

LUP-5
(2017)

S-P-4

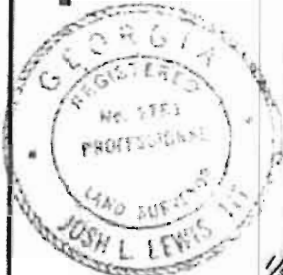
LOT
BLOCK
UNIT
SUB.

363
HIGHLAND POINTE

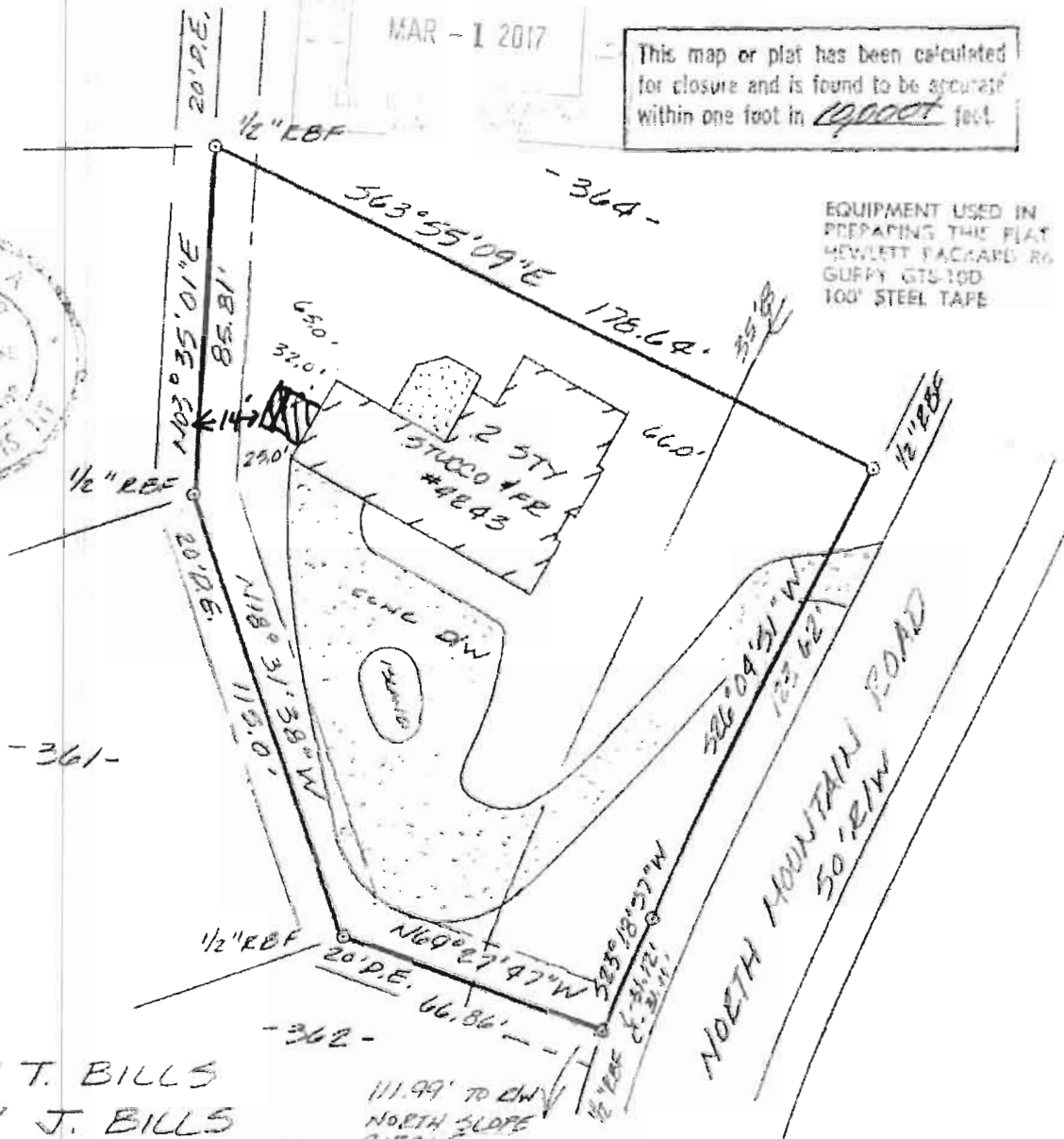
THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AND INSURANCE COMPANY OR AN APPRAISER.

MAR - 1 2017

This map or plat has been calculated for closure and is found to be accurate within one foot in 10,000 feet.



EQUIPMENT USED IN PREPARING THIS PLAT:
HEWLETT PACKARD 80
GUPPY GTS-100
100' STEEL TAPE



JOHN T. BILLS
MARY J. BILLS

LAND LOT 173
COBB COUNTY, GEORGIA

SCALE 1" = 40'
REG. LAND SURVEYOR NO. 1751
GEORGIA LAND SURVEYING CO., INC.

