Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Brian Binzer, Director

STAFF REVIEW AND RECOMMENDATION

Variance Case #: **V2015-14** **Legistar #:** **20150201**

Board of Zoning Appeals Hearing: **Monday, March 30, 2015**

Property Owner: **State Mutual Insurance Company**
P.O. Box 153
Rome, GA 30162-0153

Applicant: **Sidney P. Wright, P.C.**
P.O. Box 69
Rome, GA 30162-0069

Address: **1097 Radar Circle**

Land Lot: **1211** **District:** **16** **Parcel:** **0350**

Council Ward: **7A** **Existing Zoning:** **CRC (Community Retail Commercial)**

Special Exception / Special Use / Variance(s) Requested:

1. Variance to operate automobile sales on a parcel that is only 0.65 acres. *[§708.16 (B.6)]*

Statement of Fact

As per section 720.03 of the Comprehensive Development Code of Marietta, the Board of Zoning Appeals may alter or modify the application of any such provision in the Development Code because of unnecessary hardship if doing so shall be in accordance with the general purpose and intent of these regulations, or amendments thereto, and only in the event the board determines that by such alteration or modification unnecessary hardship may be avoided and the public health, safety, morals and general welfare is properly secured and protected. In granting any variance the board of zoning appeals shall designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of these regulations and may designate conditions to be performed or met by the user or property owner, out of regard for the public health, safety, comfort, convenience, and general welfare of the community, including safeguards for, with respect to light, air, areas of occupancy, density of population and conformity to any master plan guiding the future development of the city. The development costs of the applicant as they pertain to the strict compliance with a regulation may not be the primary reason for granting a variance.

Criteria:

1. Exceptional or extraordinary circumstances or conditions *are/are not* applicable to the development of the site that do not apply generally to sites in the same zoning district.
2. Granting the application *is/is not* necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.

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3. Granting the application *will/will not* be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

PICTURES

1097 Radar Circle

1097 Radar Circle

Recommended Action:

Denial. Mr. Sidney P. Wright, P.C. is requesting a variance for the property located at 1097 Radar Circle that would allow an automobile sales on a parcel that is only 0.65 acres in area. However, as defined in Section 708.16 (B.6) under permitted uses, one of the conditions for automobile sales is that a minimum one acre lot size is required. The property is zoned CRC (Community Retail Commercial) and is located near the corner of Radar Circle and Roswell Road, just across the street from the Big Chicken. All of the surrounding properties are also zoned CRC.

City records show this property was used for car sales until February 2013, when the utilities to the building were cut off. After a convoluted and lengthy foreclosure process as a result of payment default and fraudulent activity by the previous owner, the property is now bank owned. Since the city requires at least an acre of land for properties conducting car sales, the property lost its nonconforming status once the utilities were off for over six (6) months. The bank is requesting to reestablish the nonconforming use in order to facilitate a sale of the property.

In February 1998 the Board of Zoning Appeals granted variances (V-98005) to reduce the rear yard setback for the warehouse building and the setbacks for the accessory structure.

The Board of Zoning Appeals has considered the following cases regarding automobile sales on sites that do not meet the one acre requirement:

Case #	Address	Acreage	Zoning	Ruling	Stipulations
V2000-07	1960 Airport Ind Park Drive	0.46	LI	Approved	None
V2000-12	1326 Cobb Pkwy N	0.64	CRC	Approved	No more than 6 cars for sale at a time
V2000-16	2072 Airport Ind Pk Dr	0.65	LI	Approved	None
V2001-02	484 Cobb Pkwy N	0.611	CRC	Denied	
V2001-07	1195 Cobb Pkwy S	0.426	CRC	Approved	None
V2004-21	44 N Fairground St	0.3	CRC	Approved	Sale of motorcycles only; vehicles to be stored inside at the end of business day
V2006-06	1791 Roswell Rd	0.7	CRC	Denied	
V2007-05	1955 Airport Ind Park Drive	0.348	LI	Approved	None
V2013-03	927 & 929 S Marietta Pkwy	0.77	CRC	Denied	
V2013-46	927 & 929 S Marietta Pkwy	0.77	CRC	Denied	
V2014-16	476 Cobb Pkwy N	2.209	CRC	Approved	2 car lots + other
V2014-28	1245 Bellemeade Dr	0.557	CRC	Approved	None
V2014-35	1641 Canton Rd	0.841	CRC	Approved	None

The CRC zoning district is a very broad zoning category that allows many allowable uses other than car sales. The subject property's visibility from Roswell Road and proximity the intersection of Cobb Parkway and Roswell Road makes it commercially attractive.

