

APPLICANT: Edward Lee Kennedy
PHONE#: (770) 883-9531 **EMAIL:** edkennedyhome@gmail.com
REPRESENTATIVE: Edward Lee Kennedy
PHONE#: (770) 883-9531 **EMAIL:** edkennedyhome@gmail.com
TITLEHOLDER: Edward Lee Kennedy

PROPERTY LOCATION: East side of Glenraven Court, south of
Johnson Ferry Road
(3905 Glenraven Court)

ACCESS TO PROPERTY: Glenraven Court

PHYSICAL CHARACTERISTICS TO SITE: Existing single-family
house

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-15/Chimney Lakes Subdivision
SOUTH: R-15/Chimney Lakes Subdivision
EAST: R-15/Chimney Lakes Subdivision
WEST: R-15/Chimney Lakes Subdivision

PETITION NO: LUP-16
HEARING DATE (PC): 09-08-16
HEARING DATE (BOC): 09-20-16
PRESENT ZONING: R-15

PROPOSED ZONING: Land Use Permit

PROPOSED USE: One-on-One Private Swim
Lessons in backyard pool

SIZE OF TRACT: 0.831 acres

DISTRICT: 1

LAND LOT(S): 30

PARCEL(S): 12

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 3

Adjacent Future Land Use:

Northeast: Low Density Residential (LDR)
Southeast: Low Density Residential (LDR)
Southwest: Low Density Residential (LDR)
(Park / recreational / Conservation (PRC)
touches the southerly Corner)
Northwest: Low Density Residential (LDR)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

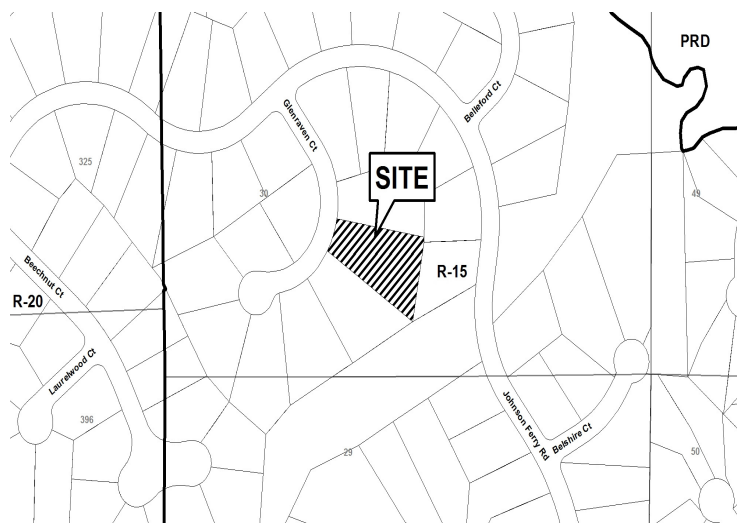
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

