASED ON FIELD MEASUREMENTS.

EXAMPLE:
(135.26') - RECORD DIMENSION

PREPARED FOR
ATKINSON, TAMMY

PROPERTY DESCRIPTION
LOT 173, HIGHLAND POINTE SUBDIVISION, UNIT-1 AS RECORDED IN PLAT BOOK 128, PAGE 29 CLERK OF SUPERIOR COURT OFFICE, COBB COUNTY, GEORGIA
LAND LOT 116 16th DISTRICT, 2ND SECTION

AREA:
0.38 ACRES OR 16,578 FT²

REFERENCE INFORMATION:
PB 128 PG 29

SURVEY TYPE: BOUNDARY SURVEY

DATE OF FIELD SURVEY: 08/26/2015

MAP ISSUE DATE: 08/27/2015

JOB No. 15054.0

- NOTES:**
1. ANGLES AND DISTANCES MEASURED WITH TOPCON GTS233W TOTAL STATION & SPECTRA PRECISION EPOCH 50 DUAL BAND GPS RECEIVER ON THE eGPS NETWORK.
 2. THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,356 FEET, AND AN ANGULAR ERROR OF 14" PER ANGLE POINT, AND WAS ADJUSTED BY COMPASS.
 3. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 98,081 FEET.
 4. DIMENSION SHOWN PER PLAT. MONUMENTS NOT RECOVERED UNLESS OTHERWISE SHOWN HEREON.
 5. LOT ADDRESS: NO. 4532
 6. USER OF THIS MAP IS HEREBY NOTIFIED TO CONSULT THE RECORD PLAT FOR ADDITIONAL LOT RESTRICTIONS.
 7. BEARINGS ROTATED TO REFERENCED PLAT HOLDING THE REAR PROPERTY LINE AS A BASE OF BEARINGS. COMPARISON BEARINGS AND DISTANCES SHOWN FOR REFERENCE.

MITCHELL SURVEYING & CONSULTING, LLC
Surveying • Construction Layout • Consulting
3201 South Cherokee Lane • Suite 310
Woodstock, GA 30188
Tel. 770-924-2955 Fax: 770-485-9073
Email: cmitchell@msc-survey.com

APPLICANT: Tammy Atkinson
PHONE#: (404) 924-5455 **EMAIL:** trdaje03@gmail.com
REPRESENTATIVE: Tammy Hung Atkinson
PHONE#: (404) 924-5455 **EMAIL:** trdaje03@gmail.com
TITLEHOLDER: Tammy Strymecki

PETITION NO: LUP-34
HEARING DATE (PC): 11-03-15
HEARING DATE (BOC): 11-17-15
PRESENT ZONING: R-15
PROPOSED ZONING: Land Use Permit

PROPERTY LOCATION: East side of High Rock Terrace, north
of North Slope Circle
(4532 High Rock Terrace)
ACCESS TO PROPERTY: High Rock Terrace
PHYSICAL CHARACTERISTICS TO SITE: Existing house

PROPOSED USE: Allow more Unrelated
Adults and Vehicles than Code Permits
SIZE OF TRACT: 0.38 acres
DISTRICT: 16
LAND LOT(S): 116
PARCEL(S): 19
TAXES: PAID X **DUE** _____
COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-15/Highland Pointe Subdivision
SOUTH: R-15/Highland Pointe Subdivision
EAST: R-15/Highland Pointe Subdivision
WEST: R-15/Highland Pointe Subdivision

Adjacent Future Land Use:
North: Low Density Residential (LDR)
East: Low Density Residential (LDR),
Across High Rock Terrace
South: Low Density Residential (LDR)
West: Low Density Residential (LDR)

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

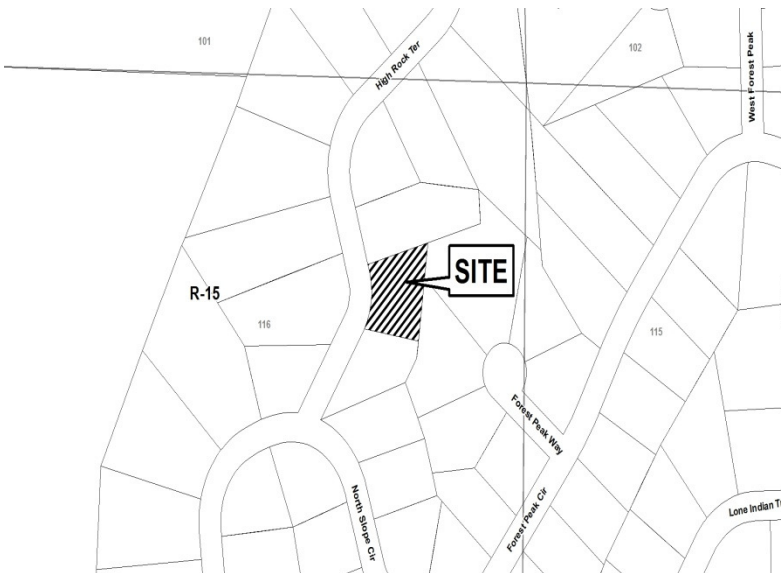
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

