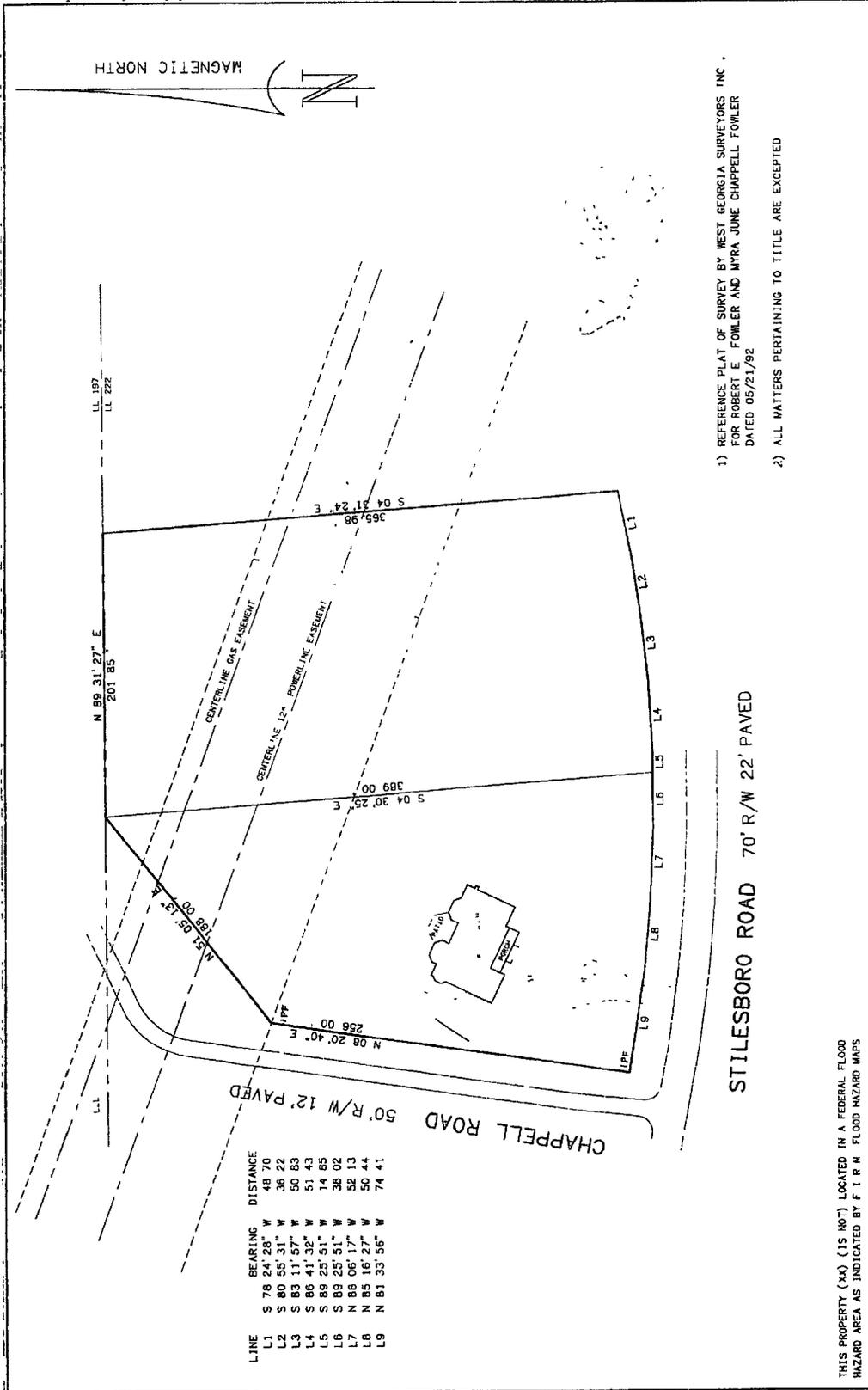


**LUP-1
(2009)**



LINE	BEARING	DISTANCE
L1	S 78 24' 28" W	48.70
L2	S 80 55' 31" W	38.22
L3	S 83 11' 57" W	50.83
L4	S 86 41' 32" W	51.43
L5	S 89 25' 51" W	14.85
L6	S 89 25' 51" W	38.02
L7	N 88 06' 17" W	52.13
L8	N 85 16' 27" W	50.44
L9	N 81 33' 56" W	74.41

