



Michael L. Thurmond
Chief Executive Officer

DeKalb County Zoning Board of Appeals
 Department of Planning & Sustainability
 330 Ponce De Leon Avenue, Suite 300
 Decatur, GA 30030



Wednesday, January 8, 2020 at 2:00 PM
Planning Department Staff Analysis

Case No: A-20-1244443	Parcel ID(s): 18-111-03-018
Commission District: 2 Super District: 6	
Applicant:	Focus Brands c/o Julie Sellers, Esq. 1776 Peachtree Street NW, Suite 390N Atlanta, GA 30309
Owner:	Huckleberry Properties, Inc. 5 Brewster Street Glen Cove, NY 11542-2549
Project Name:	2933 North Druid Hills Road
Location:	The south side of North Druid Hills Road
REQUEST:	A variance to install plant materials in the required property perimeter landscape strip in accordance with Condition No. 2 of SLUP-20-1244105 instead of as required by Section 27-5.4.4(C) of the DeKalb County Code.
Staff Recommendation:	APPROVAL , with the following condition: , “In addition to the plantings reflected on the Landscape Plan, [“JAMBA Toco Hills”, prepared by idstudio], Developer shall install landscaping to include shrubs or evergreen plants along the rear property line.,

STAFF FINDINGS:

Table 1: Surrounding Zoning and Land Uses

	Adjacent Zoning	Adjacent Land Use
North	--	North Druid Hills Road
East	--	North Druid Hills Road
South	C-1	Commercial
West	C-1	Commercial
Northeast	C-1	Commercial
Northwest	C-1	Commercial
Southeast	--	North Druid Hills Road
Southwest	C-1	Commercial
Street Type	Major Thoroughfare	

Site Location: The property is located on the southwestern side of North Druid Hills Road, approximately 690 feet northwest of the intersection of North Druid Hills Road and Azalea Circle.

Variance request:

The subject property is a .45-acre, flat, rectangular parcel with 149 feet of frontage on North Druid Hills Road. Currently a level asphalt surface, the site was formerly developed with a Wing Stop restaurant. It is part of the commercial corridor that lines both sides of North Druid Hills Road between Lavista Road and Clairmont Road. Land uses on both sides and to the rear of the subject property are commercial.

On November 10, 2020, the Board of Commissioners approved SLUP-20- a Special Land Use Permit (SLUP) for development of a drive-through restaurant on the property with conditions. Condition No. 2 states, "In addition to the plantings reflected on the Landscape Plan, Developer shall install landscaping to include shrubs or evergreen plants along the rear property line." The landscape plan referred to in the condition is titled, "JAMBA Toco Hills", was prepared by idstudio, and is attached to this report.

Section 27-5.4.4 (c)(2) of the DeKalb County Code requires "one (1) overstory deciduous shade tree, or three (3) understory or three (3) evergreen trees, for every fifty (50) linear feet at a minimum size of two-inch caliper for deciduous trees and eight-foot height for evergreen trees." The applicant proposes to plant the landscape plan in accordance with the approved landscape plan and approved SLUP Condition No. 2.

Variance Analysis:

1. By reason of exceptional narrowness, shallowness or shape of a specific lot, or by reason of exceptional topographic conditions, which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district:

The dimensions of the subject property exceeds the minimum size and square footage for C-1 properties. Neither the topography nor the rectangular shape are exceptional. Strict application of the requirements of this chapter would not deprive the property

owner of rights and privileges enjoyed by other property owners in the same zoning district, since there is nothing about the property that makes it more difficult to comply with the requirements of the zoning ordinance for planting the perimeter landscape strip than what is found on other properties in the same zoning district.

2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located:

The requested variance does not appear to go beyond the minimum necessary to afford relief since the applicant will provide the required perimeter planting strip, although it will be planted in accordance with the approved landscape plan instead of the requirements of the zoning regulations.

3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located:

Granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship:

the strict application of the applicable provisions and requirements of this chapter would cause undue and unnecessary hardship for the applicant. If the applicant is not allowed to plant the landscape strip as shown on the landscape plan and as required in the SLUP condition, the application would need a major modification. This would entail considerable inconvenience and expense. It isn't necessary to impose this hardship because the approved condition will result in a satisfactory perimeter planting treatment for the site.

5. The requested variance would be consistent with the spirit and purpose of this Chapter and the DeKalb County Comprehensive Plan Text:

It appears that the requested variance would be consistent with the spirit and purpose of the zoning ordinance and the DeKalb County Comprehensive Plan text.

FINAL STAFF ANALYSIS:

Based on the submitted materials, the strict application of the applicable provisions and requirements of this chapter would cause undue and unnecessary hardship for the applicant. It appears that the requested variance would be consistent with the spirit and purpose of the zoning ordinance and the DeKalb County Comprehensive Plan text. Therefore, the Department of Planning and Sustainability recommends that the application be "approved".

STAFF RECOMMENDATION: "Approval" of the variance to install plant materials in the required property perimeter landscape strip in accordance with Condition No. 2 of SLUP-20-1244105 instead of as required by Section 27-5.4.4(C) of the DeKalb County Code, with the following condition:

1. In addition to the plantings reflected on the Landscape Plan, ["JAMBA Toco Hills", prepared by idstudio], Developer shall install landscaping to include shrubs or evergreen plants along the rear property line.,



DeKalb County Department of Planning & Sustainability

Hon. Michael Thurmond
Chief Executive Officer

Andrew Baker, AICP,
Director

ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING
(VARIANCES, SPECIAL EXCEPTIONS, APPEALS OF ADMINISTRATIVE DECISIONS)

BOA No. _____

Applicant and/or
Authorized Representative Focus Brands c/o Julie L. Sellers

Mailing Address: 1776 Peachtree St. NW, Suite 390N

City/State/Zip Code: Atlanta, GA 30309

Email: jsellers@dillardsellers.com

Telephone Home: _____ Business: (404) 665-1242 Fax No.: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Huckleberry Properties, Inc.