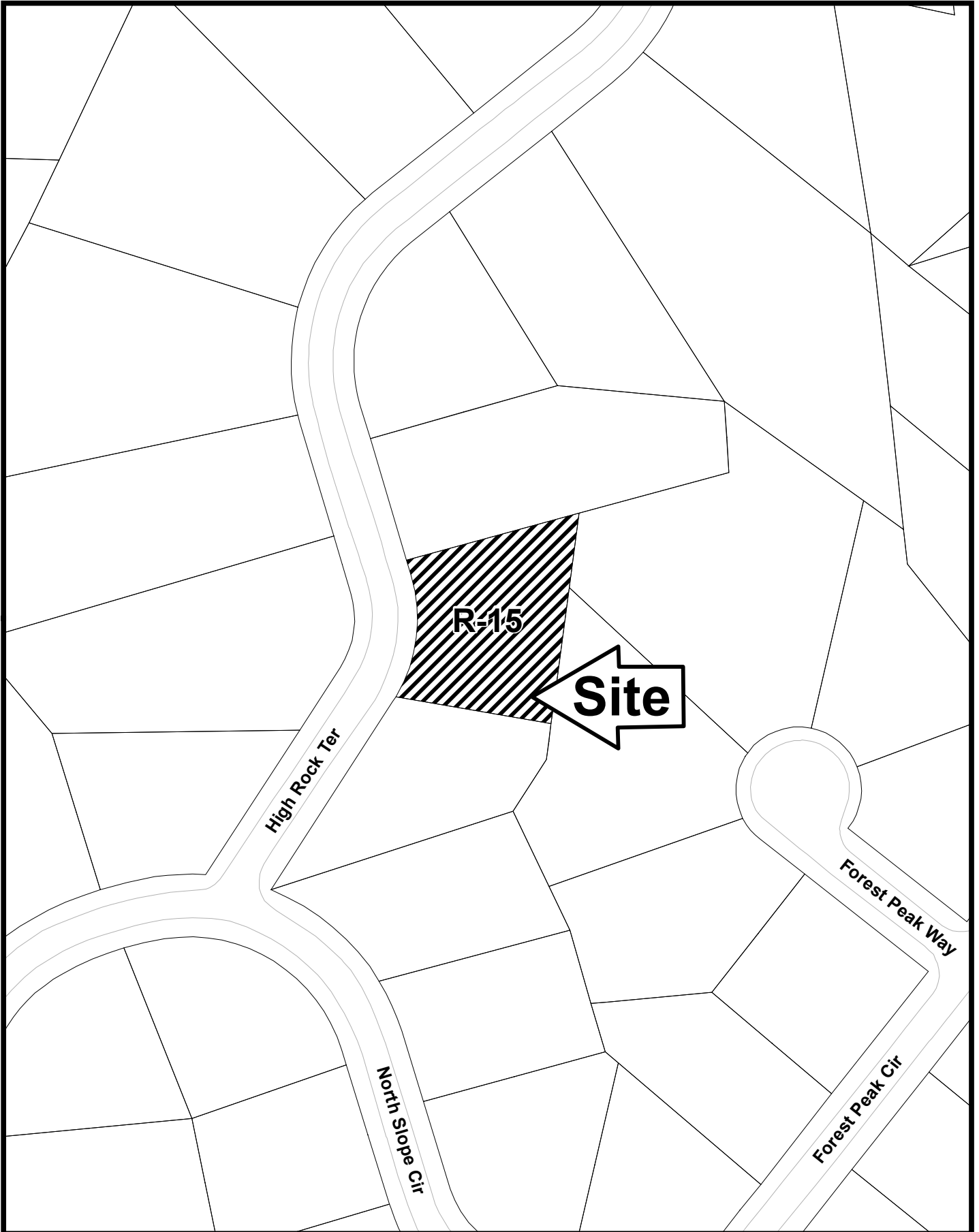
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

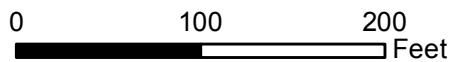
STIPULATIONS:





LUP-34



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Tammy Atkinson

PETITION NO.: LUP-34

PRESENT ZONING: R-15

PETITION FOR: LUP

ZONING COMMENTS: Staff Member Responsible: Kim Wakefield

The applicant is requesting a Temporary Land Use Permit to allow more than two unrelated adults and more than three vehicles parked outside of a garage or carport. Per the County Code, a dwelling unit shall have at least 390 square-feet per each adult occupant and vehicle. The Cobb County Tax Assessor’s website shows the house has 4,587 square-feet, which would allow up to eleven adults (who are family members) and eleven vehicles; however, only three vehicles are allowed parked outside of a garage or carport. On the applicant’s property, there are six vehicles and three related and three unrelated adults living at the residence. This application is the result of a complaint.

Historic Preservation:

No comment.

Cemetery Preservation:

No comment.

WATER & SEWER COMMENTS:

No comment.