1) REFERENCE PLAT OF SURVEY BY WEST GEORGIA SURVEYORS INC. FOR ROBERT E. FOWLER AND MYRA JUNE CHAPPELL FOWLER DATED 05/21/92
 2) ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED

STILESBORO ROAD 70' R/W 22' PAVED

THIS PROPERTY (XX) (IS NOT) LOCATED IN A FEDERAL FLOOD HAZARD AREA AS INDICATED BY F I R M FLOOD HAZARD MAPS
 EQUIPMENT UTILIZED ANGULAR- TOPCON GTS 2R LINEAR TOPCON GTS 2R
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN _____ FEET AND AN ANGULAR ERROR OF _____ PER ANGLE POINT AND WAS ADJUSTED USING _____ METHOD
 THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN _____ FEET
 UNLESS OTHERWISE SHOWN THERE ARE NO NATIONAL GEODETIC SURVEY MONUMENTS WITHIN 500' OF THIS PROPERTY
 LARRY D NEESE, GEORGIA REGISTERED AND SURVEYOR NO. 2235

SURVEY FOR
GORDON GRESHAM

LAND LOT 222	CC DP
DISTRICT 20th	Dem RSWG
COUNTY COBB	STATE GEORGIA
DATE 11-09-1994	FILE GRESHAM
SCALE 1" = 50'	NO 92-1269

WEST GEORGIA SURVEYORS, INC.
 ENGINEERS PLANNERS SURVEYORS
 Post Office Box 828
 MARIETTA GEORGIA 30061
 (404) 428 - 2122

APPLICANT: Gordon Lee Gresham
770-616-9327

PETITION NO: LUP-1

REPRESENTATIVE Sams, Larkin & Huff, LLP
Garvis L. Sams, Jr. 770-422-7016

HEARING DATE (PC): 02-03-09

HEARING DATE (BOC): 02-17-09

TITLEHOLDER: Gordon Lee Gresham

PRESENT ZONING: R-30

PROPOSED ZONING: Land Use Permit

PROPERTY LOCATION: Located on the north side of Stilesboro
Road, west of Brackendale Road
(4510 Stilesboro Road).

PROPOSED USE: Parking A Vehicle

Weighing More Than 12,500 Pounds

ACCESS TO PROPERTY: Stilesboro Road

SIZE OF TRACT: 1.4 acres

DISTRICT: 20

PHYSICAL CHARACTERISTICS TO SITE: Existing house

LAND LOT(S): 222

PARCEL(S): 12

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 1

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20 OSC/ Olde England Lake subdivision

SOUTH: R-20/ Greenwood subdivision

EAST: R-20 OSC/ Olde England Lake subdivision

WEST: R-30/ Single-family house

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

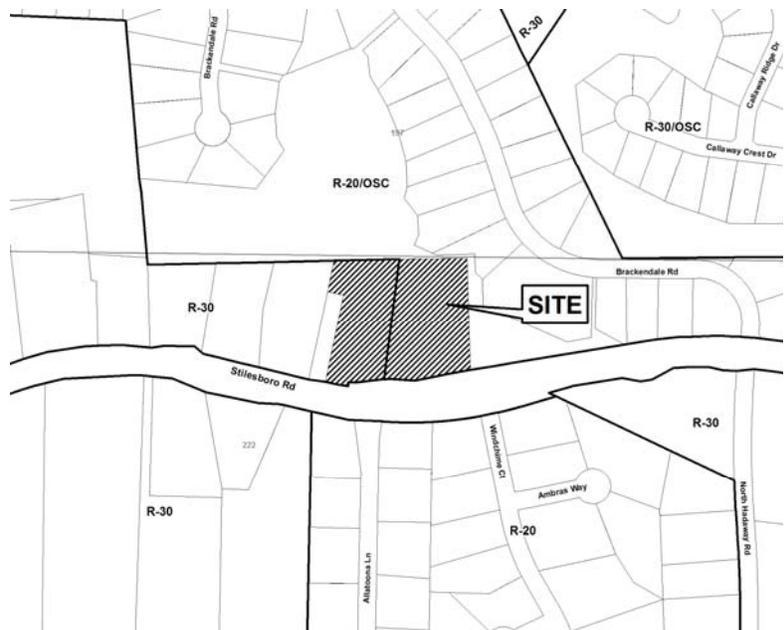
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