It is the intent of Section 706.02, Continuance of a nonconforming use, to allow such uses remain as long as they are consistently used, but to encourage them to eventually cease. Reestablishing a nonconforming use on this property contradicts the intent of this ordinance. Any car selling businesses operating in the general vicinity of the subject property are legally nonconforming, as they have a continuous history of operating at their location despite the necessary acreage. Staff does not encourage the proliferation of car sales on substandard lots to continue. ***Staff recommends denial of this variance.***

PZ 15-06

Marietta GEORGIA

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Brian Binzer, AICP, Director

APPLICATION FOR VARIANCE OR APPEAL

(Owner/Applicant/or Representative must be present at all public hearings)

Application #: V2015-14 **Hearing:** 3/30/15 **Legistar #** _____

This is a variance/appeal application for:

☑ **Board of Zoning Appeals** ☐ **City Council**

Owner's Name State Mutual Insurance Company

Address P O Box 153, Rome GA Zip Code: 30162-0153

Telephone Number: 706-236-9935 (Sid) Email Address: wrightsp@bellsouth.net

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant Sidney P. Wright, P.C.

Address P O Box 69, Rome GA Zip Code: 30162-0069

Telephone Number 706-236-9935 Email Address: wrightsp@bellsouth.net

Address of property for which a variance or appeal is requested:

1097 Radar Circle, Marietta GA 30062 Date of Acquisition: May 6, 2014

Land Lot (s) 1211O District 16 Parcel 1350 Acreage .65 .664 Zoned CRC Ward 7A FLU RAC

List the variance(s) or appeal requested (please attach any additional information):

Owner requests variances from minimum lot size and setback as more particularly described in attached letter dated February 16, 2015.

Required Information

1. Application fee ($250)
2. Completed notarized application. **The original application must be submitted with ALL original signature(s) – Copies of the application or signature(s) will NOT be accepted.**
3. Legal description of property.
4. Letter describing the reason for the variance request, stating why strict adherence to the code would result in a particular hardship (as distinguished from a mere inconvenience or desire to make more money).
5. Site plan - 25 copies of site plan drawn to scale. Site plans must illustrate property lines and all relevant existing information and conditions in addition to proposed additions or modifications within the referenced property lines of the tract(s).
6. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.
7. Documentation authorizing applicant to submit application by property owners if applicant is not owner.

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

Law Offices

SMITH & WRIGHT, LLP

A Limited Liability Partnership

The Sullivan-Hillyer House
309 East Second Avenue
P.O. Box 69
Rome, Georgia 30162-0069

S. David Smith, Jr., P.C.
Sidney P. Wright, P.C.

Telephone: (706) 236-99
Telefax: (706) 236-92

February 16, 2015

Mr. Brian Binzer, AICP, Director
Department of Development Services
205 Lawrence Street
Marietta, Georgia 30050

RE: **Request for Variance**
Property Owner: State Mutual Insurance Company
Property Address: 1097 Radar Circle, Marietta, Georgia 30062
Tax Parcel # 16121101350

Dear Mr. Binzer:

I represent State Mutual Insurance Company ("State Mutual") in the matter of its request for a variance with respect to the above referenced property. Along with the Application for Variance and required documentation, please find enclosed written authorization by J.P. Cooper, Assistant Vice-President of State Mutual, allowing you to communicate directly with me about this matter.

The subject property is located at the northeast corner of Radar Circle and Lasiter Drive in Marietta, Georgia. It is across Radar Circle and behind the Kentucky Fried Chicken on Cobb Parkway (the "Big Chicken"). It appears that the subject property is zoned Community Retail Commercial "CRC" under Section 708.16 of the Marietta, Georgia Zoning Ordinance (the "Code").

Attached to the Application for Variance is an "as built" Boundary Survey for State Mutual Insurance Company dated February 12, 2015 prepared by Hayes|James, Bruce W. Hamilton, G.R.L.S. No. 3082, which shows that the size of the subject property is 0.65 acre (28,545 sq. ft.). Located on the property is an existing one story building and an out building denoted as a shed on the survey. The main building may exceed the setback requirement on the northeasterly corner thereof. The shed appears to encroach on the adjoining property to the east and an existing one story building on the adjacent property to the south encroaches onto our property. The lot size and set back do not conform to the minimum requirements of Section 708.16(B)(6) of the Code.

