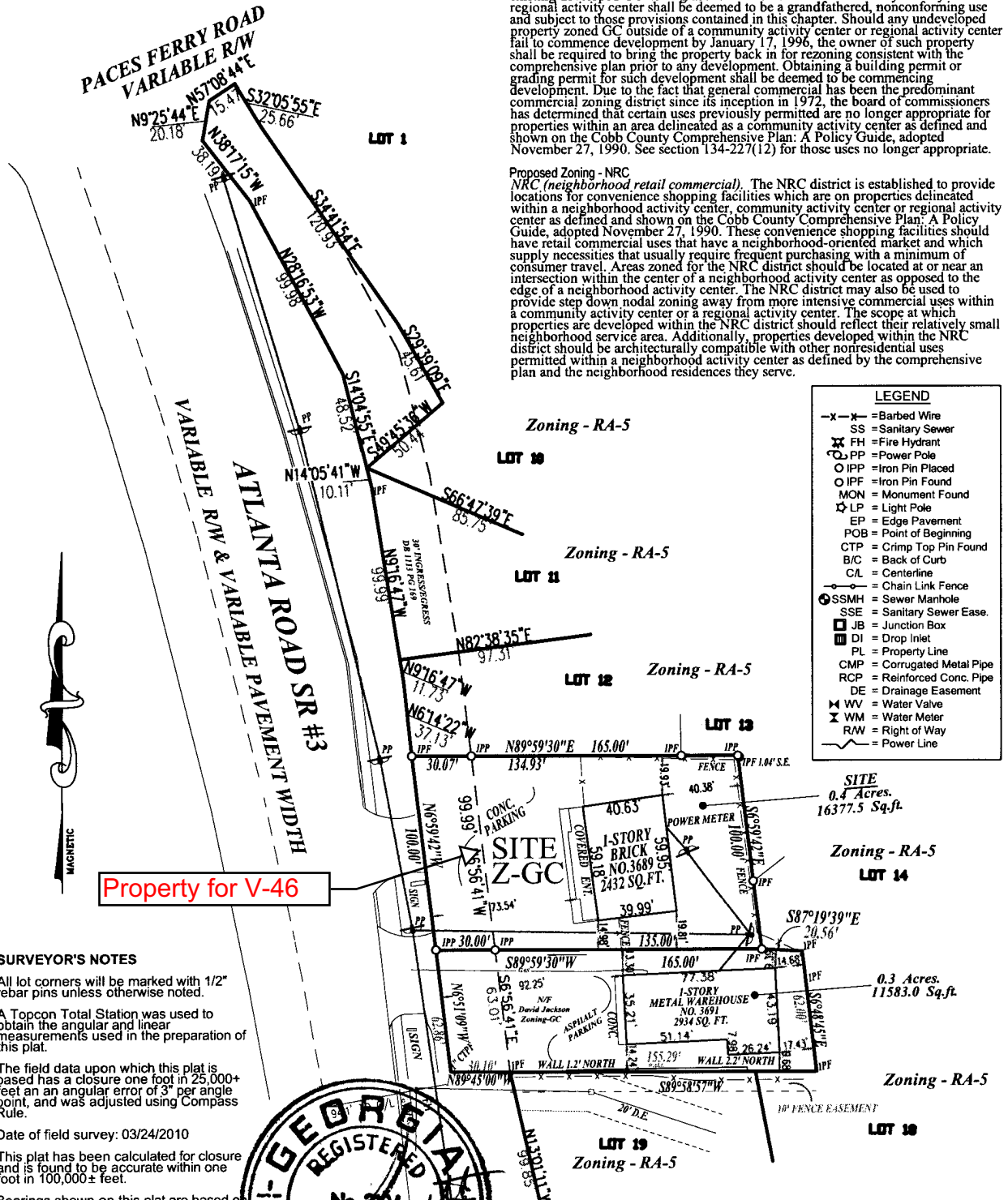
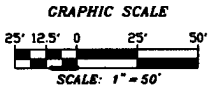


Flood Note

According to F.I.R.M. Community Panel # 13067C0226G dated 12/16/2008 this property is not located in an area having special flood hazards.

