



Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Rusty Roth, AICP, Director

SPECIAL LAND USE PERMIT APPLICATION ANALYSIS

ZONING CASE #: Z2020-25 **LEGISTAR #:** 20200577

LANDOWNERS: 1998 Delk Industrial LLC
P.O. Box 133277
Atlanta, GA 30333

APPLICANT: Red Hare Brewing Co. LLC – Roger Davis
1998 Delk Industrial Blvd.
Marietta, GA 30067

PROPERTY ADDRESS: 1998 Delk Industrial Boulevard

PARCEL DESCRIPTION: 17071500150

AREA: 1.18 **COUNCIL WARD:** 1A

EXISTING ZONING: LI (Light Industrial)

REQUEST: LI (Light Industrial) with SLUP – Special Land Use Permit

FUTURE LAND USE MAP

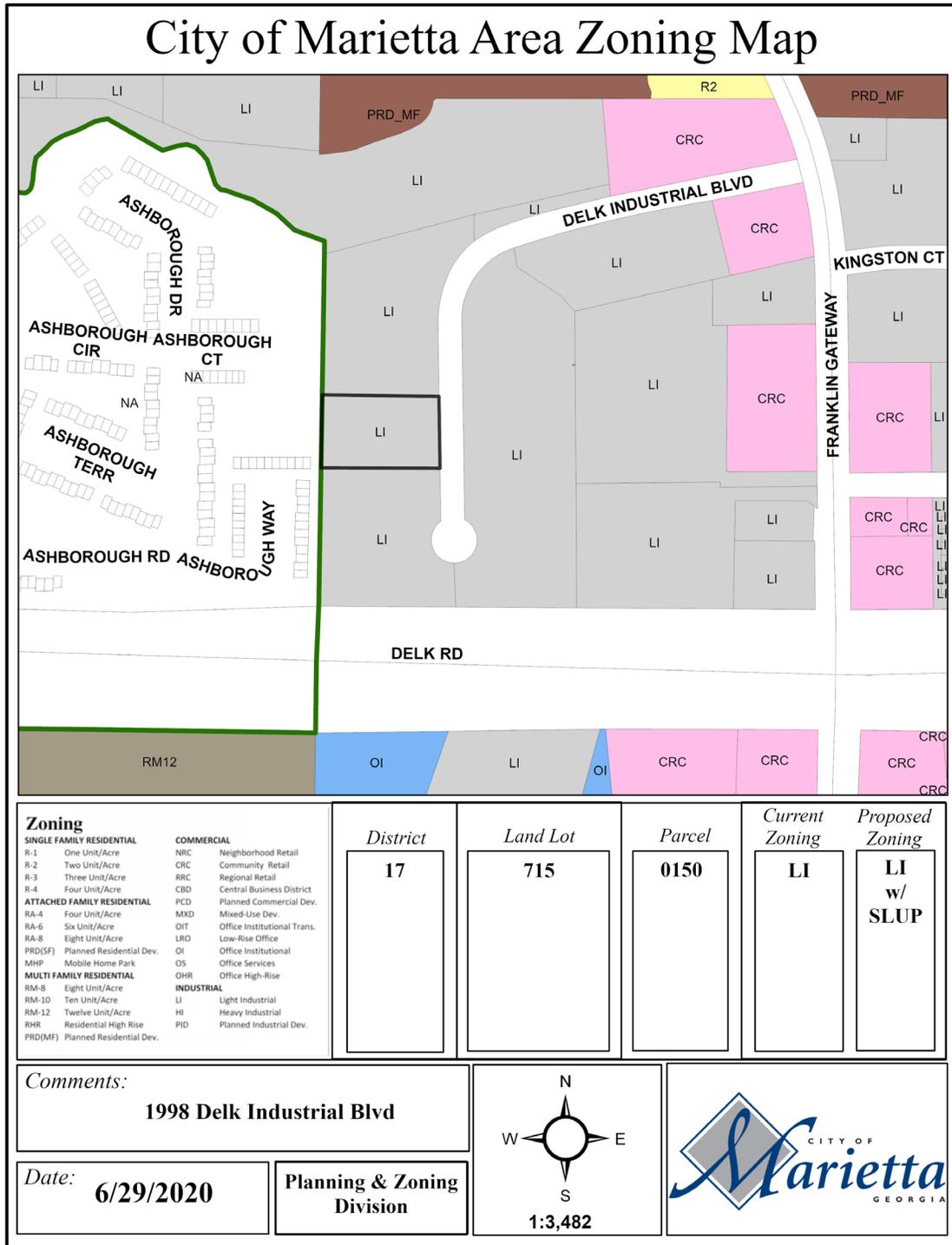
RECOMMENDATION: IW (Industrial Warehousing)

REASON FOR REQUEST: The applicant is requesting a SLUP in order to operate a mobile retail food establishment (food truck) as an accessory to its primary business.

