

AN ORDINANCE

SPECIAL LAND USE PERMIT for property in the corporate limits of the City of Marietta, Georgia Land Lot 1086, District 16, Parcels 0240, 0210, 0010, 0460, 0450, 0370 of the 2nd Section, Cobb County, Georgia, and being known as 589 Campbell Hill Street (aka 87 Lacy Street), 558 Saint Joseph Way, 543 & 555 Sugar Hill Road, 105 Lacy Street, and 574 Nancy Street.

WHEREAS, application has been filed by **AOA PARISH REAL ESTATE TRUST** for a Special Land Use Permit for 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 OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 1086 OF THE 16TH DISTRICT, 2ND SECTION, CITY OF MARIETTA, COBB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FORMED BY THE SOUTHERLY RIGHT-OF-WAY OF LACY STREET (30' RIGHT-OF-WAY) AND THE WESTERLY RIGHT-OF-WAY OF CAMPBELL HILL STREET (40' RIGHT-OF-WAY) AND PROCEED THENCE SOUTH 01°29'32" WEST ALONG THE WESTERLY RIGHT-OF-WAY OF CAMPBELL HILL STREET (40' RIGHT-OF-WAY) FOR A DISTANCE OF 350.88 FEET TO A POINT; THENCE DEPARTING THE WESTERLY RIGHT-OF-WAY OF CAMPBELL HILL STREET (40' RIGHT-OF-WAY) AND PROCEEDING NORTH 87°35'08" WEST FOR A DISTANCE OF 184.76 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE NORTH 88°16'30" WEST FOR A DISTANCE OF 77.05 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE NORTH 88°16'30" WEST FOR A DISTANCE OF 39.20 FEET TO A POINT; THENCE NORTH 28°57'40" EAST FOR A DISTANCE OF 48.90 FEET TO A POINT; THENCE NORTH 30°29'11" WEST FOR A DISTANCE OF 43.48 FEET TO A POINT; THENCE NORTH 89°49'00" WEST FOR A DISTANCE OF 59.67 FEET TO A POINT; THENCE SOUTH 01°32'04" WEST FOR A DISTANCE OF 28.58 FEET TO A POINT; THENCE NORTH 89°20'06" WEST FOR A DISTANCE OF 60.53 FEET TO A POINT; THENCE SOUTH 00°20'49" WEST FOR A DISTANCE OF 98.52 FEET TO A POINT; THENCE NORTH 87°11'44" EAST FOR A DISTANCE OF 39.35 FEET TO AN IRON PIN FOUND (2" OPEN TOP PIPE) ON THE WESTERLY RIGHT-OF-WAY OF SUGAR HILL ROAD (40' RIGHT-OF-WAY); THENCE

ALONG THE WESTERLY RIGHT-OF-WAY OF SUGAR HILL ROAD (40' RIGHT-OF-WAY) THE FOLLOWING COURSES AND DISTANCES:

- (1) SOUTH 01°40'38" WEST FOR A DISTANCE OF 71.00 FEET TO AN IRON PIN SET;
- (2) SOUTH 02°00'26" WEST FOR A DISTANCE OF 95.00 FEET TO AN IRON PIN SET;

THENCE DEPARTING THE WESTERLY RIGHT-OF-WAY OF SUGAR HILL ROAD (40' RIGHT- OF-WAY) AND PROCEEDING NORTH 89°12'05" WEST FOR A DISTANCE OF 129.00 FEET TO AN IRON PIN SET; THENCE NORTH 01°19'22" WEST FOR A DISTANCE OF 94.98 FEET TO AN IRON PIN FOUND (1" OPEN TOP PIPE); THENCE NORTH 01°27'25" WEST FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE SOUTH 88°37'00" WEST FOR A DISTANCE OF 148.63 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ST. JOSEPHS WAY (40' RIGHT-OF-WAY); THENCE NORTH 01°20'26" WEST ALONG THE EASTERLY RIGHT-OF-WAY OF ST. JOSEPHS WAY (40' RIGHT-OF-WAY) FOR A DISTANCE OF 76.00 FEET TO A POINT FORMED BY THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF ST. JOSEPHS WAY (40' RIGHT-OF-WAY) AND THE NORTHERLY RIGHT-OF-WAY OF NANCY STREET (40' RIGHT-OF-WAY); THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF NANCY STREET (40' RIGHT-OF-WAY) THE FOLLOWING COURSES AND DISTANCES:

- (1) NORTH 89°05'54" WEST FOR A DISTANCE OF 197.85 FEET TO AN IRON PIN PLACED;
- (2) NORTH 89°03'24" WEST FOR A DISTANCE OF 170.00 FEET TO AN IRON PIN PLACED;

THENCE DEPARTING THE NORTHERLY RIGHT-OF-WAY OF NANCY STREET (40' RIGHT-OF- WAY) AND PROCEEDING NORTH 00°03'58" EAST FOR A DISTANCE OF 160.00 FEET TO AN IRON PIN FOUND (1/2" REBAR); THENCE NORTH 00°42'42" EAST FOR A DISTANCE OF 183.56 FEET TO AN IRON PIN FOUND (1/2" REBAR) ON THE SOUTHERLY RIGHT-OF-WAY OF LACY STREET (30' RIGHT-OF-WAY); THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF LACY STREET (30' RIGHT-OF-WAY) THE FOLLOWING COURSES AND DISTANCES:

- (1) SOUTH 88°56'51" EAST FOR A DISTANCE OF 85.00 FEET TO AN IRON PIN FOUND (1" OPEN TOP PIPE);
- (2) SOUTH 88°56'51" EAST FOR A DISTANCE OF 85.00 FEET TO A POINT IRON PIN PLACED;
- (3) SOUTH 88°56'51" EAST FOR A DISTANCE OF 874.30 FEET TO THE **POINT OF BEGINNING.**

SAID TRACT OR PARCEL CONTAINING 8.90539 ACRES OR 387,919 SQUARE FEET.

Section 2: The above-described properties are hereby granted a Special Land Use Permit for a place of assembly in the corporate limits in the City of Marietta, Georgia.

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

1. Variance to decrease the minimum setback for any building or structure in connection with the church from 75 feet from a property line to 30 feet (applicable to both the Rectory and school addition) [§708.04 (E)]
2. Variance to increase the maximum impervious surface area allowed from 50% to 61% [§708.04 (H)]
3. Variance to waive the requirement for a sidewalk along Campbell Hill Street [§732.07]

Section 4: The following stipulations are hereby incorporated as conditions of zoning:

1. Combine the various church campus parcels into one lot via exemption plat to facilitate future regulation.
2. A parking study be provided to quantify need vs. supply as well as to revisit traffic queuing.
3. Evergreen screening and/or fencing should be installed to create a buffer between the rectory and the single-family residences on Sugar Hill Drive if it is to remain as proposed.
4. Any exterior property changes that include the addition of occupiable space must be submitted back to the Planning Commission and City Council for site plan review which would include any buffer requirements.
5. Lighting shall be established in such a way that no direct light shall cast over any property line nor adversely affect neighboring properties.

Section 5: 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 6: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.


Section 7: 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: January 10, 2024