Address (Mailing): 5 Brewster Street

City/State/Zip Code: Glen Cove, NY 11542-2549

Email: _____

Telephone Home: _____ Business: _____ Fax No.: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 2933 North Druid Hills Road City: Atlanta State: GA Zip: 30329

District(s): 4 Land Lot(s): 111 Block: _____ Parcel: 18 111 03 018

District(s): _____ Land Lot(s): _____ Block: _____ Parcel: _____

District(s): _____ Land Lot(s): _____ Block: _____ Parcel: _____

Zoning Classification: C-1 Commission District & Super District: District 2/Super District 6

CIRCLE TYPE OF HEARING REQUESTED

- VARIANCE (From Development Standards causing undue hardship upon owners of property.)
SPECIAL EXCEPTIONS (To reduce or waive off-street parking or loading space requirements.)
OFFICIALS APPEALS OF ADMINISTRATIVE DECISIONS.

TO BE COMPLETED BY PLANNING AND SUSTAINABILITY DEPARTMENT

Date Received: _____

Fee Paid: _____



DeKalb County
GEORGIA

2

ZONING BOARD OF APPEALS APPLICATION AUTHORIZATION OF THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals
To inspect the premises of the Subject Property

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property subject to the application.

DATE: 11/2/2020

Applicant: 
Signature Christoph Cushman

DATE: _____

Applicant: _____
Signature



DeKalb County
GEORGIA

3

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION TO REPRESENT THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property and that I authorize the applicant/agent to apply for a hearing to the Zoning Board of Appeals for the requests as shown in this application

DATE: 11/2/2020

Applicant/Agent: [Signature]
Signature Christopher Cushman

TO WHOM IT MAY CONCERN:

(I)/ (WE) Huckleberry Properties, Inc.
(Name of Owners)

being (owner/owners) of the property described below or attached hereby delegate authority to:

Focus Brands c/o Julie L. Sellers
(Name of Applicant or Representative)

To file an application on (my) / (our) behalf
[Signature]
Notary Public 11/2/2020

Notary Public

[Signature]
Owner Christopher Cushman

Owner

Notary Public

Owner

ALAN GOLDBERG
NOTARY PUBLIC, State of New York
No. 01GO6116688
Qualified in Nassau County
Commission Expires 10/04/2024

LETTER OF INTENT AND IMPACT ANALYSIS

DeKalb County

Variance Application

Applicant:
Focus Brands

Property:
2933 North Druid Hills Road

Parcel ID No:
18 111 03 018

Submitted for Applicant by:

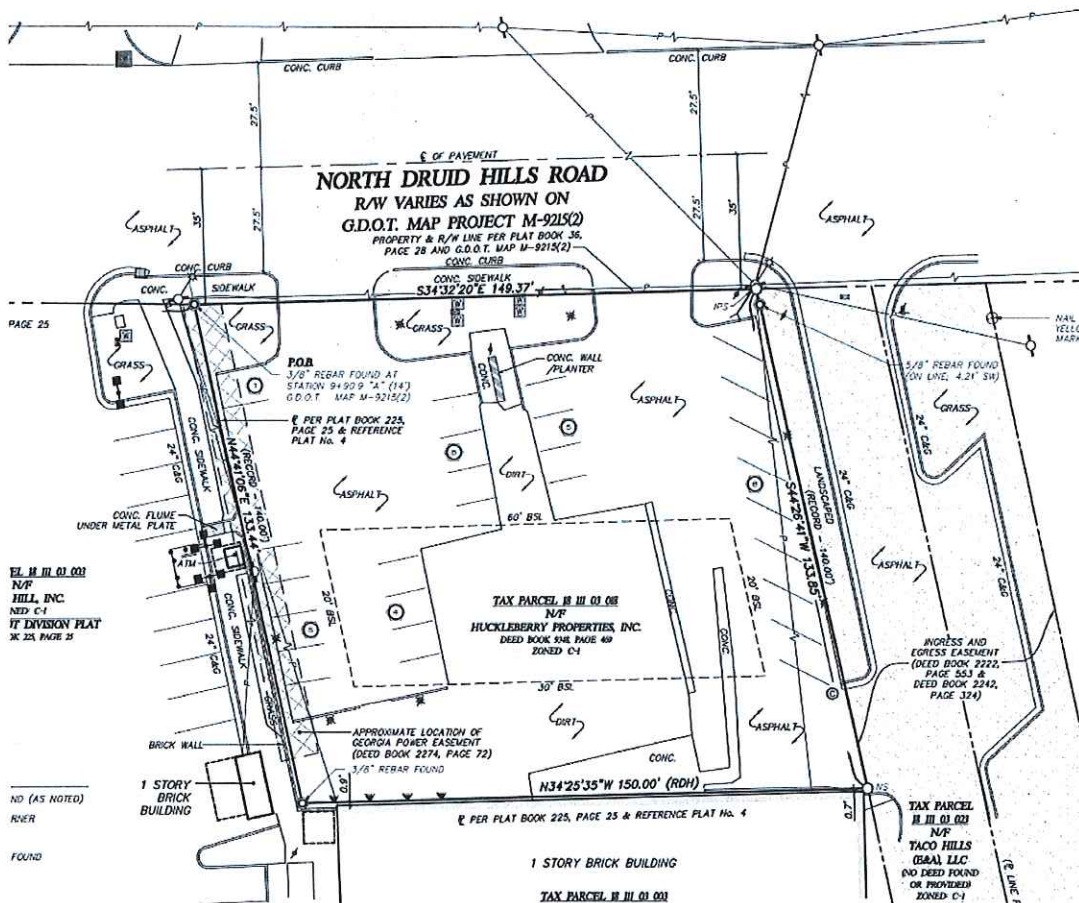
Julie L. Sellers
DILLARD SELLERS
1776 Peachtree Street NW, Suite 390N
Atlanta, Georgia, 30309
(404) 665-1242
jsellers@dillardsellers.com

