



**APPLICANT:** Pineapple Luxe LLC

**PHONE#:** 770-906-3622 **EMAIL:** info@atlantaareaPM.com

**REPRESENTATIVE:** Kathy Pecora

**PHONE#:** 770-906-3622 **EMAIL:** info@atlantaareaPM.com

**TITLEHOLDER:** Pineapple Luxe Corporation

**PROPERTY LOCATION:** On the west side of Virginia Place south of South Marietta Pkwy

(462 Virginia Place)

**ACCESS TO PROPERTY:** Virginia Place

**PHYSICAL CHARACTERISTICS TO SITE:** Existing single-family house

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** R-20/Meadowbrook 2 Subdivision

**SOUTH:** R-20/Meadowbrook 2 Subdivision

**EAST:** R-20/Meadowbrook 2 Subdivision

**WEST:** City of Marietta

*Adjacent Future Land Use:*

North: Medium Density Residential (MDR)

Southeast: Medium Density Residential (MDR)

South: Medium Density Residential (MDR)

Northwest: City of Marietta

**PETITION NO:** LUP-14

**HEARING DATE (PC):** 08-02-16

**HEARING DATE (BOC):** 08-16-16

**PRESENT ZONING:** Land Use Permit

**PROPOSED ZONING:** LUP

**PROPOSED USE:** Allow More Unrelated Adults and Vehicles than Permitted by Code

**SIZE OF TRACT:** 0.289 acres

**DISTRICT:** 17

**LAND LOT(S):** 650

**PARCEL(S):** 35

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

**COMMISSION DISTRICT:** 2

**OPPOSITION:** NO. OPPOSED **PETITION NO:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

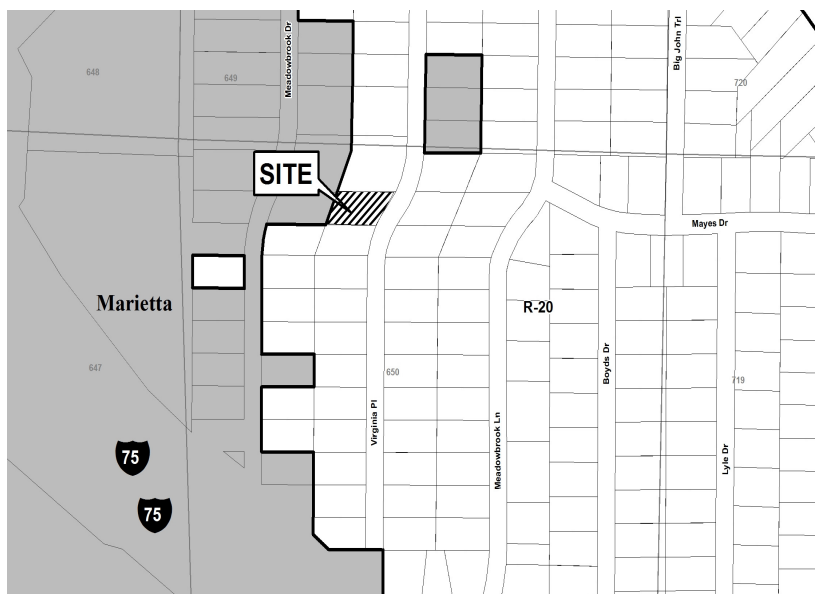
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