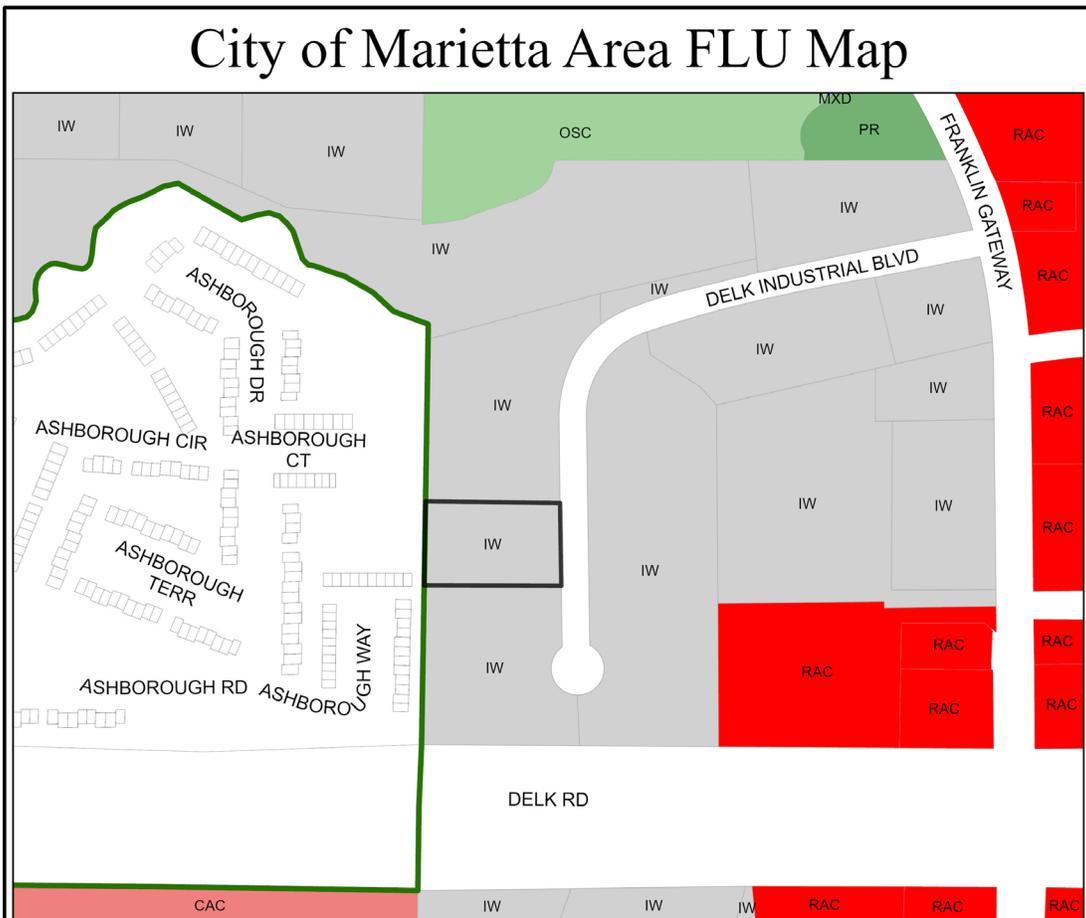
PLANNING COMMISSION HEARING: Tuesday, August 4, 2020 – 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, August 12, 2020 – 7:00 p.m.

MAP



City of Marietta Area FLU Map

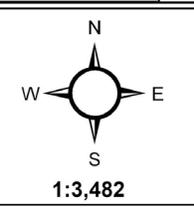


Future Land Use		District	Land Lot	Parcel	Current FLU	Proposed FLU
LDR	Low Density Residential	17	715	0150	IW	n/a
MDR	Medium Density Residential					
HDR	High Density Residential					
NAC	Neighborhood Activity					
CAC	Community Activity Center					
RAC	Regional Activity Center					
CBD	Central Business District					
IM	Industrial - Manufacturing					
IW	Industrial - Warehousing					
OSC	Open Space/Conservation					
PR	Parks & Recreation					
CSI	Community Service & Institutional					
TCU	Transportation, Communication & Utilities					
MXD	Mixed Use					

Comments:
1998 Delk Industrial Blvd

Date: **6/29/2020**

Planning & Zoning Division




PICTURES OF PROPERTY



1998 Delk Industrial Boulevard



Proposed food truck location – to the right of the main entrance



Proposed food truck location left of the main entrance

STAFF ANALYSIS

Location Compatibility

Red Hare Brewing Co. LLC is seeking a Special Land Use Permit (SLUP) for the property at 1998 Delk Industrial Boulevard. The subject property and all surrounding properties are zoned LI (Light Industrial), except the property to the rear (west of the property) that is zoned RM-12 – Residential Multi-family in unincorporated Cobb County. The 1.2 acre property has been operated by Red Hare Brewing Co. since 2011. The surrounding businesses consist of wholesale, sales office, contractors, and other related industrial businesses. The applicant wishes to add to its location a mobile retail food establishment (food truck) to operate permanently on the property.

Use Potential and Impacts

The applicant's SLUP request would allow a food truck to operate and remain on-site permanently. The food truck would operate six (6) days a week during normal business hours, which are listed as:

Tuesday-Thursday 3:00-9:00pm

Friday 3:00-10:00pm

Saturday 12:00-10:00pm

Sunday 12:30-7:00pm

The subject property currently has outdoor seating in the front yard and toward the northeastern section of the site. Based on the submitted site plan, the applicant proposes two potential locations for the food truck – one directly in front of building, left of the main entrance; and the other to the side of building, right of the main entrance. Either placement must be at least 10 feet from the main structure per Marietta Fire Department.

As conditionally allowed by the Director of Development Services, mobile retail food establishments are allowed on property zoned LI according to the restrictions listed below:

- a) Written permission of the property owner is obtained.
- b) Such use does not last longer than 3 days consecutively and 12 days annually.
- c) These uses shall be located at least 50 feet from any property line and not within any public right-of-way or City owned property, unless otherwise authorized by the City.
- d) If property is within fifty (50) feet of a residentially zoned parcel, measured property line to property line, then food truck operations shall cease at 9:00 p.m.
- e) Adequate paved parking, ingress and egress are provided on site.
- f) A temporary use permit is applied for and approved by the Director of the Department of Development Services.
- g) The Board of Zoning Appeals shall not issue and are not granted the authority to issue variances to any of the regulations relating to Mobile Retail Establishments; all such variance requests must be submitted to City Council. Variances for mobile food establishments shall be considered according to the criteria defined under §712.01 (E).



Staff does not have the authority to allow a food truck for more than twelve (12) days a year. In addition, based on the subject property's proximity to a residential property, current regulations require that the food truck operation must cease at 9:00 p.m. Any relief from these conditions could only be authorized by City Council. Although the subject property has never operated as an eating establishment, it has provided regular outdoor seating for guests.