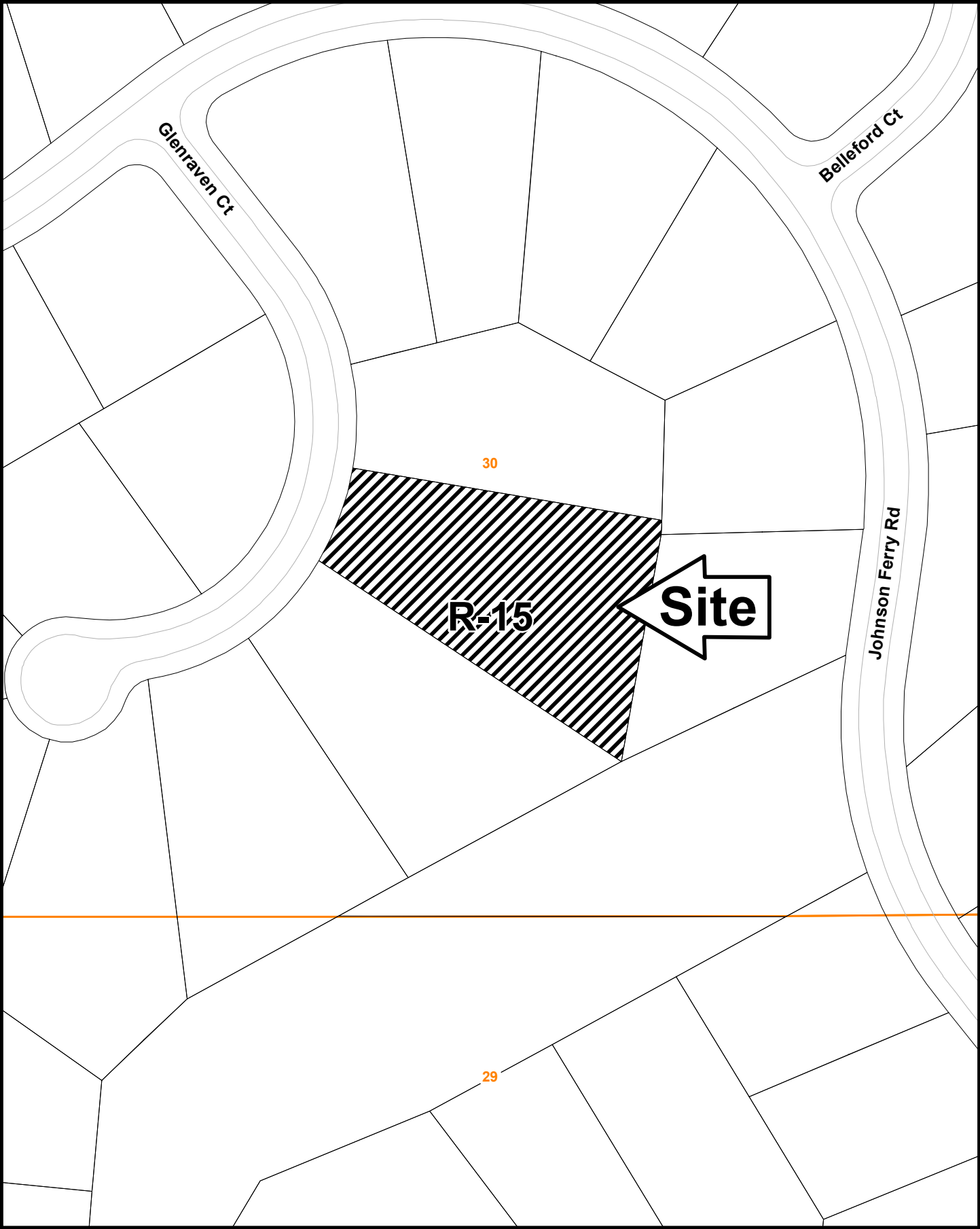
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

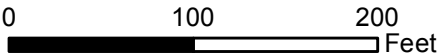
STIPULATIONS:



LUP-16-2016 GIS



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



- City Boundary
- Zoning Boundary

APPLICANT: Edward Lee Kennedy **PETITION NO.:** LUP-16

PRESENT ZONING: R-15 **PETITION FOR:** LUP

ZONING COMMENTS: **Staff Member Responsible:** Kim Wakefield

The applicant is requesting a Temporary Land Use Permit (LUP) for 24 months to have one-on-one private swim lessons at his home. Applicant has indicated that he will be operating Monday through Friday for the months of April through August. The hours will vary between 9 a.m. and 3 p.m. The applicant indicates that the number of clients will vary on a daily and weekly basis. He is not requesting any employees or a sign, and will not have any deliveries related to the business. Applicant has further indicated that parking will be in the driveway and the street in front of his residence.

Historic Preservation: No comment

Cemetery Preservation: No comment

WATER & SEWER COMMENTS: No comments. Property served by water and sewer.

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: Edward Lee Kennedy

PETITION NO.: LUP-16

PRESENT ZONING: R-15

PETITION FOR: LUP

STORMWATER MANAGEMENT COMMENTS

No comment.

