

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 715, District 17, Parcel 0150, 2nd Section, Marietta, Cobb County, Georgia, and being known as **1998 Delk Industrial Boulevard**.

WHEREAS, application has been filed by **RED HARE BREWING CO. LLC** for a Special Land Use Permit for a mobile retail food establishment in the corporate limits of the City of Marietta, Georgia; and,

WHEREAS, following proper notice, a public hearing was held before this body; and,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

Section 1: The following property to wit:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 71S of the 17th District of the 2nd Section, Cobb County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar set on the westerly right-of-way line of Delk Industrial Boulevard (having a 60 foot right-of-way) located 1,251.44 feet southerly as measured along the westerly right-of-way line of last said road from the intersection formed by the westerly right-of-way line of last said road with the southerly right-of-way line of Franklin Road; thence running along the westerly right-of-way line of said Delk Industrial Boulevard South 01 degree 52 minutes and 00 seconds East for a distance of 165.33 feet to a point located in a 10-inch tree; thence leaving the westerly right-of-way line of last said road and running South 88 degrees 08 minutes and 00 seconds West for a distance of 290.35 feet to a 1/2 inch rebar found: thence running North 00 degrees 08 minutes and 22 seconds West for a distance of 181.70 feet to a 1/2 inch rebar set; thence North 88 degrees S4 minutes and 48 seconds East for a distance of 204.40 feet to a masonry nail set: thence South 82 degrees 20 minutes and 23 seconds East for a distance of 81.62 feet to the 1/2 inch rebar set located at the POINT OF BEGINNING.

Said tracts or parcels contains 1.1750 acres, more or less (51,184 square feet).

Section 2: The above-described property is hereby granted a Special Land Use Permit for a mobile retail food establishment during the following days and times:

- Wednesday-Thursday 3:00pm-9:00pm
- Friday 3:00pm-10:00pm
- Saturday 12:00pm-10:00pm
- Sunday: 12:30pm to 7pm

Section 3: It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

Section 4: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 5: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

Final Ordinance submitted by:



Rusty Roth, Director
Department of Development Services

Approved as to form:



Douglas R. Haynie, City Attorney

Approved by City Council:

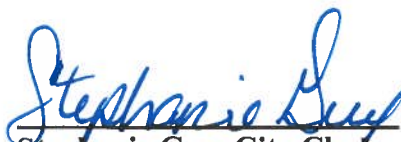
DATE: August 12, 2020

APPROVED:

ATTEST:



R. Steve Tumlin, Jr., Mayor



Stephanie Guy, City Clerk