State Mutual financed the purchase of the property by 1097 Sea Jay, LLC in 1997. The seller in that transaction was Fletcher Finance Company. 1097 Sea Jay, LLC leased the subject property to Second Chance Motors, which operated a used car lot on it. Attached is a copy of a survey of the property from 1994. We have been told by the operator of the used vehicle lot to the rear of the subject property that it has been used as a used car lot since approximately 1974. Use of the subject property for the sale of automobiles was "grandfathered" under the Code as a lawful non-conforming use.

I attach herewith a photocopy of the Cobb GIS map showing the subject property and surrounding property. As you can see, the lot to the rear of the subject property is presently being used for the sale of motor vehicles, as are lots on the opposite side of Lasiter Drive and Hagood Drive. There is located on the subject property a one story building that has sales offices on the east side of the building and bays on the west side of the building to clean and maintain the vehicles on the lot.

As noted above 1097 Sea Jay, LLC leased the subject property to Second Chance Motors, which operated a used car lot on it. 1097 Sea Jay, LLC and Second Chance Motors were both owned by Michael Farr.

Toward the end of 2012, 1097 Sea Jay, LLC defaulted in its loan payments, and State Mutual commenced non-judicial foreclosure proceedings in accordance with Georgia law. The evening before scheduled sale date, State Mutual received notice that Michael Farr, on behalf of 1097 Sea Jay, LLC, filed for Chapter 11 bankruptcy reorganization in the case styled In re: 1097 Sea Jay, LLC, United States Bankruptcy Court, Northern District of Georgia, Case No. 13-57329. The automatic stay imposed by the bankruptcy court filing forced State Mutual to suspend its foreclosure of the property.

While it was filed as a business "reorganization", the bankruptcy filing was little more than a stalling tactic to prevent foreclosure of the property. 1097 Sea Jay, LLC has a single asset: the subject property. It has only a single source of income: the lease with Second Chance Motors (also owned by Pharr). It was learned during the bankruptcy proceedings that Second Chance Motors had not made any lease payments in more than two (2) years. It was also learned that Mr. Pharr was a defendant in a federal court case in Michigan (which will be addressed below). State Mutual pursued the case in bankruptcy court, and the case was ultimately dismissed. Following dismissal of the bankruptcy case, State Mutual again initiated foreclosure proceedings, targeting a sale of the subject property on the first Tuesday in September, 2014.

Shortly before the September sale date, State Mutual received notice from 1097 Sea Jay, LLC's bankruptcy counsel that Michael Farr was the subject of an Order freezing his assets (including 1097 Sea Jay, LLC and the subject property owned by it) entered in the case styled U.S. Securities and Exchange Commission v. Onyx Capital Advisers, LLC, Roy Dixon, Jr. and Michael A. Farr, United States District Court for the Eastern District of Michigan, Southern Division, Civil Action No. 2:10-cv-11633-DPH-MKM. The lawsuit alleges that Farr participated in a scheme to defraud three Detroit, Michigan pension funds, using a number of entities owned by him, including 1097 Sea Jay, LLC and Second Chance Motors, as the vehicles for the diversion of such funds.

The specific pension funds are not named in the SEC complaint; however a case filed at or about the same time in federal district court in Michigan Civil Action (Civil Action No. 2:10-cv-11941-VAR-MAR) by the retirement systems of the City of Detroit Police and Fire Departments and the City of Pontiac General Employees Retirement Systems go into substantial detail about the scheme by Farr and his co-conspirators.

Judgment in excess of $48,000,000.00 was entered against Farr in January, 2014, which entry dissolved the asset freeze order, subject to Farr's right to file an appeal. Following the expiration of the appeal period, State Mutual again commenced foreclosure proceedings for an May, 2014 foreclosure, only to be met with notice that on May 5, 2014, the day before the scheduled foreclosure, Michael Farr, acting on behalf of 1097 Sea Jay, LLC, conveyed a ten (10%) percent interest in the property to order to a California resident identified as "Mario Cortina", who immediately filed a Chapter 7 bankruptcy petition in California, seeking to halt the foreclosure sale of the subject property.

Our research of the California bankruptcy records indicated that this appeared to be a "straw man" transaction, because the required documents were not filed with the initial petition. The petition was later dismissed because of Cortina's failure to file such required documentation. State Mutual foreclosed on the property on the first Tuesday in May, 2014, purchasing it at the sale. The foreclosure deed was filed after the dismissal of the Cortina bankruptcy.