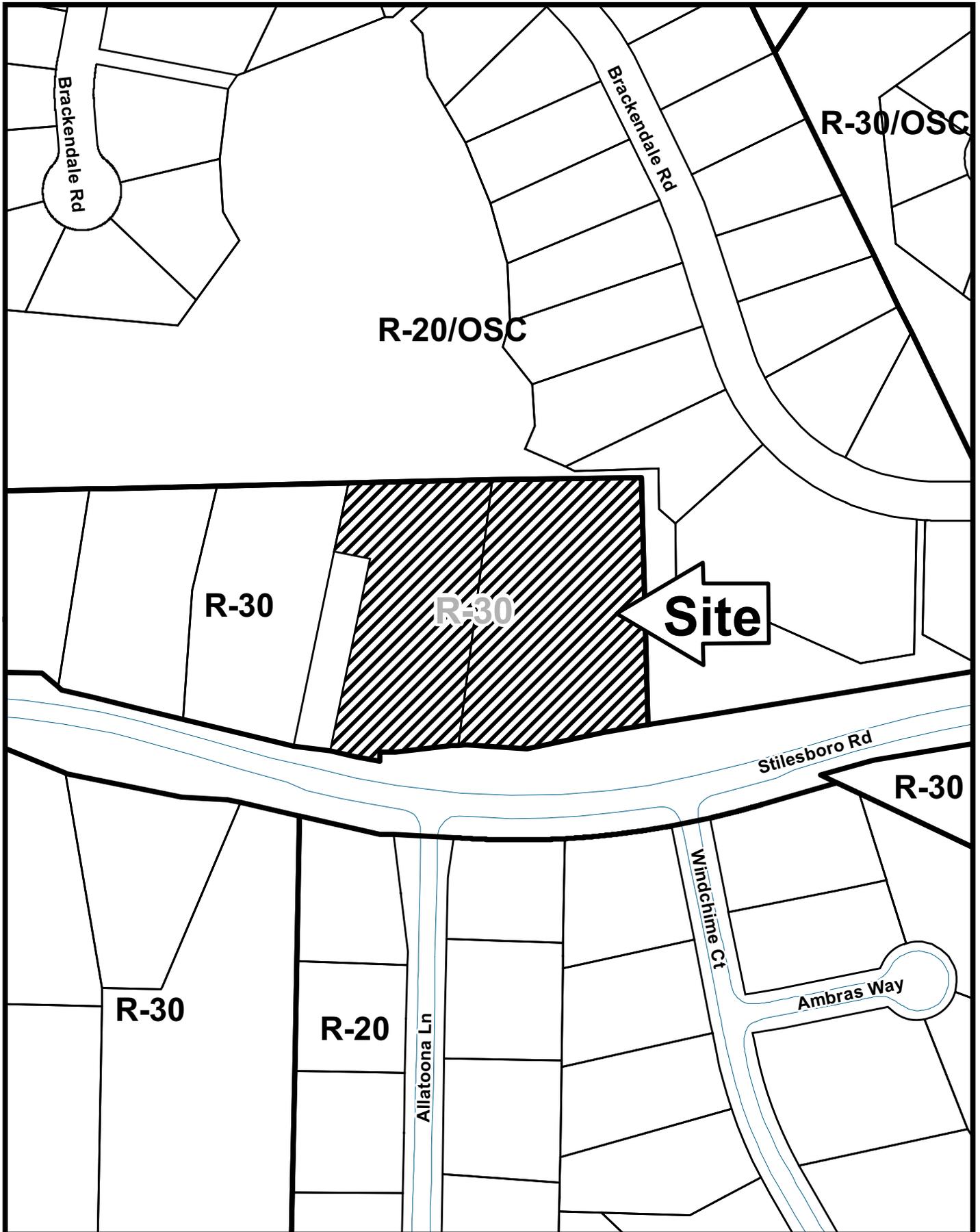
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

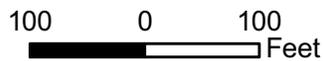
STIPULATIONS:



LUP-1



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Gordon Lee Gresham

PETITION NO.: LUP-1

PRESENT ZONING: R-30

PETITION FOR: LUP

PLANNING COMMENTS: Staff Member Responsible: John P. Pederson, AICP

The applicant is requesting Temporary Land Use Permit in order to park a vehicle on this property that weighs more than 12,500 pounds. The applicant is a contractor and uses this service truck to maintain heavy equipment offsite. The service truck is parked in the side or rear of the house behind a screen of trees. The applicant has stated that there will be no signs, no employees, no deliveries, no outdoor storage, and no storage of inventory. The applicant does live in the house, and this application is not the result of a complaint. The applicant’s representative has submitted a letter explaining their position (see Exhibit “A”).

