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## **REZONING APPLICATION ANALYSIS**

**ZONING CASE #:** Z2020-18

**LEGISTAR:** 20200296

**LANDOWNERS:** North Marietta Parkway LLC  
Emmett Burton  
2080 Blaylock Drive  
Marietta, GA 30062

**APPLICANT:** N/A

**AGENT:** N/A

**PROPERTY ADDRESS:** 708, 732, 734, 750, 770, 780, and 790 North Marietta  
Pkwy

**PARCEL DESCRIPTION:** 16114200230, 16114200090, 16114200100, 16114100030,  
16114100040, 16114100680, 6114100100, & 16114100790

**AREA:** ~2.5 acres

**COUNCIL WARD:** 5B

**EXISTING ZONING:** OI (Office Institutional), R-4 (Single Family Residential  
Detached – 4 units/acre), and CRC (Community Retail Commercial)

**REQUEST:** CRC (Community Retail Commercial)

**FUTURE LAND USE:** MDR (Medium Density Residential)

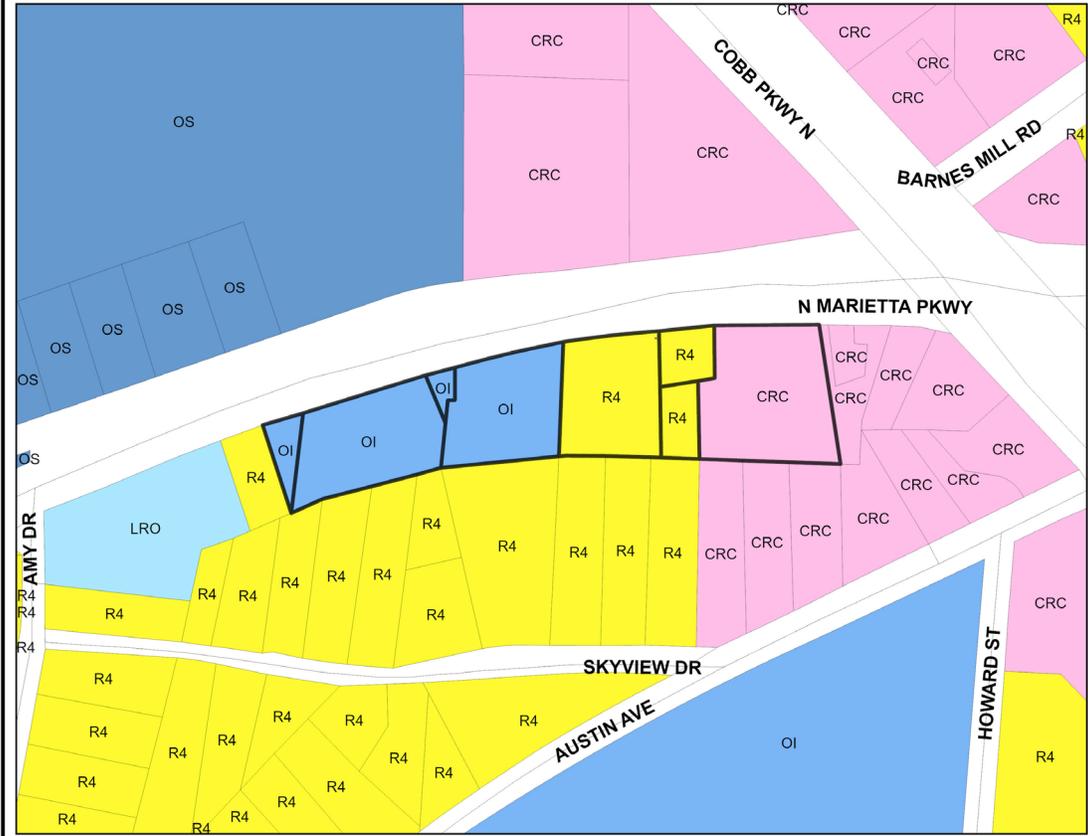
**REASON FOR REQUEST:** The applicant is requesting the rezoning of the subject  
properties from R-4, OI, and CRC to CRC in order to develop the site for  
commercial use.

**PLANNING COMMISSION HEARING:** Tuesday, May 5, 2020 – 6:00 p.m.

**CITY COUNCIL HEARING:** Wednesday, May 13, 2020 – 7:00 p.m.

# MAP

## City of Marietta Area Zoning Map

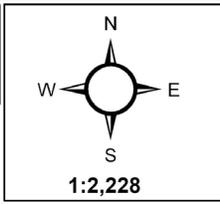


Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
<b>SINGLE FAMILY RESIDENTIAL</b>	<b>COMMERCIAL</b>	16	11420	0230	OI	CRC
R-1 One Unit/Acre	NRC Neighborhood Retail		11420	0900	OI	
R-2 Two Unit/Acre	CRC Community Retail		11420	0100	OI	
R-3 Three Unit/Acre	RRC Regional Retail		11410	0030	OI	
R-4 Four Unit/Acre	CBD Central Business District		11410	0040	R-4	
<b>ATTACHED FAMILY RESIDENTIAL</b>	PCD Planned Commercial Dev.		11410	0680	R-4	
RA-4 Four Unit/Acre	MXD Mixed-Use Dev.		11410	0100	R-4	
RA-6 Six Unit/Acre	OIT Office Institutional Trans.		11410	0790	R-4	
RA-8 Eight Unit/Acre	LRO Low-Rise Office				CRC	
PRD(SF) Planned Residential Dev.	OI Office Institutional					
<b>MULTI FAMILY RESIDENTIAL</b>	OS Office Services					
MHP Mobile Home Park	OHR Office High-Rise					
RM-8 Eight Unit/Acre	<b>INDUSTRIAL</b>					
RM-10 Ten Unit/Acre	LI Light Industrial					
RM-12 Twelve Unit/Acre	HI Heavy Industrial					
RHR Residential High Rise	PID Planned Industrial Dev.					
PRD(MF) Planned Residential Dev.						

