

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 1234, District 16, Parcels 0090 & 0100 of the 2nd Section, Cobb County, Georgia, and being known as **462 & 480 Roswell Street**.

WHEREAS, application has been filed by **ALICE HOLDINGS, 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:

TRACT I

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 1234, of the 16th District, 2nd Section, Cobb County, Georgia, and being within the bounds of the City of Marietta, Georgia, and being more particularly described as follows:

BEGINNING at a point located on the south right of way line of Roswell Street (said street having a 50 foot right of way and also being known as State Highway 120) 349.4 feet westerly of the intersection of the southerly right of way of said Roswell Street and the westerly right of way of South Avenue (said street having a 50 foot right of way) and as measured along the south side of Roswell Street, thence from said point of beginning south 01 degrees 38 minutes 21 seconds east 110.06 feet to a point and corner; thence north 87 degrees 10 minutes 17 seconds east a distance of 30 feet to an iron pin and corner, thence south 01 degree 47 minutes 06 seconds east a distance of 80.61 feet to a point and corner, thence south 87 degrees 06 minutes 49 seconds west 109.50 feet to a point and corner; thence north 01 degree 46 minutes 03 seconds west a distance of 187.19 feet to the right of way of said Roswell Street; thence north 84 degrees 31 minutes 38 seconds east a distance of 77.41 feet to the point of beginning.

Said property is known as 462 Roswell Street according to the present system of numbering property within the City of Marietta and is more specifically shown on that certain plat of survey, dated August 22, 1985, as prepared by Gerald T. Batchelor, registered land surveyor, and having his file number 85-M3587-D52. Said plat was prepared for Larry G. Holder and Ronald J. Dudley and is incorporated herein by express reference.

Said property is specifically intended to also include all of the property previously conveyed to Frazee, Inc. by A. C. White transfer and storage Company, Inc. as reflected in that certain warranty deed dated March 23, 1982, and recorded in deed book 2492, page 435, Cobb County Superior Court Clerk's records.

This property is subject to those certain easements contained in the warranty deed given by A.C. White to Frances Hall and Lyman Hall, dated October 2, 1956, and recorded in Deed Book 377, page 389, Cobb County, Georgia, records.

TRACT II

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 1234, of the 16th District, 2nd Section, Cobb County, Georgia, and being within the City of Marietta, Georgia, and being more particularly described as follows:

BEGINNING at a point on the south side of Roswell Street (said street having a 50 foot right of way and also being known as State Highway 120) 244.58 feet westerly of the intersection of the southerly right of way of said Roswell Street with the westerly right of way of South Avenue (said street having a 50 foot right of way) and as measured along the south side of Roswell Street, thence from said point of beginning south 01 degree 31 minutes 59 seconds east a distance of 194.26 feet to a point and corner; thence south 86 degrees 51 minutes 53 seconds west a distance of 71.10 feet to an iron pin¹ thence continuing south 87 degrees 06 minutes 49 seconds west a distance of 3.00 feet to an iron pin and corner; thence north 01 degree 47 minutes 06 seconds west a distance of 80.61 feet to an iron pin; thence continuing north 01 degrees 39 minutes 45 seconds west a distance of 111.35 feet to a point located on the southerly right of way of said Roswell Street¹ thence north 85 degrees 07 minutes 13 seconds east a distance of 74.81 feet to the point of beginning.

Said property is more specifically reflected on that certain plat of survey dated August 22, 1985, and prepared by Gerald T. Batchelor, registered land surveyor, and having plat number 8SM3587 052. Said plat was prepared for Larry G. Holder and Ronald J. Dudley and is specifically incorporated herein by express reference.

Section 2: The above-described property is hereby rezoned in the corporate limits of the City of Marietta, Georgia from CRC (Community Retail Commercial) to CRC (Community Retail Commercial) with an additional use as a contractors' office.

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

1. Letter of agreeable stipulations and conditions to Shelby Little, AICP, Planning & Zoning Manager, City of Marietta from Adam J. Rozen of Rozen, Rozen & Reilly, LLP dated May 29, 2025.
2. Details (materials, location, design, etc.) of front yard fencing must be submitted and approved by City Council prior to installation.
3. No outdoor storage allowed on Tract 1 (462 Roswell Street).

