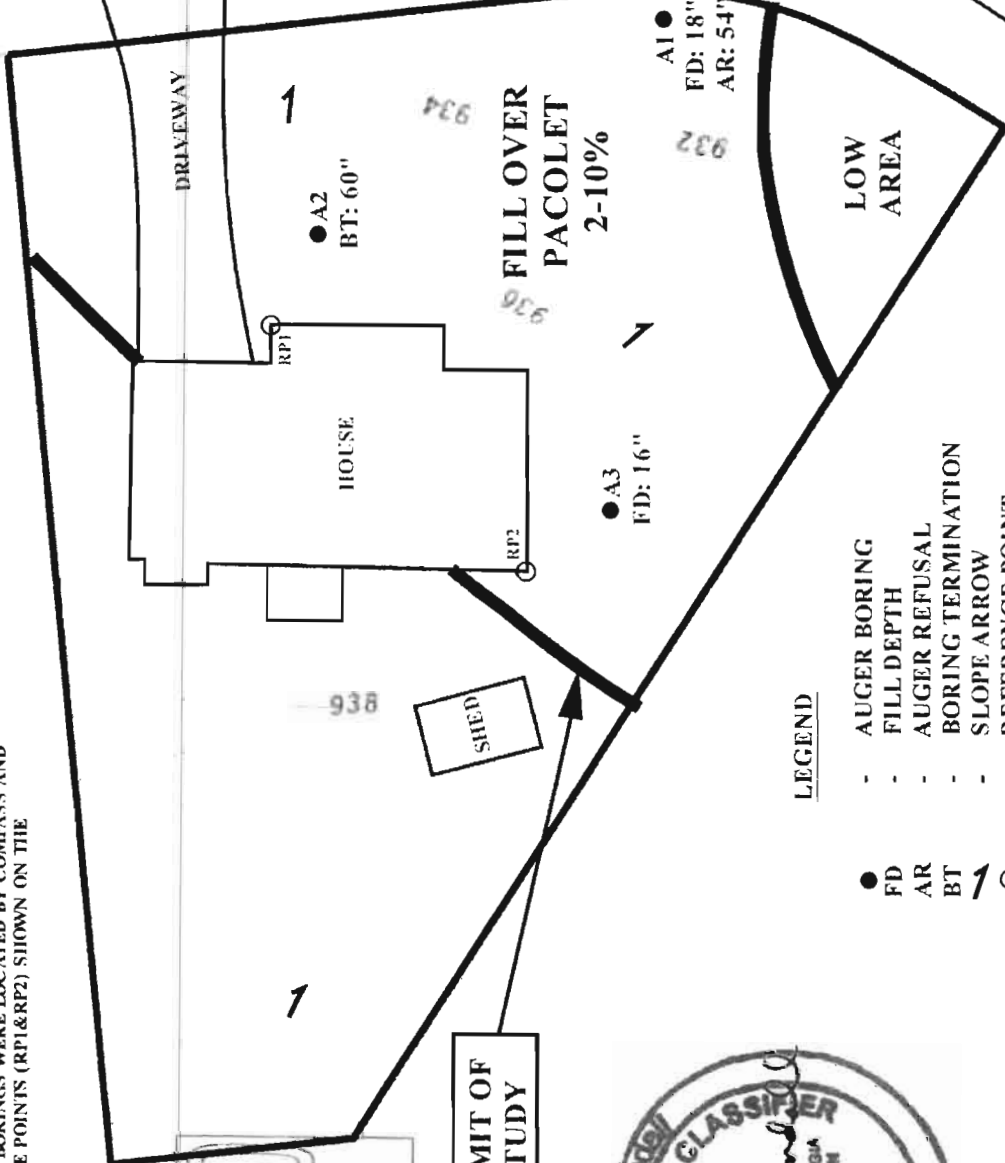


LUP-28
(2017)



LINDSEY DRIVE

DRIVEWAY



LEGEND

- AUGER BORING
- FD FILL DEPTH
- AR AUGER REFUSAL
- BT BORING TERMINATION
- ↙ SLOPE ARROW
- REFERENCE POINT

NOTES:
 1) PROPERTY BOUNDARIES, CONTOUR LINES AND HOUSE LOCATION WERE OBTAINED FROM THE COBB COUNTY GIS WEBSITE AND SHOULD BE CONSIDERED APPROXIMATE. BORINGS WERE LOCATED BY COMPASS AND PACING FROM THE REFERENCE POINTS (RP1&RP2) SHOWN ON THE DRAWING BELOW.