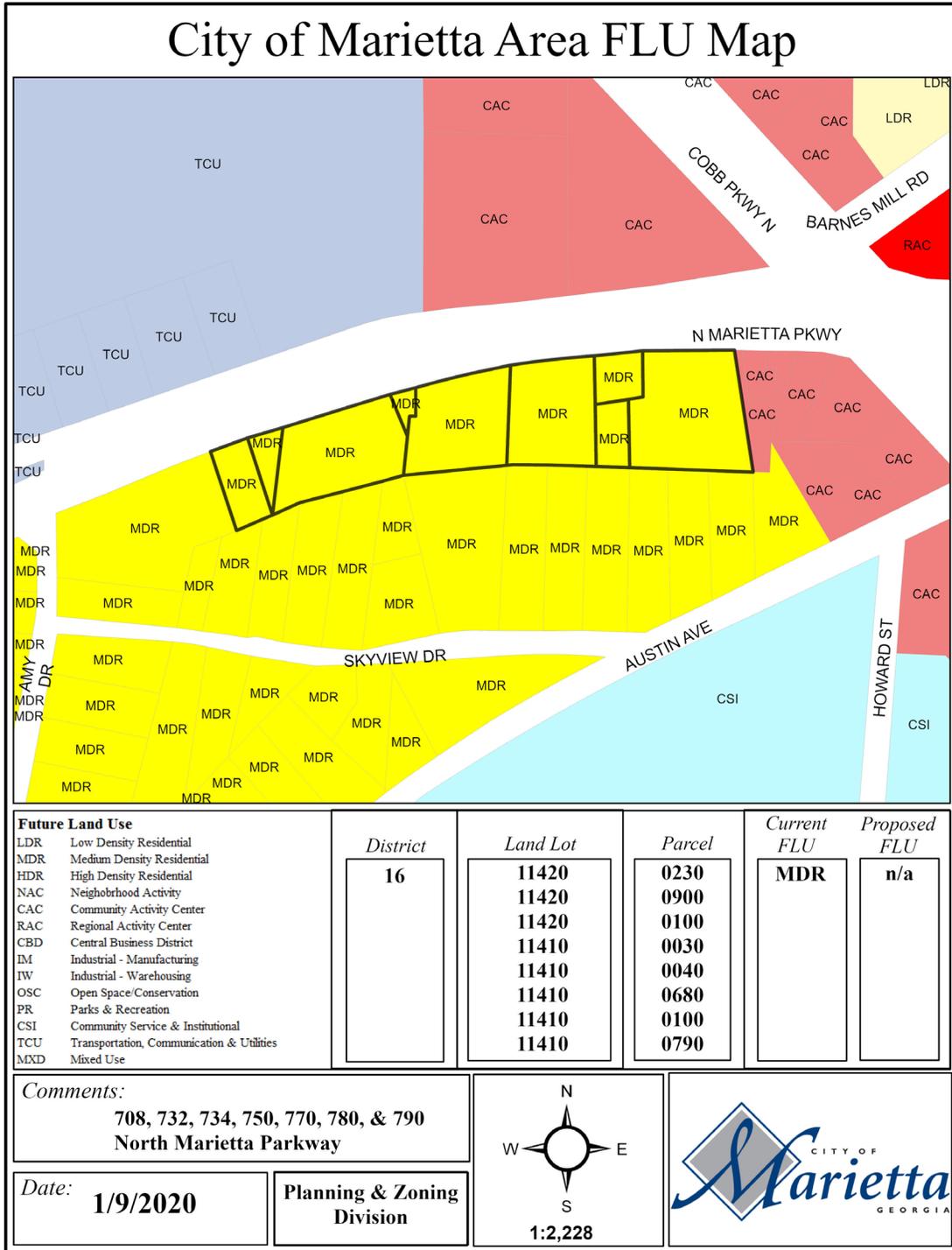
Comments:  
 708, 732, 734, 750, 770, 780, & 790  
 North Marietta Parkway

Date: 3/2/2020

Planning & Zoning  
 Division



## FLU MAP



## PICTURES OF PROPERTY



**Subject properties along North Marietta Parkway**



**Subject properties along North Marietta Parkway**



**Subject properties along North Marietta Parkway**

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## STAFF ANALYSIS

### *Location Compatibility*

North Marietta Parkway LLC is requesting the rezoning of seven parcels (708, 732, 734, 750, 770, 780, and 790 North Marietta Pkwy), totaling 2.5 acres, for potential commercial development. Currently, the assemblage of properties is undeveloped and has three different zoning classifications: R-4 (Single Family Residential – 4 units/acre), OI (Office Institutional), and CRC (Community Retail Commercial). Single family homes lie to the east, west, and south of the subject properties and are zoned R-4, while property to the north, across North Marietta Parkway, is zoned OS (Office Services).

### *Use Potential and Impacts*

The applicant is requesting this rezoning in order to split the subject property into two, commercially viable parcels. Though a site plan has been provided, it should be noted that the applicant is only requesting the rezoning to consolidate the parcels into two separate lots with a commercial zoning designation. Prior to development, plans must be submitted that adhere to City Ordinances, except for any variances granted, before any construction is permitted.

There are several concerns about the development of this parcel, as most of the adjacent lots are zoned and used residentially. Further, the site is very shallow, and the provision of required buffers, building setbacks, and a planted border along the street would not be possible while still maintaining sufficient area to build on the site.

Because the property is adjacent to single family homes on the west and south sides, the Zoning Ordinance requires the property to have a 40-foot buffer to screen views and abate noise. The conceptual site plan suggests a reduction in the required buffer to ten (10) feet to accommodate parking areas and buildings. The property is also shown to have a retaining wall that is ten (10) feet from each property line. If planted at the top of the wall, trees, which are crucial components of an effective buffer, would have the potential to structurally compromise a modular block retaining wall. Public Works has also stated that the walls “will require off site easements for retaining wall tie-backs, or a reduced footprint to lessen wall heights.” Per the submitted plan, the applicant is requesting the following variance:

- Variance to reduce the required buffer for commercial properties abutting residential districts from 40 feet to 10 feet [§708.16 (I)]

The Zoning Ordinance requires that setbacks be applied in addition to, not overlapping, any required buffers. To make the submitted conceptual plan feasible, the following setback variances would be necessary:

- Variance to reduce the front setback from 40 feet to 5 feet. [§708.16 (H)]
- Variance to reduce the rear setback from 35 feet to 4 feet. [§708.16 (H)]



The City's Comprehensive Plan classifies the Future Land Use (FLU) of the subject properties as MDR (Medium-Density Residential). MDR is intended to support medium-density housing with densities ranging from five (5) to eight (8) dwelling units per acre. Medium-density residential districts are relatively compact areas within larger neighborhoods and should be located around/near more-intensively developed areas. Therefore, this request to rezone to CRC is not supported by the City's Comprehensive Plan.

### *Environmental Impacts*

The property is currently vacant so any construction activity will have an environmental impact. However, there is no indication of any streams, wetlands, or endangered species on the property. Any development would substantially increase the amount of impervious surface and stormwater runoff; adherence to stormwater management regulations would be verified during the site development process. The maximum impervious surface for CRC zoning is 80%.

There is a substantial grade change across the property that may require considerable grading to level the site. A structural engineer will be required to design retaining walls. There is also concern about the presence of rock and potential need to blasting for excavation purposes, which may impact the adjacent properties. If necessary, blasting permits are issued by the Marietta Fire Department.

Another requirement for commercial districts is a landscape strip/border area to create tree-lined roadways that improve the quality of the built environment for pedestrians and motorists. North Marietta Parkway is a public roadway and would require a minimum ten (10) foot planted strip/border area with one, 3-inch caliper tree planted (on average) every thirty (30) lineal feet. This conceptual plan shows the ten (10) foot border being reduced to five (5) feet, which would require the following:

- Variance to reduce the landscape strip/border area from 10 feet to 5 feet along North Marietta Parkway. [§712.08 (G.2.a)]

Otherwise, the development would be expected to comply with all provisions of the Tree Protection and Landscaping Ordinance.

### *Economic Functionality*

The subject properties have never been developed. The properties at 708, 734 780, and a portion 790 North Marietta Parkway are not functional as currently zoned because they do not meet the minimum lot size and width requirements. However, these substandard lots could be joined with adjacent parcels that have the same zoning classification to become developable lots under their current zoning classification.

### *Infrastructure*

Per Section 716.02 (C), all entrances or exits of any street or drive, public or private, from or to any state highway must be approved by the state highway department prior to the construction of such street or drive, or the issuance of any development permit for any improvement to be served by such street or drive. A transportation project was recently completed that added a right turn lane and retaining wall to the east-bound side of North Marietta Parkway. The Marietta Public Works Department has identified the following issues regarding the proposed request:

- *Need to demonstrate the western curb cut will meet left turn requirements or show as right-in right-out*
- *The eastern curb cut needs to be shown as right-in/right-out*
- *Need a line of sight analysis to show that both entrances can make the movements especially given the vegetation to the west and wall on the east.*
- *Cutting the wall will need a structural engineer review and submittal*
- *This recent roadway project was in conjunction with Cobb County Transportation and was accepted in February of this year with a one-year warranty; any disturbed areas will be the responsibility of the commercial developers to redress in the future.*

Marietta Fire has stated that a 35' radius will be required on all turns should the conceptual site plan be submitted in the future.

