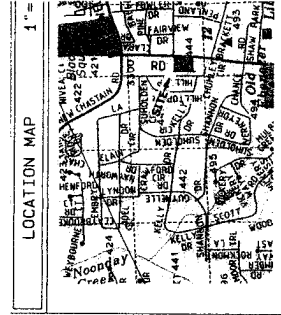


V-17
(2010)



LEGAL DESCRIPTION:
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND... (Detailed legal description of the property, including bearings, distances, and references to previous surveys and public roads like Worley Road and Canton Highway).

NOTES:
1. ALL DISTANCES...
2. ALL DISTANCES...
3. MONUMENTS PLACED BY...
4. NO NATIONAL GEODETIC SURVEY MONUMENTS FOUND...
5. DISTANCES SHOWN ON THIS ARE GROUND DISTANCES...
6. EXISTING PAVING SUMMARY:
7. EXISTING HANDCARRIED SPACES:
8. TOTAL SPACES:

DEED BOOK 11536 DEED BOOK 13

DATE: 4/15/2008

DRAWN BY: DAN SURVEYOR, JAMES A. LEWIS, JR. LAND SURVEYOR

DATE: 4-15-08

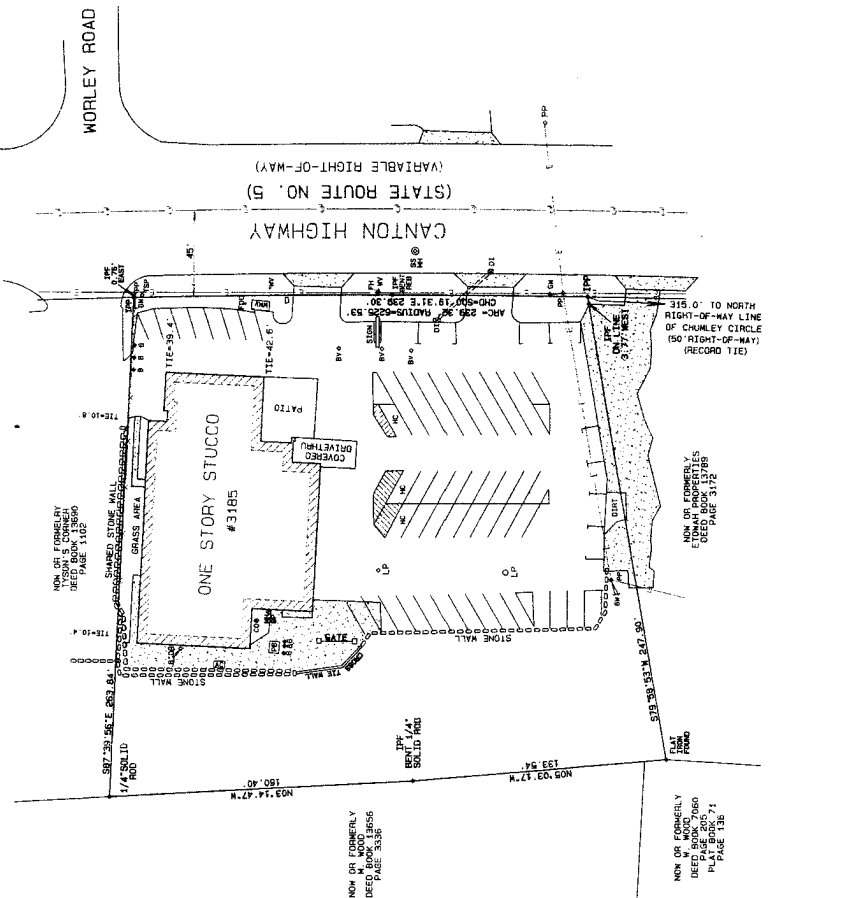
SURVEY FOR: MFS PROPE A. GEORGIA LIMITED

LAND LOT 444, COBB COUNTY, GA

DEED BOOK 13

DATE: 4/15/2008

DRAWN BY: DAN SURVEYOR, JAMES A. LEWIS, JR. LAND SURVEYOR



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LAND LOT 444, COBB COUNTY, GA

DEED BOOK 13

DATE: 4/15/2008

DRAWN BY: DAN SURVEYOR, JAMES A. LEWIS, JR. LAND SURVEYOR

APPLICANT: MFM, LLC **PETITION NO.:** V-17
PHONE: 770-218-3474 **DATE OF HEARING:** 03-10-10
REPRESENTATIVE: Jerry Tillem **PRESENT ZONING:** GC
PHONE: 770-218-3474 **LAND LOT(S):** 444
PROPERTY LOCATION: Located on the west side of **DISTRICT:** 16
Canton Highway, south of Worley Road **SIZE OF TRACT:** 1.4 acres
(3185 Canton Highway). **COMMISSION DISTRICT:** 3

TYPE OF VARIANCE: 1) Waive the height of a freestanding sign from the maximum allowable of 20 feet to 26.5 feet; 2) waive the square footage of a freestanding sign from the maximum allowable of 120 square feet to 324 square feet; 3) waive the setback for a freestanding sign from the required 62 feet from the center of the road to 55 feet from the center of road; and 4) waive the front setback from the required 50 feet to 39 feet (existing).

COMMENTS

TRAFFIC: Canton Road is identified as a 2005 SPLOST project consisting of safety and operational improvements from Rosedale Drive/Hamby Drive to just north of Blackwell Road/New Chastain Road. Recommend applicant coordinate with Cobb County DOT prior to development plan approval to ensure compatibility with the road improvement project.