After the Cortina bankruptcy, State Mutual had to resort to the courts to take possession of the property. It is our understanding that 1097 Sea Jay, LLC continued to use the property either through Second Chance Motors, or a different lessee, although the power to the property had been disconnected. Following dispossessory proceedings and the assistance of the Sheriff's Department to remove the personal property left on the subject property, State Mutual was finally able to take possession of the property, approximately two (2) years after it first attempted to foreclose it security deed.

The foregoing narrative shows that State Mutual has been frustrated at every step in its lawful attempts to take ownership and possession of the subject property. Michael Farr manipulated the system to prevent State Mutual from asserting its rights under Georgia law. It is our understanding that during the course of this process, the "grandfathered" status of the property for automobile sales has been lost.

As noted above, the subject property and properties surrounding it have been used for decades for automobile sales. The subject property is presently under contract for sale to the manager (not the owner) of the motor vehicle sales lot immediately behind the subject property. The contract is contingent upon a variance or other action being taken to enable the property to continue to be used for automobile sales.

State Mutual cannot help but note the uses of property under the current zoning classification, CRC are substantially the same as Central Business District "CBD" at Section 708.18 of the Marietta Zoning Ordinances. Next to the subject properties are fast food restaurants, which are allowed under either. Under Section 708.18(B)(7), automobile sales are permitted on lots as small as 20,000.00 square feet. While State Mutual understands that there are compelling interests for each different zoning classification, automobile sales in Marietta are permissible on lots less than 40,000.00 square feet. State Mutual is simply asking that it be allowed to continue using the lot in the same manner and for the same purpose that it has been used for more than 40 years.

State Mutual submits that it would be fundamentally unfair to refuse its request for variances of lot size and set back. It resorted to lawful means to obtain the property, only to be frustrated by the former owner's blatant manipulation of the judicial system to prevent State Mutual from asserting its rights to the property, including the right to maintain the grandfathered status of the property. It would work a hardship for State Mutual, as the former secured lender, to not be able to convey the property for a use that otherwise be lawful, but for the acts of Mr. Farr.

For the reasons stated herein, State Mutual respectfully requests that its request for variances be granted.

Sincerely yours,

SIDNEY P. WRIGHT, P.C.

SPW/
Enclosures
Cc: J.P. Cooper

TO: **Marietta Daily Journal**

FROM: **City of Marietta**

RUN DATE: **March 13, 2015**

PUBLIC NOTICE OF VARIANCES

The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the following variance requests. The Board of Zoning Appeals will consider the following requests on **Monday, March 30, 2015 at 6:00 P.M.,** City Hall. Anyone wishing to attend may do so and be heard relative thereto.

V2015-14 [VARIANCE] SIDNEY P. WRIGHT, P.C. (STATE MUTUAL INSURANCE CO.) requesting variances for property located in Land Lot 12110, District 16, Parcel 0350, 2nd Section, Marietta, Cobb County, Georgia and being known as 1097 Radar Circle. Variance to operate automobile sales on a parcel that is only 0.65 acres. Ward 7A.