Introduction

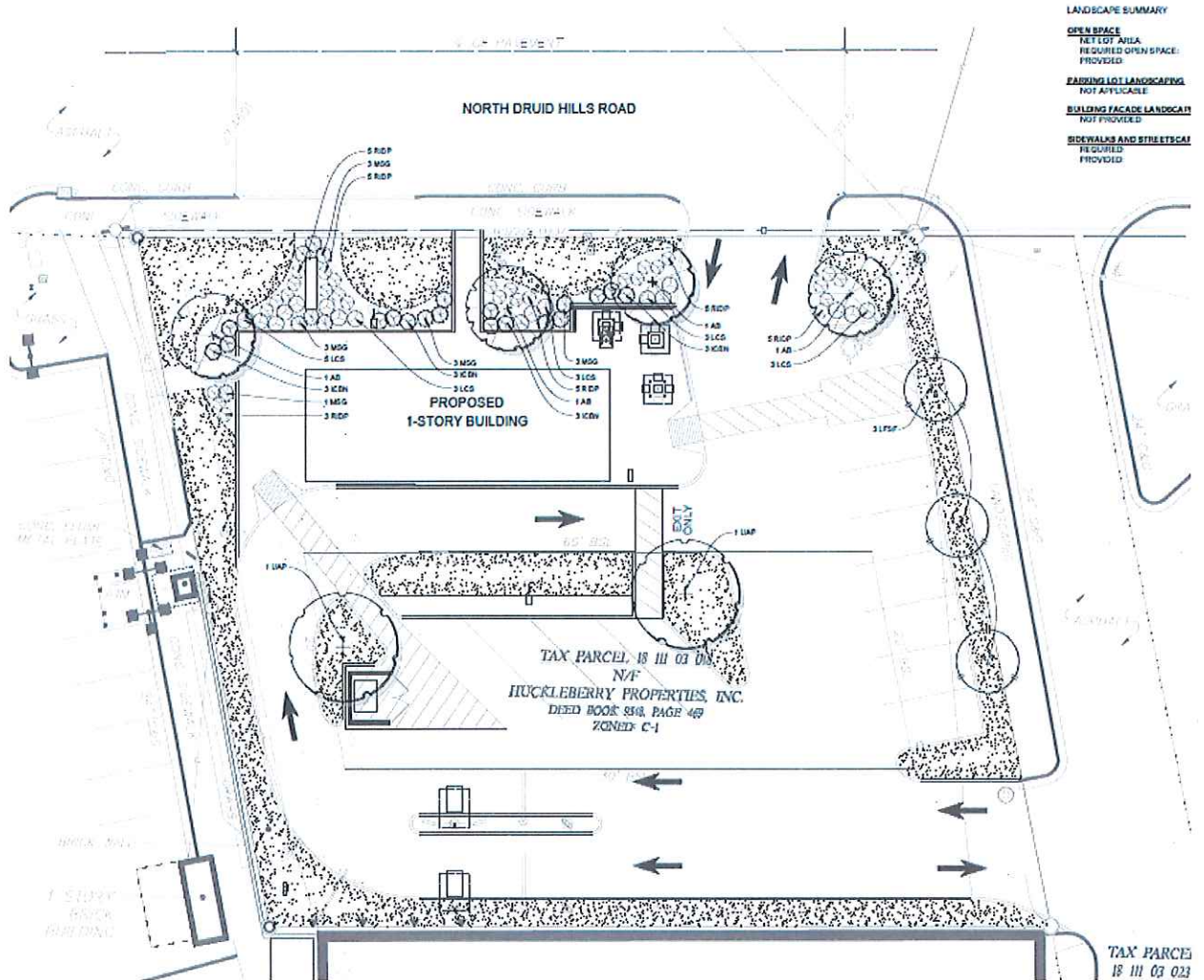
Applicant, Focus Brands, request approval of this variance application for the property located at 2933 North Druid Hills Road, Atlanta, Georgia (tax parcel no. 18 111 03 018) (the "Property"). The Property is approximately +/- 0.46 acres of vacant land that was previously a Wing Stop restaurant and is the subject of a Special Land Use Permit application (SLUP-20-1244105) for a Jamba Juice/Auntie Anne's restaurant with a drive-through.

The property is zoned C-1, Local Commercial District, and is within the Town Center Activity Center Character Area. As part of the redevelopment and working with the County, the Applicant has agreed to reduce the two existing curb cuts to one curb cut onto N Druid Hills Road as depicted below:

Survey of existing conditions:



Landscape/Site Plan approved by Commissioners:



The Property is an outparcel of the Toco Hills Shopping Center. There is an existing sidewalk 6 feet wide pursuant to the survey on the Property and two large power poles constraining the site. Currently, the County's right-of-way is 27 feet from the center line of N. Druid Hills Road and the County's desire is to have a 50 foot right-of-way dedication to allow for future improvements of N. Druid Hills Road. This property is included in the N. Druid Hills LCI study which

recommends the installation of a 4-foot on street bicycle lane, a 5-foot planted buffer and a 6-foot sidewalk.¹ The Zoning Code Section 5.4.3 and Table 5.1 addresses streetscape requirements for existing arterial streets. The Applicant is agreeable to the dedication of the additional right of way requested by the County and the development of the site in accordance with the Landscape and Site Plans submitted in connection with the meetings with the Commissioners and the SLUP application process. As such, the Applicant requests approval of the Landscaping Plan approved through the SLUP process in place of the required Streetscaping elements.