STAFF RECOMMENDATIONS

LUP-16 EDWARD LEE KENNEDY

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 has the potential to affect the safety, health or welfare of the surrounding properties due to the increased traffic from non-residents.

(2) *Parking and traffic considerations.*

Clients will park in driveway and street in front of residence.

(3) *Number of nonrelated employees.*

No employees are being requested with the application.

(4) *Number of commercial and business deliveries.*

There are no commercial deliveries associated with this request.

(5) *The general presumption of the board of commissioners that residential neighborhoods should not allow noncompatible business uses.*

The single family residential nature of neighborhoods in the County could be harmed by disruptions from the increased traffic in the area.

(6) *Compatibility of the business use to the neighborhood.*

The fundamental natures of most businesses are incompatible with neighborhoods.

(7) *Hours of operation.*

**The hours of operation will be Monday through Friday for the months of April through August.
The hours will vary between 9 a.m. and 3 p.m.**

(8) *Existing business uses in the vicinity.*

There are no known businesses surrounding the property.

(9) *Effect on property values of surrounding property.*

This request has the potential to effect property values.

(10) *Circumstances surrounding neighborhood complaints.*

The request is the result of a complaint of the Code Enforcement Division.

(11) *Intensity of the proposed business use.*

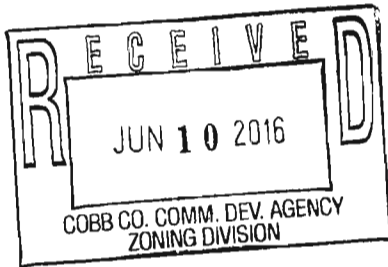
This application is an increase of the residential use and could erode the low intensity character of the neighborhood.

(12) *Location of the use within the neighborhood.*

The proposal is located in a platted subdivision and surrounded by residential uses.

Based on the above analysis and 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 #: LVP-16PC Hearing Date 9-8-16BOC Hearing Date: 9-20-16

TEMPORARY LAND USE PERMIT WORKSHEET

(FOR BUSINESS USE OR FOR A USE NOT PERMITTED)

1. Type of business, or request? One-on-one private swim lessons
2. Number of employees? None - sole proprietorship
3. Days of operation? M-F April - August only
4. Hours of operation? Varies 9A-3p
5. Number of clients, customers, or sales persons coming to the house per day? Varies ; Per week? Varies
6. Where do clients, customers and/or employees park?
 Driveway: ☒ ; Street: ☒ ; Other (Explain): *Only in front of our house, but car driveway is always available
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.):
None
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): _____
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).
14. Any additional information? (Please attach additional information if needed):
First enforcement visit officer stated no permit needed.

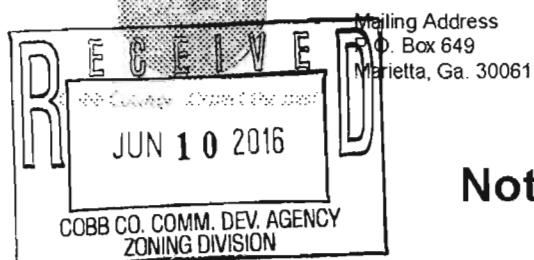
Applicant signature: Edward L. KennedyDate: June 5th, 2016

Applicant name (printed):

Edward L. Kennedy

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

Fax: (770) 528-2092



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

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

Notice of Violation

Violation Number: CODE-2016-03988

Date: 5/20/2016

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

3905 GLENRAVEN CT	ROSWELL, GA 30075	01	0030	012	R-15
(Address)	(City/State/Zip)	(Dist)	(Land Ldt)	(Par)	(Zoning)

and/or KENNEDY EDWARD L IV (3905 GLENRAVEN CT NE ROSWELL, GA 30075)

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 May 20, 2016. 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>
TEMPORARY LAND USE PERMIT REQUIRED	134-36	Temporary Land Use Permit required for swimming lessons at residentially-zoned property. Contact Cobb County Zoning Division to apply for Temporary Land Use Permit.

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