

**AN ORDINANCE**

**AMENDING** the City of Marietta Comprehensive Plan 2006 – 2030 and Future Land Use Map.

**WHEREAS**, a request has been received for an amendment to the Comprehensive Plan and Future Land Use Map for property located in Land Lots 736, 776, and 777, District 16, Parcels 0030, 0050, 0890, 0900, 0910, 0920, 0930, 0940, 0950, 0960, 0970, 0980, 0990, 1000, 1010, 1020, 1030, 1040, 1050, 1060, 1070, 1080, 1090, 1100, 1110, 1120, 1130, 1140, 1150, 1160, 1170, 1180, 1190, 1200, 1210, 1220, 1230, 1240, 1250, 1260, 1270, 1280, & 1290 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as **1510, 1514, 1518, 1522 Gatekeeper Terrace; 1823 and unnumbered property on Longwing Lane; 1818, 1822, 1826, 1830, 1833, 1834, 1837, 1838, 1841, 1842, 1845, 1846, 1849, 1853, 1854, 1857, 1858, 1861, 1865, 1868, 1869 & unnumbered property on Butterfly Way; 1880, 1883, 1884, 1887, 1888, 1891, 1892, 1895, 1896, 1899, 1900, 1904, & 1908 Glasswing Court; 1944, 1946, and unnumbered property on Ross Road.**

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

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

**Section 1:** The following properties to wit:

*Phase 1:*

All that tract or parcel of land lying and being located in Land Lot 776 of the 16th District, 2<sup>nd</sup> Section, Cobb County, Georgia, and containing 6.8205 acres as per that certain Retracement Survey for David Pearson Communities, prepared by Centerline Surveying and Land Planning, Inc., bearing the seal and certification of Charles C. Franklin, Georgia Registered Land Surveyor No. 2143, dated April 23, 2015 and being more particularly described as follows:

Beginning at an iron pin (1/2" open top pipe) found at the common corner of Land Lots 736, 737, 776 and 777 of the said 16th District, said point being the True Point of Beginning; Thence leaving said True Point of Beginning as thus established and running South 80 degrees 20 minutes 00 seconds East a distance of 727.00 feet to an iron pin (#4 rebar) found at a point and corner located on the Northwesterly right-of-way of Sandy Plains Road (Variable Right-Of-Way); Thence running in a Southwesterly direction along the Northwesterly right-of-way of Sandy Plains Road and following the curvature thereof along a curve to the right for an arc length of 835.70 feet (said arc being subtended by a chord of South 41 degrees 57 minutes 24 seconds West a distance of 834.87 feet with a radius of 5450.39 feet) to an iron pin (#4 rebar) set at a point and corner; Thence leaving said Right-Of-Way of Sandy Plains Road and running North 44 degrees 11 minutes 54 seconds West a distance of 220.42 to an iron pin (3/4" open top pipe) found at a point and

corner located on the westerly line of Land Lot 776; Thence running North 01 degrees 27 minutes 31 seconds East along the said westerly line of Land Lot 776 a distance of 25.66 feet to an iron pin (1" Rod) found at a point and corner; Thence leaving said Land Lot Line and running North 46 degrees 32 minutes 22 seconds East a distance of 152.52 feet to an iron pin (1/2" open top pipe) found at a point and corner; Thence running North 45 degrees 06 minutes 38 seconds West a distance of 156.98 feet to an iron pin (3/4" open top pipe) found at a point and corner located on the said westerly line of Land Lot 776; Thence running North 00 degrees 05 minutes 16 seconds East along the said westerly line of Land Lot 776 a distance of 90.09 feet to an iron pin (3/4" crimped top pipe) found; Thence running North 01 degrees 09 minutes 27 seconds West and continuing along the said westerly line of Land Lot 776 a distance of 253.52 feet to an iron pin (1/2" open top pipe) found at a point and corner, said point being the True Point of Beginning.

*Phase 2:*

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 736 AND 777 OF THE 16TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, CONTAINING 8.210 ACRES AS PER THAT CERTAIN RETRACEMENT SURVEY FOR DAVID PEARSON COMMUNITIES, PREPARED BY CENTERLINE SURVEYING AND LAND PLANNING, INC., BEARING THE SEAL AND CERTIFICATION OF CHARLES C. FRANKLIN, GEORGIA REGISTERED LAND SURVEYOR NO. 2143, DATED AUGUST 24, 2020, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND AT THE COMMON CORNER OF LAND LOTS 736, 737, 776 AND 777 OF THE SAID 16TH DISTRICT; THENCE FROM SAID TRUE POINT OF BEGINNING AS THUS ESTABLISHED LEAVING SAID IRON PIN AND RUNNING SOUTH 01 DEGREES 09 MINUTES 27 SECONDS EAST ALONG THE COMMON LINE BETWEEN LAND LOTS 776 AND 777 FOR A DISTANCE OF 253.52 FEET TO AN IRON PIN FOUND; THENCE CONTINUING ALONG THE COMMON LINE BETWEEN LAND LOTS 776 AND 777 AND RUNNING SOUTH 00 DEGREES 05 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 90.09 FEET TO AN IRON PIN FOUND AT A POINT AND CORNER; THENCE LEAVING SAID LAND LOT LINE AND RUNNING NORTH 75 DEGREES 38 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 373.31 FEET TO AN IRON PIN FOUND AT A POINT AND CORNER; THENCE RUNNING SOUTH 28 DEGREES 34 MINUTES 56 SECONDS WEST FOR A DISTANCE OF 92.67 FEET TO AN IRON PIN FOUND AT A POINT AND CORNER; THENCE RUNNING NORTH 34 DEGREES 10 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 532.21 FEET TO AN IRON PIN FOUND AT A POINT AND CORNER; THENCE RUNNING NORTH 09 DEGREES 51 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 190.46 FEET TO AN IRON PIN FOUND AT A POINT AND CORNER; THENCE RUNNING SOUTH 88 DEGREES 41 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 735.66 FEET TO AN IRON PIN FOUND AT A POINT AND CORNER LOCATED ON THE COMMON LINE BETWEEN LAND LOTS 736 AND 737; THENCE RUNNING SOUTH 00 DEGREES 36 MINUTES 03 SECONDS WEST ALONG THE COMMON LINE BETWEEN LAND LOTS 736 AND 737 FOR A DISTANCE OF 278.84 FEET TO AN IRON PIN FOUND, SAID POINT BEING THE TRUE POINT OF BEGINNING.

**Section 2:** The Future Land Use for the above-described property is hereby designated MDR (Medium Density Residential).

**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**

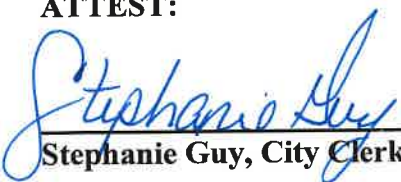
**Approved by City Council:**

**DATE:** April 10, 2024

**APPROVED:**

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

**ATTEST:**

  
**Stephanie Guy, City Clerk**