

Mayor Richard E. Roquemore

City Administrator Michael E. Parks City Council Robert L. Vogel III Taylor J. Sisk Jamie L. Bradley Joshua Rowan

AGENDA

Zoning Board of Appeals May 8, 2024 6:00 pm 1 Auburn Way

Call to Order

Approval of the Minutes – March 13, 2024

Approval of the Agenda New Business: Presented by Sarah McQuade, City Planner

1-ZBA 24-001, application made by Sullins Engineering, LLC to request a variance from Section 17.91.050(2)(b)(i), to reduce the percentage of widows required on the street-facing building facade between three feet and eight feet in height for the purpose of constructing six (6) town-homes, on a portion of 0 6th Street (Tax Parcel AU11 121 pt.).

2-ZBA 24-002, application made by John Kohl to request a variance from Section 17.110.060, to reduce the minimum buffer width from 75 feet to 15 feet, to permit a parking lot in the required buffer, on a property located at 55 County Line Road (Tax Parcel AU10 052).

Public Comments

Announcements

Adjournment



<u>Mavor</u> Richard E. Roquemore <u>City Council</u> Robert L. Vogel III Taylor Sisk Jamie Bradley Joshua Rowan

<u>City</u> Administrator_ Michael E. Parks

ZBOA Meeting Minutes March 13, 2024

Zoning Board of Appeals Meeting Operating Order was read by Sarah McQuade, City Planner

Meeting Called to order by Chairman Sewell

Staff- Motion to Approve February 14, 2024, Meeting Minutes. Motion, 2nd, voteapproved Staff-Motion to Approve Agenda for March 13, 2024, motion-2nd, vote-approved

Old Business

 Chairman Read Case: ZBA 23-006, application made by Chris Henderson to request a variance from Section 17.60.090(A) to permit an accessory building within the front yard and from Section 17.60.090(B) to permit more than one storage building on a residential property. located at 283 Fiddlers Trail, Auburn, Georgia 30011.

City Planner, Sarah McQuade gave a summary of the case being presented due to it being tabled on term shall & the clarification.

The applicant spoke on his behalf and stated there was nothing he needed to add that was any different from the meeting that was tabled on February 14, 2024.

Ms. Waldrip 292 Fieldview Dr. spoke in opposition. Did not feel like guidelines were followed.

Waldrip heir (currently resides in Winder) spoke in opposition.

Mr. Waldrip 292 Fieldview spoke in opposition of the building & its current location.

A letter from Ann Haven (not part of the original agenda item) was read by Mr. Waldrip in opposition, no address was announced.

Maria Henderson spoke in rebuttal about the situation, she was unaware of the code for that building, she didn't have any problems before except for chickens & the coop in the back.

Motion had to be restated. Motion on original request for Section 17.60.090 A, motion to deny, 2nd, approved.

Motion had to be restated to approve 17.60.090(B) granted 5 ft. variance from property line & secondary structure, paint to match & 60-day time period for the completion.

Motion to adjourn, 2nd, all in favor.



SITE PLAN REQUIREMENTS

(All applicable items must be included on the Site Plan; separate sheets may be used)

- Key and/or legend and site location map with North arrow.
- Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning.
- X Acreage of subject property.
- A Location of land lot lines and identification of land lots.
- K Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property.
- Proposed streets on the subject site:
- M Current zoning of the subject site and adjoining properties.
- Fa Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property.
- ma Existing bulldings' locations and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on adjacent properties within 200 feet of the subject property.
- & Location of proposed buildings with total square footage.
- Da Layout and minimum lot size of proposed single-family residential lots.
- R Topography on the subject site and adjacent property up to 200 feet as required to assess runoff effects.
- X Location of overhead and underground electrical and pipeline transmission/conveyance lines.
- 凶 Required and/or proposed setbacks.
- 30 100-year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps.
- Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed.
- IX Required and proposed parking spaces; Loading and unloading facilities.
- Delta Lakes, streams, wetlands, and Waters of the State and associated buffers.
- Deproposed stormwater management facilities.
- fia Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access.
- X Availability of water system and sanitary sewer system.
- E. Location of existing trees and trees to be removed, or a statement that there are none, and whether the trees identified are specimen trees. (A specimen tree is any deciduous (oak, hickories, poplars, etc.) tree with a DBH of 30 inches or greater, coniferous tree (pines, evergreens, etc.) tree with a DBH of 24 inches or greater, or a small understory tree (dogwoods, redbuds, sourwoods, etc.) with a DBH of 10 inches or greater. If no specimen trees exist on the site, note their absence on the plans. If a specimen tree is to be removed, provide a calculation for recompense at 1.5x the diameter.)

Zoning/Special Exception

VARIANCE APPLICATION

Type of Request:	Zoning/Special Exception	🗆 Administrative	🗆 Sign	D Stream E	Buffer	िर Other	
Applicable Zoning/Sign Code Section:							
Nature of Request: Required		Proposed		Minimum Setback Requirements		Proposed Setback Requirements	
LI Setback							
r! Sign							
u # Parking Spaces							
txOther	75' BUFFER	15' BUFFER	1 7	5'		15'	
Name of Project/Sub	division: AUBURN	SDA		Present Zoning: C-2			
Property Address/Location: Tax Parcel ID:							
Brlefly describe variance request: Revise 75' buffer on northern property line.							
Owner Name: Geo	rgia-Cumberland As	ssociation of Seventh	-day Adv	ventists, Inc			
Address: PO Box	12000 Calhoun, G.	A 30703					
Phone: 706-629-79	Email: ntoledo	Email: ntoledo@gccsda.com					
Applicant Name (if di	fferent from above):						
Address:							
Phone:	Email:	Email:					
To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Auburn Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Auburn Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.						Auburn Zoning and provisions of	
Owner/Applicant Signature: Mind de Association Secretary							
Sworn to and subscribed before me this 35th day of, 20 24.						J	
Notary Public:	Davon E t	Sauch			5/20	224	
Application Received	by:	2 A .	Case Nu	mber:	2.0		
Application Fee: 0\$	150						
ZBOA Public Hearing Date:							