**V-46
(2010)**



Commercial). The GC district is established to provide locations for retail and service uses which are oriented toward automotive and intensive with a need for major road access and visibility, and are located in areas delineated within a community activity center and regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. Commencing January 1, 1991, no applications for rezoning to the GC district will be accepted by the board of commissioners for properties located in areas delineated within and shown on the comprehensive plan. This shall only apply to industrial-compatible and industrial areas. Any existing GC district, developed or undeveloped, located within an area delineated within an industrial-compatible area or industrial area as shown on the comprehensive plan, shall be deemed to be a grandfathered, nonconforming use after January 1, 1991, and subject to those provisions contained in this chapter. Any existing developed GC zoning/use located outside of a community activity center or regional activity center shall be deemed to be a grandfathered, nonconforming use and subject to those provisions contained in this chapter. Should any undeveloped property zoned GC outside of a community activity center or regional activity center fail to commence development by January 17, 1996, the owner of such property shall be required to bring the property back in for rezoning consistent with the comprehensive plan prior to any development. Obtaining a building permit or grading permit for such development shall be deemed to be commencing development. Due to the fact that general commercial has been the predominant commercial zoning district since its inception in 1972, the board of commissioners has determined that certain uses previously permitted are no longer appropriate for properties within an area delineated as a community activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. See section 134-227(12) for those uses no longer appropriate.

Proposed Zoning - NRC
NRC (neighborhood retail commercial). The NRC district is established to provide locations for convenience shopping facilities which are on properties delineated within a neighborhood activity center, community activity center or regional activity center as defined and shown on the Cobb County Comprehensive Plan: A Policy Guide, adopted November 27, 1990. These convenience shopping facilities should have retail commercial uses that have a neighborhood-oriented market and which supply necessities that usually require frequent purchasing with a minimum of consumer travel. Areas zoned for the NRC district should be located at or near an intersection within the center of a neighborhood activity center as opposed to the edge of a neighborhood activity center. The NRC district may also be used to provide step down nodal zoning away from more intensive commercial uses within a community activity center or a regional activity center. The scope at which properties are developed within the NRC district should reflect their relatively small neighborhood service area. Additionally, properties developed within the NRC district should be architecturally compatible with other nonresidential uses permitted within a neighborhood activity center as defined by the comprehensive plan and the neighborhood residences they serve.

LEGEND

- x-x- = Barbed Wire
- SS = Sanitary Sewer
- FH = Fire Hydrant
- PP = Power Pole
- IPP = Iron Pin Placed
- IPF = Iron Pin Found
- MON = Monument Found
- LP = Light Pole
- EP = Edge Pavement
- POB = Point of Beginning
- CTP = Crimp Top Pin Found
- B/C = Back of Curb
- CL = Centerline
- = Chain Link Fence
- SSMH = Sewer Manhole
- SSE = Sanitary Sewer Easement
- JB = Junction Box
- DI = Drop Inlet
- PL = Property Line
- CMP = Corrugated Metal Pipe
- RCP = Reinforced Conc. Pipe
- DE = Drainage Easement
- WV = Water Valve
- WM = Water Meter
- R/W = Right of Way
- = Power Line

SURVEYOR'S NOTES

All lot corners will be marked with 1/2" rebar pins unless otherwise noted.

A Topcon Total Station was used to obtain the angular and linear measurements used in the preparation of this plat.

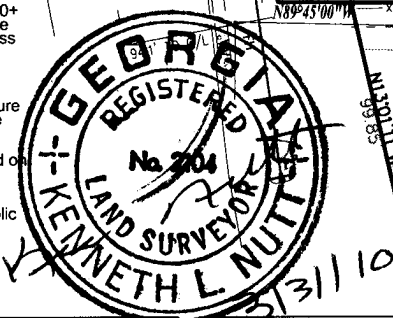
The field data upon which this plat is based has a closure one foot in 25,000± feet an angular error of 3" per angle point, and was adjusted using Compass Rule.

Date of field survey: 03/24/2010

This plat has been calculated for closure and is found to be accurate within one foot in 100,000± feet.