DEVELOPMENT & INSPECTIONS: If this variance request is approved, a plat revision must be recorded showing all improvements. The plat must show in a standard Cobb County plat revision note that states that the new lot plat supersedes a portion of the most recently recorded subdivision plat and shows the variance case number and date of approval. The plat must be submitted to the Site Plan Review Section, Community Development Agency for review and approval prior to recording. Call 770-528-2147.

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**

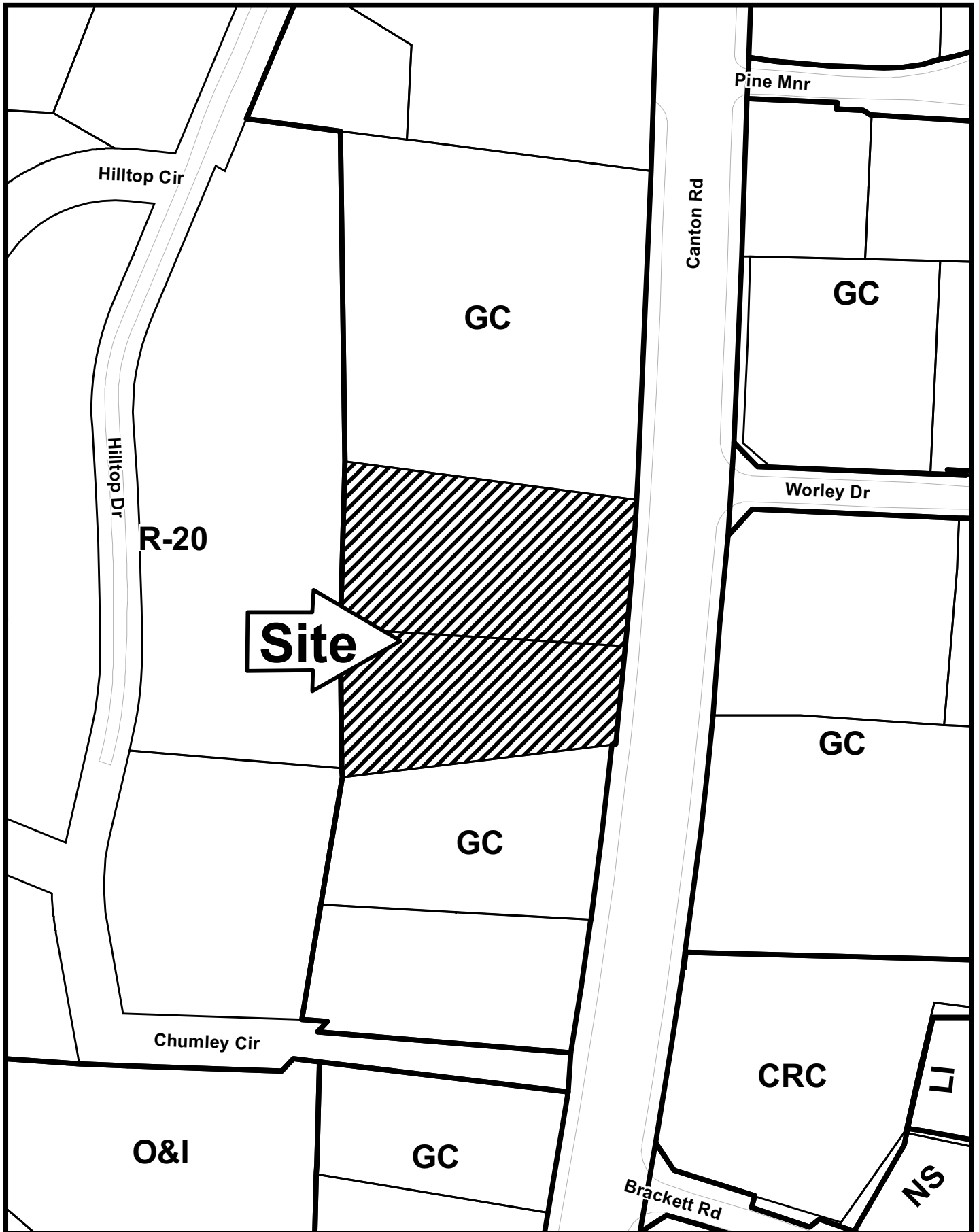
REJECTED **SECONDED**

HELD **CARRIED**

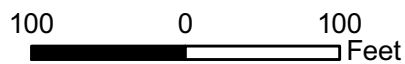
STIPULATIONS:





V-17



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-17
Hearing Date: 3-10-10

Applicant MFH LLC Business Phone 770-2183474 Home Phone —

Signature Jerry Tillems Address 9185 Canton Rd Marietta 30067
(representative's name, printed) (street, city, state and zip code)

Business Phone 770 2183474 Cell Phone 404 3100400
(representative's signature)

My commission expires: _____
Notary Public, DeKalb County, Georgia
My Commission Expires July 27, 2010

Signed, sealed and delivered in presence of:
Beverly C. Halverson
Notary Public

Titleholder MFH, LLC Business Phone 770-2183474 Home Phone —

Signature _____ Address: 3185 Canton Rd Marietta Ga 30067
(attach additional signatures, if needed) (street, city, state and zip code)

Signature Jerry Tillems
My commission expires: _____
Notary Public, DeKalb County, Georgia
My Commission Expires July 27, 2010

Signed, sealed and delivered in presence of:
Beverly C. Halverson
Notary Public

Present Zoning of Property GC

Location 3185 Canton Rd Marietta Ga 30067
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 0444 District 16 Size of Tract 1.4 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 _____ 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.

Marietta Fish Market want a sign of the same type as its competition down the street and on the other side of Canton Rd. Sign is pre existing and is converted to electronic.

List type of variance requested: Sign variance which in all ways complies with the code of Ordinance, Sec 134-313 and section 134-318.1

See Exh 'A' for sign rendering