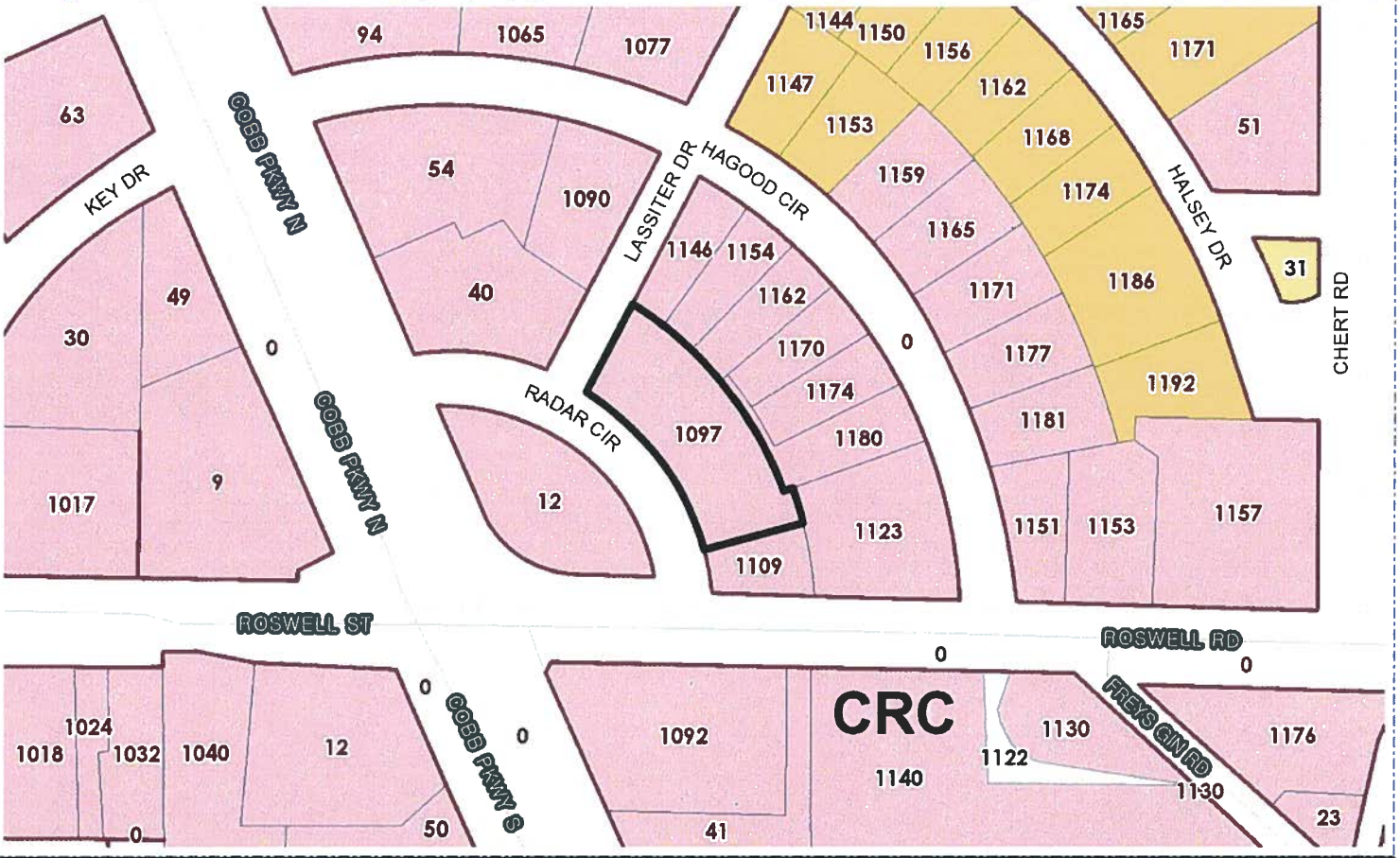
A description and plat of the property sought for the variances are on file in the Planning and Zoning Office, City Hall, and are available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

For additional information 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 Mr. Patrick Henley, ADA Coordinator, at 770-794-5558 (voice) or 770-794-5560 (TDD) no later than 48 hours before the date of the above meeting.

City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

Variance



Address	*Parcel Number*	*Acreage*	*Ward*	*Zoning*	*FLU*
1097 RADAR CIR	16121101350	0.664	7A	CRC	RAC

