

APPLICANT: Raymundo Ruvalcaba
770-780-9533

REPRESENTATIVE: Raymundo Ruvalcaba
770-780-9533

TITLEHOLDER: Claudia Ruvalcaba

PROPERTY LOCATION: Located on the northern side of Renae Lane, northwest of Brownmoore Drive (340 Renae Lane).

ACCESS TO PROPERTY: Renae Lane

PHYSICAL CHARACTERISTICS TO SITE: Existing house and detached garage

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** R-20/ Single-family houses
- SOUTH:** R-20/ Brownmoore Manor subdivision
- EAST:** R-20/ Brownmoore Manor subdivision
- WEST:** R-20/ Brownmoore Manor subdivision

PETITION NO: LUP-4

HEARING DATE (PC): 02-03-09

HEARING DATE (BOC): 02-17-09

PRESENT ZONING: R-20

PROPOSED ZONING: Land Use Permit

PROPOSED USE: Renting A Garage Apartment

SIZE OF TRACT: 1 acre

DISTRICT: 17

LAND LOT(S): 126, 163

PARCEL(S): 14

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

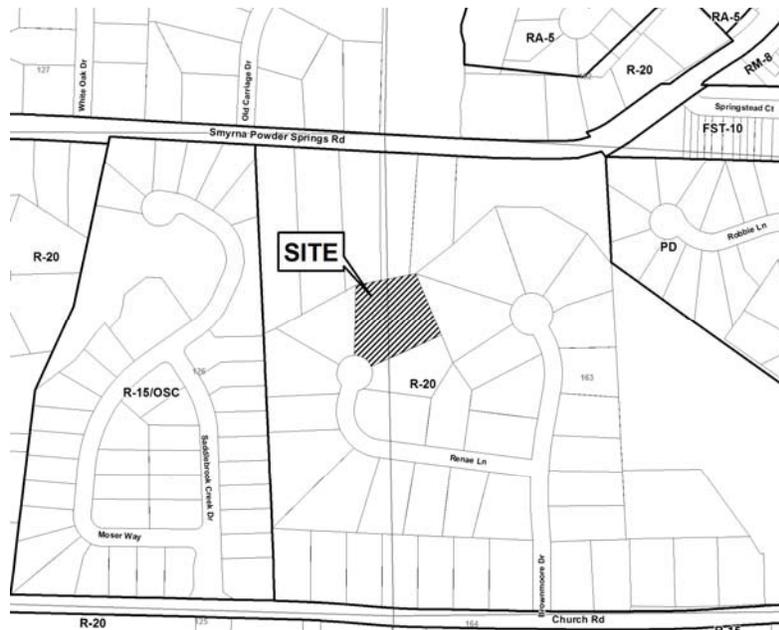
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