City of Auburn Community Development Department 1369 4th Ave - Auburn, GA 30011 770-963-4002 - www.cityofauburn-ga.org

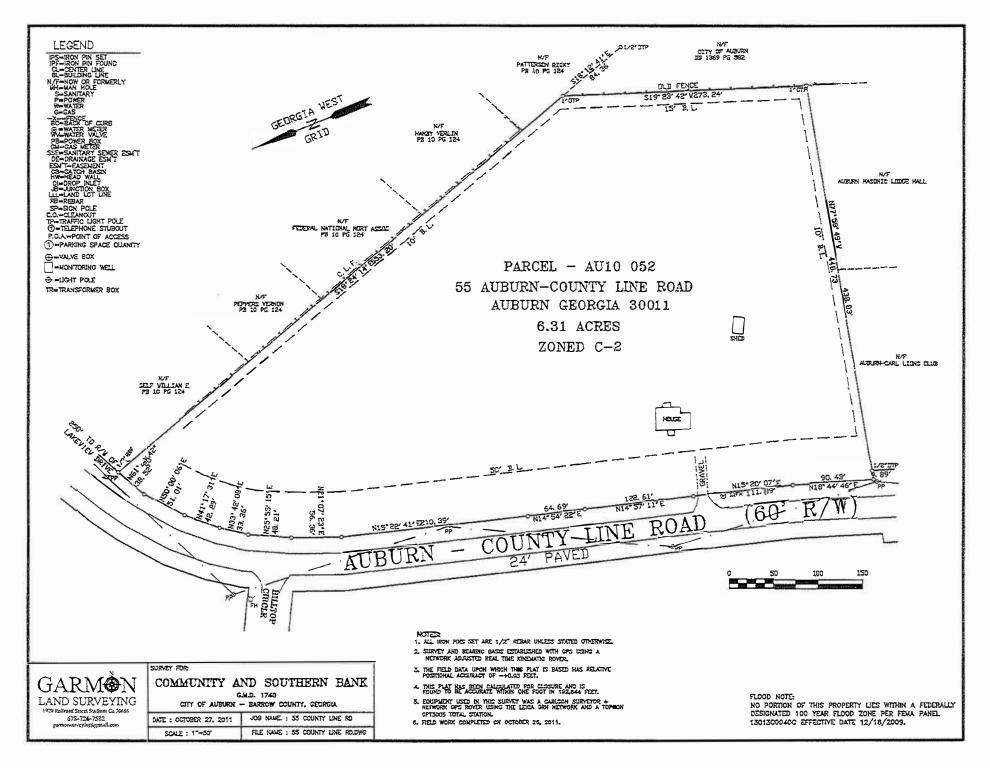
Updated: 05/08/2020



CONFLICT OF INTEREST DISCLOSURE

The undersigned below, making application for Rezoning, Special Exception, Special Use Permit, Variance, etc., has complied with the Official Code of Georgia Section 36-67A-1, et. sec., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

: Akada	
Signature of Applicant	Signature of Owner
3 5 2024 Date	Date
Appeared before me personally this	Appeared before me personally this
day of 20 21	<u>5</u> ⁺⁴ day of
Cart E Sailet	Can Chan person
Notary Public	Notary Public
My Commission Expires:	My Commission Expires:
<u>DISCLOSURE OF C</u> Have you, within the two years immediately preceding th	AMPAIGN CONTRIBUTIONS
	ouncil, Planning Commission, Zoning Board of Appeals, bi
(Check one) YES D NO 한	Your Name: " S. KULET ALLEN
Name and position of government official(s):	No
Date and amount (which aggregated \$250 or more) of t	the contribution(s):
Signature of Applicant	Signature of Applicant's Attorney/Representative
Date: 3 5 202.4	Date:
	 v of Auburn Community Development Department 361 dl" Ave - Auburn GA 30615 270 963-6502 www.chyolauburn.ce.org
Updated 05/08/2020	





-Engineering with principles of Integrity

1157 Evans Cook Road Canton, GA 30115 770-815-2622

3-22-24

Richard Edwards CPL

Re: Seven Day Adventist Church Auburn, GA

Dear Richard,

We are requesting a variance from the city regarding the 75' buffer adjacent to the north property line. The proposed church project needs the area in question for church member parking. Parking in the area referenced allows us to put a deceleration lane on County line Road as well as to have a soccer field and septic field in our desired location. We hope the city will grant this variance so our project can go on as planned.

Feel free to reach out to me or John Kohl if you have any questions. Thank you for helping on this matter.

Sincerely,

OM-

David A. Foster, P.E.



MAYOR Linda M. Blechinger

CITY ADMINISTRATOR Michael E. Parks CITY COUNCIL Peggy J. Langley Robert L. Vogel III Taylor J. Sisks Jamie L. Bradley

November 20, 2023

Mr. David A. Foster, P.E. Principled Engineering 1157 Evans Cook Road Canton, GA 30015

Re: Water Availability Letter - Parcel AU10-052

To Whom It May Concern:

The referenced Parcel Number AU10-052 at 55 County Line Road in Barrow County Georgia has access to public water along its frontage of the road. A 12-inch water line is located on the right side of the right-of-way of County-Line Road, and a 2-inch water line is also located on the left side of right-of-way. Water is provided by the City of Auburn, Georgia.

This letter shall not imply any guarantee of water capacity provided by the City and shall be used solely for zoning application purposes. The City is a municipal corporation of the State of Georgia and is an independent public authority separate and apart from the Barrow County Government. Any applications or permits submitted to or issued by the Barrow County Government shall have no bearing or effect on the City.