The subject property's Future Land Use designation is IW (Industrial Warehousing). The purpose of IW is to *provide areas that can support light industrial, office/warehouse and distribution uses, and the vehicular traffic associated with such uses*. Compatible zonings include LI, OS, and PID. The food truck is an accessory use to support the existing business, which is compatible with a future land use of IW and may also support the surrounding industrial businesses. Therefore, this SLUP request is supported by the City's Comprehensive Plan.

Environmental Impacts

Food service qualifies as an MS4 "highly-visible pollutant source" facility due to food waste. Proof of proper methods for grease and wash water storage and disposal would be required. Otherwise, no floodplains, wetlands, topographical concerns, streams, or endangered species are present on the site.

Economic Functionality

There has been consistent business license history on the property, suggesting it is a functioning property as currently zoned. Broadening the types of allowed uses may increase the occupancy of the building. However, because the property was built specifically for industrial use, it does not contain the aspects of food preparation and/or disposal that is needed to operate any eating establishment.

It should also be noted that Red Hare Brewing Co. LLC has discussed a proposal to add a location on the Marietta Square.

Infrastructure

The proposed locations for the food truck would not be within any parking area so the existing amount of parking spaces would be maintained. The site plan provided does not have the parking spaces clearly marked. However, aerial images indicate there are approximately seventeen (17) spaces on site, which would satisfy the requirements for a manufacturing facility with an accessory food trailer.

This request for a food truck should not have any additional impacts on the education, water, sewer, electricity, or other public infrastructure in the area as long as the proper food disposal practices are conducted.

History of Property

The Board of Zoning Appeals previously approved the following variances:

- V2014-57: Variance to reduce the required landscape buffer from 50' to 10' to accommodate new parking lot with the stipulation that the City Arborist inspect the property to determine whether additional evergreen trees should be required, as described and depicted in that certain letter dated October 27, 2014 from D. Boyd Johnson to the City of Marietta Board of Zoning Appeals.
***This parking area was never built.*
- V2015-19: Variance to allow the use of metal siding on the front and side of a building facing a roadway.

There is no history of any Special Land Use Permits or rezonings for the subject property.

Other Issues

Based on the current pandemic state, the outdoor seating area shall comply with social distancing orders and all utility hook ups shall be screened from view from the public right-of-way.

City Council shall consider, at a minimum, the following in its determination of whether or not to grant a Special Land Use Permit:

1. *Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.*
2. *Whether or not the use is compatible with the neighborhood.*
3. *Whether or not the proposed use will constitute a nuisance as defined by state law.*
4. *Whether or not property values of surrounding property will be adversely affected.*
5. *Whether or not adequate provisions are made for parking and traffic considerations.*
6. *Whether or not the site or intensity of the use is appropriate.*
7. *Whether or not adequate provisions are made regarding hours of operation.*
8. *The location or proximity of other similar uses (whether conforming or nonconforming).*
9. *Whether or not adequate controls and limits are placed upon commercial deliveries.*
10. *Whether or not adequate landscaping plans are incorporated to ensure appropriate transition.*
11. *Whether or not the public health, safety and welfare of the surrounding neighborhoods will be adversely affected.*



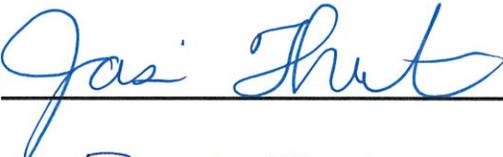
ANALYSIS & CONCLUSION

Red Hare Brewing Co. LLC is seeking a Special Land Use Permit (SLUP) for the property at 1998 Delk Industrial Boulevard. The subject property and all surrounding properties are zoned LI, except the property to the rear that is zoned RM-12 in Cobb County. The 1.2 acre parcel has been operated by Red Hare Brewing Co. since 2011. The surrounding businesses consist of wholesale, sales office, contractors, and other related industrial businesses. The applicant wishes to add to its location a mobile retail food establishment (food truck) to operate permanently on the property.

The applicant’s SLUP request would allow a food truck to operate six (6) days a week during normal business hours. The subject property currently has outdoor seating in the front yard and toward the northeastern section of the site. Based on the submitted site plan, the applicant proposes two potential locations for the food truck – one directly in front of building, left of the main entrance; and the other to the side of building, right of the main entrance. Either placement must be at least 10 feet from the main structure per Marietta Fire Department.

Staff does not have the authority to allow a food truck for more than twelve (12) days a year. In addition, based on the subject property’s proximity to a residential property, the food truck operation must cease at 9:00 p.m. unless explicitly authorized by City Council to operate later. Although the subject property has never operated as an eating establishment, it has provided regular outdoor seating for guests.

The subject property’s Future Land Use designation is IW, which is compatible with LI, OS, and PID zonings. The food truck is an accessory use to support the existing business, which is compatible with a future land use of IW. Therefore, this SLUP request is supported by the City’s Comprehensive Plan.

Prepared by: 

Approved by: 



DATA APPENDIX

CITY OF MARIETTA - WATER

Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	N/A
Size of the water line?	10"
Capacity of the water line?	A fire flow test may be required
Approximate water usage by proposed use?	Not provided

CITY OF MARIETTA - WASTEWATER

Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	N/A
Size of the sewer line?	8"
Capacity of the sewer line?	A.D.F. Peak
Estimated waste generated by proposed development?	Not provided
Treatment Plant Name?	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County



DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

Does flood plain exist on the property:	<u>Yes</u>
What percentage of the property is in the flood plain?	<u>20%</u>
What is the drainage basin for the property?	<u>Rottenwood Creek</u>
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	<u>No</u>
If so, is the use compatible with the possible presence of wetlands?	<u>No</u>
Do stream bank buffers exist on the parcel?	<u>Yes</u>
Are there other topographical concerns on the parcel?	<u>No</u>
Are there storm water issues related to the application?	<u>No</u>
Potential presence of endangered species in the area?	<u>No</u>

