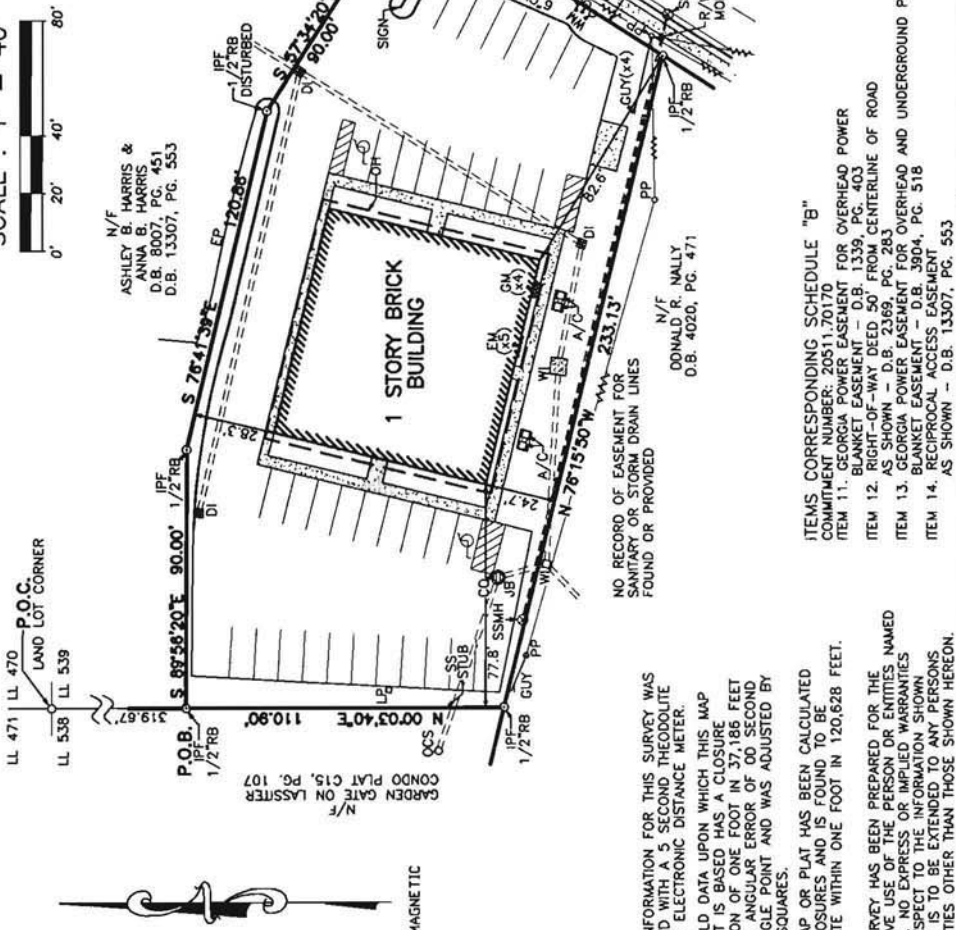
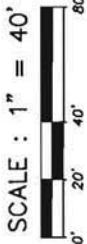


LEGEND

- A ARC
- R RADIUS
- C CHORD
- R/W RIGHT OF WAY
- S/W SLOPING OWNERSHIP
- AT AT&T SERVICE BOX
- BOB BOTTOM OF BOX
- CL CENTERLINE
- CB CATCH BASIN
- CONC CONCRETE
- CMP CORRUGATED METAL PIPE
- C&G CURB AND GUTTER
- ELC ELECTRIC METER
- EMC ELECTRICAL PANEL
- FH FIRE HYDRANT
- GM GAS METER
- IPF IRON PIN FOUND
- IPF IRON PIN SET
- LP LIGHT POLE
- MON MONUMENT
- PP POWER POLE
- PB PAVED
- PC PAVED
- P.C. PAVEMENT
- P.O.B. POINT OF BEGINNING
- PL PROPERTY LINE
- PWR POWER TRANSFORMER
- RE-BAR RE-BAR
- SS SANITARY SEWER LINE
- SSMH SANITARY SEWER MANHOLE
- TOP WIRE TOP WIRE
- WM WATER METER
- WV WATER VALVE
- WI WEIR INLET
- WVW OVERHEAD POWER LINE

ZONING: (NEIGHBORHOOD SHOPPING)
ZONED NS
BUILDING SETBACK REQUIREMENTS
FRONT - 30'
SIDE - 15'
REAR - 30'



INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON, THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON.