Property Owner: State Mutual Insurance Co

Applicant: Sidney P. Wright PC

BZA Hearing Date: 3/30/15

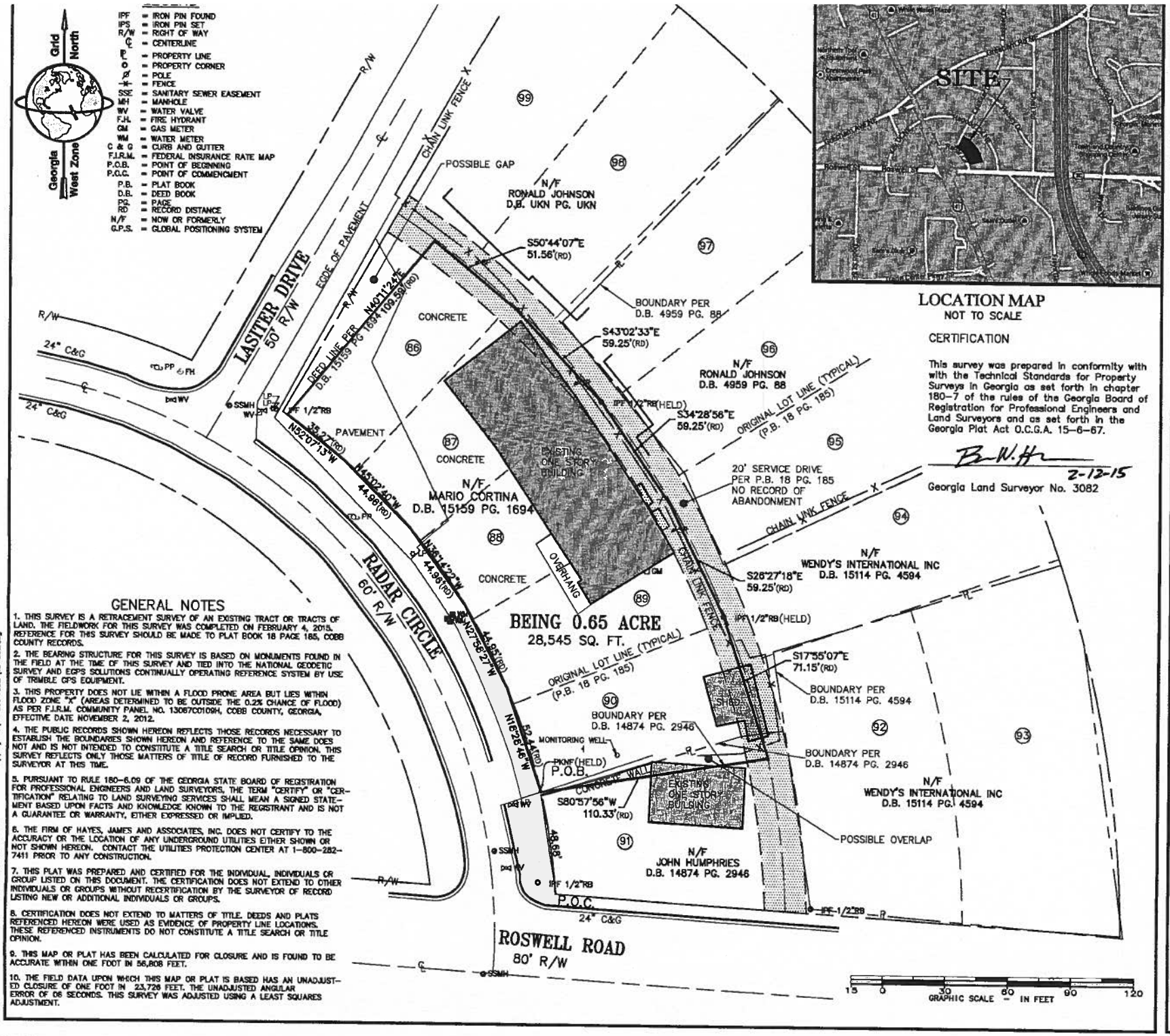
Acquisition Date:

Case Number: V2015-14

City of Marietta Planning & Zoning

Zoning Symbols

- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA5 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - Mobile Home Park
- PRD-SF - Planned Residential Dev. Single Family
- RM8 - Multi Family Residential (8 units/acre)
- RM10 - Multi Family Residential (10 units/acre)
- RM12 - Multi Family Residential (12 units/acre)
- RHR - Residential High Rise
- PRD-MF - Planned Residential Dev Multi Family
- NRC - Neighborhood Retail Commercial
- CRC - Community Retail Commercial
- RRC - Regional Retail Commercial
- PCD - Planned Commercial Development
- LI - Light Industrial
- HI - Heavy Industrial
- PID - Planned Industrial Development
- MXD - Mixed Use Development
- CBD - Central Business District
- OIT - Office Institutional Transitional
- LRO - Low Rise Office
- OI - Office Institutional
- OS - Office Services
- OHR - Office High Rise