Bearings shown on this plat are based on one magnetic observation and angles turned.

This plat subject to all easements public and private.



Re-Zoning Survey For:
 Timothy F. Pilgrim

Land Lot 743 17th District 2nd SECTION
 COBB County, Georgia

Date: 3/30/2010 Sheet 1 of 1

Computed by: BB Party Chief: KLN
 Drawn by: BB Date Surveyed: 3/25/2010
 Checked by: KLN Job #: 004510

REFERENCES:

Reference No.	PB/DB	Page
1		
2		

Perimeter Surveying Co., Inc

1065 Sandtown Road, Marietta, GA 30008
 Phone: (770) 425-6824 Fax: (770) 425-6768

Kenneth L. Nutt, R.C.S. #2104

APPLICANT: Timothy F. Pilgrim **PETITION NO.:** V-46
PHONE: 404-456-3393 **DATE OF HEARING:** 06-09-10
REPRESENTATIVE: same **PRESENT ZONING:** GC
PHONE: same **LAND LOT(S):** 743
PROPERTY LOCATION: Located on the east side of Atlanta Road, south of Paces Ferry Road (3689 Atlanta Road). **DISTRICT:** 17
SIZE OF TRACT: .3788 acre
COMMISSION DISTRICT: 2

TYPE OF VARIANCE: Waive the minimum lot size from the required 20,000 square feet to 16,377 square feet to allow applicant to file for rezoning to NRC.

COMMENTS

TRAFFIC: Recommend no parking on the right-of-way.

DEVELOPMENT & INSPECTIONS: No comment.

STORMWATER MANAGEMENT: No comment.

HISTORIC PRESERVATION: After examining Civil War trench maps, Cobb County historic property surveys, county maps, and various other resources, staff has no comments regarding the impact or treatment of historic and/or archaeological resources.

CEMETERY PRESERVATION: No comment.

WATER: No conflict.

SEWER: No conflict.

OPPOSITION: NO. OPPOSED PETITION NO. SPOKESMAN

BOARD OF APPEALS DECISION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS: _____