The property has access to existing water and sewer mains running along North Marietta Parkway.

### *Overhead Electrical/Utilities*

There are existing overhead power poles along N Marietta Parkway on the opposite side of the subject properties. All structures must be at least ten (10) feet away from the power lines. If the power poles or utility lines are affected by the development, they must be relocated underground at the developer's expense. This would minimize potential conflicts with street trees.

### *History of Property*

There is no history of any rezonings, variances or special land use permits on the properties.



*Other Issues*

If the rezoning is approved, an exemption plat to reconfigure the property lines into two separate lots would be required. Exemption plats are evaluated and approved administratively through City staff.

## ANALYSIS & CONCLUSION

North Marietta Parkway LLC is requesting the rezoning of 2.5 acres along North Marietta Pkwy to CRC. Currently, the seven parcels are undeveloped and zoned R-4, OI, and CRC. Single family homes lie to the east, west, and south of the subject properties and are zoned R-4, while property to the north, across North Marietta Parkway, is zoned OS.

The applicant is requesting this rezoning in order to split the subject property into two, commercially viable parcels. Though a site plan has been provided, it should be noted that the applicant is only requesting the rezoning to consolidate the parcels into two separate lots with a commercial zoning designation. Prior to development, plans must be submitted that adhere to City Ordinances, except for any variances granted, before any construction is permitted.

There are several concerns about the development of this parcel, as most of the adjacent lots are zoned and used residentially. Further, the site is very shallow, and the provision of required buffers, building setbacks, and a planted border along the street would not be possible while still maintaining sufficient area to build on the site.

All vehicular access will be from the North Marietta Parkway, which is a state route, and will be subject to approval by the Georgia Department of Transportation. In addition, the site has extreme topographical changes that will make leveling the site a challenge.

To make the submitted plan feasible, the following variances would be necessary:

1. Variance to reduce the required buffer for commercial properties abutting residential districts from 40 feet to 10 feet [*§708.16 (I)*]
2. Variance to reduce the landscape strip/border area from 10 feet to 5 feet along North Marietta Parkway. [*§712.08 (G.2.a)*]
3. Variance to reduce the front setback from 40 feet to 5 feet [*§708.16 (H)*]
4. Variance to reduce the rear setback from 35 feet to 4 feet [*§708.16 (H)*]

The City's Comprehensive Plan classifies the Future Land Use of the subject properties as MDR (Medium-Density Residential). MDR is intended to support medium-density housing with densities ranging from five (5) to eight (8) dwelling units per acre. Therefore, this request to rezone to CRC is not supported by the City's Comprehensive Plan.

Prepared by: J. Mindlin

Approved by: Rusty Roth



## DATA APPENDIX

### *CITY OF MARIETTA - WATER*

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Is a water line adjacent to the property?

If not, how far is the closest water line?

Size of the water line?

Capacity of the water line?

Approximate water usage by proposed use?

### *CITY OF MARIETTA - WASTEWATER*

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Is a sewer line adjacent to the property?

If not, how far is the closest sewer line?

Size of the sewer line?

Capacity of the sewer line?

A.D.F  
Peak

Estimated waste generated by proposed development?

Treatment Plant Name?

Treatment Plant Capacity?

Future Plant Availability?

## DATA APPENDIX CONTINUED

### ***DRAINAGE AND ENVIRONMENTAL CONCERNS***

Does flood plain exist on the property:	No
What percentage of the property is in the flood plain?	N/A
What is the drainage basin for the property?	Ward Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	No
If so, is the use compatible with the possible presence of wetlands?	No
Do stream bank buffers exist on the parcel?	No
Are there other topographical concerns on the parcel?	Yes
Are there storm water issues related to the application?	No
Potential presence of endangered species in the area?	No
<ul style="list-style-type: none"> <li>• Full site development plans required</li> <li>• GA DOT approval required for curb cut on S.R. 120</li> <li>• Zoning exhibit as drawn will require off site easements for retaining wall tiebacks, or a reduced footprint to lessen wall heights</li> <li>• Retaining walls will require separate permit sealed by structural/geotechnical engineer</li> <li>• Existing material will be rippable rock and/or blasting required for excavation (adjoined by residential zoning to the rear)</li> <li>• Storm Water Management will be required and is not allocated for in zoning exhibit</li> </ul>	

### ***TRANSPORTATION***

What is the road affected by the proposed change?	North Marietta Pkwy
What is the classification of the road?	Arterial
What is the traffic count for the road?	20,000 (GDOT 2018)
Estimated # of trips generated by the proposed development?	Information not provided
Estimated # of pass-by cars entering proposed development?	Unknown
Do sidewalks exist in the area?	Yes
Transportation improvements in the area?	Yes
If yes, what are they?	NMP & 41 – complete but in 1-year warranty



- Need to demonstrate the western curb cut will meet left turn requirements or show as right-in right-out
- The eastern curb cut needs to be shown as right-in/right-out
- Need a line of sight analysis to show that both entrances can make the movements especially given the vegetation to the west and wall on the east.
- Cutting the wall will need a structural engineer review and submittal
- This is a state route and will require GDOT approval for curb cuts
- The roadway project in this location was accepted in February of 2020 with a 1-year warranty. Any disturbed areas will be the responsibility of the commercial developer to redress.

***EMERGENCY SERVICES***

Nearest city or county fire station from the development?	52
Distance of the nearest station?	1.2 miles
Most likely station for 1 <sup>st</sup> response?	52
Service burdens at the nearest city fire station (under, at, or above capacity)?	Under

**Comments:**

- All new commercial buildings will be required to be protected throughout with an approved automatic fire sprinkler system.
- Minimum 35' radius on all turns.

***MARIETTA POWER - ELECTRICAL***

Does Marietta Power serve this site?      Yes   x                        No           

If not, can this site be served?              Yes                                 No           

What special conditions would be involved in serving this site?

Additional comments:

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APPLICATION FOR REZONING

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)
(NOTE: CORRESPONDENCE IS HANDLED VIA EMAIL UNLESS OTHERWISE REQUESTED)

For Office Use Only:

Application #: 22020-18 Legistar #: 20200296 PZ #: 20-107
Planning Commission Hearing: 5-5-20 City Council Hearing: 5-13-20

Owner's Name North Marietta Parkway LLC
EMAIL Address: dhagerman@letelmetrics.com Duane Hagerman
Mailing Address Marietta, GA Zip Code: 30062 Telephone Number 404.748.0123

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant:
EMAIL Address:
Mailing Address Zip Code:
Telephone Number Email Address:

Address of property to be rezoned: 708, 732, 734, 750, 770, 780, & 790 N Marietta Pkwy

Land Lot (s) 1141 & 1142 District 16th Parcel Acreage 1.79 AC. Ward 5B Future Land Use: MDR

Present Zoning Classification: OI & R-4, CRC Proposed Zoning Classification: CRC
16114200230, 16114200090, 16114200100, 16114100030, 16114100040, 16114100680, & 16114100100

REQUIRED INFORMATION

Applicant must submit the following information by 4:00 p.m. on or before the application deadline. Failure to submit any item, or any additional information that might be requested, on or before the deadline will result in the application being held until the next scheduled meeting of the Planning Commission.