Additional Comments:

- Full site development plans required
- Site plans must address what methods will be proposed for used grease, wash water storage and/or disposal

TRANSPORTATION

What is the road effected by the proposed change?	<u>Delk Industrial Boulevard</u>
What is the classification of the road?	<u>Local</u>
What is the traffic count for the road?	<u>NA</u>
Estimated # of trips generated by the proposed development?	<u>NA</u>
Estimated # of pass-by cars entering proposed development?	<u>NA</u>
Do sidewalks exist in the area?	<u>No</u>
Transportation improvements in the area?	<u>None</u>
If yes, what are they?	<u></u>



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development?	1160 Franklin Gateway
Distance of the nearest station?	0.3 miles
Most likely station for 1 st response?	55
Service burdens at the nearest city fire station (under, at, or above capacity)?	Under

Comments:

- Unit can be no closer than 10 feet from the building.
- All state requirements for food truck or mobile food vendors must be met.
- If variable food trucks, each will have to be inspected each time. If same vendor and same unit inspection not required each time.
-

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:



Department of Development Services
 205 Lawrence Street
 Marietta, GA 30060
 Phone: 770-794-5440
 Rusty Roth, AICP, Director

APPLICATION FOR SPECIAL LAND USE PERMIT
 (Owner/Applicant/or Representative must be present at all public hearings)

For Office Use Only:

Application#: Z2020-25 Legistar#: 20200577 PZ #: 20-187
 PC Hearing: 8/4/2020 CC Hearing: 8/12/2020 BZA Hearing: n/a

Planning Commission/City Council

Board of Zoning Appeals

Owner's Name 1998 Delk Industrial LLC
 Address PO Box 133277, Atlanta, GA Zip Code: 30333
 Telephone Number: 404 805 652 Email Address: rmcaffrey@tamarackinv.com
RMCAFFREY@TAMARACKINV.COM

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant: Red Hare Brewing Co. LLC - Roger Davis
 Address 1998 Delk Industrial Blvd, Marietta, GA Zip Code: 30067
 Telephone Number 770-331-8763 Email Address: roger@redharebrewing.com

Address of property for which special land use is requested:
1998 Delk Industrial Blvd Date of Acquisition: June 2019
 Land Lot (s) 715 District 17 Parcel 0150 Acreage 1.18 Zoned LI Ward 1A FLU IW

List the special land use permit requested (please attach any additional information):
Food truck as part of our outdoor patio to operate 6 days a week during our regular brewery tasting hours

- Required Information**
1. Application fee: Board of Zoning Appeals (\$250) or Planning Commission/City Council (\$500)
 2. Completed notarized application. **The original application must be submitted with ALL original signatures – Copies of the application or signature(s) will NOT be accepted.**
 3. Legal description of property. **Legal description must be in a WORD DOCUMENT.**
 4. Site plan: One copy scaled to an 8 1/2" X 11" size. If larger than 11" x 17", will need 25 copies. Site plan must be drawn to scale prepared by an architect, engineer, (P.E. or Civil Engineer), whose state registration is current and valid.
 5. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.

Note: The Department of Development Services reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

OVER

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, Planning Commission, or Board of Zoning Appeals within the two (2) years preceding the filing of the this application.

[Signature]
Signature of Owner
S. P. VAN K. CAFFREY
Print Name

[Signature]
Signature of Applicant
Roger Davis
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.

[Signature]
Print Name

Roger Davis
Signature of Applicant

OWNER/APPLICANT CERTIFICATION

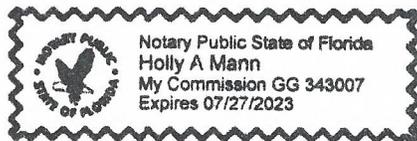
- The Owner/Applicant certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant's knowledge and belief. Should any portion not be true, then the application may be rejected.
- Penalty for false or 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/Applicant hereby gives permission to enter on the property for inspection during the time application is pending.

[Signature]
Signature

Roger Davis
Please Print

1998 Delk Industrial Blvd. Marietta, GA 30067
Address

0-23-20
Date



Signed, sealed and delivered in the presence of:

[Signature]

My Commission Expires: 7/27/23

TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: July 17, 2020

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

The City of Marietta hereby gives notice that a public hearing will be held on the following by the Planning Commission on **Tuesday, August 4th, 2020, 6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday, August 12th, 2020, 7:00 p.m.**, City Hall, for a final decision to be made.