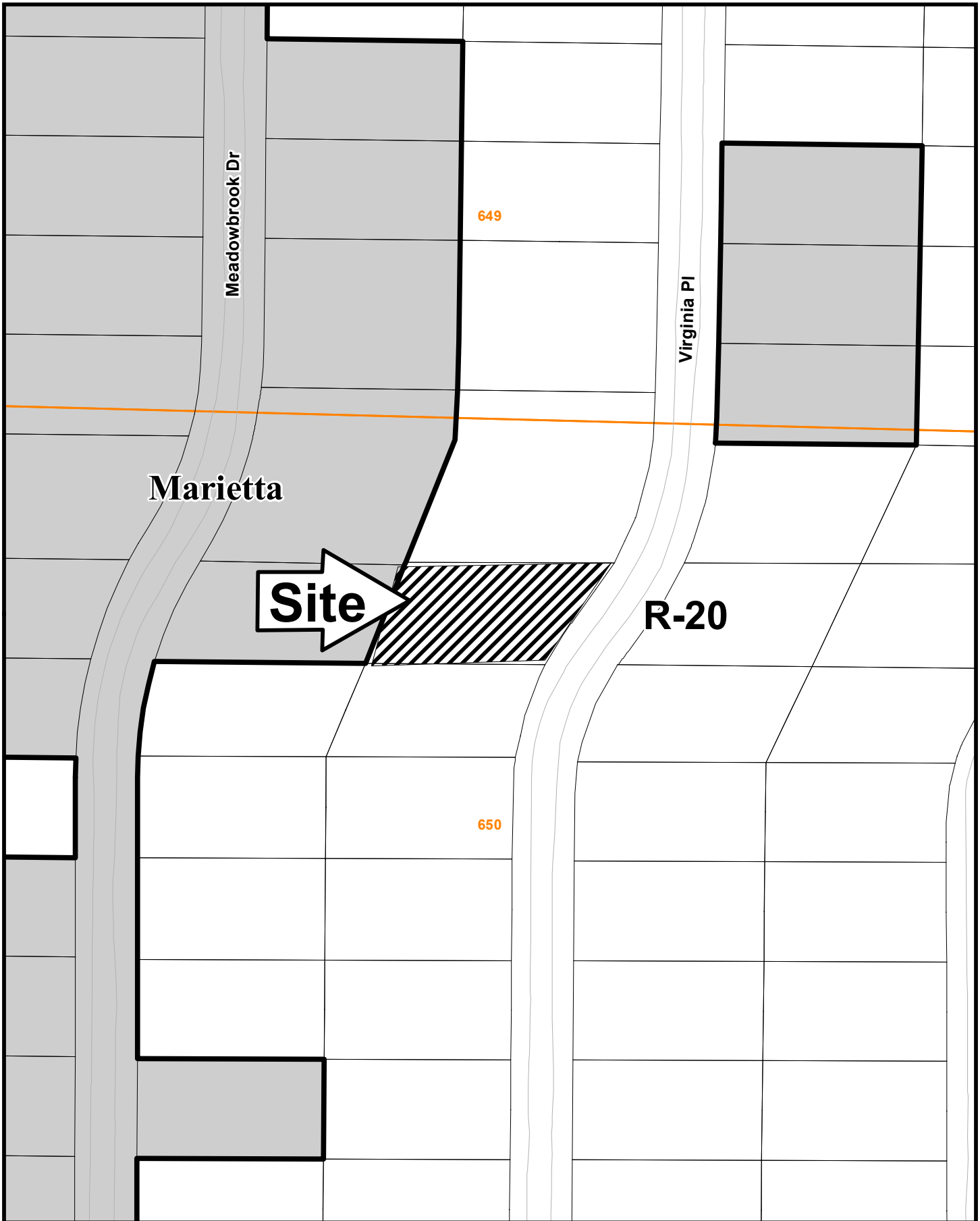
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **CARRIED** \_\_\_\_\_

**STIPULATIONS:**



# LUP-14-2016 GIS



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: Pineapple Luxe Corp

PETITION NO.: LUP-14

PRESENT ZONING: R-20

PETITION FOR: LUP

\*\*\*\*\*

**ZONING COMMENTS:**

Staff Member Responsible: Kim Wakefield

This applicant is requesting a Temporary Land Use Permit to allow more than two unrelated adults and more than three vehicles parked on the property. Per the County Code, a dwelling unit shall have at least 390 square feet per adult occupant and vehicle. The Cobb County Tax Assessor’s website shows the house has 1,341 square feet, which would allow up to three related adults (within the fourth degree) and three vehicles on the property. On the applicant’s property, there are four vehicles and four unrelated adults. This application is the result of a complaint.

**Historic Preservation:** No comment.

**Cemetery Preservation:** No comment.

\*\*\*\*\*

**WATER & SEWER COMMENTS:**

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

\*\*\*\*\*

**TRAFFIC COMMENTS:**

Recommend no parking on the right-of-way.

\*\*\*\*\*

**APPLICANT:** Pineapple Luxe

**PETITION NO.:** LUP-14

\*\*\*\*\*

**FIRE COMMENTS:**

GROUP HOME: 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: Pineapple Luxe LLC**

**PETITION NO.: LUP-14**

**PRESENT ZONING: R-20**

**PETITION FOR: LUP**

\*\*\*\*\*

<b>STORMWATER MANAGEMENT COMMENTS</b>
---------------------------------------

No comment.

## STAFF RECOMMENDATIONS

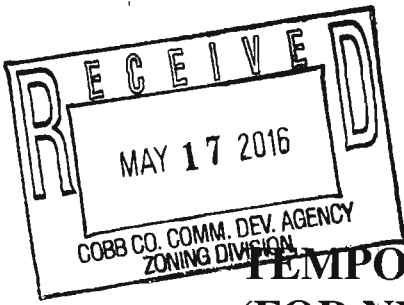
### LUP-14      PINEAPPLE LUXE CORP

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 due to the number of residents on the property. The use and condition of the property have adversely affected the surrounding properties.**
- (2) *Parking and traffic considerations.*  
**Applicant indicates vehicles will be parked in the driveway and occasionally on the street.**
- (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 issues.**

Based on the above analysis and a strict interpretation of the Code, Staff recommends **DENIAL** of the application.

**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-14

PC Hearing Date: 8-2-16

BOC Hearing Date: 8-16-16

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

1. Number of unrelated adults in the house? 4
2. Number of related adults in the house? 0
3. Number of vehicles at the house? 4
4. Where do the residents park? sometimes  
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): 24 months
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):  
These are students attending Kennesaw State

Applicant signature: Kathy Pecora Date: 4-7-16

Applicant name (printed): Kathy Pecora

#### ZONING STAFF USE ONLY BELOW THIS LINE

Zoning of property: R-20

Size of house per Cobb County Tax Assessor records: 1,341 sq ft

Number of related adults proposed: 0 Number permitted by code: 3

Number of unrelated adults proposed: 4 Number permitted by code: 1

Number of vehicles proposed: 4 Number permitted by code: 3

Number of vehicles proposed to be parked outside: 4 Number of vehicles permitted 3 Outside