- 1. The original application must be submitted with ALL ORIGINAL SIGNATURES - Copies of the application or signature(s) will NOT be accepted. ALL rezoning submittals must include proposed plans, supplementary material, etc. in Adobe Acrobat on computer disk.
2. Legal Description. Legal description must be in a WORD DOCUMENT.
3. Application fee (\$500)
4. Copy of the deed that reflects the current owner(s) of the property.
5. Copy of current tax bill showing payment or a certification from the City of Marietta Tax Office stating that taxes have been paid.
6. Site plan, plat or survey prepared by an architect, engineer (P.E. or Civil Engineer), Landscape Architect or Land Surveyor whose state registration is current and valid, and whose seal shall be affixed to the site plan/plat/survey.

Copies Required: One (1) - (8 1/2" x 11") -or- (11" x 17") drawn to scale. Optional Additional Plat size: (24"x 36"). If providing (24"x 36") then 5 copies REQUIRED.

The following information must be included:

- Specific use or uses proposed for the site
• Acreage, bearing and distances, other dimensions, and location of the tract(s)
• Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area
• Detention/retention areas, and utility easements
• Public or private street(s) - right of way and roadway widths, approximate grades
• Location and size of parking area with proposed ingress and egress
• Specific types and dimensions of protective measures, such as buffers
• Landscaping
• Wetlands, stream buffers, and 100 year floodplain

7. A detailed written description of the proposed development/project must be submitted with the application.

**CAMPAIGN CONTRIBUTIONS**

The Owner and Applicant herein certify that he/she  has  has not made campaign contributions or gifts aggregating \$250.00 or more to the Mayor, any member of Council or any member of the Planning Commission within the two (2) years preceding the filing of the this application.

North Parkway LLC  
Signature of Owner

Emmett Burton  
Signature of Applicant

North Parkway LLC  
Print Name

Emmett Burton  
Print Name

**FINANCIAL INTEREST**

The Applicant herein certifies that he/she  has  has not a financial interest in the property which is ten percent (10%) or more.

Emmett Burton  
Print Name

Emmett Burton  
Signature of Applicant

**OWNER/APPLICANT CERTIFICATION**

- The Owner or Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or fraudulent statement: Whoever, in any matter, knowingly and willingly falsifies or makes any false, fictitious or fraudulent statement of representatives concerning this application shall be denied the request stated in this application.
- The Owner or Applicant hereby gives permission to enter on the property for inspection during the time application is pending.

Emmett Burton  
Signature

Emmett Burton  
Please Print

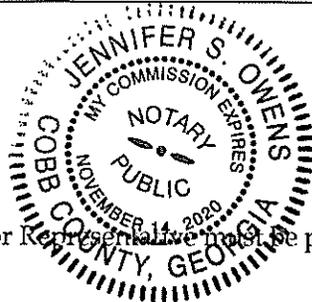
2080 Blaylock Dr, Marietta GA 30062  
Address

3-23-20  
Date

Signed, sealed and delivered in the presence of:

Jennifer S. Owens

My Commission Expires: 11/14/2020



Note: Owner, Applicant or Representative must be present at meeting in order for case to be heard.



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Please note that this zoning is being filed as a part of a settlement of an imminent domain lawsuit presented before Senior Judge James Bodiford. The purpose of this plan is to identify two (2) commercial access points to address the assemblage of 6 lots into 2 separate lots. In the existing situation, these lots are presently landlocked by virtue of the City's exercise of imminent domain. This is simply a base plan to allow commercial zoning but a future user will be required to bring a plan back through for final approval.

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**TO: Marietta Daily Journal**

**FROM: City of Marietta**

**RUN AD DATE: April 17, 2020**

**CITY OF MARIETTA  
PUBLIC NOTICE OF REZONINGS, CODE AMENDMENTS, and SPECIAL LAND USE PERMITS**

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Tuesday, May 5<sup>th</sup>, 2020, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, May 13<sup>th</sup>, 2020, 7:00 p.m.**, City Hall, for a final decision to be made.

**Z2020-18 [REZONING] NORTH MARIETTA PARKWAY LLC** is requesting the rezoning of approximately 2.5 acres located in Land Lots 1141 & 1142, District 16, Parcels 0230, 0900, 0100, 0030, 0040, 0680, 0100, & 0790, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as 708, 732, 734, 750, 770, 780, & 790 North Marietta Parkway from OI (Office Institutional), R-4 (Single Family Residential – 4 units/acre), and CRC (Community Retail Commercial) to CRC (Community Retail Commercial). Ward 5B.

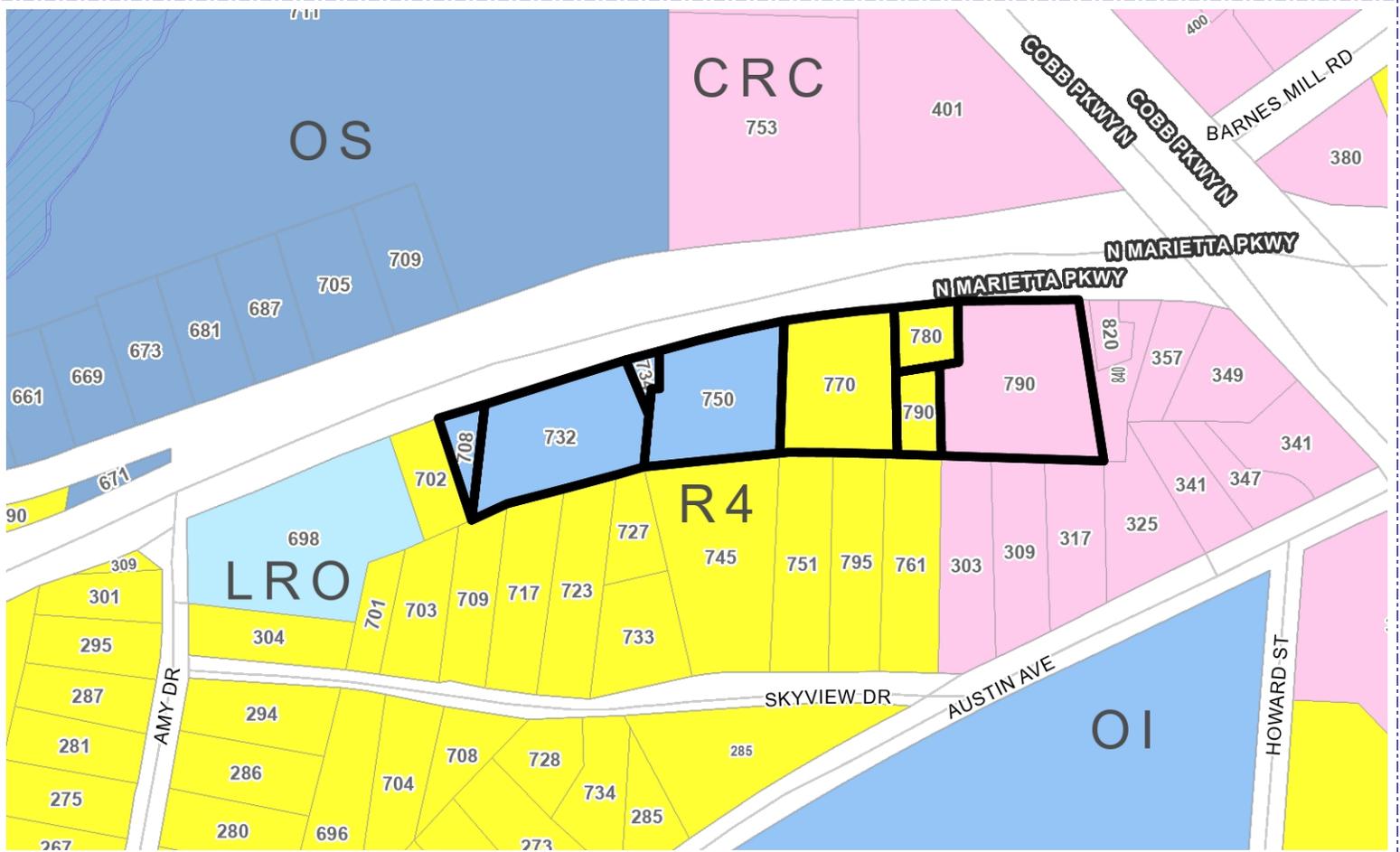
A description and plat of the property sought for the rezoning, special land use permit, and variances are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto. You may also review the property file at [www.marietta.ga.gov](http://www.marietta.ga.gov) and enter the case # in the search box.