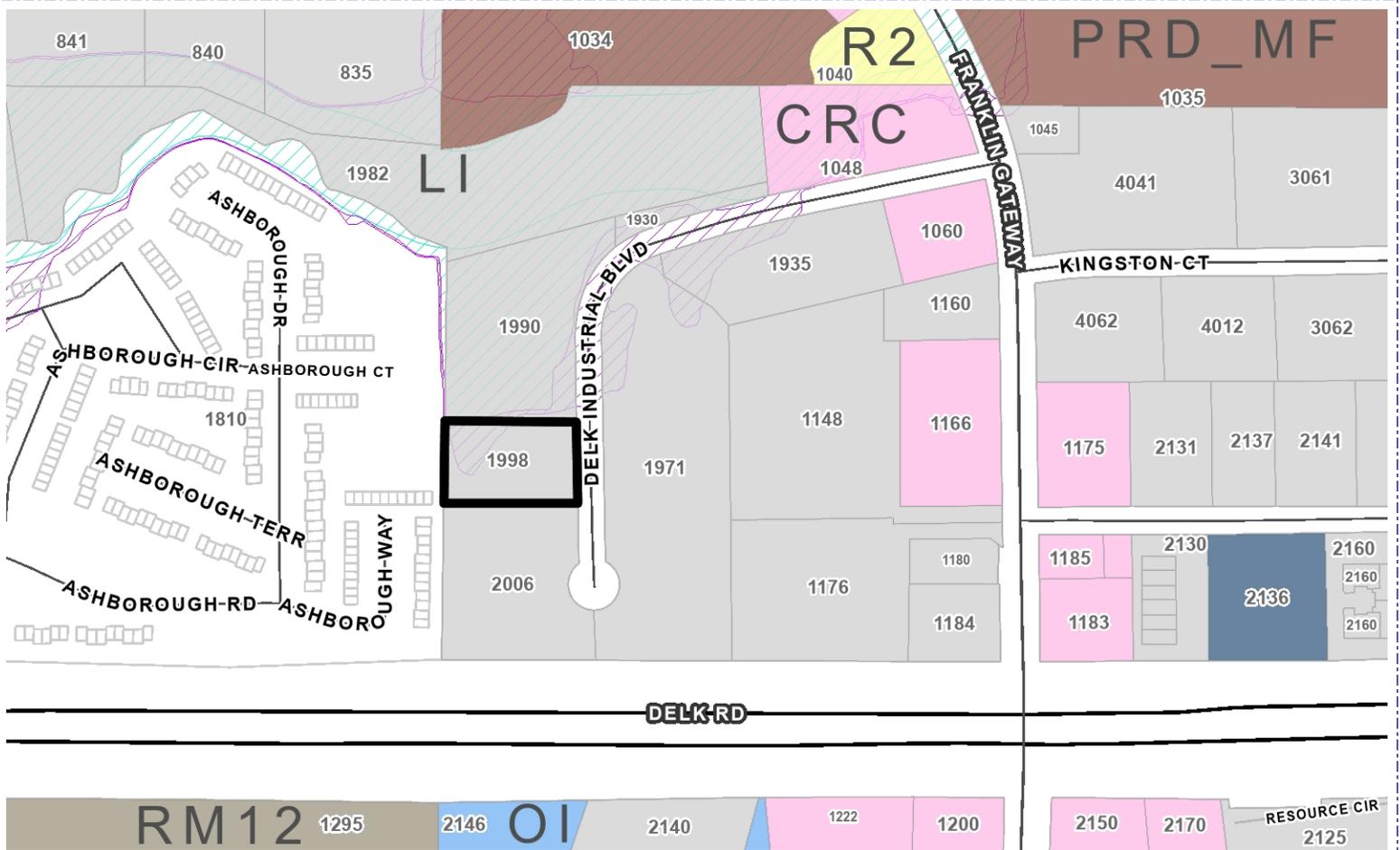
Z2020-25 [SPECIAL LAND USE PERMIT] RED HARE BREWING CO. LLC is requesting a Special Land Use Permit for 1.2 acres located in Land Lot 715, District 17, Parcel 0150, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1998 Delk Industrial Boulevard from LI (Light Industrial) to LI (Light Industrial) with a special land use permit for a mobile retail food establishment. Ward 1A.

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.mariettaga.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.

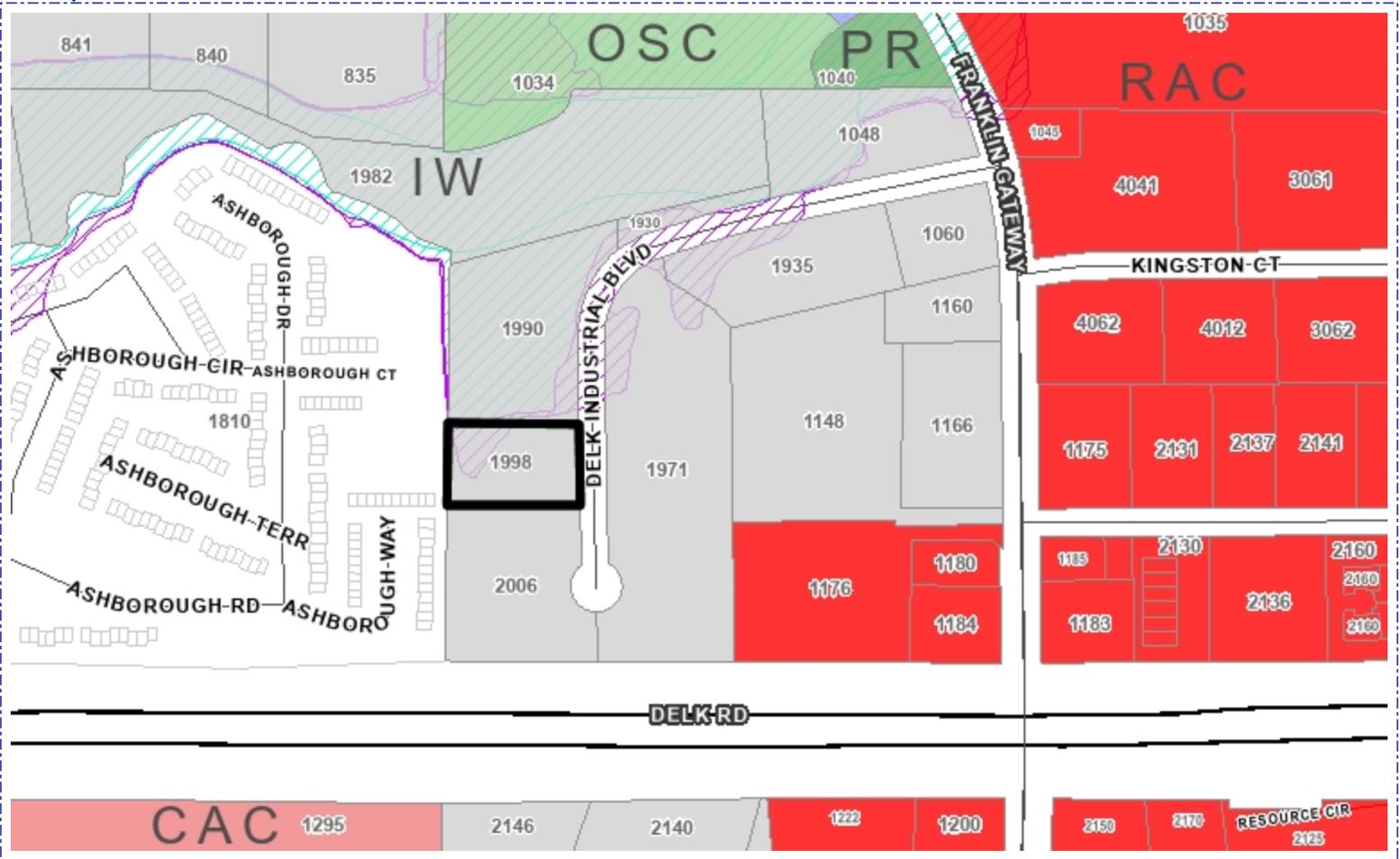
Accessibility to Meetings: If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call ADA Coordinator at 770-794-5558 no later than 48 hours before the date of the above meeting.