RECEIVED
 OCT - 5 2017
 COBB CO. COMM. DEV. AGENCY
 ZONING DIVISION

LIMIT OF STUDY



0 15 30
 GRAPHIC SCALE: 1" = 30'

LEVEL 3 SOIL MAP
4474 LINDSEY DRIVE
L.L. 1272, 19TH DISTRICT
COBB COUNTY, GEORGIA

KENDALL & ASSOCIATES, INC.
 Soil and Ecological Consultants
 2443 Powder Springs Road Marietta, Georgia 30064, (Ph) 770-439-8824

APPLICANT: Open Arms Group Home

PHONE#: (678) 504-5653 **EMAIL:** openarmsgroup@yahoo.com

REPRESENTATIVE: James Barnes

PHONE#: (770) 990-6057 **EMAIL:** barnes0521@yahoo.com

TITLEHOLDER: James B. Barnes and Terri L. Barnes

PROPERTY LOCATION: west side of Lindsey Drive, north of

Jamestowne Court

(4474 Lindsey Dr)

ACCESS TO PROPERTY: Lindsey Drive

PHYSICAL CHARACTERISTICS TO SITE: single-family home

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Jamestown Pointe Subdivision

SOUTH: R-20/ Jamestown Pointe Subdivision

EAST: R-20/ Jamestown Pointe Subdivision

WEST: R-20/ Jamestown Pointe Subdivision

PETITION NO: LUP-28

HEARING DATE (PC): 12-05-17

HEARING DATE (BOC): 12-19-17

PRESENT ZONING: R-20

PROPOSED ZONING: Land Use Permit
(Renewal)

PROPOSED USE: group home for up to
six residents

SIZE OF TRACT: 0.45 acres

DISTRICT: 19

LAND LOT(S): 1272

PARCEL(S): 38

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

Adjacent Future Land Use:

North: VLDR

East: VLDR

Southwest: VLDR

West: VLDR

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

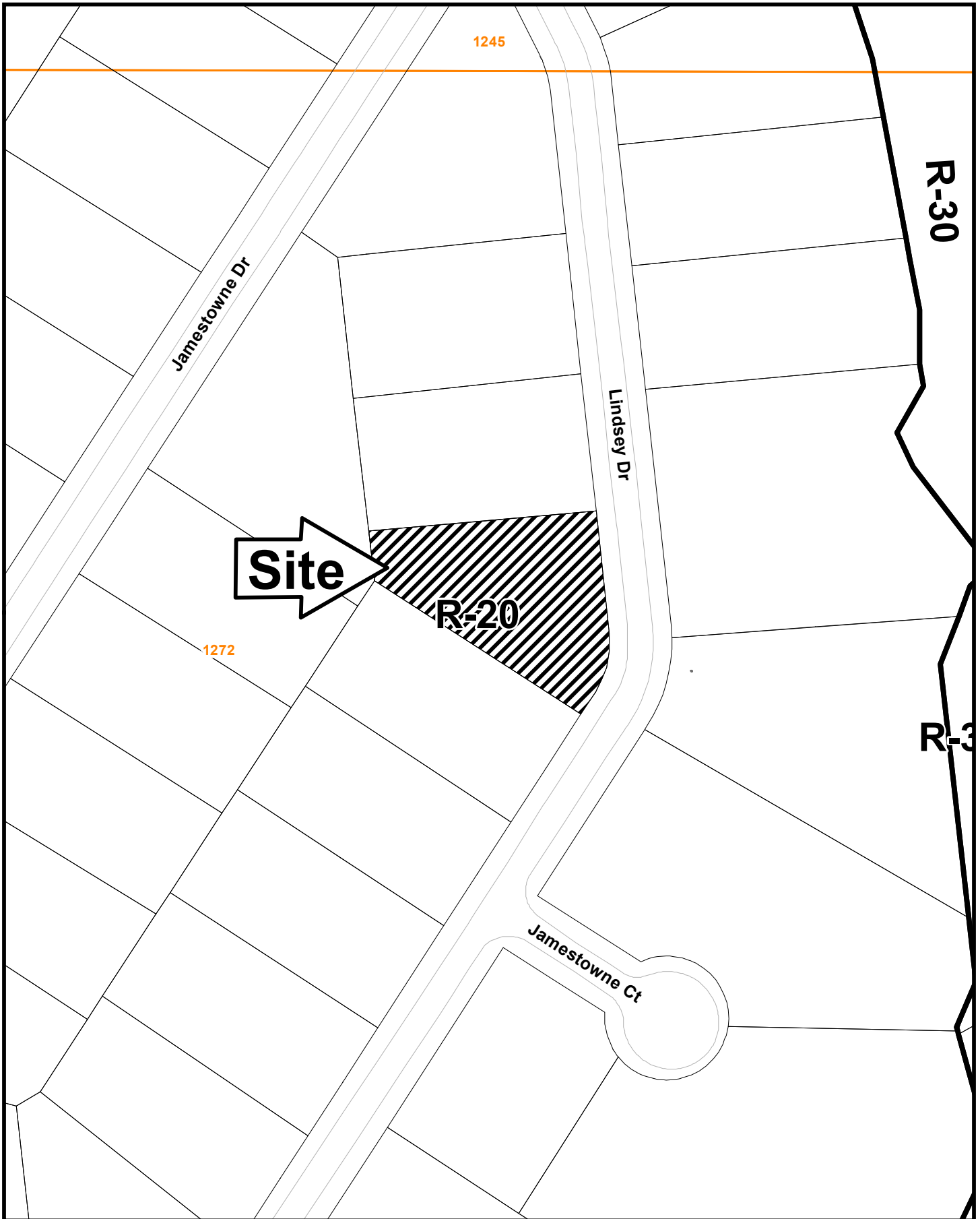
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



