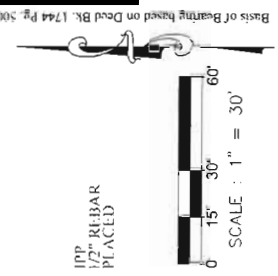


This survey was prepared in conformity with the Technical Standards for Property Surveying in Georgia as set forth in Chapter 180-7 of the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

REVISOR OF RECORD
PSC
Surveying the land, the point is a fact

Now or Formerly
MARIA HAIRETTIS
PIN 16058800340
2591 JEWELL DRIVE NE.
DB 13750 Pg 4785
ZONED: R-20

Now or Formerly
RONALD E. & CHRISTINE L NAKFOOR
PIN 16058800350
2565 JEWELL DRIVE NE
DB 15139 Pg 5525
ZONED: R-20



All iron signs are 12" high unless otherwise noted.
- Equipment used: Trimble S7C Total Station
- The field data upon which this plat is based was a closure traverse of 7.6 mi to 25,800 feet and an angular closure of 1.2 seconds.
- This plat has been calculated for closure and is accurate within one foot in 519,647 feet.
- This plat is subject to all easements public and private.
This plat may be based on a recorded plat from iron pins referenced on said plat for closure if it:
- Accurately shows the Community Parcel
- Accurately shows the
- Located in an area having special flood hazards.

ZONING SURVEY FOR:
FIVE K INCORPORATED
2568 Canton Road, Land Lot 588,
16th District, 2nd Section, Cobb County Ga,
PIN 16058800399A

Date: 03/26/2016
Sheet 1 of 1
Prepared by: RSN
Checked by: RSN
Date Surveyed: 03/17/2016
Plat Size: 17x27

Now or Formerly
CHARLES D. VALEGGI
PIN 16058800340
2610 CANTON ROAD
DB 14717 Pg 110
ZONED: R-20
APR 12 2016
Cobb County Planning & Zoning Division

Now or Formerly
JUAN REYES
PIN 16058800290
2558 CANTON ROAD
DB 15128 Pg 4536
ZONED: NRC

Now or Formerly
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RE-ZONING PLAT FOR:
FIVE K INCORPORATED
2568 Canton Road, NE, Land Lot 588, 16th District
2nd Sect, Cobb County, Georgia
Reference: Plat Book 67, Page 27 and Deed Book 1744, Page 500

Perimeter Surveying Co., Inc
1065 Sandtown Road, SW
Marietta, GA 30008
Phone: (770) 425-6824
Fax: (770) 425-6768
kencoper@aol.com

Kenneth L. Nutt, Ga. R.L.S. #2104
COA Application Pending

REVISOR OF RECORD

APR 12 2016

1- STORY METAL BUILDING
PIN 16058800300
2568 CANTON ROAD
ZONED: NS

Tract Area
(M) 59,008 S.F.
(M) 1.35 Acres

Tract Area
(R) 62,390 S.F.
(R) 1.43 Acres
DB 1744, PG. 500

Tract Area
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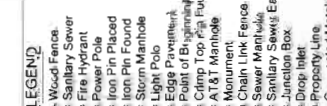
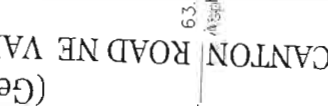
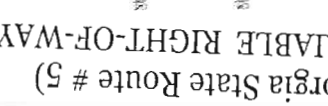
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FIVE K INCORPORATED
2568 Canton Road, NE, Land Lot 588, 16th District
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LEGEND
-X- Wood Fence
SS Survey Stakes
FH Flag
PP Power Pole
GIPP Iron Pin Placed
OIPP Iron Pin Found
OIFP Iron Pin Found
STMH Storm Manhole
LP Light Pole
EP Edge Pavement
POB Point of Beginning
CTP Concrete Top Ring Found
SBMH Survey Boundary Monument
MON Monument
SSMH Survey Stake
SSE Survey Stake
JB Junction Box
DI Drop Inlet
CMP Corrugated Metal Pipe
RCP Reinforced Concrete Pipe
DE Drainage Easement
MWM Water Main
RW Right of Way
PL Property Line
CPL Calculated Corner
(R) Record Measurement
(M) Field Measurement

MINIMUM BUILDING SETBACK REQUIREMENTS FOR NS ZONING DISTRICT:
Lot size and setback requirements are as follows:
a. Minimum lot size: 20,000 square feet.
b. Minimum lot width at front setback line: 60 feet.
c. Minimum public road frontage: 50 feet.
d. Minimum building setbacks: As shown and applied in the above diagram.
Note: All setbacks shall be measured from future right-of-way.