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:


Shelby Little, Planning & Zoning Manager

Approved as to form:


Douglas R. Haynie, City Attorney
Daniel White


Approved by City Council:

DATE: June 11, 2025

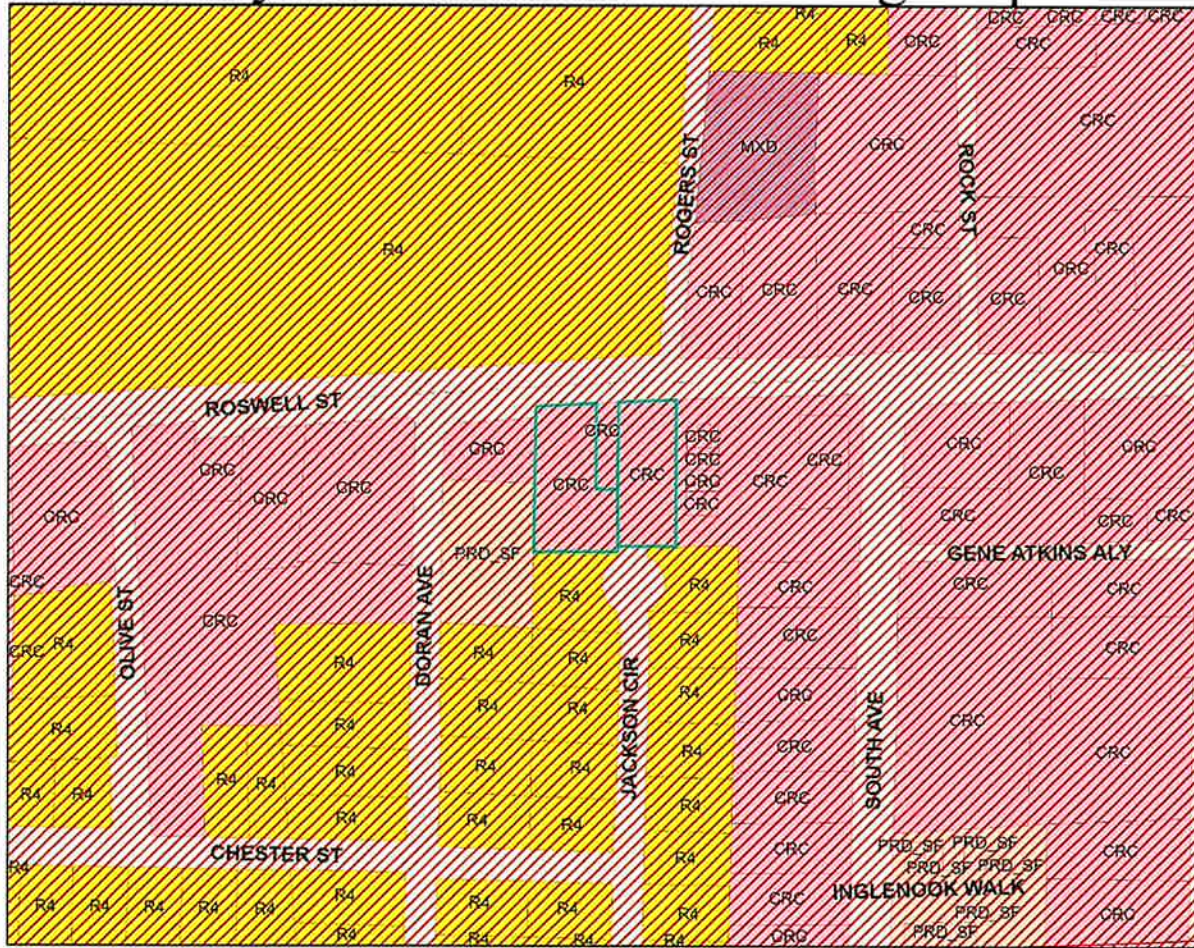
APPROVED:

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

16
16

Land Lot

1234
1234

Parcel

0090
0100

*Current
Zoning*

CRC
CRC

*Proposed
Zoning*

CRC
w/
variances

Comments:

462 & 480 Roswell St

Date:

4/28/2025

Planning & Zoning
Division

N



Feet
0 70 140