16TH DISTRICT 2ND SECTION

DATE: 9-7-93

I have, this date, examined the "FIA OFFICIAL FLOOD HAZARD MAP" and the referenced parcel does not appear to be in an area having special flood hazards.

THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE. ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAYS, PUBLIC OR PRIVATE.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED.

Josh L. Lewis

NO. 129208

112-35

112 E (REP)

339878

APPLICANT: Natallia Vilchenko
PHONE#: 470-314-1863 **EMAIL:** aanatasha@gmail.com
REPRESENTATIVE: Natallia Vilchenko
PHONE#: 470-314-1863 **EMAIL:** aanatasha@gmail.com
TITLEHOLDER: Alexandr Vilchenko and Natallia A. Vilchenko

PROPERTY LOCATION: West side of North Mountain Road,
southwest of Forest Peak Circle
(4243 North Mountain Road)
ACCESS TO PROPERTY: North Mountain Road
PHYSICAL CHARACTERISTICS TO SITE: Single-family
residence.

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

PETITION NO: LUP-5
HEARING DATE (PC): 05-02-17
HEARING DATE (BOC): 05-16-17
PRESENT ZONING: R-15

PROPOSED ZONING: Land Use Permit
PROPOSED USE: 3 Hens
SIZE OF TRACT: .49 acres
DISTRICT: 16
LAND LOT(S): 173
PARCEL(S): 41
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)
West: Low Density Residential (LDR)