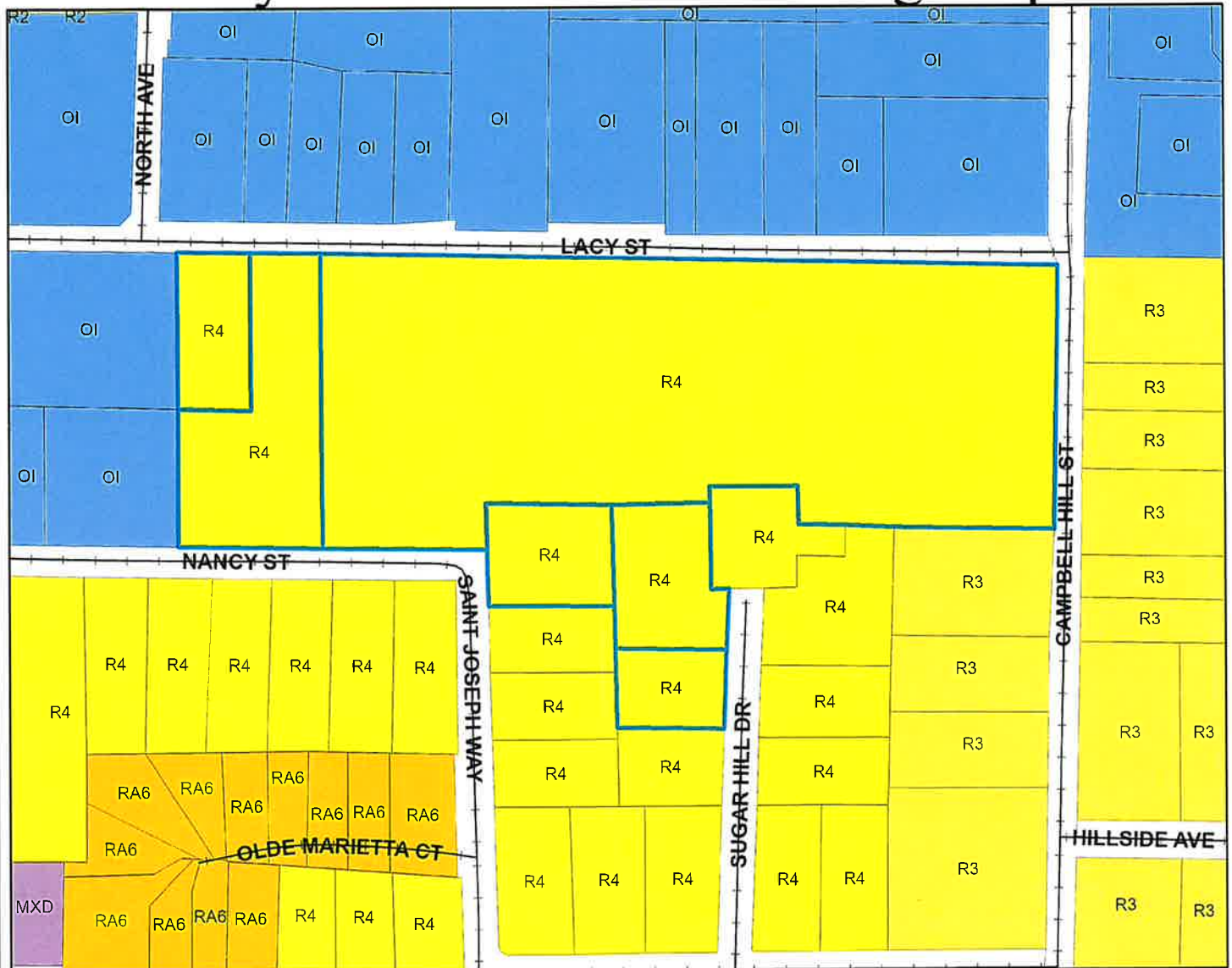
APPROVED:

ATTEST:


Stephanie Guy, City Clerk


R. Steve Tumlin, Jr., Mayor

City of Marietta Area Zoning Map



Zoning

SINGLE FAMILY RESIDENTIAL

- R-1 One Unit/Acre
- R-2 Two Unit/Acre
- R-3 Three Unit/Acre
- R-4 Four Unit/Acre

ATTACHED FAMILY RESIDENTIAL

- RA-4 Four Unit/Acre
- RA-6 Six Unit/Acre
- RA-8 Eight Unit/Acre
- PRD(SF) Planned Residential Dev.

MHP Mobile Home Park

MULTI FAMILY RESIDENTIAL

- RM-8 Eight Unit/Acre
- RM-10 Ten Unit/Acre
- RM-12 Twelve Unit/Acre
- RHR Residential High Rise
- PRD(MF) Planned Residential Dev.

COMMERCIAL

- NRC Neighborhood Retail
- CRC Community Retail
- RRC Regional Retail
- CBD Central Business District
- PCD Planned Commercial Dev.
- MXD Mixed-Use Dev.
- OIT Office Institutional Trans.
- LRO Low-Rise Office
- OI Office Institutional
- OS Office Services
- OHR Office High-Rise

INDUSTRIAL

- LI Light Industrial
- HI Heavy Industrial
- PID Planned Industrial Dev.

District

17

Land Lot

1086

Parcel

0240
0210
0010
0460
0450
0370

Current Zoning

R-4

Proposed Zoning

SLUP

Comments: 589 Campbell Hill St,
558 St Joseph Way, 543 & 555 Sugar
Hill Rd, 105 Lacy St, and 574 Nancy St

Date: 11/22/2023

**Planning & Zoning
Division**

