

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lots 715 and 726, District 17, Parcels 0040 of the 2nd Section, Cobb County, Georgia, and being known as **1045 Franklin Gateway**.

WHEREAS, application has been filed by **FORTUS INVESTMENT 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 properties to wit:

All that tract or parcel of land lying and being in Land Lot 715 and 726 of the 17th District, 2nd Section, of Cobb County, Georgia, and being more particularly described as follows:

Beginning at a point on the easterly side of Franklin Road where it is intersected by the north line of Land Lot 715; running thence southeasterly along the easterly side of Franklin Road 106.14 feet; thence south 89 degrees 20 minutes east 150 feet; thence north 0 degrees 40 minutes east 100 feet to the north line of Land Lot 726; thence north 89 degrees 20 minutes west along said Land Lot line 129.03 feet to the northwest corner of Land Lot 726; thence running west along the north line of Land Lot 715 58.3 feet to the easterly side of Franklin Road and the point of beginning.

LESS AND EXCEPT THEREFROM that portion of the above described property, if any, located within the right of way of Franklin Road.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from LI (Light Industrial) to CRC (Community Retail Commercial).

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Section 4: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.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
Rusty Roth, Director
Department of Development Services

Approved as to form:

M Hayme
Douglas R. Hayme, City Attorney

Approved by City Council:

DATE: July 13, 2023

APPROVED:

ATTEST:

R. Steve Tumlin, Jr.
R. Steve Tumlin, Jr., Mayor

Stephanie Guy
Stephanie Guy, City Clerk