This letter shall not be considered an approval by the City of any Project or design concept. Project approval will consider the amount of water required and the current water capacity available at the time of development. The city makes no representation regarding the existing water/sewer facility's ability to meet the developer/owner's project-specific requirements. Easements and deeded lands may be required for water facilities, of which procurement will remain the responsibility of the developer/owner. Fire flow and static pressure are the developer's responsibility to obtain and evaluate.

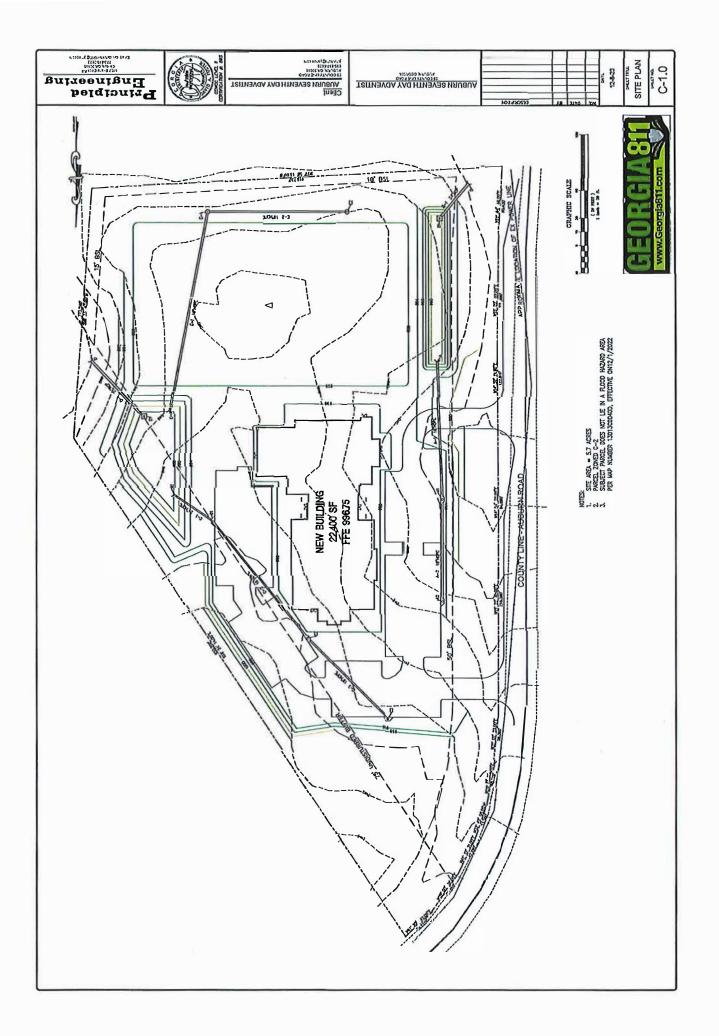
If you have any questions or need any additional information, please contact Iris E. Akridge at (770) 963-4002, Ext.207.