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, Life Safety Code requirements and the Official Code of Cobb County, Georgia

APPLICANT: Tammy Atkinson

PETITION NO.: LUP-34

PRESENT ZONING: R-15

PETITION FOR: LUP

STORMWATER MANAGEMENT COMMENTS

A portion of the wooden deck and modular block retaining wall near the northwest corner of the lot encroaches into the recorded 10-foot drainage easement. A Hold Harmless Agreement will need to be provided by the owners and recorded with the Cobb County Clerk of Superior Court.

STAFF RECOMMENDATIONS

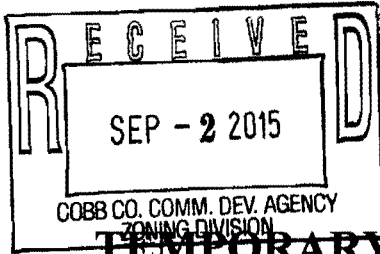
LUP- 34 TAMMY ATKINSON

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.*
The application is the result of a complaint from one of the occupants regarding parking and the number of people living in the home. The use and condition of the property could adversely affect the surrounding properties.
- (2) *Parking and traffic considerations.*
Applicant indicates all vehicles will be parked in the garage and driveway.
- (3) *Number of nonrelated employees.*
N/A
- (4) *Number of commercial and business deliveries.*
N/A
- (5) *The general presumption of the board of commissioners that residential neighborhoods should not allow noncompatible business uses.*
N/A
- (6) *Compatibility of the business use to the neighborhood.*
N/A
- (7) *Hours of operation.*
N/A
- (8) *Existing business uses in the vicinity.*
N/A
- (9) *Effect on property values of surrounding property.*
Multiple cars on the property start to erode the low intensity character of a residential neighborhood and could have a negative effect on property values.
- (10) *Circumstances surrounding neighborhood complaints.*
The use and condition of the property resulted in a complaint filed with Code Enforcement.
- (11) *Intensity of the proposed business use.*
N/A
- (12) *Location of the use within the neighborhood.*
The proposal is located within a platted subdivision and is surrounded by residential uses.

Based on the above analysis, Staff recommends **DENIAL**.

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-34
PC Hearing Date: 11-3-15
BOC Hearing Date: 11-17-15

TEMPORARY LAND USE PERMIT WORKSHEET (FOR NUMBER OF ADULTS AND/OR VEHICLES)

1. Number of unrelated adults in the house? 3
2. Number of related adults in the house? 3
3. Number of vehicles at the house? 6
4. Where do the residents park?
Driveway: ; Street: _____ ; Garage:
5. Does the property owner live in the house? Yes ; No _____
6. Any outdoor storage? No ; Yes _____ (If yes, please state what is kept outside): _____
7. Length of time requested (24 months maximum): ✓
8. 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).
9. Any additional information? (Please attach additional information if needed):

Applicant signature: Tammy R Date: _____

Applicant name (printed): TAMMY HUNG ATILINSON

ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: R-15

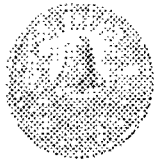
Size of house per Cobb County Tax Assessor records: 4,587 sq ft

Number of related adults proposed: 3 Number permitted by code: 11

Number of unrelated adults proposed: 3 Number permitted by code: 1

Number of vehicles proposed: 6 Number permitted by code: 11

Number of vehicles proposed to be parked outside: 6 Number of vehicles permitted 3



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

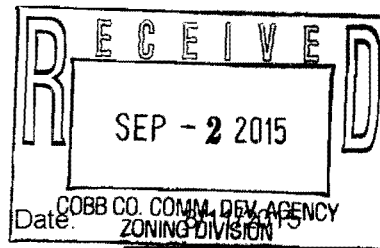
Mailing Address
P.O. Box 649
Marietta, Ga. 30061

Physical Address
1150 Powder Springs Rd.
Suite 400
Marietta, Ga. 30064

Fax: (770) 528-2092

LUP-34 (2015)
Code
Enforcement
Notice

Notice of Violation



Violation Number: CODE-2015-07174

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

<u>4532 HIGH ROCK TER</u>	<u>MARIETTA, GA 30066</u>	<u>16</u>	<u>0116</u>	<u>019</u>	<u>R-15</u>
(Address)	(City/State/Zip)	(Dist)	(Land Lot)	(Par)	(Zoning)

and/or ATKINSON TAMMY (4532 HIGH ROCK TER MARIETTA, GA 30066)

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 August 11, 2015. 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>
PERMITTED USE/SINGLE FAMILY DWELLING	134-198 (3)	Must comply with all requirements in the attached definition of dwelling unit. see attached

Dwayne Hepler (dwayne.hepler@cobbcounty.org)

(770)528-2185

Officer

Telephone

Contact the Officer listed above by telephone or email for further information. Officer availability 8:00-9:00 a.m. and 3:30-4:30 p.m. Monday through Friday. You may leave voice mail or send email at any time.

A COMPLETE COPY OF THE COBB COUNTY ORDINANCE MAY BE VIEWED AT WWW.COBBCOUNTY.ORG

Dwayne.Hepler@cobbcounty.org