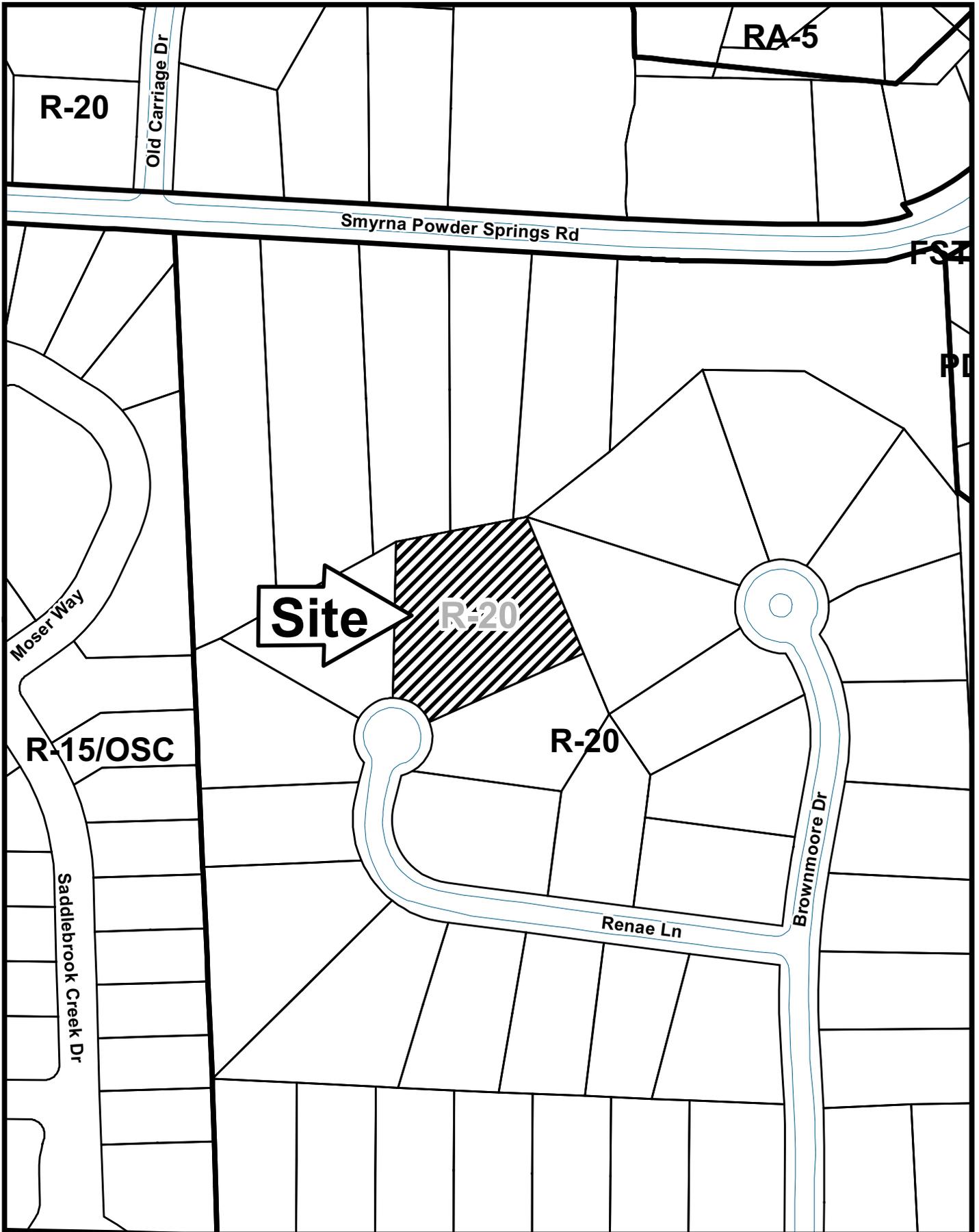
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



LUP-4



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

100 0 100
Feet



 City Boundary
 Zoning Boundary

APPLICANT: Raymundo Ruvalcaba

PETITION NO.: LUP-4

PRESENT ZONING: R-20

PETITION FOR: LUP

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

The applicant is requesting a Temporary Land Use Permit to have a garage apartment on this property. The detached garage is located in the back yard, in the northeasterly corner of the property. The detached garage is two-stories in height, and has approximately 1,044 square-feet per story. The applicant will rent the apartment to a family that is not related to him. There are not any businesses being operated from this detached garage.

It should be noted that the previous owner of the property built this garage apartment for his handicapped inlaws. The apartment has a kitchen, bathroom and two bedrooms. The garage apartment was previously approved for LUPs from 1991 to 1999, subject to family use only and garage apartment use only. During this time period the neighbors signed a petition in support of the request, and there was not ever any opposition.

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

Records show address is connected to water and sewer.

TRAFFIC COMMENTS:

Recommend no on-street parking.

FIRE COMMENTS:

No comments for this request, however, not to be used for a group home or personnel care home, without Fire Department approval. If 4 or more unrelated occupants, the structure must meet NFPA 101 Occupancy requirements.

Contact Cobb County Water Department for GPM Fire Flow Test

STORMWATER MANAGEMENT COMMENTS:

No comments.

STAFF RECOMMENDATIONS

LUP-4 RAYMUNDO RUVALCABA

The applicant's proposal is located in a platted subdivision. The applicant's request is located in an area designated as Low Density Residential on the *Cobb County Comprehensive Plan*. The R-20 zoning district is primarily intended for single-family residential uses. The proposal could encourage additional requests in this residential area. Staff is reluctant to recommend approval of this LUP, because it is difficult to remove a dwelling unit once established as evidenced from this case, and the previous LUP approvals were for handicapped family members only. 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.