LOCATION MAP
NOT TO SCALE

GENERAL NOTES

1. THIS SURVEY IS A RETRACEMENT SURVEY OF AN EXISTING TRACT OR TRACTS OF LAND. THE FIELDWORK FOR THIS SURVEY WAS COMPLETED ON FEBRUARY 4, 2015. REFERENCE FOR THIS SURVEY SHOULD BE MADE TO PLAT BOOK 18 PAGE 185, COBB COUNTY RECORDS.
2. THE BEARING STRUCTURE FOR THIS SURVEY IS BASED ON MONUMENTS FOUND IN THE FIELD AT THE TIME OF THIS SURVEY AND TIED INTO THE NATIONAL GEODETIC SURVEY AND EGPS SOLUTIONS CONTINUALLY OPERATING REFERENCE SYSTEM BY USE OF TRIMBLE GPS EQUIPMENT.
3. THIS PROPERTY DOES NOT LIE WITHIN A FLOOD PRONE AREA BUT LIES WITHIN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE OF FLOOD) AS PER F.I.R.M. COMMUNITY PANEL NO. 13067C0109H, COBB COUNTY, GEORGIA, EFFECTIVE DATE NOVEMBER 2, 2012.
4. THE PUBLIC RECORDS SHOWN HEREON REFLECTS THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR TITLE OPINION. THIS SURVEY REFLECTS ONLY THOSE MATTERS OF TITLE OF RECORD FURNISHED TO THE SURVEYOR AT THIS TIME.
5. PURSUANT TO RULE 180-6.09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
6. THE FIRM OF HAYES, JAMES AND ASSOCIATES, INC. DOES NOT CERTIFY TO THE ACCURACY OR THE LOCATION OF ANY UNDERGROUND UTILITIES EITHER SHOWN OR NOT SHOWN HEREON. CONTACT THE UTILITIES PROTECTION CENTER AT 1-800-282-7411 PRIOR TO ANY CONSTRUCTION.
7. THIS PLAT WAS PREPARED AND CERTIFIED FOR THE INDIVIDUAL, INDIVIDUALS OR GROUP LISTED ON THIS DOCUMENT. THE CERTIFICATION DOES NOT EXTEND TO OTHER INDIVIDUALS OR GROUPS WITHOUT RECERTIFICATION BY THE SURVEYOR OF RECORD LISTING NEW OR ADDITIONAL INDIVIDUALS OR GROUPS.
8. CERTIFICATION DOES NOT EXTEND TO MATTERS OF TITLE. DEEDS AND PLATS REFERENCED HEREON WERE USED AS EVIDENCE OF PROPERTY LINE LOCATIONS. THESE REFERENCED INSTRUMENTS DO NOT CONSTITUTE A TITLE SEARCH OR TITLE OPINION.
9. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 56,808 FEET.
10. THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS AN UNADJUSTED CLOSURE OF ONE FOOT IN 23,726 FEET. THE UNADJUSTED ANGULAR ERROR OF 08 SECONDS. THIS SURVEY WAS ADJUSTED USING A LEAST SQUARES ADJUSTMENT.

CERTIFICATION

This survey was prepared in conformity with with the Technical Standards for Property Surveys 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.

B. W. H. 2-12-15

Georgia Land Surveyor No. 3082

DATE

GEORGIA REGISTERED No. 2951 LAND SURVEYOR BRUCE W. HAMILTON

Hayes | James
ENGINEERS, PLANNERS & SURVEYORS
3830 EAST FIRST STREET
SUITE 1
BLUE RIDGE, GEORGIA 30513
TEL: (706) 632-4981
FAX: (706) 632-4982
CERTIFICATE OF AUTHORIZATION:
NO. LSF000255

BOUNDARY SURVEY
FOR
STATE MUTUAL
INSURANCE COMPANY
1097 Radar Circle

PROJECT LOCATION
Land Lot(s): 1211
District: 16
City: Marietta
County:Cobb
State: Georgia