City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

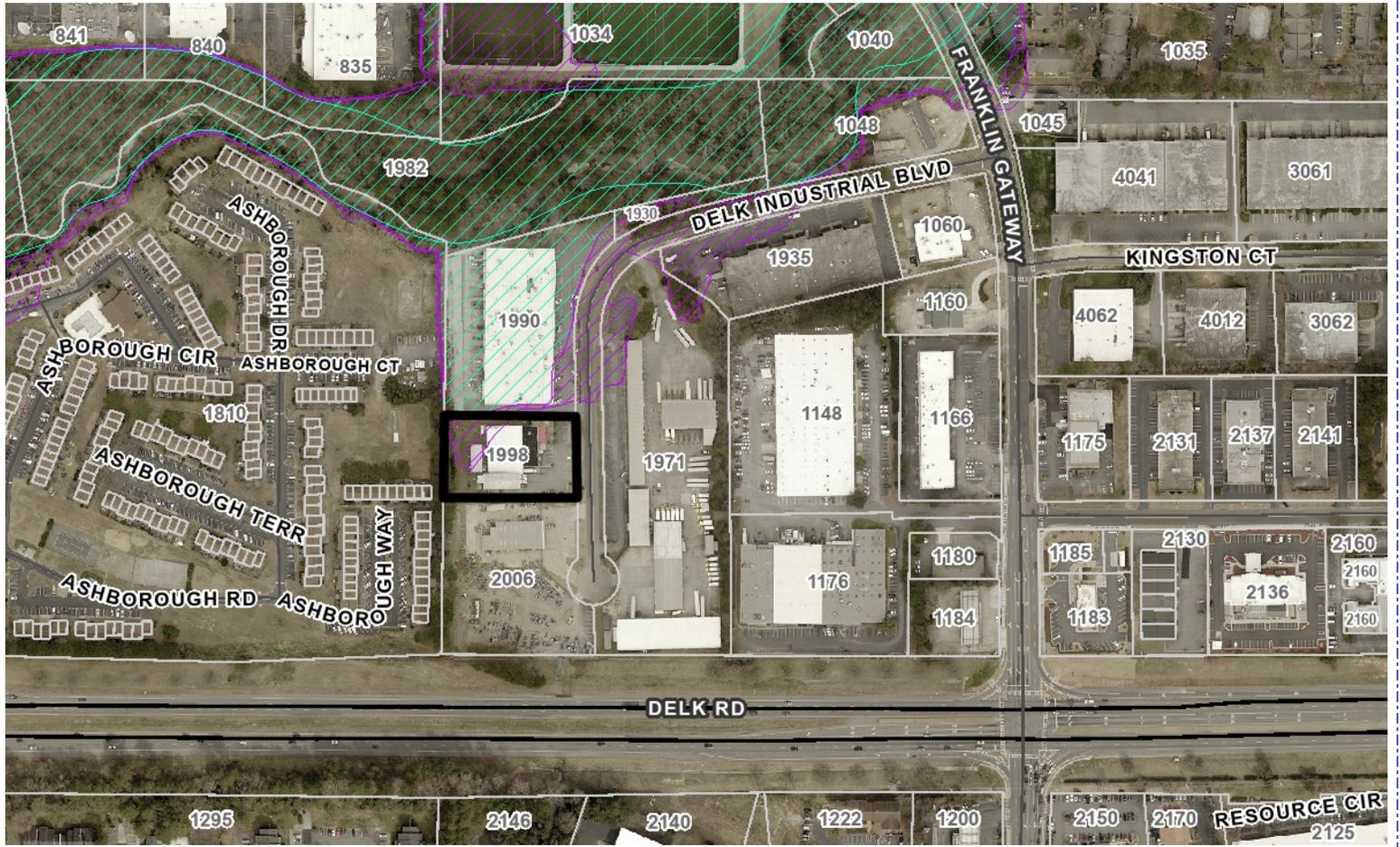


Address	Parcel Number	Acreage	Ward	Zoning	FLU
1998 DELK INDUSTRIAL BLVD	17071500150	1.207	1A	LI	IW

Property Owner:	1998 Delk Industrial LLC	Zoning Symbols
Applicant:	Red Hare Brewing Co, LLC/Roger Davis	
Agent:		
Proposed Use:		
Planning Commission Hearing Date:	08/04/2020	
City Council Hearing Date:	08/12/2020	
Case Number:	Z2020-25 SLUP	
City of Marietta Planning & Zoning		



Address	Parcel Number	Acreage	Ward	Zoning	FLU
1998 DELK INDUSTRIAL BLVD	17071500150	1.207	1A	LI	IW
Planning Commission Hearing Date:	08/04/2020	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			
City Council Hearing Date:	08/12/2020				
Future Land Use:	IW				
Case Number:	Z2020-25 SLUP				
Comments:					
City of Marietta Planning & Zoning					



