



Case# LUP-14
Public Hearing Dates:
PC: 12-04-18
BOC: 12-18-18

Cobb County Community Development Agency
Zoning Division
1150 Powder Springs St. Marietta, Georgia 30064

SITE BACKGROUND

Applicant: Reneika Rogan

Phone: (678) 215-1099

Email: bavvanprop@gmail.com

Representative Contact: Reneika Rogan

Phone: (678) 215-1099

Email: bavanprop@gmail.com

Titleholder: Bavan Properties, Inc.

Property Location: Northeast corner of Clay Road
and Golden Circle

Address: 4945 Golden Circle

Access to Property: Golden Circle

QUICK FACTS

Commission District: 4-Cupid

Current Zoning: R-20 (Single-family Residential)

Current use of property: Single-family house

Proposed use: Personal Care Home (LUP Renewal)

Future Land Use Designation: LDR (Low Density
Residential)

Site Acreage: 0.72 ac

District: 19

Land Lot: 1142

Parcel #: 19114200620

Taxes Paid: Yes

FINAL ZONING STAFF RECOMMENDATION:
(Zoning staff member: Jason Campbell)

Based on the analysis of this case, Staff recommends **APPROVAL** for 24 months, subject to the following:

1. Maximum of six residents;
2. Carport for vehicle parking only; and
3. Department comments and recommendations, not otherwise in conflict.

LED FIRE PROTECTION SYSTEM UPON COMPLETION OF INSTALLATION
P.C. 901.5

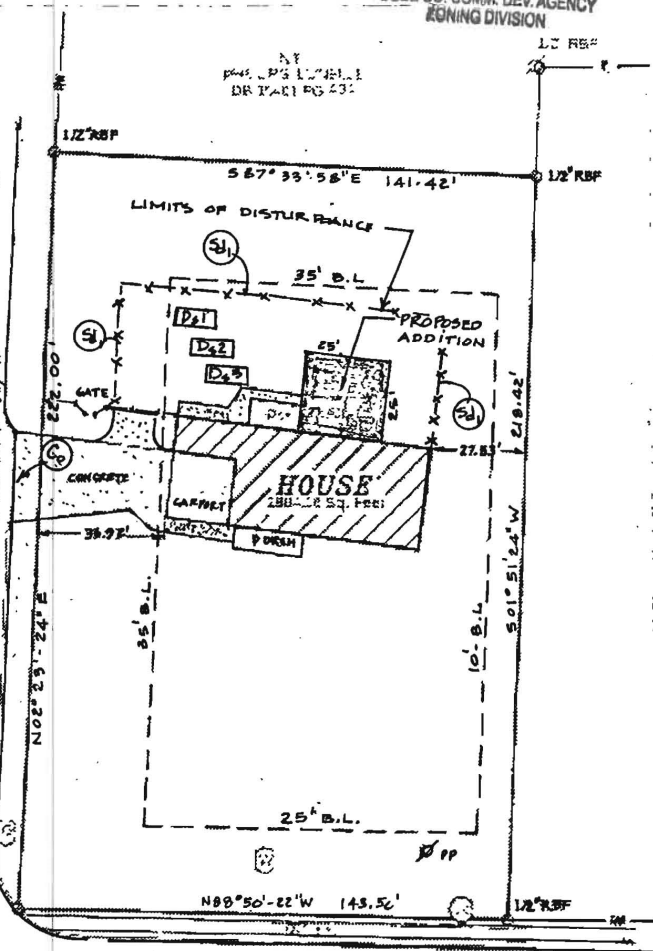
LUP-14
(2018)

RECEIVED
SEP 20 2018

6888 69 COMM. DEV. AGENCY
ZONING DIVISION



GOLDEN CIRCLE
40' PUBLIC R/W



CLAY ROAD
50' PUBLIC R/W

SITE PLAN
SCALE: 1" = 30' - 0"

GRAPHIC SCALE



(IN FEET)

GENE

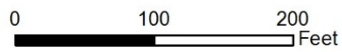
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LUP-14 2018-Aerial Map