MINIMUM BUILDING SETBACK REQUIREMENTS FOR NRC DISTRICT:
Lot size and setback requirements are as follows:
a. Minimum lot size: 20,000 square feet.
b. Minimum lot width at front setback line: 60 feet.
c. Minimum public road frontage: 50 feet.
d. Minimum building setbacks: As shown and applied in the following diagram.
Note: All setbacks shall be measured from future right-of-way.

APPLICANT: Five-K, Inc.

PETITION NO: Z- 46

PHONE#: 706-767-2800 EMAIL: charlie91111@yahoo.com

HEARING DATE (PC): 06-07-16

REPRESENTATIVE: Charles Keown

HEARING DATE (BOC): 06-21-16

PHONE#: 706-767-2800 EMAIL: charlie91111@yahoo.com

PRESENT ZONING NS

TITLEHOLDER: Five-K, Inc.

PROPOSED ZONING: NRC

PROPERTY LOCATION: East side of Canton Road, south of
Rosedale Drive
(2568 Canton Road)

PROPOSED USE: Neighborhood Retail

ACCESS TO PROPERTY: Canton Road

SIZE OF TRACT: 1.35 acres

DISTRICT: 16

PHYSICAL CHARACTERISTICS TO SITE: One Story Metal
Building

LAND LOT(S): 588

PARCEL(S): 30

TAXES: PAID X DUE _____

COMMISSION DISTRICT: 3

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: R-20/ Single Family Home
SOUTH: NRC/ Specialized Contractor
EAST: R-20/ Marietta Canton Highway Subdivision
WEST: LRC/ Daycare

Adjacent Future Land Use:
North: Neighborhood Activity Center (NAC)
East: Low Density Residential (LDR)
South: Neighborhood Activity Center (NAC)
West: Neighborhood Activity Center (NAC)