Address	Parcel Number	Acreage	Ward	Zoning	FLU
1998 DELK INDUSTRIAL BLVD	17071500150	1.207	1A	LI	IW

Property Owner:	1998 Delk Industrial LLC
Applicant:	Red Hare Brewing Co, LLC/Roger Davis
City Council Hearing Date:	08/12/2020
Planning Commission Hearing Date:	08/04/2020
BZA Hearing Date:	Case Number: Z2020-25 SLUP
Comments:	

Legend

- Railroads
- City Limits
- Cobb County Pockets

Table with 2 columns: REVISION NUMBER, DESCRIPTION

CLIENT
RED HARE BREWING COMPANY
1600 RIVERDALE BOULEVARD
MARIETTA, GA 30067

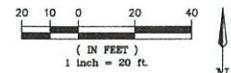
AGENT
ATKINS
1450 WASHINGTON BLVD, SUITE 200
ATLANTA, GA 30338
TEL: 770-433-0200 FAX: 770-433-8556 WWW.ATKINSUSA.COM

ATKINS



**1600 DELK INDUSTRIAL BOULEVARD
ALTA/ACSM LAND TITLE SURVEY**
LAND LOT, 7th DISTRICT, COBB COUNTY, GEORGIA

JOB NO. 100042114
DRAWING: WSP
DRAWN: WSP
CHECKED: BOD
DATE: 5/14



**ZONING REQUIREMENTS
LIGHT INDUSTRIAL**
Minimum Lot Size: 20,000 sq. ft.
Minimum Lot Width: 100 ft.
Maximum Building Height: 50 ft.
Maximum Floor Area Ratio: 0.50
Maximum Impervious Surface: 75%
Front Setback (arterial): 75 ft.
Front Setback (collector): 50 ft.
Front Setback (local): 50 ft.
Side Setback (major): 50 ft.
Side Setback (minor): 20 ft.
Rear Setback: 40 ft.

- LEGEND**
- PROPERTY CORNER
 - POWER POLE
 - TRAFFIC SIGNAL POLE
 - POWER BOX
 - TELEPHONE BOX
 - WATER SPOUT
 - POWER OUTLET
 - SIGN
 - BOLLARD
 - CLEAN OUT
 - SANITARY SEWER MANHOLE
 - CATCH BASIN
 - DROP INLET
 - STORM DRAIN MANHOLE
 - FIRE HYDRANT
 - GAS METER
 - LIGHT
 - TREE
 - AC AIR CONDITIONER
 - BSL BUILDING SETBACK LINE
 - CMP CORRUGATED METAL PIPE
 - DIP DUCTILE IRON PIPE
 - PVC POLYVINYL CHLORIDE PIPE
 - VCP VITRIFIED CLAY PIPE
 - RBW REBAR FOUND
 - RBS REBAR SET
 - OTB OPEN TOP PIPE
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - TBM TEMPORARY BENCH MARK

- X FENCE LINE
- V UNDERGROUND WATER LINE
- G UNDERGROUND GAS LINE
- SS SANITARY SEWER LINE
- SD STORM DRAIN LINE
- DHP OVERHEAD POWER LINE
- DHT OVERHEAD TELEPHONE LINE
- UTL UNDERGROUND TELEPHONE LINE
- LPL UNDERGROUND POWER LINE
- BRICK WALK
- GRAVEL
- CONCRETE

SURVEYOR'S NOTES

- The coordinates are based on NAD83 Georgia West Zone, US Survey Feet and the basis of bearing is Grid North observed using RTK GPS on October 25, 2014 utilizing the Georgia Reference Network (GRN).
 - The elevations shown hereon and the contours generated therefrom are based on NAVD 88 US Survey Feet and were established using RTK GPS on October 25, 2014 utilizing the Georgia Reference Network (GRN).
 - This survey was performed on the ground between October 25, 2014 and October 26, 2014, 2015. A Leica 1209 1201 Robotic Total Station was used to traverse the site. The field data upon which this survey is based has an angular error of 3 seconds per angle point and a closure precision of one foot in 292,182 feet and was adjusted by least squares.
 - This map or plot was calculated for closure and was found to have a closure precision of one foot in 154,918 feet.
 - The contour interval shown hereon is one foot.
 - There may be existing buried utilities and buried tanks, relics, valves, pipelines, wells, vaults, etc. not shown hereon.
- Portions of the subject property lie within a special flood hazard area as shown on Federal Emergency Management Agency Flood Insurance Rate Map 13067C01360, revised December 16, 2008. The flood hazard area lines crossing the subject parcel have been digitized from that map and shown hereon.