Sincerely yours,

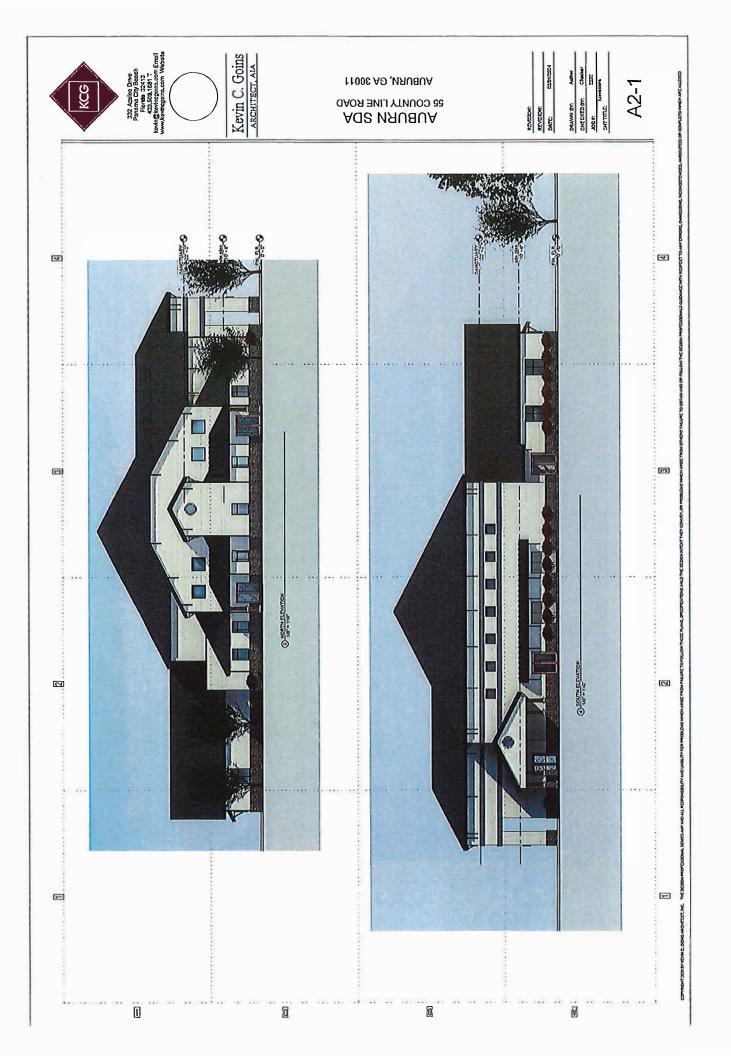
Iris E. Akridge

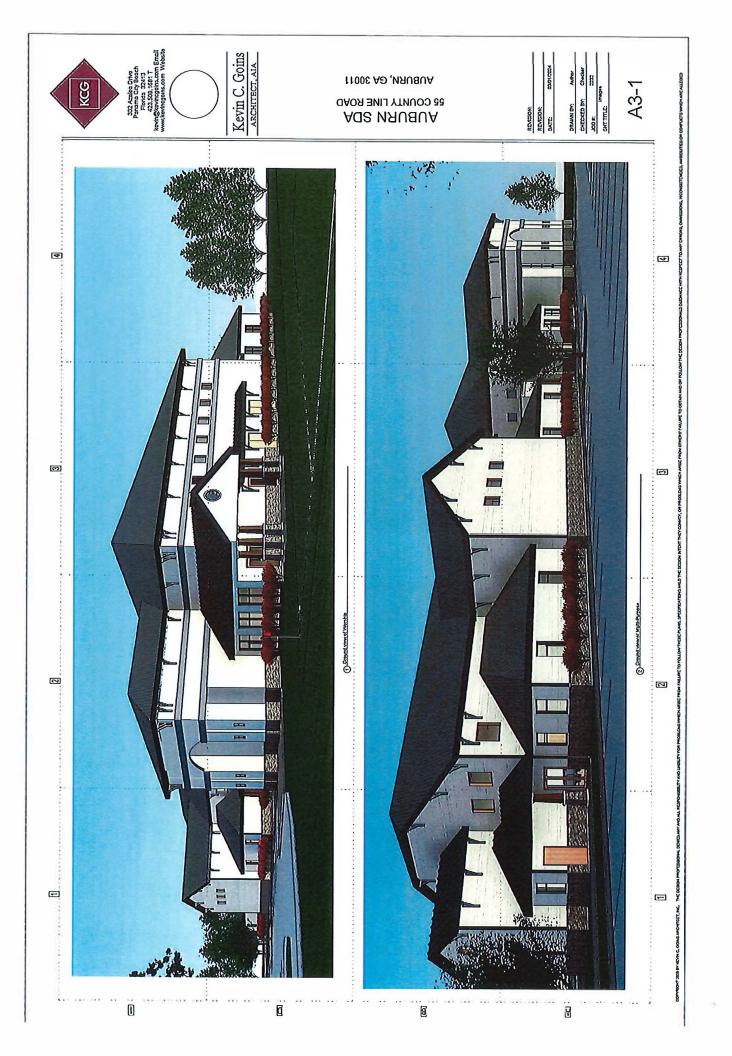
Public Works Director City of Auburn













Zoning/Special Exception

VARIANCE APPLICATION

Type of Request:	Zoning/Special Exception	Administrative	Sign	🗆 Stream f	Buffer	Other]
Applicable Zoning/Sign		From See. 17.	91.050(2)(b)(i)		-4	1
Nature of Request:	Required	Proposed		nimum Setback Proposed Setba Requirements Requirements			1
Setback							1
🗆 Sign]
1 # Parking Spaces							
ØOther	75% Windows	Not applicable				-	
Name of Project/Subc	livision: 2.02Ac tract			Present Zo	oning:	Downtown / Ouc	kuy
Property Address/Loc	ation: 2.02AC tract	on 6th St.		Tax Parcel	ID: AL	111 121	
•	of this overall tra		entint, C			μ (in [CA]),	
	Investments LLC	(Amber Halper)					
Address: 5615 Golf Et Club Drive, Braselton GA 30517							
Phone: 267-971-5662 Email:							
	erent from above): Sul		.(
Address: 302 W.	May St. Winder	GA 30660					
phone: 706-773-38		Email: JAKESL	ILLINS	CGMAIL	.COM)	
100-113-38	• 1	0/11-0		•			
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CERTIFICATIONS

In the event an owner's agent or contract purchaser is filing this application, the certifications below must be completed. If the owner is filing the application, only the owner's certification must be completed.

AGENT'S CERTIFICATION

The undersigned below, or as attached, is hereby authorized to make this application by the property owner for the property listed below and located at

Parcel AU11 121

as shown in the records of Barrow or Gwinnett County, GA.

Signature

3-8-24

Date

Sth day of March JEAN Com 3-8-2024 20 20 Appeared before me personally this _ Signature of Notary Public Date COUNT



CONFLICT OF INTEREST DISCLOSURE

The undersigned below, making application for Rezoning, Special Exception, Special Use Permit, Variance, etc., has complied with the Official Code of Georgia Section 36-67A-1, et. sec., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

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Signature of Applicant	Signature of Owner
3/4/24	3/4/24
Date	Date
Appeared before me personally this	Appeared before me personally this
4th day of MCIRCh JEAN OF JEAN	A A A A A A A A A A A A A A A A A A A
poppie sencector NOTARY	bullon CRCW (B) NOTAR
Notary Public	Notaby Public Notaby Public Ny sommission Expires: 10 - 24
My Commission Expires:	Ny sommission Expires: 10 - 24
District Store County	Structure COUNTY, GEOWING
DISCUMATION	Mipaign contributions
Have you, within the two years immediately preceding th aggregating \$250.00 or more to a member of the City Co any other government officials who may consider this ap	ouncil, Planning Commission, Zoning Board of Appeals, or
(Check one) YES D NO	Your Name: <u>Amber Halper</u>
Name and position of government official(s): NR	
Date and amount (which aggregated \$250 or more) of th	ne contribution(s);
	۱ ۷/۲
alaeles	JHol Sullins Engineering LLC)
Signature of Applicant Si	ignature of Applicant's Attorney/Representative
Date: 3/4/24	ate: 3/4/24

City of Auburn Community Development Department 1369 4th Ave - Auburn, GA 30011 770-963-4002 - www.cityofauburn-ga.org

Updated 05/08/2020



CERTIFICATIONS

In the event an owner's agent or contract purchaser is filing this application, both the owner's and agent's certifications must be completed. If the owner is filing the application, only the owner's certification must be completed.

OWNER'S CERTIFICATION

The undersigned below, hereby declares that they are the owner(s) of the property, located at

6th Street Parcel AULI 121

as shown in the records of Barrow or Gwinnett County, GA.