The approval of this application will fulfill the intent of the County's Zoning Code and the desire to create an aesthetically pleasing new developments that also enhances the pedestrian experience. The site plan was modified during the SLUP process to bring the building to the road and avoid the vehicular circulation in front of the building by utilizing the inter-parcel access. As shown on the Landscape Plan, the existing 6-foot sidewalk will be extended along the area the currently has a driveway on the north-east frontage and four street trees will be installed. Specifically, the Applicant seeks to eliminate the requirement of installation of street lighting and to maintain the existing width and location of the sidewalk (Sec. 5.4.3). In addition, the Applicant seeks relief from the strict interpretation of the perimeter landscaping requirements (Sec. 5.4.4 C) and requests approval of the Landscape Plan and the zoning conditions approved by the Commissioners.

As set forth below, the Applicant satisfies the County's requirements for a Variance for drive-thru facilities. For these reasons, the Applicant respectfully requests its application be granted as submitted.

¹ In the event the County seeks to impose the recommendations of the LCI as development requirements, this application seeks a variance to eliminate the installation of a bike lane or multi-use path. Instead, approval of the Landscape Plan approved by the Commissioners is requested.

Documented Impact Analysis

The Applicant's application satisfies the applicable criteria set forth in the DeKalb County Zoning Code, Section 7.5.1 (A):

- 1. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.**

The shape of the lot, the site conditions, the County's requested additional right of way and the development objective of the County are not created by the Applicant or owner. Instead, by working with the County Commissioners, the Applicant was able to create a development plan that meet the spirit and intent of the Zoning Ordinance. The strict application of the requirements of the Zoning Code would deprive the Applicant of the privileges enjoyed by the other surrounding property owners.

- 2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.**

The variances requested are the minimum necessary to afford relief and do not grant any special privileges. Most of the surrounding parcels do not have perimeter landscape strips. This development will include the perimeter landscape strip, but simply requests relief on the specific manner of planting to be in accordance with the Landscape Plan and zoning conditions. Similarly, the surrounding properties do not have pedestrian street lighting. There are two existing power poles and streetlights on the subject Property.

- 3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.**

No. There is nothing detrimental about the Landscape Plan and the public welfare will not be harmed by approval of this application.

- 4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.**

Yes, the literal interpretation and strict application would cause undue and unnecessary hardship for the Applicant.

5. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

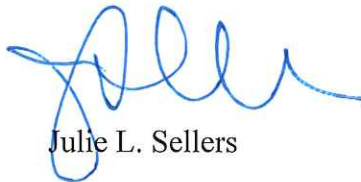
The variances requested are consistent with the spirit and purpose of this chapter. Specifically, the Landscape Plan creates and enhanced pedestrian experience by the creation of landscaping in place of parking lot, the elimination of a curb cut, the building oriented on the street frontage with no vehicular circulation in front, and the addition of perimeter landscaping.

CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this application be granted. If there are any questions about this request, please do not hesitate to contact me at 404-665-1242 or jsellers@dillardsellers.com.