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ VOTE _____

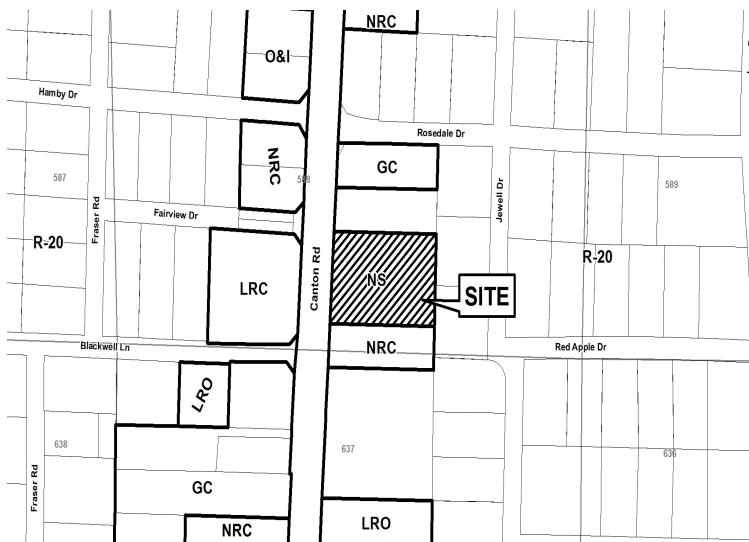
BOARD OF COMMISSIONERS DECISION

APPROVED _____ MOTION BY _____

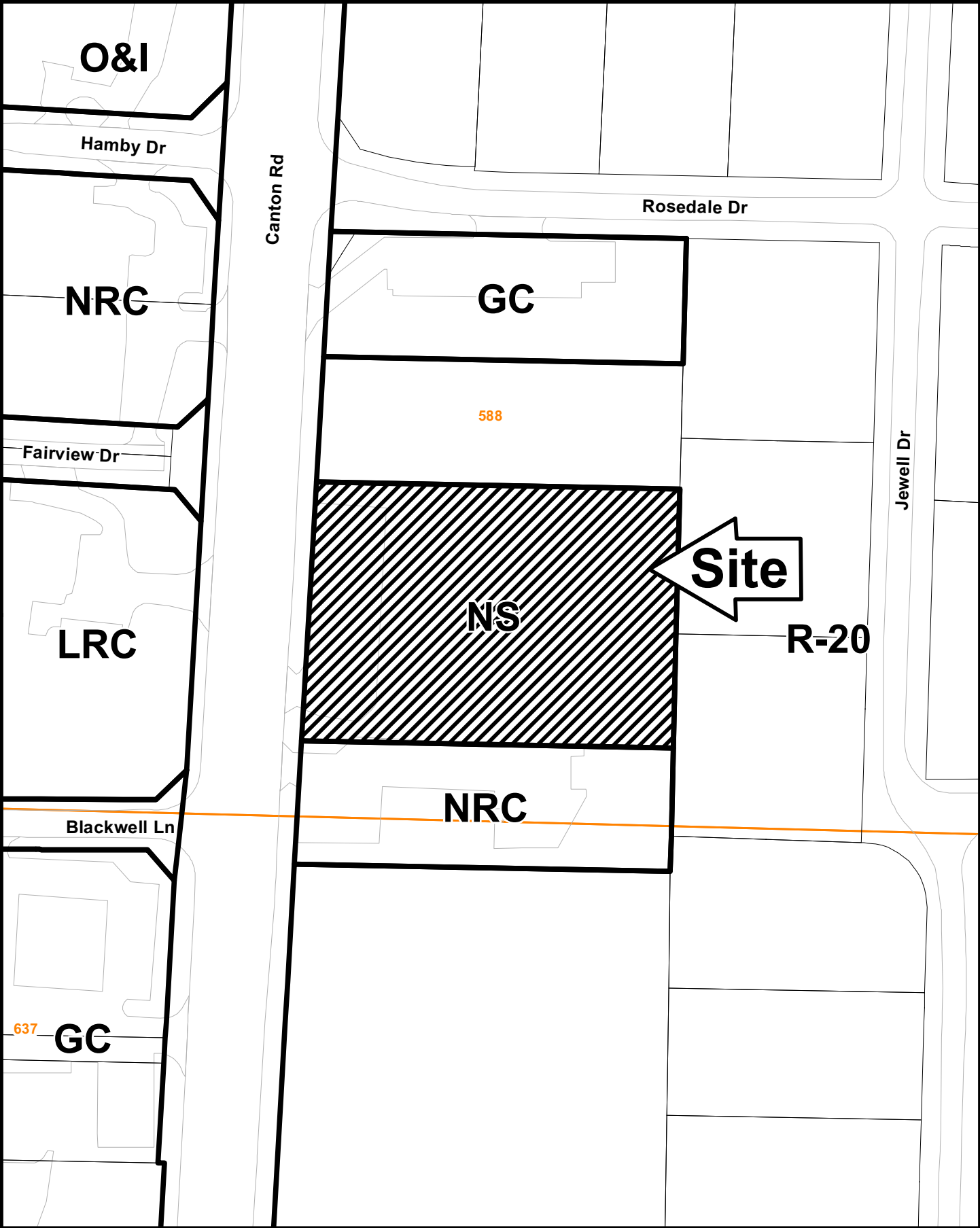
REJECTED _____ SECONDED _____

HELD _____ VOTE _____

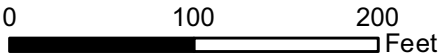
STIPULATIONS:



Z-46-2016 GIS



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



- City Boundary
- Zoning Boundary

APPLICANT: Five-K, Inc.

PETITION NO: Z - 46

PRESENT ZONING: NS

PETITION FOR: NRC

ZONING COMMENTS:

Staff Member Responsible: Donald Wells

Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Buildings: 1 **Total Square Footage of Development:** 16,110

F.A.R.: .27 **Square Footage/Acre:** 11933

Parking Spaces Required: 81 **Parking Spaces Provided:** 20

The applicant is requesting Neighborhood Retail Commercial (NRC) zoning category for the purpose of a furniture store. The applicant intends to use the existing 16,110 square foot building. The operating hours would be 7 days a week between the hours of 10:00 am to 5:00 pm. The property had been vacant for at least 6 months and has been zoned Neighborhood Shopping (NS) since the adoption of the zoning code. The property is located outside of a community activity center or a regional activity center, therefore it must be rezoned in order to allow any development or to permit any uses. The request will also require the following contemporaneous variances;

- Waive the minimum parking requirements from 81 parking spaces to 20 parking spaces;
- Allow access and parking on a non-hardened surface on the side and rear of the building.

Cemetery Preservation: No comment.

FIRE COMMENTS:

NO COMMENTS: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Five-K, Inc.
PRESENT ZONING: NS

PETITION NO.: Z-46
PETITION FOR: NRC

PLANNING COMMENTS:

The applicant is requesting a rezoning from NS with stipulations to NRC for the purpose of neighborhood retail. The 1.35 acre site is located on the east side of Canton Road, south of Rosedale Drive.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary? Yes No
If yes, has the city of _____ been notified? Yes No / N/A

Comprehensive Plan

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

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Neighborhood Activity Center (NAC)
East: Low Density Residential (LDR)
South: Neighborhood Activity Center (NAC)
West: Neighborhood Activity Center (NAC)

Master Plan/Corridor Study

The property is located within the boundary of the Canton Road Corridor Plan.

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 Canton Road Design Guidelines

Does the current site plan comply with the design requirements?

- Pedestrian access to buildings
 Yes No Not applicable
- Streetscape elements
 Yes No Not applicable
- Building Frontage
 Yes No Not applicable
- Parking Standard
 Yes No Not applicable

APPLICANT: Five-K, Inc.