**For additional information including questions about virtual participation, please call the Planning and Zoning Office (770) 794-5669.**

**Accessibility to Meetings:** If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call ADA Coordinator at 770-794-5558 no later than 48 hours before the date of the above meeting.

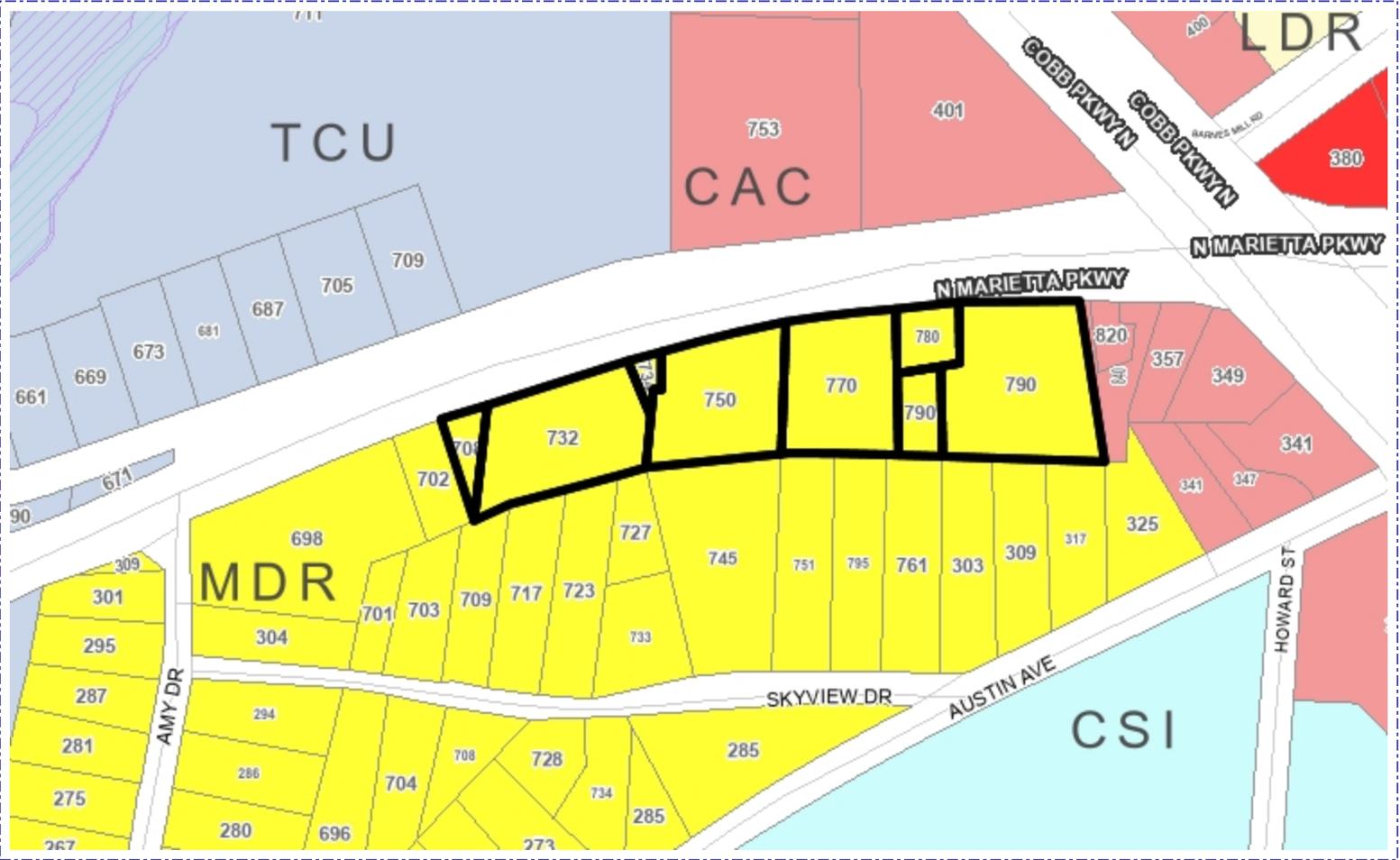
City of Marietta  
205 Lawrence Street  
Marietta, Georgia 30060

# Rezoning



Address	Parcel Number	Acreage	Ward	Zoning	FLU
708 N MARIETTA PKWY	16114200230	0.085	5B	OI	MDR
790 N MARIETTA PKWY	16114100100	0.124	5B	R4	MDR
734 N MARIETTA PKWY	16114200100	0.037	5B	OI	MDR
732 N MARIETTA PKWY	16114200090	0.584	5B	OI	MDR
750 N MARIETTA PKWY	16114100030	0.526	5B	OI	MDR
770 N MARIETTA PKWY	16114100040	0.519	5B	R4	MDR
780 N MARIETTA PKWY	16114100680	0.13	5B	R4	MDR
790 N MARIETTA PKWY	16114100790	0.741	5B	CRC	MDR

Property Owner:	North Marietta Parkway, LLC		<b>Zoning Symbols</b> 
Applicant:			
Proposed Zoning:	OI, R4, CRC to CRC		
Agent:			
Proposed Use:			
Planning Commission Date:	05/05/2020		
City Council Hearing Date:	05/13/2020	Case Number: Z2020-18	
<b>City of Marietta Planning &amp; Zoning</b>			



Address	Parcel Number	Acreage	Ward	Zoning	FLU
708 N MARIETTA PKWY	16114200230	0.085	5B	OI	MDR
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734 N MARIETTA PKWY	16114200100	0.037	5B	OI	MDR
732 N MARIETTA PKWY	16114200090	0.584	5B	OI	MDR
750 N MARIETTA PKWY	16114100030	0.526	5B	OI	MDR
770 N MARIETTA PKWY	16114100040	0.519	5B	R4	MDR
780 N MARIETTA PKWY	16114100680	0.13	5B	R4	MDR
790 N MARIETTA PKWY	16114100790	0.741	5B	CRC	MDR

Planning Commission Hearing Date: 05/05/2020

City Council Hearing Date: 05/13/2020

Future Land Use: MDR

Case Number:

Comments:

**Future Land Use Symbols**

- Railroads
- City Limits
- Cobb County Pockets
- RAC - Regional Activity Center
- CAC - Community Activity Center
- NAC - Neighborhood Activity Center
- CBD - Central Business District
- MXD - Mixed Use Development
- CSI - Community Service and Institutional
- HDR - High Density Residential
- MDR - Medium Density Residential
- LDR - Low Density Residential
- OSC - Open Space / Conservation
- PR - Parks / Recreation
- IW - Industrial Warehousing
- IM - Industrial Manufacturing
- TCU - Transportation and Utilities



Address	Parcel Number	Acreage	Ward	Zoning	FLU
708 N MARIETTA PKWY	16114200230	0.085	5B	OI	MDR
790 N MARIETTA PKWY	16114100100	0.124	5B	R4	MDR
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770 N MARIETTA PKWY	16114100040	0.519	5B	R4	MDR
780 N MARIETTA PKWY	16114100680	0.13	5B	R4	MDR
790 N MARIETTA PKWY	16114100790	0.741	5B	CRC	MDR

Property Owner:	North Marietta Parkway, LLC
Applicant:	
City Council Hearing Date:	05/13/2020
Planning Commission Hearing Date:	05/05/2020
BZA Hearing Date:	Case Number: Z2020-18
Comments:	
City of Marietta Planning & Zoning	

**Legend**

- Railroads
- City Limits
- Cobb County Pockets

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

- PLAT REFERENCES:**
- 1) PLAT ENTITLED "SURVEY FOR JUNIE BRACKETT", BY DAVID W. SHIRLEY, RLS #2670, DATED 07/31/97.
  - 2) PLAT ENTITLED "BOUNDARY & TOPOGRAPHIC SURVEY FOR COLONIAL ACQUISITIONS ASSOCIATES, INC.", BY MACK R. PRICE, RLS, DATED 3/26/87.
  - 3) SURVEY PREPARED FOR "OAKTREE CORPORATION, D/B/A HORSETOWN", BY MIKE T. HOSCH, RLS #2610, DATED 10/07/94.
  - 4) PLAT BOOK 8, PAGE 185, COBB COUNTY RECORDS.
  - 5) PLAT BOOK 9, PAGE 76, COBB COUNTY RECORDS.
  - 6) PLAT BOOK 16, PAGE 76, COBB COUNTY RECORDS.

- DEED REFERENCES:**
- 1) DEED BOOK 12225, PAGE 140, COBB COUNTY RECORDS.
  - 2) DEED BOOK 6282, PAGE 237, COBB COUNTY RECORDS.
  - 3) DEED BOOK 6282, PAGE 252, COBB COUNTY RECORDS.
  - 4) DEED BOOK 6282, PAGE 256, COBB COUNTY RECORDS.
  - 5) DEED BOOK 2869, PAGE 250, COBB COUNTY RECORDS.
  - 6) DEED BOOK 3533, PAGE 342, COBB COUNTY RECORDS.
  - 7) DEED BOOK 3533, PAGE 343, COBB COUNTY RECORDS.

- RIGHT-OF-WAY REFERENCES:**
- 1) GEORGIA D.O.T. PROJECT NO. TSAP-120L (10), DATED 5-04-81.
  - 2) GEORGIA D.O.T. PROJECT NO. 0012607, DATED 5/08/2015.

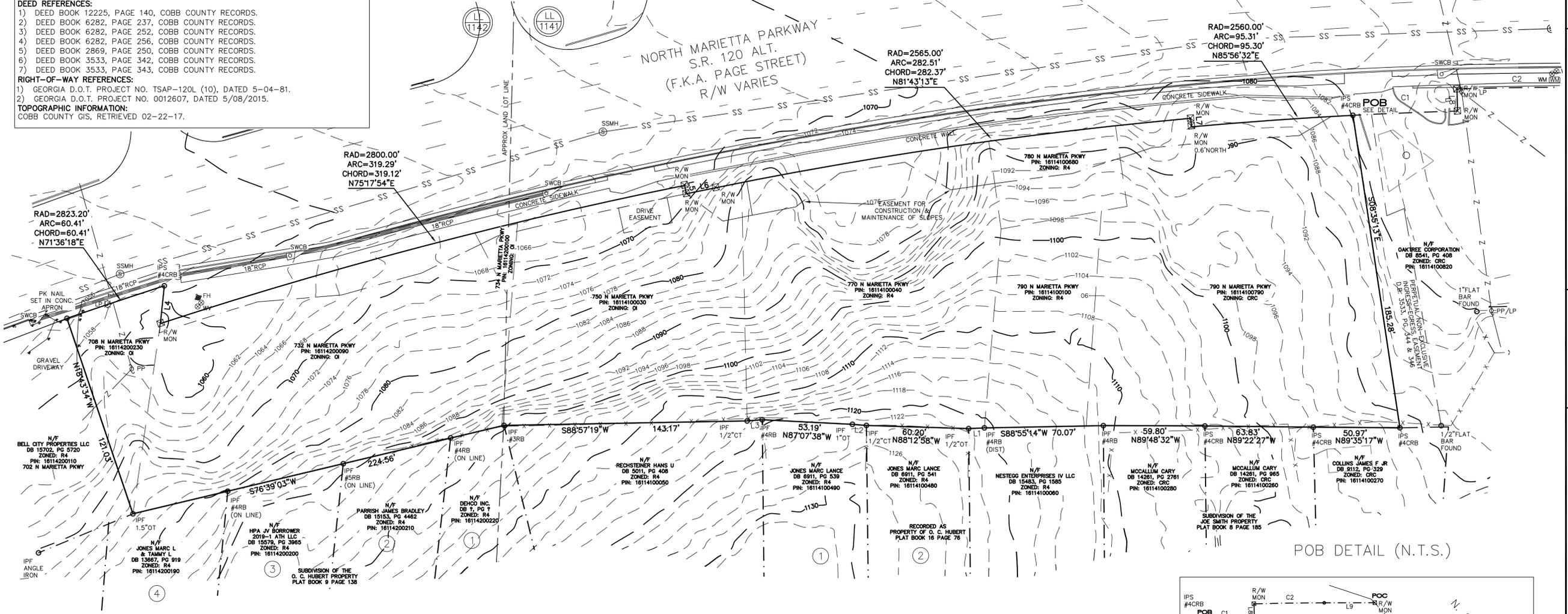
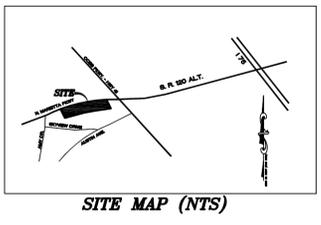
**TOPOGRAPHIC INFORMATION:**  
COBB COUNTY GIS, RETRIEVED 02-22-17.