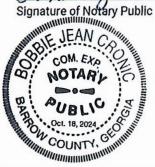
Signature

Date

Appeared before me personally this <u>4th</u> day of <u>Makch</u> Babaiuslawara <u>3-4-24</u> 20 24

RECANCIPLINT

Date



City of Auburn Community Development Department 1369 4" Ave: Auburn, GA 30011 770-963-4002 www.cityofepburn.ga.org

Updated 05/08/2020



302 West May Street, Winder, GA 30680 * matt@sullinsengineering.com * 706-773-3849

March 8, 2024

RE: Application for a Variance for Parcel AU11 121 in City of Auburn

Letter of Intent

I am writing on behalf of HBC Investments LLC, the owner, to formally request applications for a variance for the above-referenced property, seeking relief from Sec. 17.91.050(2)(b)(i). This property, spanning 2.02 acres, is situated within the Auburn Downtown Overlay District and boasts road frontage along 6th Ave, 6th Street, and Atlanta Highway. Our proposed development divides this parcel into two tracts: tract one (0.59 acres) accommodating six fee-simple townhome units, and tract two (1.36 acres) designated for a commercial drive-through restaurant, as supported by the Auburn Downtown Overlay District.

Sec. 17.91.050(2)(b)(i) stipulates that a minimum of seventy-five percent of the street-facing building facade, between three feet and eight feet in height, must comprise clear windows allowing views of indoor space or product display areas.

It is evident that this code section is primarily directed towards commercial retail or restaurant developments. No private residential house typically has such extensive visibility to the interior, and there is usually a maximum window coverage limit significantly lower than seventy-five percent. For instance, the city of Window mandates window coverage on residential structures to range between a minimum of ten percent and a maximum of fifty percent. While townhomes are a supported use in the Auburn

Downtown Overlay District, they would be unable to conform to this window subsection in a typical manner.

We believe our application meets the criteria outlined in Auburn's Zoning Board of Appeals Sec. 17.150.060(A)(3), specifically as follows:

(a), Our property's location within the Auburn Downtown Overlay District introduces unique challenges due to the district's purpose of promoting new infill residential and nonresidential development in a planned format. The requirements imposed by the overlay district, coupled with the irregular shape and topography of our property, make strict adherence to the window requirement impractical and hinder the development of residential units.

(b), Strict application of the zoning code's window requirement would impose undue hardship on our development plans, hindering the feasibility of the townhome units.

(c), The unique characteristics of our property, including its location within the Auburn Downtown Overlay District and its size, contribute to the specific challenges we face in meeting the window requirement.

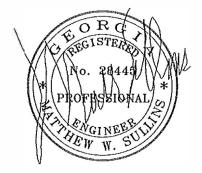
(d), The conditions leading to the hardship are inherent to the property and not the result of any actions taken by HBC Investments LLC.

(e), Granting relief from the window requirement would not detract from the overall objectives of the zoning regulations or negatively impact public welfare.

Thank you for considering our request. We are prepared to provide any additional information or clarification required.

Sincerely,

Matthew Sullins



GA Registration No. 28445

3



April 15, 2024

Subject: Townhomes, 6th St, Auburn, GA – Parcel AU11 121 AMT, P.C Project No. 23201

To Whom it may concern:

I have reviewed the elevations that I have drawn for the proposed townhomes that will be located at 6th Street, Auburn, GA 30011. As an architect for over 40 years, I contend that the proposed exterior of these townhomes clearly represents a Craftsman style of architecture. The use of board & batten' siding with cedar shake accents exterior and some heavy timber gable accents all fit what is commonly thought of as Craftsman style. Also, the use of double hung windows with the top sash having 2/2 lites in conjunction with closed board and batten shutters is classic Craftsman detailing. I have also proposed a classic "carriage house" garage door which carries through the theme of Craftsman architecture. Finally, the use of gabled and shed roof porches with simple square columns and a standing seam metal roof further reinforces the traditional Craftsman style that your community guidelines require.

I would be most happy to have a meeting to further discuss this matter and to understand any other features that might be interpreted by your city guidelines that I could possibly incorporate on the front elevations of these townhomes.

Most sincerely, Armentrout Matheny Thurmond, P.C.

Mather

David Matheny, AIA Principal Architect

PLANS FOR ADMINISTRATIVE REVIEW "AUBURN DOWNTOWN OVERLAY DISTRICT"

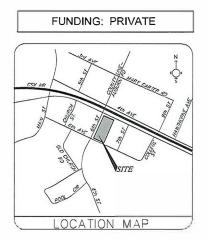
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TOTAL AREA PROJECT: 1.95 ACRES TRACT 1 - 0.59 AC. TRACT 2 - 1.36 AC.

OWNER / DEVELOPER:

HBC INVESTMENTS, LLC 5615 GOLF CLUB DRIVE BRASELTON, GA 30517 CHRIS AND AMBER HALPER #267-971-5662

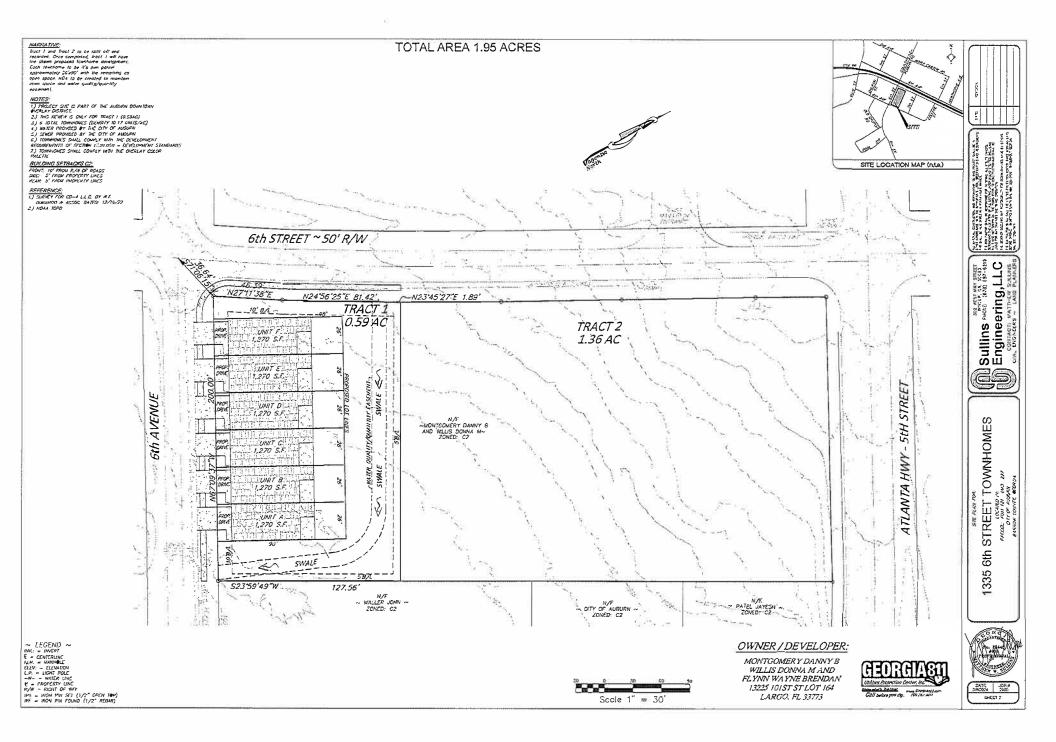


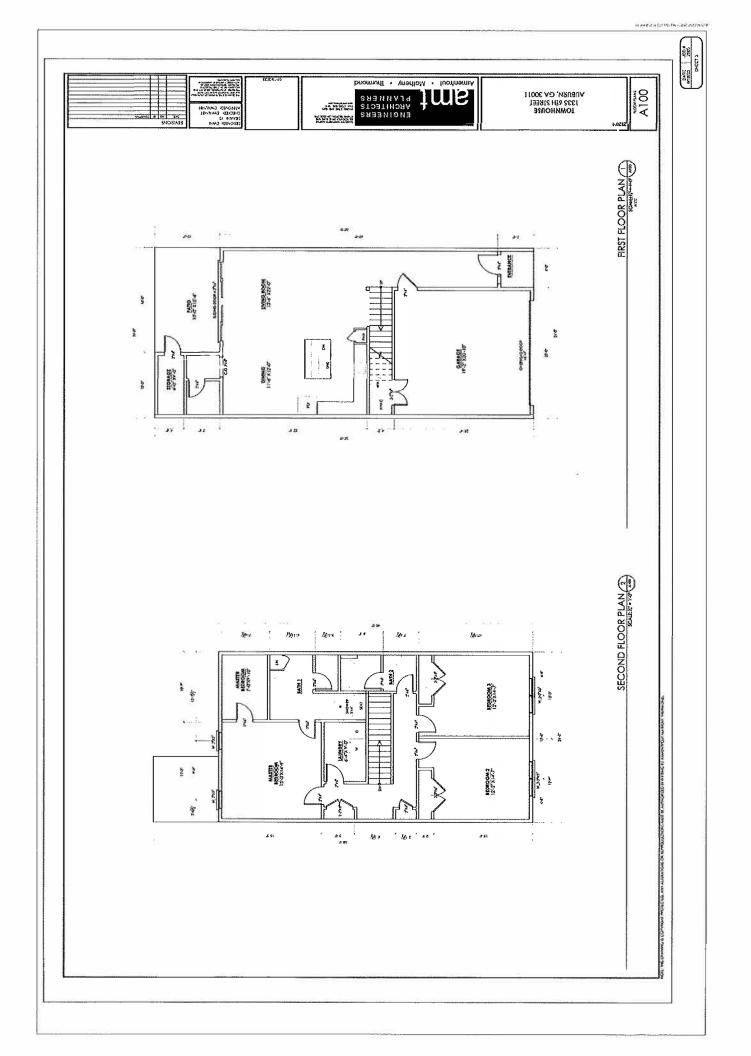
SHEET INDEX:

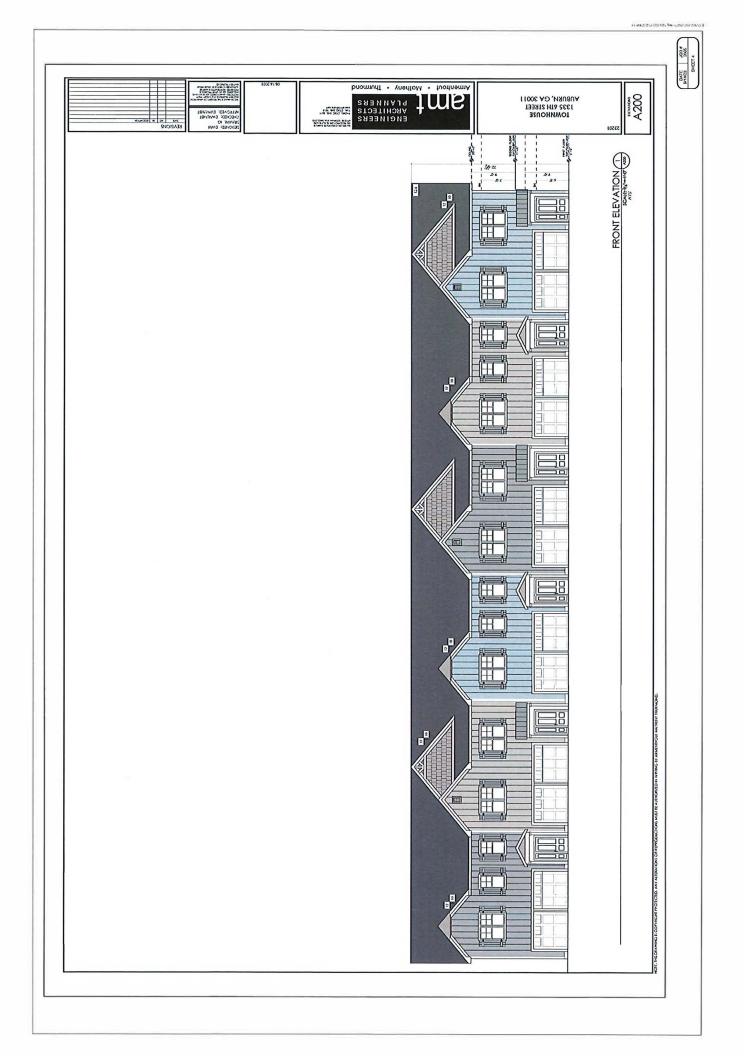
- 1. COVER SHEET
- 2. SITE PLAN
- 3. ARCHITECTURAL A100
- 4. ARCHITECTURAL A200
- 5. ARCHITECTURAL A201
- 6. LANDSCAPE PLAN
- 7. TREE INVENTORY & ANALYSIS