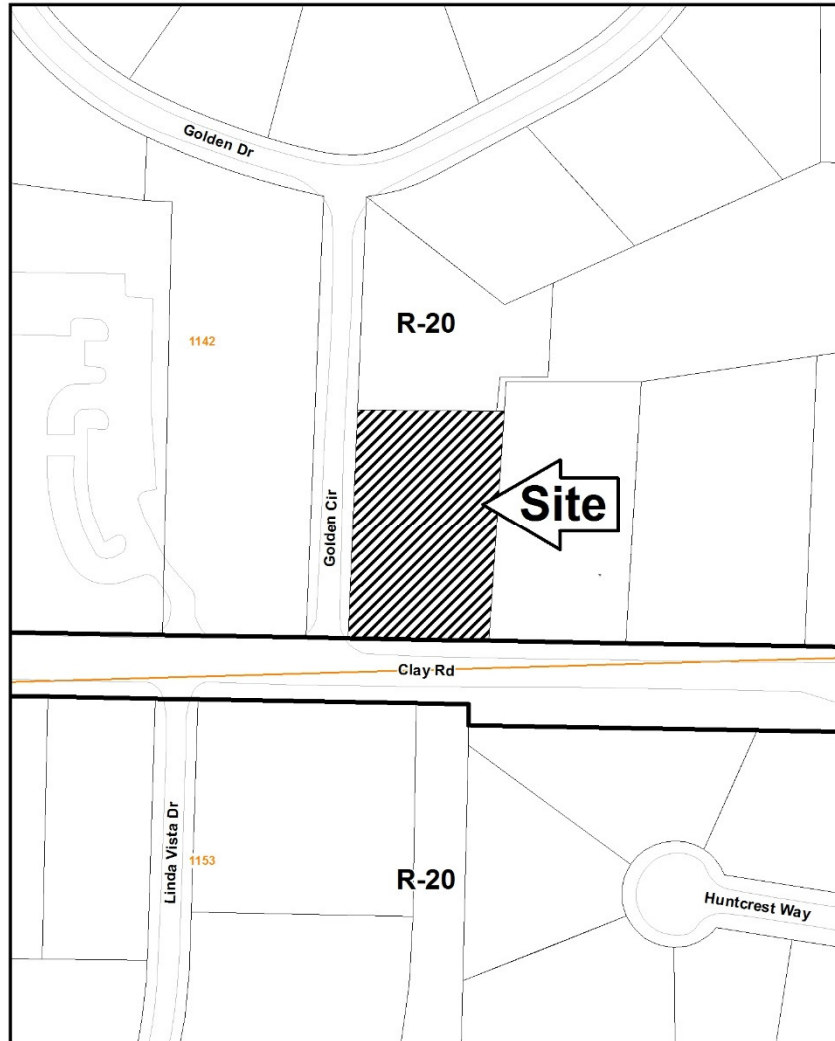
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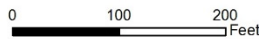
 Zoning Boundary
 City Boundary

North
Zoning: R-20 (Single-family Residential)
Future Land Use: LDR (Low Density Residential)

LUP-14 2018-GIS



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



Zoning Boundary
City Boundary

WEST
Zoning: R-20 (Single-family Residential)
Future Land Use: PI (Public Institutional)

EAST
Zoning: R-20 (Single-family Residential)
Future Land Use: LDR (Low Density Residential)

SOUTH
Zoning: R-20 (Single-family Residential)
Future Land Use: LDR (Low Density Residential)

DEPARTMENT COMMENTS- Zoning Division

Current zoning district for the property

The R-20 district is established to provide locations for single-family residential uses or residentially compatible institutional and recreational uses which are within or on the edge of properties delineated for any residential category as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. When residentially compatible institutional and recreational uses are developed within the R-20 district, they should be designed and built to ensure intensity and density compatibility with adjacent single-family detached dwellings and otherwise to implement the stated purpose and intent of this chapter.

Request for a Temporary Land Use Permit

The Board of Commissioners may permit temporary land use permits for uses that are uniquely located and are considered compatible with adjoining zoning districts and nearby uses for designated periods of time for uses, exceptions or professions in areas, along roadways and within districts where the zoning regulations would otherwise prohibit such operations. Customary home occupations as defined in this chapter, do not require a temporary land use permit.