**LEGEND:**

IPS	IRON PIN SET	BSL	BUILDING SETBACK LINE
OT	OPEN TOP PIN	HC	HANDI-CAP
CT	CRIMP TOP PIN	CMF	CONCRETE MONUMENT FOUND
RB	RE-BAR REINFORCING BAR	OU	OVERHEAD UTILITY LINE(S)
CRB	CAPPED RE-BAR	SSMH	SANITARY SEWER MAN HOLE
R/W	RIGHT-OF-WAY	MHT	MAN HOLE TELEPHONE
LLL	LAND LOT LINE	DWCB	DRAINAGE EASEMENT
L	LINE	DI	DROP INLET
R	RADIUS	HW	HEAD WALL
CONC	CONCRETE	CMP	CORRUGATED METAL PIPE
C	CURVE	CPE	CORRUGATED PLASTIC PIPE
PP	POWER POLE	RCP	REINFORCED CONCRETE PIPE
GV	GAS VALVE	SSE	SANITARY SEWER EASEMENT
GM	GAS METER	FH	FIRE HYDRANT
LAMP	LAMP POLE	DE	DRAINAGE EASEMENT
SS	SANITARY SEWER	WM	WATER METER
FC	FENCE CORNER	PV	POST INDICATOR VALVE
X	FENCE	CO	CO C/O
AE	ACCESS EASEMENT	POB	POINT OF BEGINNING
PROP	PROPOSED	NTS	NOT TO SCALE
AC	AIR-CONDITIONER	SWCB	SINGLE WING CATCH BASIN
GA	GA POWER MANHOLE	UE	UTILITY EASEMENT
PB	POWER BOX	PM	POWER METER
CATV	CABLE TELEVISION JUNCTION BOX	CLF	CLF CHAIN-LINK FENCE
APP	ABANDONED POWER POLE	TB	TELEPHONE JUNCTION BOX
		CTW	CROSS-TIE WALL
		HCS	HANDI-CAP SIGN

**BOUNDARY RETRACEMENT & TOPOGRAPHIC SURVEY FOR:**  
**EMMETT BURTON**  
708, 732, 734, 750, 770, 780, & 790  
NORTH MARIETTA PARKWAY, NE  
LAND LOTS 1141 & 1142  
16th DISTRICT - 2nd SECTION  
COBB COUNTY, GEORGIA  
EXISTING ZONING: R4, CRC, & O1

**TOTAL AREA**  
108,749 SQ. FT.  
2.50 ACRES



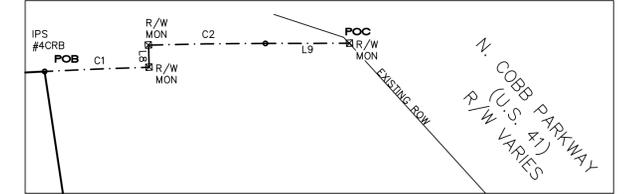
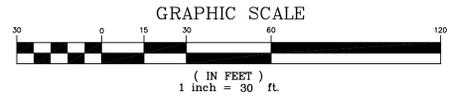
- SURVEY NOTES:**
- 1) HORIZONTAL DATUM IS GEORGIA STATE PLANE WEST ZONE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83)
  - 2) VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88)
  - 3) ALL DEED BOOK REFERENCES SHOWN HEREON ARE RECORDED IN THE CLERK OF SUPERIOR COURT'S OFFICE OF COBB COUNTY, GEORGIA. SUBJECT AND ADJACENT PROPERTY OWNER'S DEED REFERENCES ACCESSED VIA SUPERIOR COURT RECORD SOURCES AND APPLICABLE MUNICIPALITY GIS REFERENCES AND ARE NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS.
  - 4) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT TITLE. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
  - 5) STRUCTURES VISIBLE WITHIN THE SUBJECT PROPERTY BOUNDARIES ON THE DATE OF SPECIFICATIONS, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE.
  - 6) LOCATIONS ARE ACCURATE ONLY WHERE DIMENSIONED.
  - 7) DISTANCES SHOWN ON THE PLAT ARE HORIZONTAL GROUND DISTANCES.
  - 8) THIS PROPERTY MAY CONTAIN WETLANDS. ALL WETLANDS ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS AND/OR THE STATE OF GEORGIA DEPARTMENT OF NATURAL RESOURCES. LOT OWNERS ARE SUBJECT TO PENALTY OF LAW FOR DISTURBANCE TO THESE PROTECTED AREAS WITHOUT THE PROPER PERMIT APPLICATION AND APPROVAL.
  - 9) THIS PROPERTY IS NOT LOCATED IN SPECIAL FLOOD HAZARD AREA PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP No. 13067C0109H; EFFECTIVE DATE: 11-02-2012.
  - 10) THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.
  - 11) DEED/PLAT DISCLAIMER: THIS PLAT MAY NOT CONFORM TO THE BEARINGS AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE OF THE ADVANCES IN SURVEYING TECHNOLOGY SUCH AS ELECTRONIC MEASURING DEVICES, MORE PRECISE ANGULAR MEASUREMENTS AND THE ADVENT OF SATELLITE SURVEYING TECHNIQUES USING "GPS" AND "GLONASS" SATELLITE CONSTELLATIONS. SURVEYS USING SATELLITE OBSERVATIONS ARE CORRECTED TO THE GEORGIA WEST STATE PLANE COORDINATE SYSTEM AND USE "GEODETIC" OR "GRID" NORTH AS OPPOSED TO "MAGNETIC" NORTH.
  - 12) 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 UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
  - 13) RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.
  - 14) ALL PROPERTY CORNERS FOR LOTS TO BE SET IN FIELD AS 1/2" (#4) REBAR WITH PINK CAPS MARKED "FLS CORNER LSF 631" UNLESS OTHERWISE STATED.
  - 15) THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67 AS AMENDED BY HB76 (2017), IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.
  - 16) BOUNDARY FIELD WORK PERFORMED 03-13-2020 BY FRONTLINE SURVEYING & MAPPING, INC.
  - 17) TOPOGRAPHIC INFORMATION IS GROUND RUN.
  - 18) EQUIPMENT USED: TOPCON ELECTRONIC TOTAL STATION & TRIMBLE 5800 GPS RECEIVER UTILIZING CHAMPION GPS/EGPS NETWORK.
  - 19) ANGULAR ERROR: 11 SECONDS PER ANGLE.
  - 20) RAW FIELD PRECISION: 1:15,828.
  - 21) ADJUSTED BY LEAST SQUARES.
  - 22) PLAT CLOSURE: 1:127,821.

**LINE TABLE**

LINE	LENGTH	BEARING
L1	9.29	S87°23'20"W
L2	8.27	N85°30'34"W
L3	8.87	S85°32'21"W
L4	22.23	S06°01'21"W
L5	5.00	S11°26'06"E
L6	17.91	N78°33'54"E
L7	5.00	S05°07'28"E
L8	13.00	S01°34'05"E
L9	49.22	S89°55'44"W

**CURVE TABLE**

CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	61.46'	2560.00'	61.46'	S87°42'04"W
C2	69.15'	2573.00'	69.15'	S89°09'32"W



**SURVEYOR'S CERTIFICATION:**  
THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON.  
RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

FOR THE FIRM: Thomas E. Pedy, Jr., Registered Ga. Land Surveyor #2402 Date 03-23-20  
FRONTLINE SURVEYING & MAPPING, INC. LSF#000631  
3595 Canton Rd.  
Suite 116, PMB-272  
Marietta, Ga. 30066

3595 Canton Road  
Suite 116, PMB 272  
Marietta, GA 30066  
Ph. (678) 355-9905  
Fax (678) 355-9805

**FRONTLINE SURVEYING & MAPPING, INC.**  
www.frontlinesurveying.com

DATE: 03/13/2020  
SCALE: 1" = 30'

16th DISTRICT 2nd SECTION COBB COUNTY, GEORGIA

REVISION: CORRECTED ZONING

UNIT: BLOCK

LOT: 1141 & 1142

PHASE: I HAVE THIS DATE EXAMINED THE "TIA OFFICIAL FLOOD HAZARD MAP" AND FOUND THAT BY GRAPHIC PLOTTING ONLY THE REFERENCE PARCEL (S NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