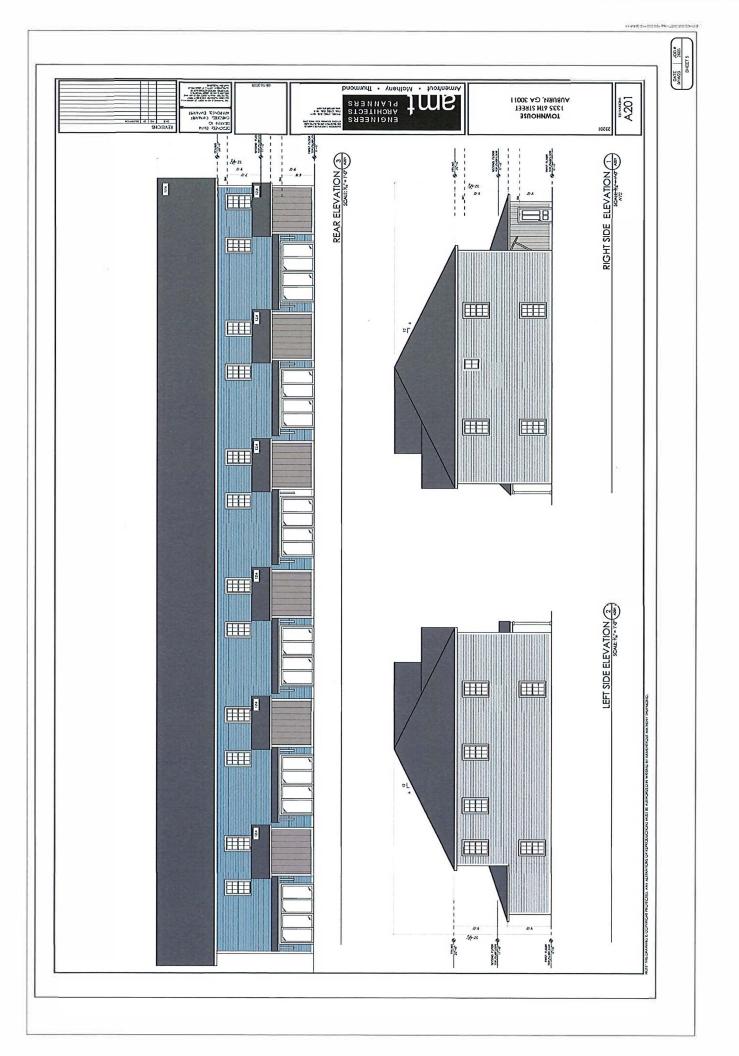
DESIGNED BY:

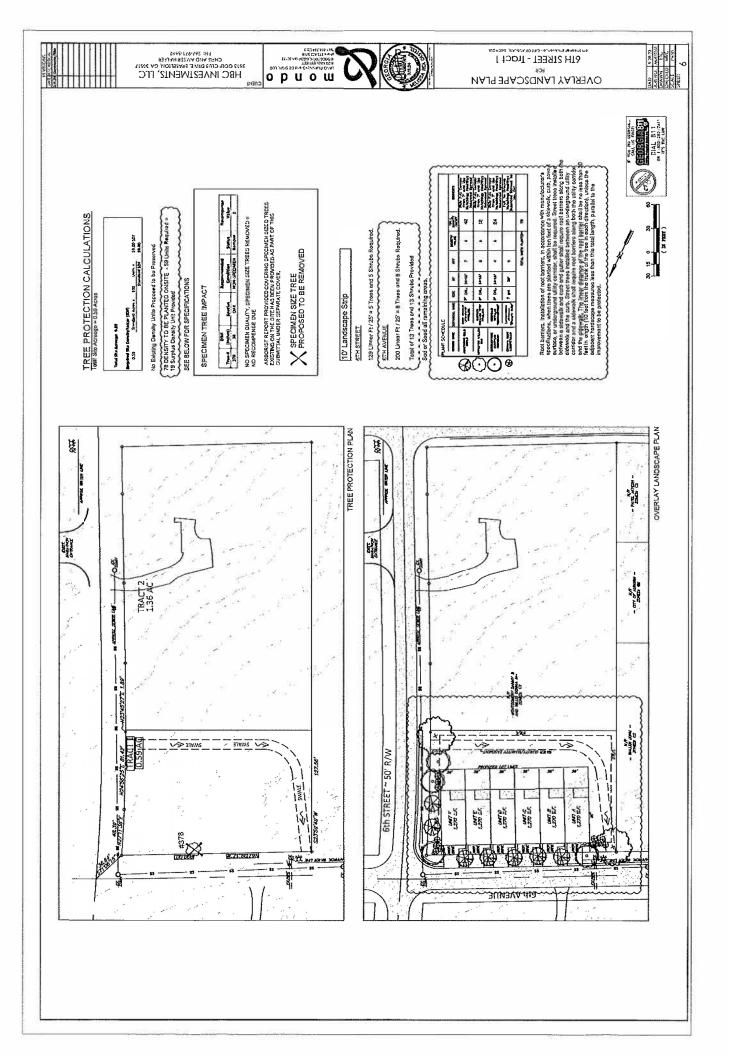








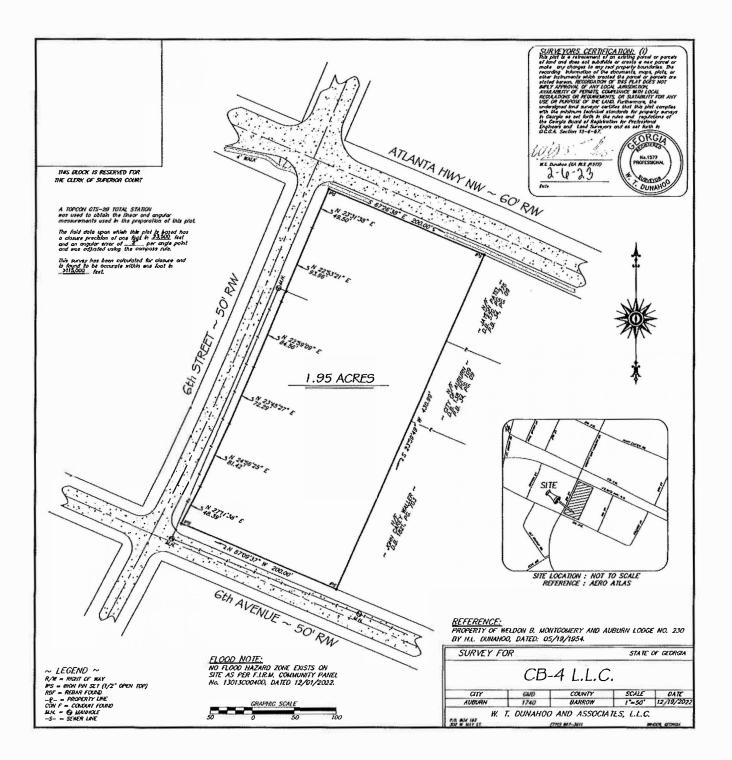




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DATE JOIN MIN23 2005 SHEET 7

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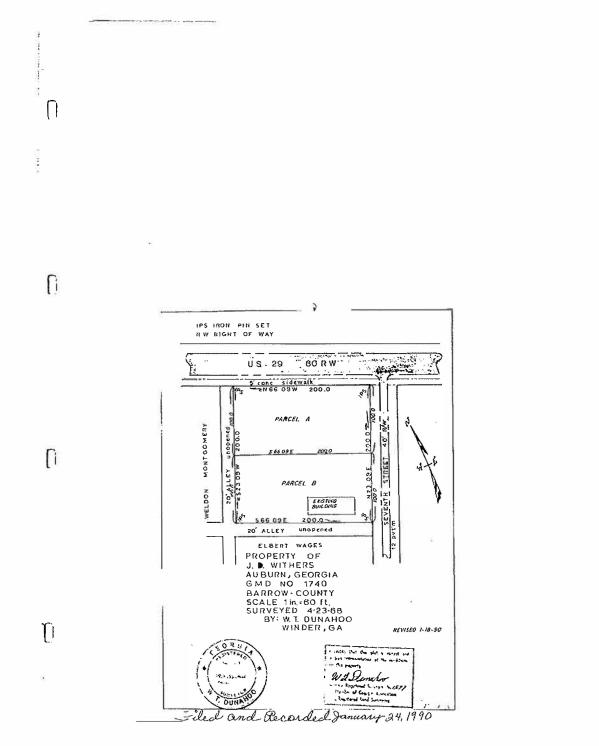
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All that tract or parcel of land lying and being in GMD 1740, City of Auburn, Barrow County, Georgia, containing 1.95 acres, and more particularly described on that Survey For "CB-4 L.L.C." dated December 19, 2022, prepared by W.T. Dunahoo, Georgia Registered Surveyor Number 1577, and more particularly described as follows:

To find the true point of beginning, begin at an iron pin set at the intersection on the northern right of way of 6^{th} Avenue (50' right of way) with the eastern right of way of 6^{th} Street (50' right of way), this being the true point of beginning.

From the point of beginning thus established, and going along the right of way of 6th Street north 27 degrees 11 minutes 38 seconds east a distance of 48.39 feet to a point; thence north 24 degrees 56 minutes 25 seconds east a distance of 81.42 feet to a point; thence north 23 degrees 45 minutes 27 seconds east a distance of 72.29 feet to a point; thence north 22 degrees 59 minutes 09 seconds east a distance of 84.56 feet to a point; thence north 22 degrees 53 minutes 21 seconds east a distance of 93.96 feet to a point; thence north 23 degrees 31 minutes 38 seconds east a distance of 49.50 feet to an iron pin set on the southern right of way of Atlanta Hwy NW (60' right of way); thence along the right of way of Atlanta Hwy NW south 67 degrees 26 minutes 38 seconds east a distance of 200.00 feet to an iron pin set; thence leaving the right of way of Atlanta Hwy NW and going south 23 degrees 59 minutes 49 seconds west a distance of 430.99 feet to an iron pin set on the northern right of way of 6th Avenue; thence along the right of way of 6th Avenue north 67 degrees 09 minutes 37 seconds west a distance of 430.90 feet to an iron pin set on the northern right of way of 6th Avenue; thence along the right of way of 6th Avenue north 67 degrees 09 minutes 37 seconds west a distance of 200.00 feet to an iron pin set and the true point of beginning.



11.1.10

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