Summary of the applicant's proposal

The applicant is seeking a renewal of a Land Use Permit (LUP) for the purpose of a group home for six elderly adult residents. There will be two employees, and the hours of operation will be Sunday through Monday, 24 hours per day, and the applicant expects one client, customer, or sales person coming to the house per week. The applicant is requesting a renewal for 24 months.

DEPARTMENT COMMENTS- Fire Department

No comment.

DEPARTMENT COMMENTS- Site Plan Review (County Arborist)

The property owner will be required to obtain a Land Disturbance Permit if there are any staff comments or approval stipulations which require any type of site modifications (fencing, landscaping, curb/gutter & sidewalk installation, etc.). Contact Site Plan Review, 770-528-2147.

DEPARTMENT COMMENTS- Cemetery Preservation

No comment.

DEPARTMENT COMMENTS- School System

No comment.

DEPARTMENT COMMENTS- Stormwater Management

No comment (Renewal).

DEPARTMENT COMMENTS- Transportation

Recommendations

Recommend no parking in the right-of-way.

DEPARTMENT COMMENTS- Planning Division

Comprehensive Plan Designation: Consistent Inconsistent

House Bill 489 Intergovernmental Agreement Zoning Amendment Notification

Is the proposal within one-half mile of a city boundary? Yes No

Was the city notified? Yes No N/A

Comments:

DEPARTMENT COMMENTS- Water and Sewer

No comment.

STAFF ANALYSIS

There are twelve criteria that must be considered for a Temporary Land Use Permit. The criteria are below in bold, with the staff analysis following:

(1) Safety, health, welfare and moral concerns involving the surrounding neighborhood.

The request should not affect the safety, health, or welfare of the surrounding properties.

(2) Parking and traffic considerations.

The applicant indicates all visitors and employees will park on the driveway.

(3) Number of nonrelated employees.

There are two employees for this group home.

(4) Number of commercial and business deliveries.

The applicant indicates there will be no commercial deliveries connected with this request.

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

This use is located in area having single-family residential homes. The use is permitted for up to four people; however, the applicant proposes six residents, and was previously approved for six on May 16, 2017 (LUP-7).

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

The proposed use is surrounded by residential uses and is located in the Low Density Residential (LDR) future land use category.

(7) Hours of operation.

The hours of operation will 24 hours per day, seven days per week.

(8) Existing business uses in the vicinity.

There are no businesses contiguous to the property; however, there is a church within 200 feet of the applicant's property.

(9) Effect on property values of surrounding property.

This request should not have an effect on the property values in the area.

(10) Circumstances surrounding neighborhood complaints

There have been no known complaints referring to this use.

(11) Intensity of the proposed business use.

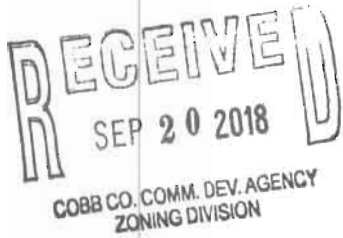
The same use was previously approved in 2017 and a renewal should not adversely affect neighbors.

STAFF ANALYSIS (Continued)

(12) Location of the use within the neighborhood.

The proposal is located within a platted subdivision and has residential uses to the east, west, south, and north.

The staff analysis and recommendation 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.



Revised October 1, 2009

Application #: LVP-14

PC Hearing Date: 12-4-18

BOC Hearing Date: 12-18-18

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

1. Type of business, or request? Personal Car Home Extension
2. Number of employees? 2
3. Days of operation? Sunday To Monday
4. Hours of operation? 24 Hours
5. Number of clients, customers, or sales persons coming to the house per day? 0 ; Per week? 1
6. Where do clients, customers and/or employees park?
Driveway: ; Street: _____ ; Other (Explain): _____

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.): 0

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): _____

Applicant signature: [Signature] Date: 9-19-18

Applicant name (printed): Fazika Ross

Planning Commission Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

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Board of Commissioners Decision

NO. OPPOSED: _____ APPROVED _____ DENIED _____ DELETED TO _____

NO. IN SUPPORT _____ MOTION BY: _____ SECONDED: _____ VOTE: _____

Names of those Opposed:

Comments:

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