Historic Preservation: No comment.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission's Inventory Listing which is located in this, or adjacent land lot.

WATER & SEWER COMMENTS:

Water and sewer not necessary for parking.

TRAFFIC COMMENTS:

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

FIRE COMMENTS:

No comments.

STORMWATER MANAGEMENT COMMENTS:

No comments. This is a large lot with adequate paved parking pad already provided.

STAFF RECOMMENDATIONS

LUP-1 GORDON GRESHAM

The applicant's proposal is located in a residential area. The applicant's request is located in an area designated as Very Low Density Residential on the *Cobb County Comprehensive Plan*. The applicant's proposal is used in conjunction with a full time business. The business could intensify over time, and could possibly encourage more requests for businesses in this residential area. Based on the above analysis, Staff recommends DENIAL.

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.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

MELISSA P. HAISTEN
JUSTIN H. MEEKS

December 22, 2008

SAMSLARKINHUFF.COM

VIA EMAIL AND
FIRST CLASS MAIL

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Division
Suite 300
191 Lawrence Street
Marietta, Georgia 30060-1661

Re: Application of Gordon Gresham for Temporary Land Use Permit
No. LUP-1

Dear John:

You will recall that this firm has been engaged by and represents Gordon Gresham concerning the above-captioned Application for a Temporary Land Use Permit. The Application is scheduled to be heard and considered by the Cobb County Planning Commission on February 3, 2009 and, thereafter, is scheduled to be heard and considered for final action by the Cobb County Board of Commissioners on February 17, 2009.

The property at issue consists of an approximate 1.4 acre tract of land which is located on the north side of Stilesboro Road directly across Stilesboro Road from its intersection with Allatoona Lane. Mr. Gresham and his family have lived in the home on the subject property since purchasing it over fourteen (14) years ago.

Mr. Gresham owns a business (GLG Construction, Inc.) which installs underground utilities and engages in site development. All of Mr. Gresham's equipment is stored at his company's commercial site. However, Mr. Gresham drives a truck, which he has been parking at his home since 1999, which exceeds the 12,500 pound gross volume weight limit. The truck is used for Mr. Gresham to get to and from his home and work sites. Fortunately, because of the size of the subject property and the amount of tree and vegetation coverage, Mr. Gresham has been able to discretely park the truck where it is screened from view. Recently, however, it has been brought to his attention that to do so requires a Temporary Land Use Permit. For your information, this Application is not the result of a complaint filed by the Greshams' neighbors.

SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

**VIA EMAIL AND
FIRST CLASS MAIL**

Mr. John P. Pederson, AICP, Planner III
Cobb County Zoning Division
December 22, 2008
Page 2

Attached are a series of photographs which depict the Gresham home; the amount of tree and vegetation cover; the manner in which Mr. Gresham's truck is parked adjacent to his home and, views from the rear of the Gresham home and property from the Georgia Power easement which traverses the rear (north) of the Gresham property.

Please do not hesitate to call should you need any additional information or documentation prior to the formulation of your recommendation to the Planning Commission and Board of Commissioners. With regards and best wishes for the holiday season, I am

Very truly yours,

SAMS, LARKIN & HUFF, LLP

Garvis L. Sams, Jr.
gsams@samslarkinhuff.com

GLS/dsj

Attachments

- cc: Members, Cobb County Board of Commissioners (via email and 1st class mail w/attach.)
Members, Cobb County Planning Commission (via email and 1st class mail w/attach.)
Mr. Robert L. Hosack, Jr., AICP Director (via email and 1st class mail w/attach.)
Mr. Mark A. Danneman, Manager (via email and 1st class mail w/attach.)
Ms. Jane Stricklin, Cobb County DOT (via email w/attach.)
Mr. Dave Breaden, Cobb County Stormwater Management (via email w/attach.)
Ms. Karen King, Deputy Clerk (via email w/attach.)
Ms. Lori Presnell, Deputy Clerk (via email w/attach.)
Mr. Gordon Gresham (via email w/attach.)