FLOOD STATEMENT:
THIS PROPERTY DOES NOT LIE WITHIN A FEDERAL FLOOD HAZARD AREA AS PER PARCEL NO. 13067C 0068 G DATED: DECEMBER 16, 2008

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

0.750 ACRES

ALL ISSUES OF TITLE ARE EXCEPTED ON THIS SURVEY UNLESS NOTED

- ITEMS CORRESPONDING SCHEDULE "B"
COMMITMENT NUMBER: 20511.70170
- ITEM 11. GEORGIA POWER EASEMENT FOR OVERHEAD POWER BLANKET EASEMENT - D.B. 1339, PG. 403
 - ITEM 12. RIGHT-OF-WAY DEED 50' FROM CENTERLINE OF ROAD AS SHOWN - D.B. 2369, PG. 283
 - ITEM 13. GEORGIA POWER EASEMENT FOR OVERHEAD AND UNDERGROUND POWER BLANKET EASEMENT - D.B. 3804, PG. 518
 - ITEM 14. RECREATIONAL ACCESS EASEMENT AS SHOWN - D.B. 13307, PG. 553

NOTES:
FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A 5 SECOND THEODOLITE AND AN ELECTRONIC DISTANCE METER.
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 37,185 FEET AND AN ANGULAR ERROR OF 00 SECOND PER ANGLE POINT AND WAS ADJUSTED BY LEAST SQUARES.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 120,628 FEET.

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

PROJECT DESCRIPTION: SURVEY FOR:

THE PIEDMONT BANK, IGRAR, LLC
AND CHICAGO TITLE INSURANCE COMPANY

2985 JOHNSON FERRY ROAD
D.B. 13883, PG. 3169 & PART OF TRACT 2 P.B. 10, PG. 102A
COUNTY: COBB DISTRICT: 16TH
LAND LOT: 539 SECTION: 2ND

REVISIONS

ADAM & LEE LAND SURVEYING
5640 GA. HWY. 20 S.
LOGANVILLE, GA. 30052 (770)554-8995
www.adamandlee.com FAX=(770)554-8134

BY: DWJ	OFFICE: 06/01/11
FIELD: 05/26/11	
BY: AMB	
SCALE: 1"=40'	
SHEET # 1 OF 1	
JOB# 11091	

APPLICANT: Igrar, LLC
(404) 354-0109

REPRESENTATIVE: Igrar Mamedov

TITLEHOLDER: IGRAR, LLC

PROPERTY LOCATION: On the northwest side of Johnson Ferry Road, north of Lassiter Road (2965 Johnson Ferry Road).

ACCESS TO PROPERTY: Johnson Ferry Road

PHYSICAL CHARACTERISTICS TO SITE: Existing commercial building

PETITION NO: Z-16

HEARING DATE (PC): 04-03-12

HEARING DATE (BOC): 04-17-12

PRESENT ZONING: NS

PROPOSED ZONING: NRC

PROPOSED USE: Retail Jewelry Store

SIZE OF TRACT: 0.75 acre

DISTRICT: 16

LAND LOT(S): 539

PARCEL(S): 5

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** NS/Existing commercial building
- SOUTH:** NRC/Existing auto care store
- EAST:** GC and NRC/Existing retail centers
- WEST:** SC/Garden Gate on Lassiter Condominiums

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____
 REJECTED _____ SECONDED _____
 HELD _____ CARRIED _____