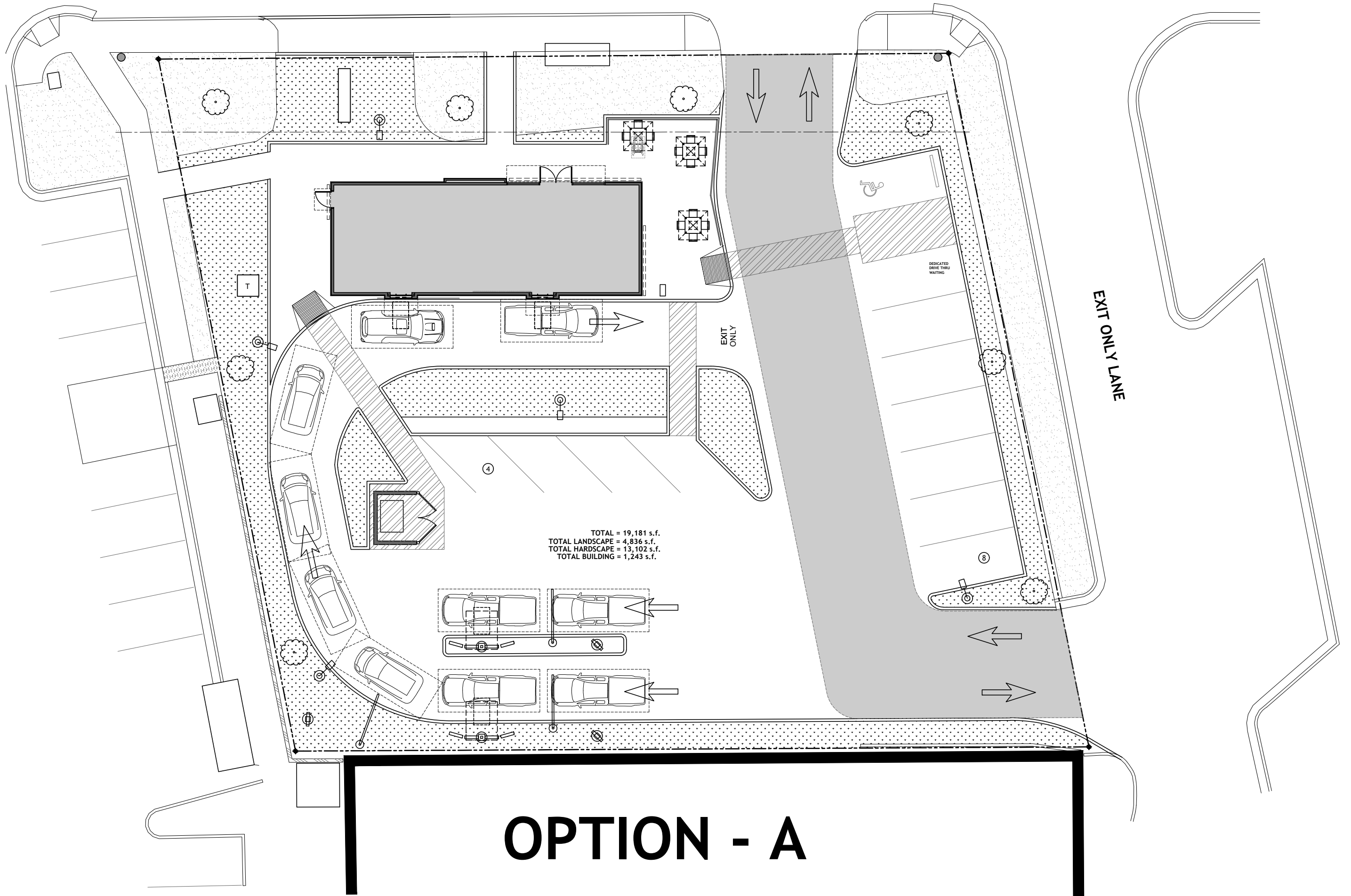
Sincerely,

DILLARD SELLERS, LLC



Julie L. Sellers

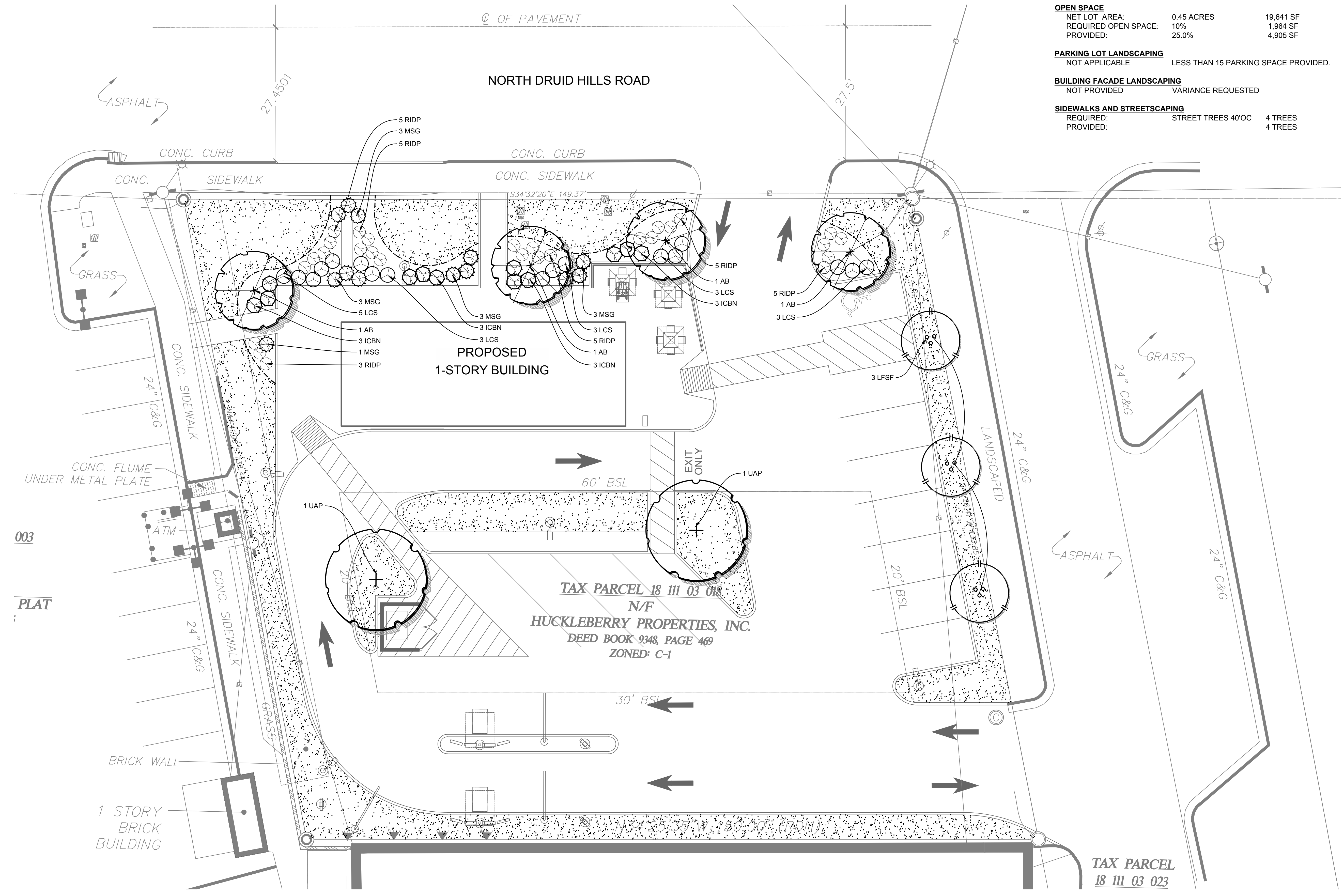
NORTH DRUID HILLS ROAD



OPTION - A

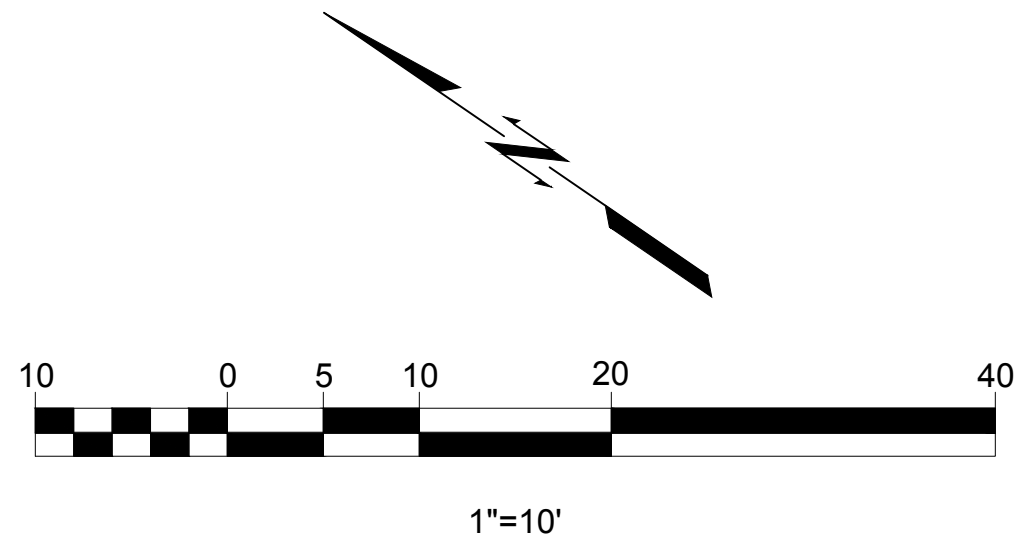
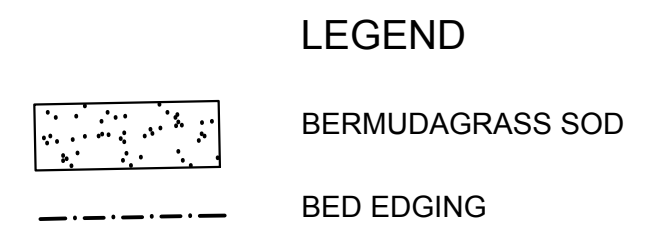
LANDSCAPE SUMMARY

OPEN SPACE		
NET LOT AREA:	0.45 ACRES	19,641 SF
REQUIRED OPEN SPACE:	10%	1,964 SF
PROVIDED:	25.0%	4,905 SF
PARKING LOT LANDSCAPING		
NOT APPLICABLE	LESS THAN 15 PARKING SPACE PROVIDED.	
BUILDING FACADE LANDSCAPING		
NOT PROVIDED	VARIANCE REQUESTED	
SIDEWALKS AND STREETSCAPING		
REQUIRED:	STREET TREES 40'OC	4 TREES
PROVIDED:		4 TREES



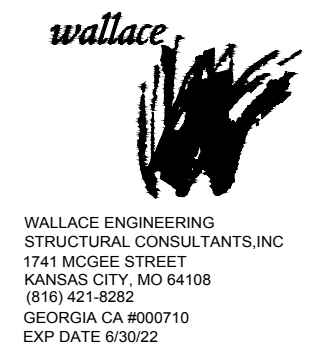
PLANT LIST

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONT.	SPACING/REMARKS
TREES						
AB	4	ACER BUERGERIANUM	TRIDENT MAPLE	2" CAL./8" HT.	B&B	MULTI-STEM
LFSF	3	LAGERSTROEMIA INDICA X FAURIEI 'SARAH'S FAVORITE'	SARAH'S FAVORITE CRAPE MYRTLE	6-7' HT.	30 GAL.	