LUP-28 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: Open Arms Group Home

PETITION NO.: LUP-28

PRESENT ZONING: R-20

PETITION FOR: LUP

ZONING COMMENTS: Staff Member Responsible: Tannessa Bates

The applicant is requesting a renewal of the temporary land use permit to allow six children for a group home. The code only allows a maximum of four children with Fire Marshal approval. The applicant intends to have five employees and will operate 24 hours a day, seven days a week. All customers and employees will park in the driveway and there will be no more than two vehicles on the property at a time. There will be no signs or deliveries except normal daily mail. The applicant does intend to have furniture for living room and office spaces, and will also store office supplies outside. The applicant will not live in the house. The applicant is requesting approval for 24 months, and the application is not in response to a Code Enforcement complaint.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

Current water customer with septic. Environmental Health Department has commented "Approved as Submitted".

TRAFFIC COMMENTS:

Recommend no parking on the right-of-way.

APPLICANT: Open Arms Group Home

PETITION NO.: LUP-28

PRESENT ZONING: R-20

PETITION FOR: LUP

FIRE COMMENTS:

LODGING: Where 4 or more (>3) unrelated residents share a dwelling a new certificate of occupancy is required to include implementation of both a fire alarm and fire sprinkler system.

APPLICANT: Open Arms Group Home

PETITION NO.: LUP-28

PRESENT ZONING: R-20

PETITION FOR: LUP

STORMWATER MANAGEMENT COMMENTS

No comment. (Renewal)

STAFF RECOMMENDATIONS

LUP-28 OPEN ARMS GROUP HOME (Renewal)

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, and welfare of the surrounding properties because of a possible increase in traffic by non-residents.
- (2) *Parking and traffic considerations.*
The applicant intends to use the existing driveway for parking. Street parking would be inevitable due to the narrow driveway and the limited space for turning around.
- (3) *Number of nonrelated employees.*
There will be five employees.
- (4) *Number of commercial and business deliveries.*
There will be no deliveries other than standard mail.
- (5) *The general presumption of the board of commissioners that residential neighborhoods should not allow noncompatible business uses.*
The single-family, residential nature of the neighborhood could be harmed by disruptions from the increased traffic in the area.
- (6) *Compatibility of the business use to the neighborhood.*
Group homes are permitted in residential areas with limits to protect the surrounding properties.
- (7) *Hours of operation.*
The proposed hours of operation are 24 hours a day, seven days a week.
- (8) *Existing business uses in the vicinity.*
There are no known businesses in the area.
- (9) *Effect on property values of surrounding property.*
This request has the potential to affect surrounding property values.
- (10) *Circumstances surrounding neighborhood complaints.*
There have not been any complaints filed with Code Enforcement.

LUP- 28 OPEN ARMS GROUP HOME (Continued)

(11) Intensity of the proposed business use.

The applicant's request will increase the amount of traffic in the area.

(12) Location of the use within the neighborhood.

This property is located within a platted subdivision, and is completely surrounded by single-family homes.

Based on the above analysis, Staff recommends **APPROVAL** of the applicants request for **12** months subject to:

- 1. Allowed for DFACS children *only*;**
- 2. Water and Sewer comments and recommendations; and**
- 3. Department of Transportation comments and recommendations.**

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-28

PC Hearing Date: 12-5-17

BOC Hearing Date: 12-19-17

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

- 1. Type of business, or request? Camp Home for TEENAGE BOYS
- 2. Number of employees? 5
- 3. Days of operation? 7 DAYS A WEEK
- 4. Hours of operation? 24 HOURS
- 5. Number of clients, customers, or sales persons coming to the house per day? 10 kids ; Per week? _____
- 6. Where do clients, customers and/or employees park?
Driveway: X ; Street: _____ ; Other (Explain): _____

7. Signs? No: X ; 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.): COMPANY VAN AND STAFF CAR - 2 VEHICLES

9. Deliveries? No X ; Yes _____. (If yes, then how many per day or week, and is the delivery via semi-truck, USPS, Fedex, UPS, etc.)
N/A

10. Does the applicant live in the house? Yes _____ ; No X

11. Any outdoor storage? No _____ ; Yes X (If yes, please state what is kept outside): FILE CABINET, PAINT, AND FURNITURE

12. Length of time requested (24 months maximum): 24 MONTHS

13. Is this application a result of a Code Enforcement action? No X ; 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):
N/A

Applicant signature: [Signature] Date: 10/2/17

Applicant name (printed): JAMES B. BARNES