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

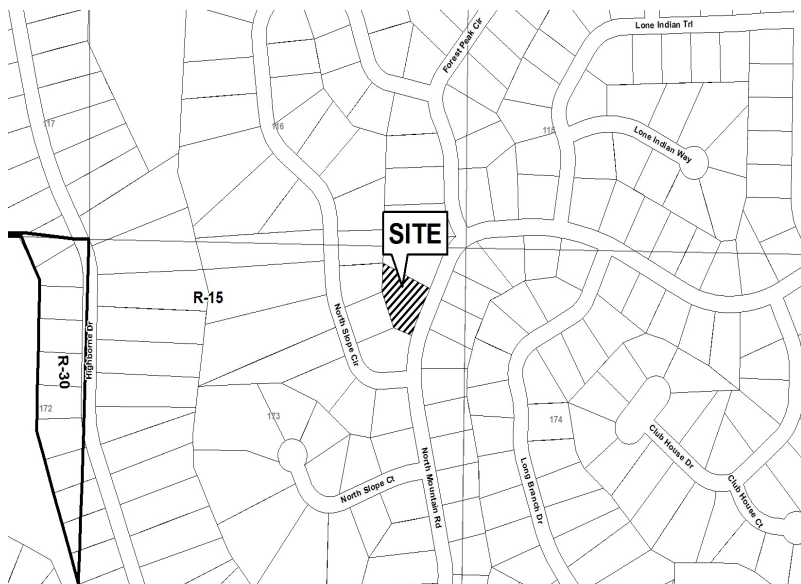
PLANNING COMMISSION RECOMMENDATION

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

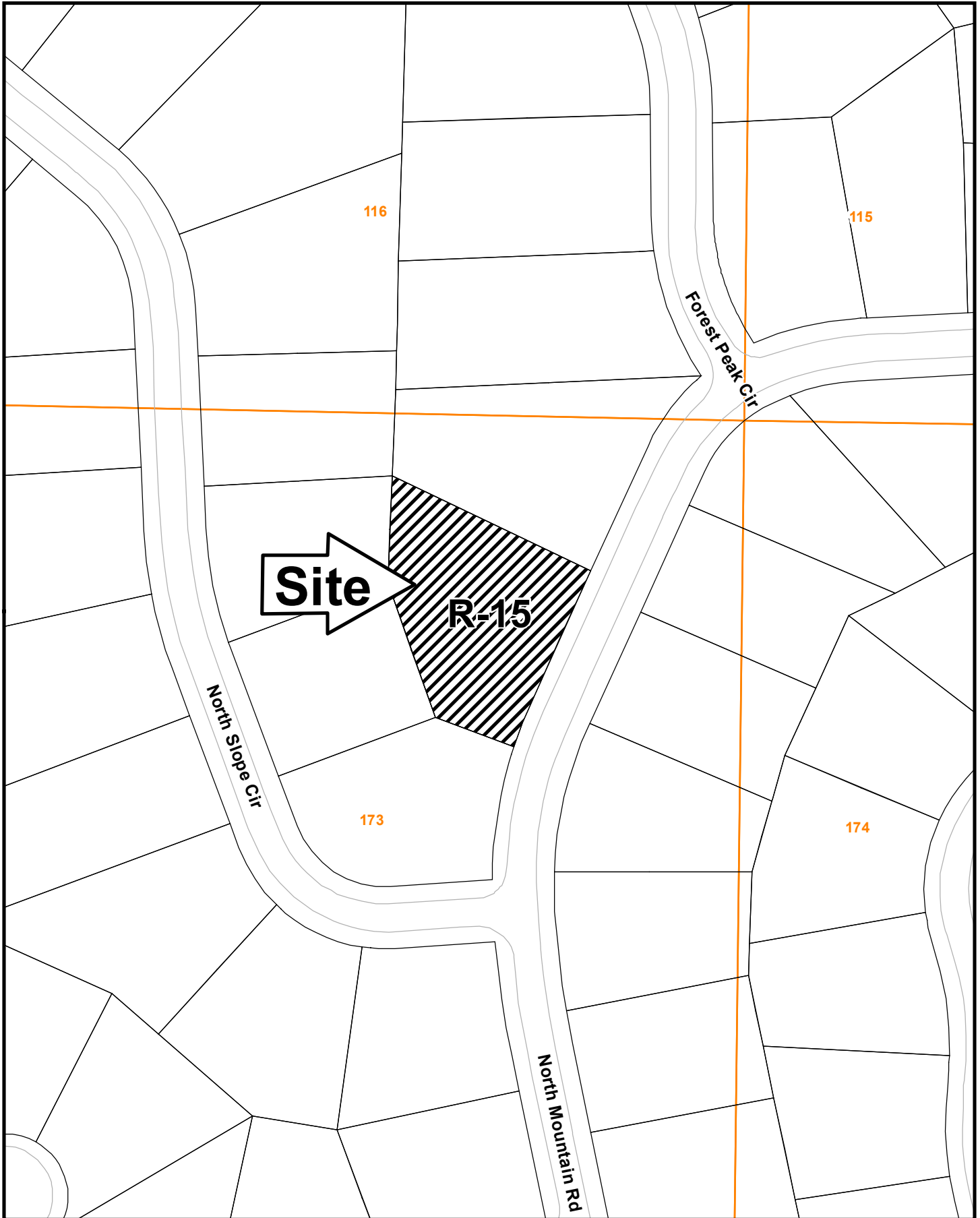
BOARD OF COMMISSIONERS DECISION

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

STIPULATIONS:



LUP-5-2017-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: Natallia Vilchenko

PETITION NO.: LUP-5

PRESENT ZONING: R-15

PETITION FOR: LUP

ZONING COMMENTS: Staff Member Responsible: Terry Martin, MPA

The applicant is requesting a Temporary Land Use Permit in order to have chickens on her property that is less than two (2) acres in size. The property is approximately half an acre (0.49 acres) and is located within the Highland Pointe Subdivision. The applicant specifically requests permission to have three (3) hens in a pen located to the left of the house. The applicant has indicated the location of the coop and pen area on the attached site plan. The chickens' location does not meet the Code required 30 foot setback from all property lines partly due to the house's location and property shape/size. The application is a result of a citizen complaint received by Code Enforcement.

The location of the chicken coop will require a contemporaneous variance to waive the rear setback from the required 30 feet to 14 feet.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

No comments. Property is served by public water and septic system.

TRAFFIC COMMENTS:

This request will not have an adverse impact on the transportation network.

APPLICANT: Natallia Vilchenko

PETITION NO.: LUP-5

FIRE COMMENTS:

NO 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: Natallia Vilchenko

PETITION NO.: LUP-5

PRESENT ZONING: R-15

PETITION FOR: LUP

STORMWATER MANAGEMENT COMMENTS

No comments.

STAFF RECOMMENDATIONS

LUP-5 NATALLIA VILCHENKO

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.*
Due to the smaller lot size and closeness of the homes, this request may affect the safety, health or welfare of the surrounding neighborhood.
- (2) *Parking and traffic considerations.*
N/A
- (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.*
This request could have the potential to affect the property values in the area.
- (10) *Circumstances surrounding neighborhood complaints.*
This request is the result of a Code Enforcement complaint case CODE-2017-00851.
- (11) *Intensity of the proposed business use.*
N/A

LUP-5

NATALIA VILCHENKO (Continued)

(12)Location of the use within the neighborhood.

This property is located within a platted subdivision and surrounded by residential uses.

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.



Cobb County... Expect the Best!

**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-5 (2017)
Code
Enforcement
Notice of
Violation**

Notice of Violation

Violation Number: CODE-2017-00851

Date: 2/10/2017

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

<u>4243 MOUNTAIN RD</u>	<u>MARIETTA, GA 30066</u>	<u>16</u>	<u>0173</u>	<u>041</u>	<u>R-15</u>
(Address)	(City/State/Zip)	(Dist)	(Land Lot)	(Par)	(Zoning)

and/or VILCHENKO ALEXANDR & NATALLIA A (4243 NORTH MOUNTAIN RD NE 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 February 10, 2017. 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/LIVESTOCK	134-198 (3)	Must have 2 acres of land to maintain livestock. All buildings used for animals must be setback at least 100 ft from any property line. All animals must be maintained at least 10 ft from any residential property line.

<u>Terry Winters (terry.winters@cobbcounty.org)</u>	<u>770-528-2112</u>
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