

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 287, District 17, Parcel 0590 of the 2nd Section, Cobb County, Georgia, and being known as **524 West Atlanta Street**.

WHEREAS, application has been filed by **REBECCA BERTHOLD (JUDD BARE)** 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 properties to wit:

All that tract or parcel of land lying and being in Land Lot 287 of the 17th District, 2nd Section, of the City of Marietta, Cobb County, Georgia, and being Lots 500 and 523 and a portion of Lot 127 of Glover's Grove Subdivision, and containing 0.46 acre as shown on boundary survey for Steve Hobson prepared by Gaskins Surveying Co., John C. Gaskins, Georgia Registered Land Surveyor No. 2060, dated April 6, 1989, last revised April 7, 1989, and recorded in Plat Book 126, Page 64, Cobb County, Georgia Records, and being more particularly described as follows:

Begin at a point located on the southwesterly right of way of Atlanta Road (having a variable right of way), which point is 152.38 feet southeasterly as measured along the southwesterly right of way of Atlanta Road from a monument found at the intersection of the southwesterly right of way of Atlanta Road with the southwesterly right of way of Atlanta Road South 24 degrees 06 minutes 38 seconds East for a distance of 66.12 feet to a monument; thence continuing along the southwesterly right of way of Atlanta Road an arc distance of 33.48 feet (said arc being subtended by a chord bearing South 21 degrees 41 minutes 04 seconds East for a distance of 33.47 feet and having a radius of 1671.02 feet) to an iron pin; thence leaving said right of way and running thence South 75 degrees 40 minutes 09 seconds West for a distance of 123.08 feet to a 1-3/8 inch open top pipe found and corner; thence running North 13 degrees 22 minutes 20 seconds West for a distance of 32.80 feet to a 1/2 inch open top pipe found and corner; thence running North 87 degrees 23 minutes 02 seconds West for a distance of 150.50 feet to a 3/4 inch rod and corner located on the easterly right of way of Welch Street (having a 50 foot right of way); thence running northerly along the easterly right of way of Welch Street an arc distance of 60.39 feet (said arc being subtended by a chord bearing North 06 degrees 49 minutes 06 seconds West for a distance of 60.29 feet and having a radius of 1577.12 feet) to a bolt; thence leaving said right of way and running thence South 88 degrees 30 minutes 00 seconds East for a distance of 142.65 feet to an iron pin found, thence running North 75 degrees 25 minutes 00 seconds east

for a distance of 104.12 feet to an iron pin located on the southwesterly right of way of Atlanta Road and the POINT OF BEGINNING.

This Deed is given subject to all easements and restrictions of record.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from NRC (Neighborhood Retail Commercial) to NRC (Neighborhood Retail Commercial) with the additional use of T-shirt printing.

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:

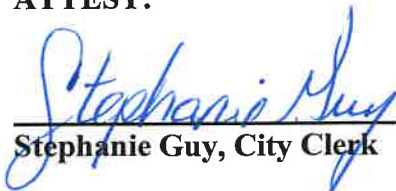
DATE: May 10, 2023

APPROVED:

ATTEST:



R. Steve Tumlin, Jr., Mayor



Stephanie Guy, City Clerk