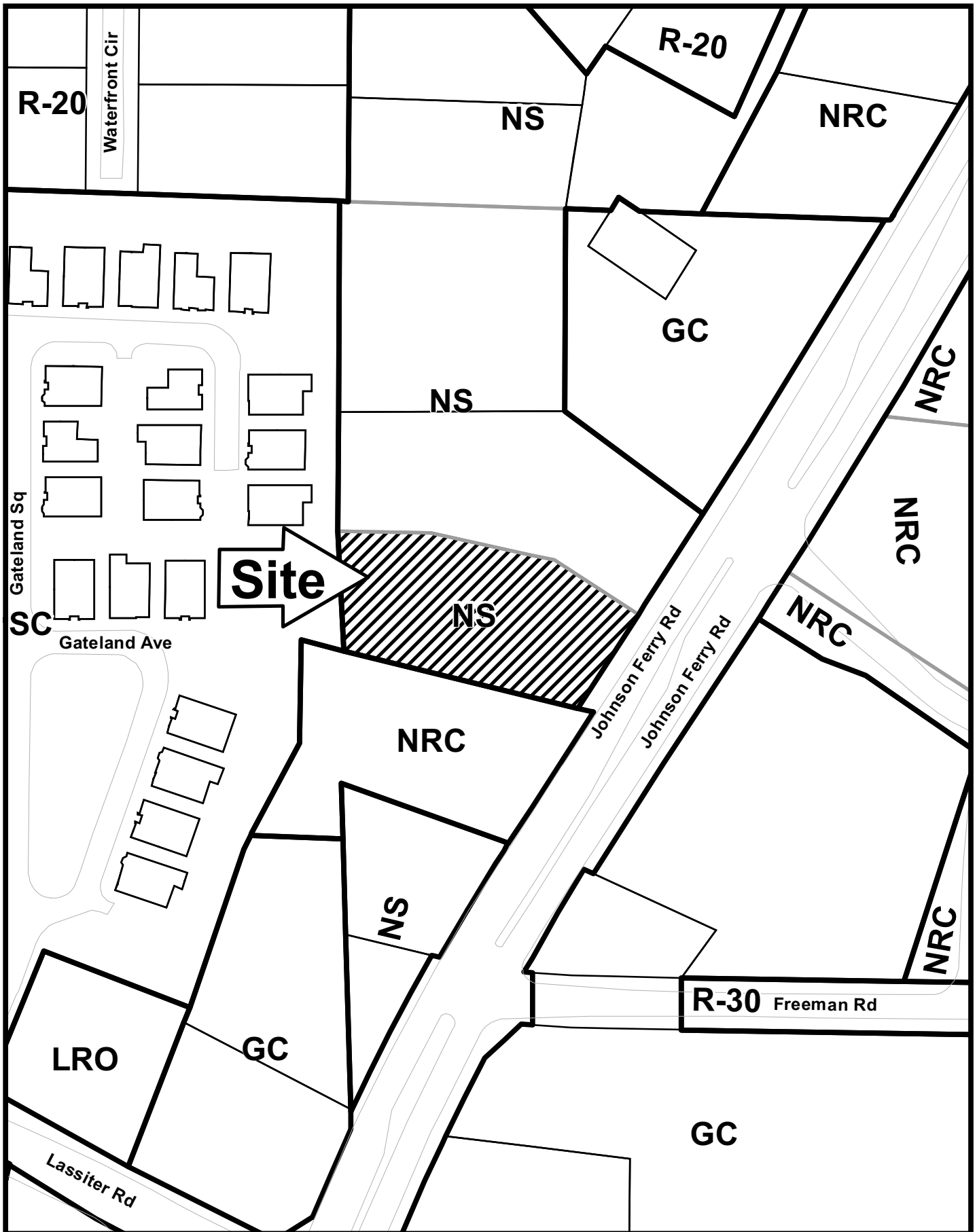
BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____
 REJECTED _____ SECONDED _____
 HELD _____ CARRIED _____

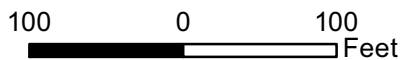
STIPULATIONS:



Z-16



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



City Boundary
Zoning Boundary

APPLICANT: Igrar, LLC

PETITION NO.: Z-16

PRESENT ZONING: NS

PETITION FOR: NRC

ZONING COMMENTS:

Staff Member Responsible: Jason A. Campbell

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Buildings: 1/Existing Total Square Footage of Development: 5,936

F.A.R.: 0.18 **Square Footage/Acre:** 7,914

Parking Spaces Required: 24 **Parking Spaces Provided:** 37

Applicant is requesting to rezone the property to the Neighborhood Retail Commercial category in order to use the current building for a jewelry store and medical offices. The property cannot be developed or changed under its current NS zoning in the NAC land use category. The rear part of the building is currently used for a doctor’s office and the applicant proposes to use the front part for a retail jewelry store. The front part was last used as a children’s gym. In the past, there had been a jewelry store at this property. The hours of operation will be Monday through Friday from 10 a.m. until 6 p.m., Saturday from 11 a.m. until 4 pm., and will be closed on Sunday. The jewelry store will have six employees.

