

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia Land Lot 147, District 17, Parcel 0200 of the 2nd Section, Cobb County, Georgia, and being known as **718 Fairgate Road**.

WHEREAS, application has been filed by **Z AND C CORP, LLC** for rezoning property 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 147 of the 17th District, 2nd Section, Cobb County, Georgia, within the City of Marietta, and being more particularly described as follows:

Beginning at the intersection of the northwest right of way of Fairgate Road (having a 50 foot right of way) and the southwest right of way of Heatherset Drive (having a 50 foot right of way); go thence South 22 degrees 50 minutes 17 seconds West for a distance of 212.95 feet to an iron pin found; go thence North 67 degrees 09 minutes 43 seconds West for a distance of 157.17 feet to an iron pin found; go thence North 22 degrees 16 minutes 58 seconds East for a distance of 246.39 feet to an iron pin found on the right of way of Heatherset Drive; go thence North 89 degrees 23 minutes 52 seconds East for a distance of 14.81 feet to a point; continuing thence southeasterly along the right of way of Heatherset Drive an arc length of 46.11 feet also being subtended by a chord bearing of South 59 degrees 36 minutes 36 seconds East for a distance of 44.01 feet to a point; continuing thence South 29 degrees 25 minutes 13 seconds East for a distance of 6.36 feet to a point; continuing thence southwesterly along the right of way of Heatherset Drive an arc length of 93.58 feet, also being subtended by a chord bearing of South 48 degrees 20 minutes 24 seconds East for a distance of 91.89 feet to a point; continuing thence South 67 degrees 10 minutes 39 seconds East for a distance of 10.34 feet to an iron pin found and the POINT OF BEGINNING.

Said tract of land being improved property containing 0.848+/- acres, or 36,939+/- square feet.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from CRC (Community Retail Commercial) to RA-8 (Single Family Residential – Attached).

Section 3: The following stipulations are incorporated as conditions of zoning:

- Letter of stipulations and variances from Adam J. Rozen of Rozen & Rozen, PC, to Robin Osindele, Urban Planner for the City of Marietta, dated February 8, 2021.

Section 4: 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 5: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.


Section 6: 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:



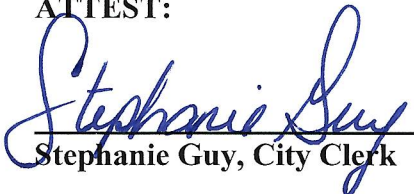
Douglas R. Haynie, City Attorney

Approved by City Council:


DATE: February 10, 2021

APPROVED:

ATTEST:



Stephanie Guy, City Clerk



R. Steve Tumlin, Jr., Mayor