Project No. 15-506C
Drawn By: mjm
Checked By: bwh
Date: 2/11/2015
Scale: 1"= 30

NO.	DESCRIPTION	DATE	BY	APPR.
	REVISIONS			

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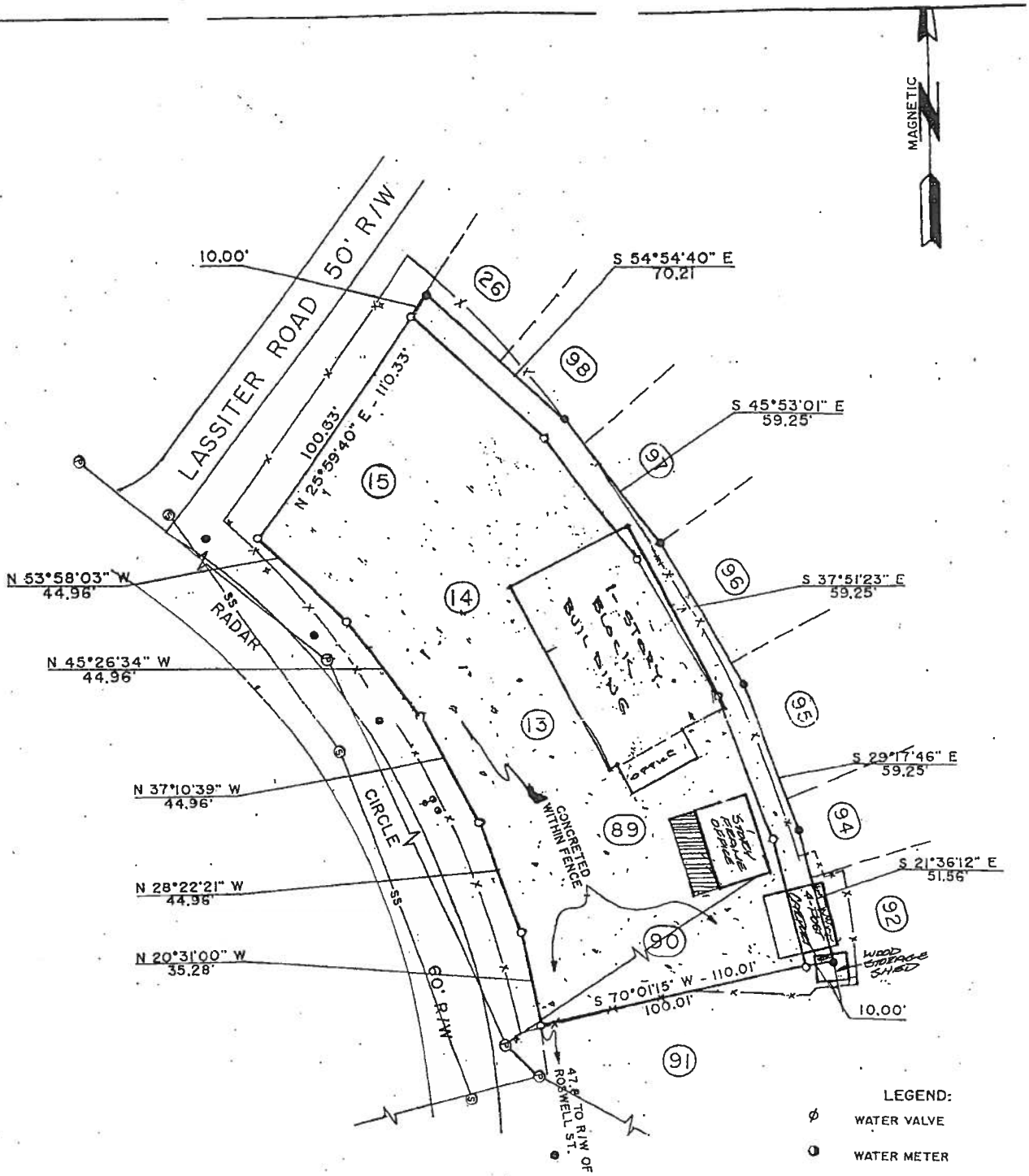
HAYES, JAMES & ASSOCIATES, INC
This drawing and their reproductions are the property of the engineers and may not to be reproduced, published, or used in whole or in part without the written permission of the surveyor.

Sheet Number
1 of 1

Thomas M. Hipp 2/4/2015 2:21:28 PM k:\projects\15-506 radar\15-506.dwg



ALL PINS ARE 3/8" REBAR UNLESS OTHERWISE NOTED

AREA= 0.64 ACRES

PLAT BOOK PAGE

DATE OF FIELD SURVEY: 8-8-94 12-22-97

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 20,000± FEET, AND ANGULAR ERROR OF 03 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING CRANDALL'S RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 40,000± FEET.

EQUIPMENT USED: TOPCON GTS-2(B) AND TRANSIT W/200' STEEL TAPE.

I HAVE THIS DATE, EXAMINED THE "FIA OFFICIAL FLOOD HAZARD MAP" AND FOUND REFERENCED LOT (is NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS PER FIRM # 13067C0065F DATED: AUG. 18, 1992

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

GA. REG. LAND SURVEYOR NO. 2104

REGISTERED GEORGIA LAND SURVEYOR KENNETH L. NUTT

KENCO/PERIMETER SURVEYING, L.L.C.
1065 SANDTOWN RD. SW.
MARIETTA, GEORGIA 30008
PH:(770-421-1186
FX:(770-425-6768

J & B AUTO SALES

LOT(s) 15,14,13,89 & 90	REVISIONS
Mr. & Mrs. H.C. LASSITOR ESTATE	12-29
LAND LOTS- 1211	
DISTRICT- 16th SECT- 2nd	C.C. MMcGee
COUNTY- COBB	DRWN. E.N.
STATE- GEORGIA	CHKD. K.L.N.
DATE- 8-11-94 SCALE 1"= 40'	JOB # 1033