Cemetery Preservation: No comment.

FIRE COMMENTS:

Plans must be submitted to the Cobb County Fire Marshal’s Office to initiate the Certificate of Occupancy process.

APPLICANT: Igrar, LLC

PETITION NO.: Z-16

PRESENT ZONING: NS

PETITION FOR: NRC

PLANNING COMMENTS:

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category with NS zoning designations. The purpose of the NAC category is to provide for areas that serve neighborhood residents and businesses. Typical uses for these areas include small offices, limited retail and grocery stores.

Master Plan/Corridor Study

Not applicable.

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

Design Guidelines

Is the parcel in an area with Design Guidelines? Yes No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

Yes No Not applicable

APPLICANT Igrar, LLC

PETITION NO. Z-016

PRESENT ZONING NS

PETITION FOR NRC

WATER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: Yes No

Fire Flow Test Required: Yes No

Size / Location of Existing Water Main(s): **8" DI / W side of Johnson Ferry Rd**

Additional Comments: Existing water meters

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS: NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: Yes No

At Development: Yes No

Approximate Distance to Nearest Sewer: **At site in Johnson Ferry Road**

Estimated Waste Generation (in G.P.D.): **A D F= +0 Peak= +0**

Treatment Plant: **Big Creek**

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

Projected Plant Availability: 0 - 5 years 5 - 10 years over 10 years

Drw Sewers Required: Yes No

Off-site Easements Required: Yes* No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: Yes No

Letter of Allocation issued: Yes No

Septic Tank Recommended by this Department: Yes No

Subject to Health Department Approval: Yes No

Additional Comments: Records show property as currently connected and billed for sewer

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: Igrar, LLC

PETITION NO.: Z-16

PRESENT ZONING: NS

PETITION FOR: NRC

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Harmony Grove Creek FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - County Review/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on downstream _____.

APPLICANT: Igrar, LLC

PETITION NO.: Z-16

PRESENT ZONING: NS

PETITION FOR: NRC

**STORMWATER MANAGEMENT COMMENTS -
Continued**

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current - Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. No site improvements are proposed at this time. Any expansion or re-development of the site will be subject to applicable stormwater management code requirements.

APPLICANT: Igrar, LLC

PETITION NO.: Z-16

PRESENT ZONING: NS

PETITION FOR: NRC

COBB COUNTY DEPARTMENT OF TRANSPORTATION RECOMMENDATIONS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Johnson Ferry Road	30800	Arterial	45 mph	Cobb County	100'

Based on 2010 traffic counting data taken by Cobb County DOT (Johnson Ferry Road)

COMMENTS AND OBSERVATIONS

Johnson Ferry Road is classified as an arterial and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend no additional access to Johnson Ferry Road.

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

STAFF RECOMMENDATIONS

Z-16 IGRAR, LLC

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Properties in the area are zoned and used for commercial businesses, including retail, office, restaurant and light auto repair.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. The proposed use for the retail jewelry store will less intense that other uses that currently exist in the area.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this area to be within the Neighborhood Activity Center (NAC) land use category. NRC is a compatible zoning category for the NAC land use category. The proposed retail jewelry store is a permitted use in the NRC category.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. The proposed used will be in an addition to an existing doctor's office on the property. The property can meet the parking requirements for the two uses, both uses are permitted under the NRC zoning category and similar retail and office uses can be found in the area.

Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Site Plan received by the Zoning Division, with the District Commissioner approving minor modifications;
- Water and Sewer comments and recommendations;
- Stormwater Management Division comments and recommendations; and
- DOT 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.

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Apr: 1
2012

Summary of Intent for Rezoning

N/A

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): _____
 - b) Proposed building architecture: _____
 - c) Proposed selling prices(s): _____
 - d) List all requested variances: _____
- _____
- _____
- _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): Igrar, LLC would like to use the property for a retail jewelry store
- b) Proposed building architecture: The architecture of the building will remain unchanged from its current condition, other than signage for the store
- c) Proposed hours/days of operation: _____
- d) List all requested variances: Igrar, LLC would like to use the property for a retail jewelry store. Currently, the property is zoned as Neighborhood Shopping. Igrar, LLC would like the property to be zoned as Neighborhood Retail Commercial.