MAP ID: 13067C0109H EFFECTIVE DATE: 11/02/12

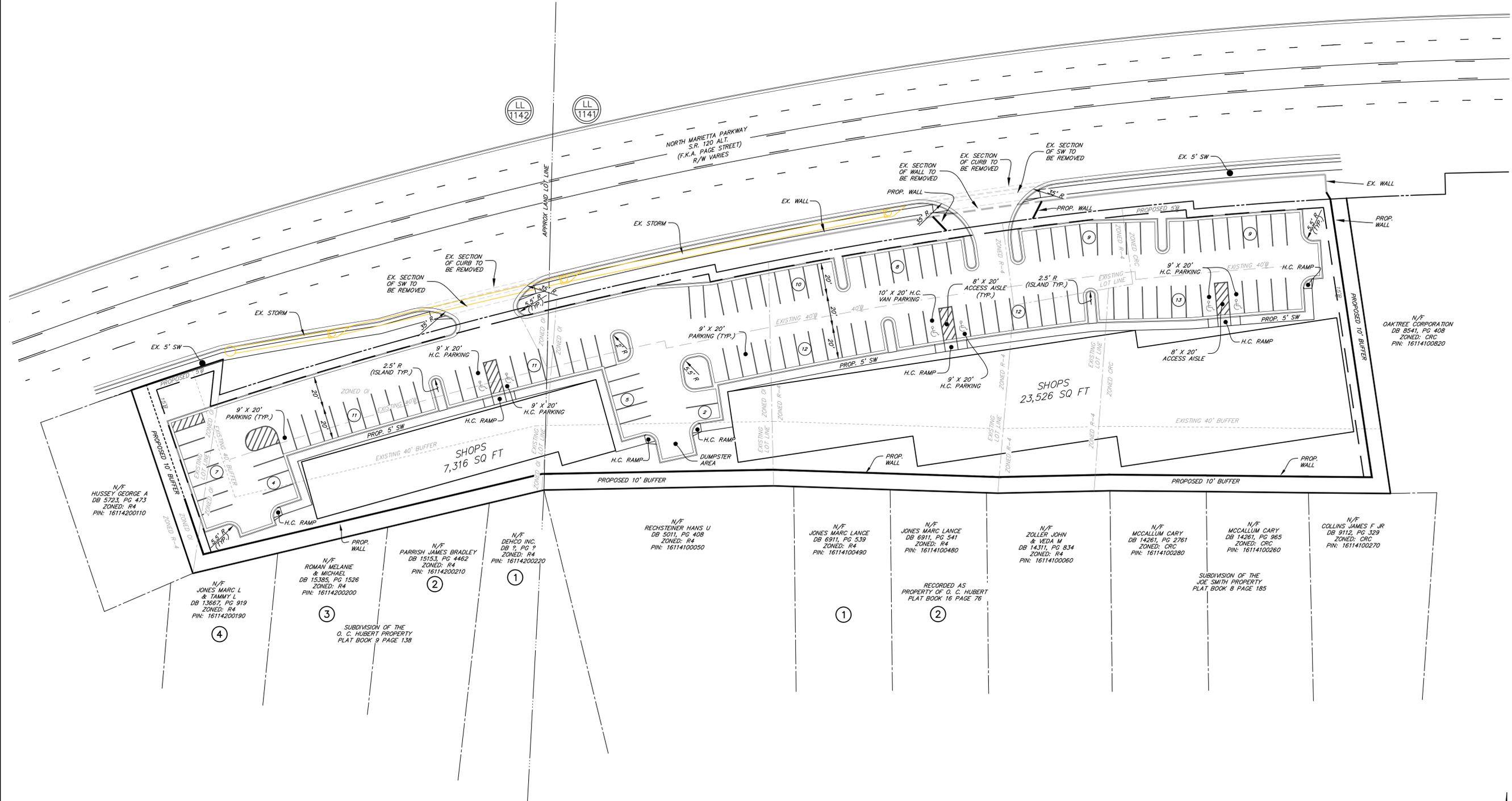
JOB # 71045

**GENERAL SITE NOTES:**

- TOTAL SITE AREA = 2.49 ACRES
- OWNER: NORTH MARIETTA PARKWAY LLC.  
2080 BLAYLOCK DR.  
MARIETTA GA, 30062
- 24-HOUR CONTACT: EMMETT BURTON  
404.748.0123
- CURRENT ZONING = CRC; R-4; OI
- PROPOSED ZONING = CRC
- BUILDING SETBACKS: AS SHOWN.

**PARKING CALCULATIONS:**

1 SPOT REQUIRED PER 275 S.F. OF SHOPPING CENTER AREA.  
30,842 S.F. / 275 S.F. = 113 SPOTS REQUIRED  
SPOTS PROVIDED = 107 (9' X 20') + 5 (9' X 20' H.C.) + 1 (10' X 20' H.C. VAN) = 113 SPOTS AVAILABLE



N/F  
HUSSEY GEORGE A  
DB 5723, PG 473  
ZONED: R4  
PIN: 16114200110

N/F  
JONES MARC L  
& TAMMY L  
DB 13667, PG 919  
ZONED: R4  
PIN: 16114200190

N/F  
ROMAN MELANIE  
& MICHAEL  
DB 15385, PG 1526  
ZONED: R4  
PIN: 16114200200

N/F  
PARRISH JAMES BRADLEY  
DB 15153, PG 4462  
ZONED: R4  
PIN: 16114200210

N/F  
DEHCO INC.  
DB 9, PG 9  
ZONED: R4  
PIN: 16114200220

N/F  
RECHSTEINER HANS U  
DB 5011, PG 408  
ZONED: R4  
PIN: 16114100050

N/F  
JONES MARC LANCE  
DB 6911, PG 539  
ZONED: R4  
PIN: 16114100490

N/F  
JONES MARC LANCE  
DB 6911, PG 541  
ZONED: R4  
PIN: 16114100480

N/F  
ZOLLER JOHN  
& VEDA M  
DB 14311, PG 834  
ZONED: R4  
PIN: 16114100060

N/F  
MCCALLUM CARY  
DB 14261, PG 2761  
ZONED: CRC  
PIN: 16114100280

N/F  
MCCALLUM CARY  
DB 14261, PG 965  
ZONED: CRC  
PIN: 16114100260

N/F  
COLLINS JAMES F JR  
DB 9112, PG 329  
ZONED: CRC  
PIN: 16114100270

SUBDIVISION OF THE  
O. C. HUBERT PROPERTY  
PLAT BOOK 9 PAGE 138

RECORDED AS  
PROPERTY OF O. C. HUBERT  
PLAT BOOK 16 PAGE 76

SUBDIVISION OF THE  
JOE SMITH PROPERTY  
PLAT BOOK 8 PAGE 155

**N. MARIETTA PKWY. LLC  
ZONING PLAN**

LAND LOTS 1141 & 1142, 16TH DISTRICT, 2ND SECTION,  
CITY OF MARIETTA, COBB COUNTY, GEORGIA  
ZONED CRC

REVISION DESCRIPTION:

DRAWN BY:	DJS
CHECKED BY:	DAH
DATE:	02.26.2020
SHEET TITLE:	ZONING PLAN

SCALE:	1" = 30'
SHT. NO.	01
REV. NO.	---