UAP	2	ULMUS AMERICANA 'PRINCETON'	PRINCETON ELM	2-1/2" CAL./12 HT.	B&B	MATCHED
SHRUBS						
ICBN	12	ILEX CORNUTUTA 'BURFORDII NANA'	DWARF BURFORD HOLLY	24" HT.	5 GAL.	3' O.C.
LCS	17	LOROPETALUM CHINENSE 'SUZANNE'	SUZANNE FRINGE FLOWER	2" HT.	5 GAL.	30" O.C.
MSG	13	MISCANTHUS SINENSIS 'GRACILLIMUS'	MAIDEN GRASS		5 GAL.	3' O.C.
RIDP	28	RHAPHIOLEPIS INDICA 'DWARF PINK'	DWARF PINK INDIAN HAWTHORN	12" HT.	5 GAL.	3' O.C.
SOD AND ACCESSORIES						
-	-	CYNODON DACTYLON	COMMON BERMUDAGRASS			SOLID SOD, WEED FREE
ABBREVIATIONS: B&B: BALLED AND BURLAPED, CAL.: CALIPER, GAL.: GALLON, HT.: HEIGHT, L.F.: LINEAR FOOT, MATCHED: WITHIN 5% OF SIZE AND SHAPE, STK: STAKED, O.C.: ON CENTER (APPROXIMATE), S.F.: SQUARE FOOT, SP.: SPREAD						



CAUTION
NOTICE TO CONTRACTOR

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THE LOCATION AND ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES



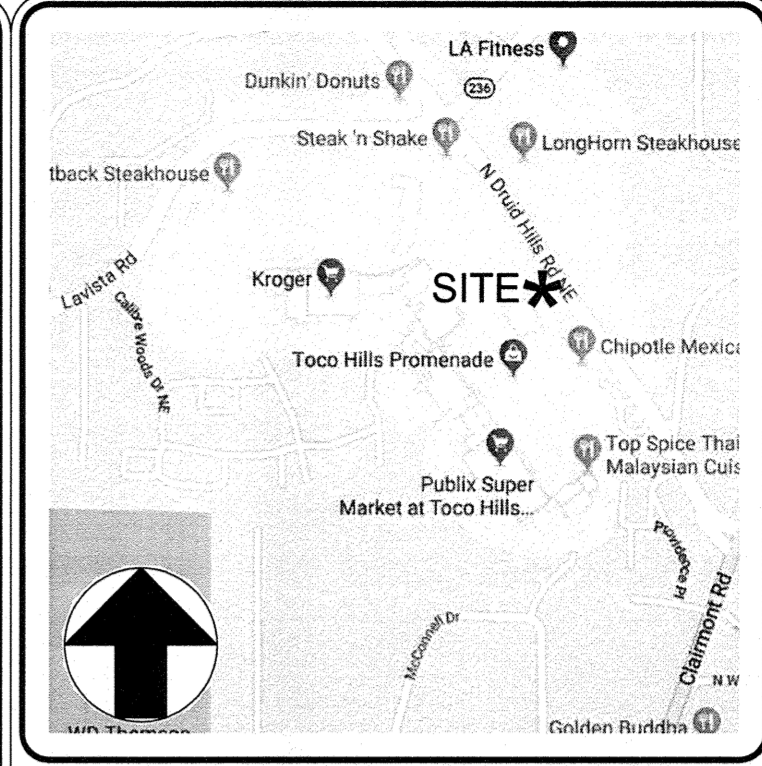
LANDSCAPE PLAN

L200

PROJECT NUMBER:
JA19021

Grid North (GA West Zone)

DESCRIPTION OF PROPERTY:
 All that tract or parcel of land lying and being in Land Lot 111 of the 18th District, DeKalb County, Georgia and being more particularly described as follows:
 To find the Point of Beginning commence at the southeastern end of the mitered intersection of the southern right of way line of Lavista Road (right of way width varies) and the southwestern right of way line of North Druid Hills Road (right of way width varies); thence proceeding along said right of way line of North Druid Hills Road southeasterly a distance of 549.93 feet to a 3/8 inch rebar found, said point being the Point of Beginning.
 From the Point of Beginning, as thus established, continuing along said right of way line of North Druid Hills Road South 34 degrees 32 minutes 20 seconds East a distance of 149.37 feet to a 1/2 inch rebar set; thence leaving North Druid Hills Road and proceeding South 44 degrees 26 minutes 41 seconds West a distance of 133.85 feet to a nail set; thence North 34 degrees 25 minutes 35 seconds West a distance of 150.00 feet to a 3/8 inch rebar found; thence North 44 degrees 41 minutes 06 seconds East a distance of 133.44 feet to a 3/8 inch rebar found, said point being the Point of Beginning.



LOCATION MAP
 not to scale

SITE ADDRESS:
 2933 North Druid Hills Road NE, Atlanta, GA 30329

SITE AREA:
 0.45 acres or 19,641 square feet

PARKING SUMMARY:
 Regular Parking Spaces: 28
 Handicap Parking Spaces: -
 Total Parking Spaces: 28

ZONING: C-1
 Front Yard Setback: 60'
 Side Yard Setback: 20'
 Rear Yard Setback: 30'
 This information is reported from public information obtained from DeKalb County records on October 18, 2018. It is not the intent of the surveyor to interpret or make conclusions regarding the zoning designation shown hereon.

NOTES:
 1. This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
 2. Unless otherwise specified, all distances as shown are horizontal ground distances in U.S. survey feet (39.37 inches = 1 meter).
 3. The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, West zone.
 Flood Hazard Note:
 4. By graphic plotting only, this property does not lie within a 100 year flood hazard zone and is depicted as zone X as defined by the F.E.M.A Flood Insurance Rate Map of DeKalb County, Georgia and incorporated areas map number 13089C0058J, effective date May 16, 2013.

CERTIFICATION:
 This plat is a retracement of an existing parcel or parcels of land, and does not subdivide or create a new parcel. 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, NOR 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.
 This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The field data upon which this survey is based has a closure precision of one foot in 1,243,055 feet, and an angular error of 5" per angle point, and was adjusted using the compass rule method. Angular and linear measurements were made using a Leica TS 15 Robotic Total Station. A portion of this survey was performed using Leica GS 15 GPS receivers with network adjusted real time kinematic measurements referenced to the eGPS network. The GPS survey included redundant measurements with positional accuracy better than 0.07'.
 This map or plat has been calculated for closure and is found to be accurate within one foot in 200,170 feet.

To CBRE Capital Markets, Inc., Critchfield, Critchfield & Johnston, Ltd., Huckleberry Properties, Inc., and Fifth Third Bank:
 This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 7(b)(1), 8, 9, 13 and 20 (\$5,000,000) of Table A thereof. The fieldwork was completed on October 22, 2018.
James F. Higgins 10-30-2018
 James F. Higgins Date
 Georgia Reg. Land Surveyor No. 2802
 For the Firm Travis Pruitt & Associates, Inc.

UTILITY STATEMENT:
 1. There may be underground utilities not shown on the survey.

© Copyright 2018
 Travis Pruitt & Associates, Inc.
 THESE DRAWINGS AND THEIR REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED, OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.