Cobb County Fire and Emergency Services

Applicant Name: Timothy F Pilgrim

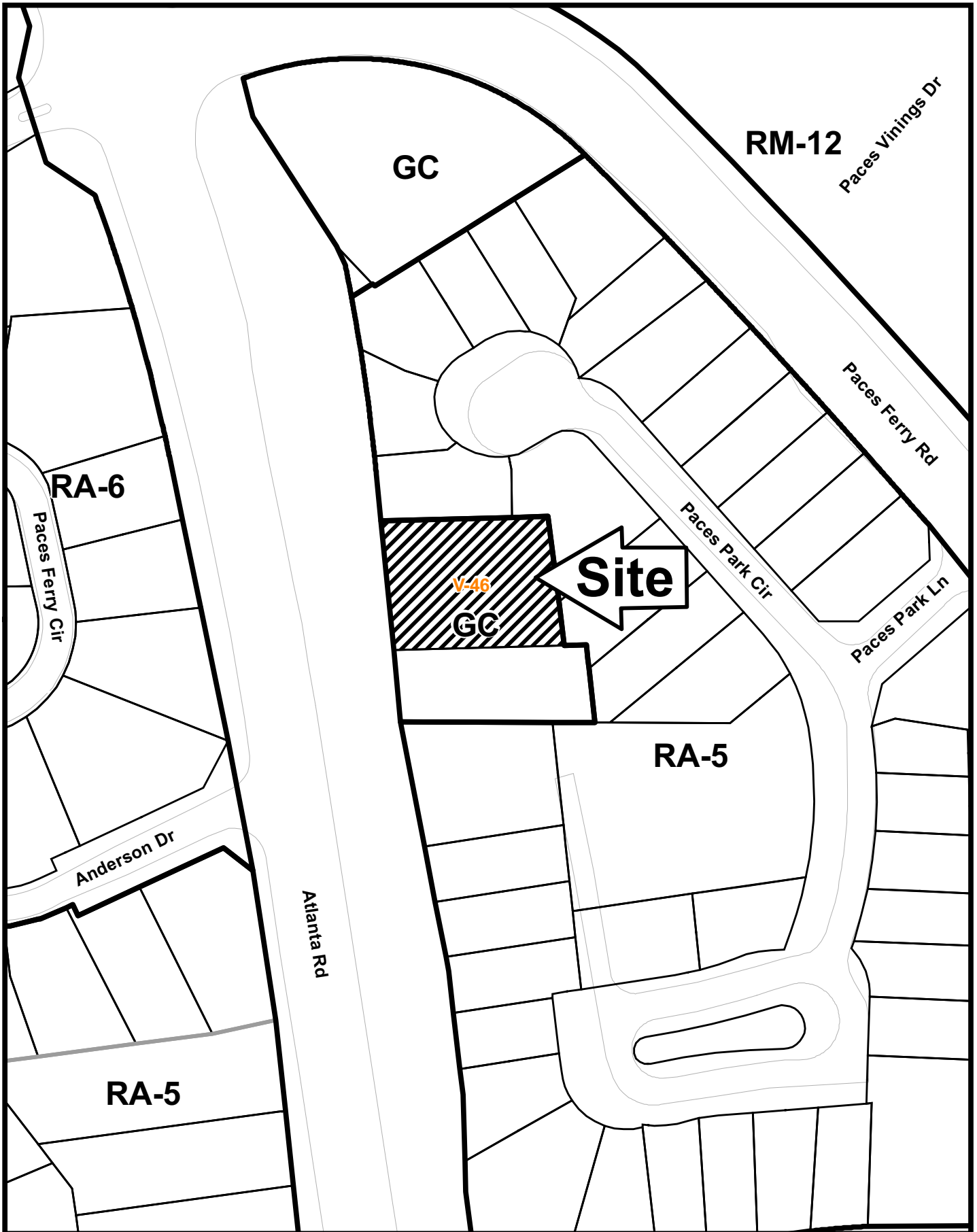
Petition Number: V-46

Date: 5/20/2010

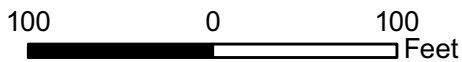
Fire Marshal Comments

A change in the use of the building requires submittal to the Cobb County Fire Marshal's Office

V-46



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



City Boundary
Zoning Boundary

Application for Variance Cobb County

(type or print clearly)

Application No. V-46
Hearing Date: 6-9-10

Applicant Timothy F. Pilgrim Business Phone 404-456-3393 Home Phone 678-309-1343
Address 3710 Atlanta Rd, Smyrna, GA 30080
(representative's name, printed) (street, city, state and zip code)

(representative's name, printed)

(street, city, state and zip code)

(representative's signature)

Business Phone 404-456-3393 Cell Phone _____

Notary Public, Cobb County, Georgia
My Commission Expires February 3, 2011

Signed, sealed and delivered in presence of:

My commission expires: _____

Notary Public

Titleholder IB Property Holdings, LLC Business Phone 404-681-5826 Home Phone _____
~~The Callins Law Firm~~

Signature Joel Callins, Esq Address: 101 Marietta Street, #1030, Atlanta, GA 30303
(attach additional signatures, if needed) (street, city, state and zip code)

My commission expires: 8/13/2012 (2012)

Signed, sealed and delivered in presence of:

Notary Public

Present Zoning of Property _____

Location 3689 ATLANTA Rd
(street address, if applicable, or street intersection, etc.)

Land Lot(s) 743 District 17 Size of Tract 3.788 Acre(s)

Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

Size of Property X Shape of Property _____ Topography of Property _____ Other _____

The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the ordinance.

Per Zoning Ordinance, 5 acres are required to apply for re-zoning of the property. Since a portion of the property was deeded to Cobb County Right-of-way the property is less than the required .5 acres.

List type of variance requested: Lot size (Acreage) Variance
WAIVE THE LOT SIZE FROM REQUIRED 20,000 TO 16,377 SQFT TO ALLOW APPLICANT TO FILE FOR REZONING TO NRC