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

The back half of the building is currently being used as a doctor's office. No change is proposed there. Only the front half of the building, which was previously a children's gym, will be used for the jewelry store.

.....
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government? (Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located).

NO

ANALYSIS OF THE IMPACT OF THE PROPOSED REZONING

Proposed Rezoning:

Igrar, LLC is the current property owner of the building located at 2965 Johnson Ferry Road, Marietta, Georgia 30062 (the "Property"). The property is currently zoned as Neighborhood Shopping. Igrar, LLC desires to operate a retail jewelry store in part of the property, and therefore asks that the property be rezoned to Neighborhood Retail Commercial.

a) Suitable Use:

The proposed zoning change will permit a use that is suitable in view of the use and development of adjacent and nearby property. The Property is currently surrounded by many other businesses, such as East Cobb Auto Care Center, Montana's Bar & Grill, YMCA, Office Party, Gallas Pizza, Pike Nurseries, RBC Bank, IHOP, Renew Day Spa and a Wal-Mart Supercenter, just to name a few. A jewelry store on the Property would fit in well with the current mix of retail stores, restaurants and service providers in the surrounding area. There also does not appear to be another jewelry store in the immediate area for nearby residents to shop at. Thus, a jewelry store on the Property would be a suitable use.

b) No Adverse Effect:

The rezoning proposal will not adversely affect the existing use or usability of adjacent or nearby property. The portion of the Property that Igrar, LLC would like to use as a jewelry store was previously used as a My Gym children's gymnasium. Customer traffic to the jewelry store will likely be less than it was to the My Gym. The Property has its own driveway entrance and exit from Johnson Ferry Road and should not impact surrounding property by creating increased traffic. Additionally, business hours will conform to custom in the area, and the jewelry store will not create any visible and audible nuisance that would impact adjacent or nearby property. Finally, upon information and belief, roughly 20 years ago, there was a jewelry store on the Property and there is no record of any adverse effect on surrounding property.

c) Reasonable Economic Use:

The Property to be affected by the zoning proposal does have a reasonable economic use as currently zoned. It is currently zoned as Neighborhood Retail so a store or another gym could be opened in the Property and that would be a reasonable use. However, as zoned Neighborhood Retail, the Property has no use to the current owner, Igrar, LLC. Igrar, LLC is in the jewelry business only and cannot make reasonable use of the space unless it is rezoned to Neighborhood Retail Commercial.

d) No Excessive or Burdensome Use:

The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. If the Property is rezoned to Neighborhood Retail Commercial and a jewelry store is opened there, there will not be any significant change from past use of the Property. Traffic to the store will not be so excessive such that the local streets or transportation facilities would be overburdened. There will likely be a handful of visitors to the Property each day and they will be able to enter and exit the Property easily via the dedicated entrance and exit lanes from Johnson Ferry Road. Additionally, there is sufficient parking on the Property and visitors will not need to burden adjoining properties for parking. Next, rezoning the Property for Neighborhood Retail Commercial will not cause excessive use of utilities. Utility use should not change much at all from the previous use of the Property when it was zoned Neighborhood Shopping. Finally, the rezoning will have not cause any burden to surrounding schools, i.e., the Primrose School, Pope High School, etc. because traffic in the area and visitors to the area will not increase noticeably due to the jewelry store operating on the Property.

e) Zoning Proposal in Conformity with Land Use Plan:

The zoning proposal is in conformity with the policy and intent of the land use plan. The Property is located in an area that is surrounded by other properties that are zoned as Neighborhood Retail Commercial, including the properties directly across Johnson Ferry Rd. and the properties to the north of the Property. Other than that, there are some residential zones to the west of the Property and neighborhood shopping zones to the south of the Property. Rezoning the Property to Neighborhood Retail Commercial is consistent with the overall scheme in the area.

f) No Other Existing or Changing Conditions Affecting the Property:

There are no other existing or changing conditions affecting the use and development of the Property. Please note that there is a doctor's office in the back half portion of the Property, which has its own entrance and parking. This will continue to operate there and operation of a jewelry store in the front half of the Property will not impact this other use of the Property.