LEGAL DESCRIPTION

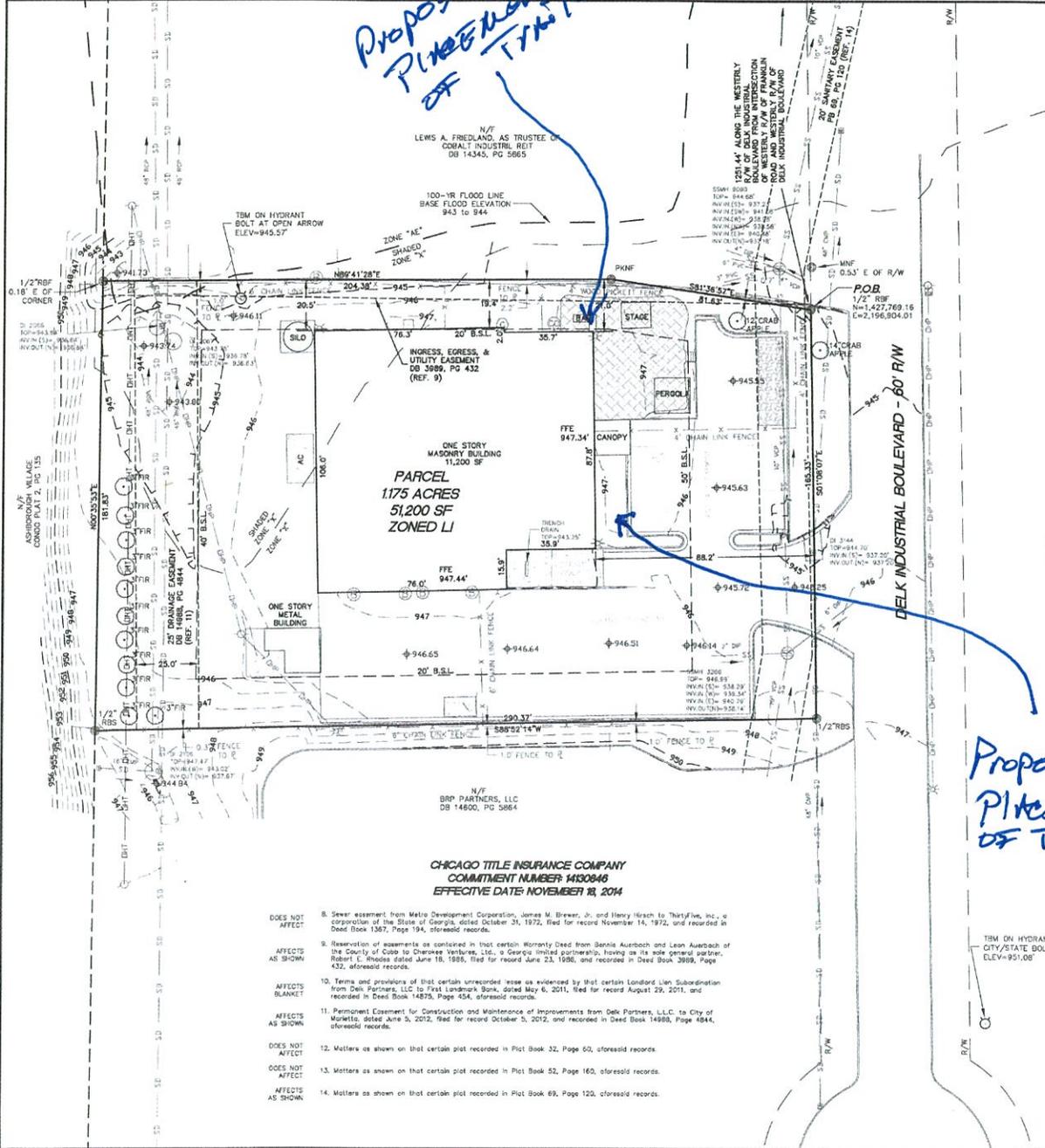
All that tract or parcel of land located in Land Lot 715 of the 17th District, 2nd Section, Cobb County, Georgia and being more particularly described as follows:
Begin at a 1/2" rebar found on the westerly right-of-way line of Delk Industrial Boulevard, said rebar being 1251.44 feet southeasterly from the intersection of the westerly right-of-way line of Delk Industrial Boulevard and the westerly right-of-way line of Franklin Road;
THENCE run along the westerly right-of-way line of Delk Industrial Boulevard, South 01 degrees 08 minutes 07 seconds East for a distance of 165.33 feet to a 1/2" rebar set;
THENCE leaving said right-of-way line of Delk Industrial Boulevard, run South 88 degrees 52 minutes 14 seconds West for a distance of 290.37 feet to a 1/2" rebar set;
THENCE North 00 degrees 35 minutes 53 seconds East for a distance of 181.83 feet to a point, said point being 0.18 feet from a 1/2" rebar found;
THENCE North 69 degrees 41 minutes 28 seconds East for a distance of 204.36 feet to a PK nail found;
THENCE South 81 degrees 36 minutes 57 seconds East for a distance of 81.63 feet to the POINT OF BEGINNING.

Said tract or parcel contains 1.175 acres or 51,200 square feet more or less.

Proposed Placement of Trailer

Proposed Placement of Trailer

*Either Placement will work
Just 1 Placement Needed*



N/E LEWIS A. FRIEDLAND, AS TRUSTEE OF CORAL INDUSTRIAL REIT DB 14345, PG 5865

PARCEL 1.175 ACRES 51,200 SF ZONED LI

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT NUMBER: M130846
EFFECTIVE DATE: NOVEMBER 18, 2014

- DOES NOT AFFECT
- Sewer easement from Metro Development Corporation, James M. Brewer, Jr. and Henry Hirsch to Thirty-Five, Inc., a corporation of the State of Georgia, dated October 31, 1972, filed for record November 14, 1972, and recorded in Deed Book 1367, Page 194, aforesaid records.
 - Reservation of easements as contained in that certain Warranty Deed from Dennis Auerbach and Leon Auerbach of the County of Cobb to Cherokee Ventures, LLC, a Georgia limited partnership, having as its sole general partner, Robert E. Rhodes dated June 16, 1989, filed for record June 23, 1989, and recorded in Deed Book 3989, Page 432, aforesaid records.
 - Terms and provisions of that certain unrecorded lease as evidenced by that certain Landlord Lien Subordination from Delk Partners, LLC to First Landmark Bank, dated May 6, 2011, filed for record August 29, 2011, and recorded in Deed Book 14875, Page 454, aforesaid records.
 - Permanent Easement for Construction and Maintenance of Improvements from Delk Partners, LLC to City of Marietta, dated June 5, 2012, filed for record October 5, 2012, and recorded in Deed Book 14888, Page 4844, aforesaid records.
- DOES NOT AFFECT
- Matters as shown on that certain plot recorded in Plot Book 52, Page 60, aforesaid records.
- DOES NOT AFFECT
- Matters as shown on that certain plot recorded in Plot Book 52, Page 160, aforesaid records.
 - Matters as shown on that certain plot recorded in Plot Book 69, Page 120, aforesaid records.