PETITION NO.: Z-46

PRESENT ZONING: NS

PETITION FOR: NRC

PLANNING COMMENTS: continued

- Architecture standard
 Yes No Not applicable

Incentive Zones

Is the property within an Opportunity Zone? Yes No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? Yes No

The Canton Road Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? Yes No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes No

Is this property within the Six Flags Special Service District?

Yes No

Is the property within the Dobbins Airfield Safety Zone?

Yes No

If so, which particular safety zone is this property within?

CZ (Clear Zone) APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT Five-K, inc.

PETITION NO. Z-046

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 / E side of Canton Rd

Additional Comments:

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: On site

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

Treatment Plant: Noontday

Plant Capacity: Available Not Available

Line Capacity: Available Not Available

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

Dry 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 Existing sewer customer Comments:

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: Five-K, Inc.

PETITION NO.: Z-46

PRESENT ZONING: NS

PETITION FOR: NRC

STORMWATER MANAGEMENT COMMENTS

This is an existing facility and no site improvements are proposed. The existing stormwater management facility must be brought up to current County standard upon redevelopment or substantial improvement to the site. Existing trash and debris within existing pond are should be removed immediately.

APPLICANT: Five-K, Inc.

PETITION NO.: Z-46

PRESENT ZONING: NS

PETITION FOR: NRC

TRANSPORTATION COMMENTS:

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
Canton Road	27,900	Arterial	45 mph	Cobb County	100'

Based on 2013 traffic counting data taken by Cobb County DOT for Canton Road.

COMMENTS AND OBSERVATIONS

Canton Road is classified as an arterial and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

RECOMMENDATIONS

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

Recommend applicant consider entering into a development agreement pursuant of O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on the east side of Canton Road, a minimum of 50' from the roadway centerline.

Recommend sidewalk along the Canton Road frontage.

STAFF RECOMMENDATIONS

Z-46 FIVE-K, INC.

- 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. The building was built in 1978 and has been used as a furniture store for at least the past 20 years.
- 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. It will allow the owner to use the property as it has been used for years. It will allow the owner to continue to maintain the building and surrounding property. This request will also allow new retail uses to be permitted on the property.
- 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 property as being in the Neighborhood Activity Center (NAC) land use category which is to provide areas that serve neighborhood residents and businesses. The Neighborhood Retail Commercial (NRC) zoning district is compatible with the NAC land use category, and the proposed use is permitted under NRC.
- 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 to the NRC zoning district. The property is located outside of a community activity center or regional activity center therefor it must be rezoned in order to allow any uses. Retail type uses are consistent with nearby uses and will allow the applicant an opportunity to have additional uses.

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

1. Revised site plan received by the Zoning Division April 12, 2016, with District Commissioner approving minor Modifications;
2. Neighborhood Retail Uses and Professional Offices only;
3. No automotive repair or automotive uses;
4. No outdoor display of merchandise;
5. Applicant pave rear parking area to gain additional 20 parking spaces;
6. Building to be repainted with colors to be approved by the District Commissioner;
7. Water and Sewer Division comments and recommendations;
8. Stormwater Management Division comments and recommendations;
9. Department of Transportation comments and recommendations; and
10. Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

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.

June 2016

Summary of Intent for Rezoning

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

- a) Proposed unit square-footage(s): NONE
- 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): Neighborhood retail
- b) Proposed building architecture: metal building
- c) Proposed hours/days of operation: Daily 10 AM - 5PM
- d) List all requested variances: 1. Parking as currently exists

.....

Part 3. Other Pertinent Information (List or attach additional information if needed) 1. Proposal is for property to remain the same, but have expanded use if this rezoning request is approved.

.....

Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?

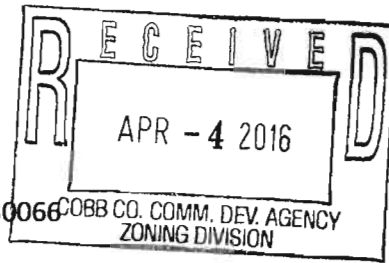
(please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located).

NO

April 4, 2016

Cobb County Zoning Department

Rezoning request for 2568 Canton Rd Marietta, Ga 30066



1. The request will not affect adjacent property owner's development as the plan does not change the property physically and the proposed use is also the same.
2. The property may only be used as a furniture store as currently zoned. With the downturn in the real estate market since 2007 its long term economic viability is in question. The applicant wishes the property to be available for all uses in the current land use plan for the NRC zoning category.
3. The proposed request will only allow the same or similar use to the one now in place and not cause an undue burden on existing streets, transportation, facilities, utilities or schools.
4. The zoning proposal is in conformity and intent with the current land use plan.
5. The current zoning has been in place since the late 1970's and needs to be in step with the current land use plan as neighborhood properties along Canton Rd have. Therefore the applicant is requesting that this request be approved.

Charles D. Keenan
FIVE KING
President