NO.	DATE	NAMES IN CAPTION	AB	BY
1	10/30/18			
2				
3				
4				
5				
6				
7				
8				

4317 Park Drive, Suite 400
 Norcross, Georgia 30093
 Phone: (770)416-7511
 Fax: (770)416-6759
 www.travispruitt.com

TRAVIS PRUITT & ASSOCIATES, INC.
 SURVEYING • ENGINEERING • LANDSCAPE ARCHITECTURE

Certificate of Authorization Number 613

ALTA/NSPS LAND TITLE SURVEY

CBRE Capital Markets, Inc., Critchfield, Critchfield & Johnston, Ltd., Huckleberry Properties, Inc., & Fifth Third Bank

AUTHORIZED BY Mr. Scott Israel representing CBRE Capital Markets, Inc.

LAND LOT 111 - 18th DISTRICT - DEKALB COUNTY, GEORGIA

GRAPHIC SCALE - IN FEET

1" = 200'

For The Firm
 Travis Pruitt & Associates, Inc.

This survey was prepared in conformity 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.

PLAT DATE: OCTOBER 25, 2018
 FIELD DATE: OCTOBER 22, 2018
 SCALE: 1"=20'
 LSV: BT
 JN: 1-18-0398.600
 FN: 164-D-056

*P.O.C.
 549.93' TO THE SOUTHEASTERN END OF THE MITERED INTERSECTION OF THE SOUTHERN R/W LINE OF LAVISTA ROAD (R/W VARIES) AND THE SOUTHWESTERN R/W LINE OF NORTH DRUID HILLS ROAD (R/W VARIES) PER PLAT BOOK 225, PAGE 25.

PUNCH HOLE FOUND AT STATION 13+00 "A" (8') G.D.O.T. MAP M-9215(2)

TITLE EXCEPTIONS:

- This survey relied upon information contained within a certificate of title number CT#2-36156/7376.004 prepared by Calloway Title and Escrow, LLC, with an effective date of February 28, 2018, with respect to the property surveyed described in "Exhibit A", and the exceptions listed in "Schedule B":
- Easement reserved in Warranty Deed recorded in Deed Book 2132, Page 389.
 Comment: Does not affect the subject property.
 - Easement as evidenced by Assignment recorded in Deed Book 2222, Page 553, and Assignment recorded in Deed Book 2242, Page 324.
 Comment: Ingress and egress easement is shown on the survey.
 - Right of way easement to Georgia Power Company recorded in Deed Book 2242, Page 72.
 Comment: Affect the subject property as shown on the survey.
 - Lease as evidenced by Memorandum of Lease recorded in Deed Book 6471, Page 157.
 Comment: Document does not contain a description of the property; referenced Exhibit A is not attached to the document.
 - Deed to Secure Debt and Security Agreement recorded in Deed Book 25416, Page 170.
 Comment: Document describes the subject property.
 - Execution contained in QuitClaim Deed recorded in Deed Book 9345, Page 456.
 Comment: Document describes the subject property.
 - Execution contained in QuitClaim Deed recorded in Deed Book 9345, Page 459.
 Comment: Document describes the subject property.
 - Deed recorded in Deed Book 11785, Page 540.
 Comment: Document describes the subject property.
 - Matters disclosed by the plat recorded in Plat Book 36, Page 28.
 Comment: Shown on the survey.
 - Matters disclosed by the plat recorded in Plat Book 225, Page 25.
 Comment: Shown on the survey.

REFERENCE PLATS:

- Property survey plat dated March 5, 1963, revised March 14, 1963, recorded in Plat Book 36, Page 28.
- State of Georgia Department of Transportation right of way map project M-9215(2), G.D.O.T. P.I.# 740060, dated December 6, 1978, last revised February 8, 1980.
- Lot division plat for Chase North Druid Hills and LaVista Road recorded in Plat Book 225, Page 25.
- Plot of ALTA/NSPS Land Title Survey for Parcel Cellular, Inc., of Georgia, prepared by Land Development Technologies, Inc., dated April 19, 1993, revised July 2, 1993.

LEGEND

○	IRON PIN FOUND (AS NOTED)
○	PROPERTY CORNER
⊗	NAIL FOUND
○	PUNCH HOLE FOUND
•	BOLLARD
+	SIGN
*	LAMP POST
⊕	POWER POLE W/LIGHT
⊕	TRIPLE LIGHT STAND
⊕	ELECTRIC BOX
⊕	ELECTRIC METER
⊕	POWER POLE
⊕	LANDSCAPE LIGHT
○	CLEAN OUT
⊕	GAS VALVE
⊕	IRRIGATION CONTROL VALVE
⊕	WATER METER
⊕	WATER VALVE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
N/F	NOW OR FORMERLY
R/W	RIGHT OF WAY
RDH	RECORD DISTANCE HELD
BSL	BUILDING SETBACK LINE
IPS	1/2" REBAR SET W/CAP
NS	NAIL SET
CONC.	CONCRETE
C&G	CURB AND GUTTER
P	OVERHEAD POWER LINE

TAX PARCEL 18 III 03 003
 N/F
 TACO HILL, INC.
 ZONED C-1
 LOT 1 OF LOT DIVISION PLAT
 PLAT BOOK 225, PAGE 25

TAX PARCEL 18 III 03 008
 N/F
 HUCKLEBERRY PROPERTIES, INC.
 DEED BOOK 9348, PAGE 469
 ZONED C-1

TAX PARCEL 18 III 03 009
 N/F
 NORTHERN REALTY, LLC
 DEED BOOK 2247, PAGE 402
 ZONED C-1

TAX PARCEL 18 III 03 023
 N/F
 TACO HILLS (E&A), LLC
 (NO DEED FOUND OR PROVIDED)
 ZONED C-1

TAX PARCEL 18 III 03 023
 N/F
 TACO HILLS (E&A), LLC
 DEED BOOK 1832, PAGE 216
 ZONED C-1

