

**AN ORDINANCE**

**REZONING** property in the corporate limits of the City of Marietta, Georgia in Land Lots 854, 855, 874 & 875, District 16, Parcels 0460, 0480, 0620 & 0080 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as **unaddressed property on Weaver Drive, 160 (aka 601) & 595 (aka 200) Weaver Drive, and 1475 Canton Road.**

**WHEREAS**, application has been filed by **WHITE HAWK BUSINESS PARK, 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 1 (1475 Canton Road)**

THE LAND IS DESCRIBED AS FOLLOWS:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 854, 855, 874 AND 875 OF THE 16TH DISTRICT, 2ND SECTION, CITY OF MARIETTA, COBB COUNTY, GEORGIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A #4 REBAR SET AT THE INTERSECTION OF THE NORTH EASTERLY SIDE OF OWENBY DRIVE (VARIABLE RIGHT OF WAY) AND THE NORTH WESTERLY SIDE OF CANTON ROAD (60 FOOT RIGHT OF WAY), THENCE FROM THE SAID **POINT OF BEGINNING** ALONG THE NORTH EASTERLY SIDE OF OWENBY DRIVE (VARIABLE RIGHT OF WAY) NORTH 42 DEGREES 48 MINUTES 37 SECONDS WEST A DISTANCE OF 416.65 FEET TO A #4 REBAR SET; THENCE NORTH 45 DEGREES 36 MINUTES 20 SECONDS WEST A DISTANCE OF 145.27 FEET TO A #4 REBAR FOUND. THENCE LEAVING THE SAID RIGHT OF WAY OF OWENBY DRIVE (VARIABLE RIGHT OF WAY) AND FOLLOWING THE SOUTHEASTERN BOUNDARY LINE OF LOTS 33, 32 AND 31, OAKHURST SUBDIVISION - EXTENSION NO.1 NORTH 39 DEGREES 18 MINUTES 28 SECONDS EAST A DISTANCE OF 279.59 FEET TO A 3/4" CRIMPED TOP FOUND; THENCE CONTINUING ALONG THE SOUTHEASTERN BOUNDARY LINE OF LOTS 31 AND 30, OAKHURST SUBDIVISION - EXTENSION NO.1 NORTH 51 DEGREES 56 MINUTES 15 SECONDS EAST A DISTANCE OF 47.50 FEET TO A #4 REBAR SET, THENCE NORTH 49 DEGREES 53 MINUTES 18 SECONDS EAST A DISTANCE OF 115.96 FEET TO A #4 REBAR FOUND; THENCE SOUTH 56 DEGREES 41 MINUTES 54 SECONDS EAST A DISTANCE OF 610.37 FEET TO A #4 REBAR SET ON THE NORTHWESTERLY SIDE OF CANTON ROAD (60 FOOT RIGHT OF WAY);

THENCE ALONG THE NORTH WESTERLY SIDE OF CANTON ROAD (60 FOOT RIGHT OF WAY) FOLLOWING A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 256.28 FEET, AND RADIUS OF 997.38 FEET, WITH A CHORD BEARING OF SOUTH 44 DEGREES 13 MINUTES 36 SECONDS WEST A DISTANCE OF 255.58 FEET TO A #4 REBAR SET; THENCE SOUTH 51 DEGREES 35 MINUTES 16 SECONDS WEST A DISTANCE OF 196.99 FEET TO A #4 REBAR SET; THENCE SOUTH 35 DEGREES 56 MINUTES 54 SECONDS WEST A DISTANCE OF 36.62 FEET TO A #4 REBAR SET; THENCE SOUTH 51 DEGREES 35 MINUTES 16 SECONDS WEST A DISTANCE OF 92.25 FEET TO A #4 REBAR SET AT THE INTERSECTION OF THE NORTH EASTERLY SIDE OF OWENBY DRIVE (VARIABLE RIGHT OF WAY) AND THE NORTH WESTERLY SIDE OF CANTON ROAD (60 FOOT RIGHT OF WAY); SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINS 6.96 ACRES (303,068.25 SQUARE FEET) MORE OR LESS.

**TRACT 2 (160 aka 601 Weaver Drive)**

THE LAND IS DESCRIBED AS FOLLOWS:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 854 AND 855 OF THE 16TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT MARKING THE INTERSECTION OF THE NORTH EASTERLY SIDE OF OWENBY DRIVE (VARIABLE RIGHT OF WAY) AND THE SOUTH EASTERLY SIDE OF WEAVER DRIVE (40 FOOT RIGHT OF WAY) PER PLAT BOOK 11 PAGE 73; THENCE NORTHEASTERLY ALONG THE SOUTHERN RIGHT OF WAY LINE OF WEAVER DRIVE (40 FOOT RIGHT OF WAY) FOR A DISTANCE OF 220.0 FEET TO A #4 REBAR FOUND, SAID POINT BEING THE **POINT OF BEGINNING**. THENCE FROM THE SAID POINT OF BEGINNING, CONTINUING ALONG THE SOUTH EASTERLY RIGHT OF WAY LINE OF WEAVER DRIVE (40 FOOT RIGHT OF WAY) NORTH 40 DEGREES 51 MINUTES 05 SECONDS EAST A DISTANCE OF 100.21 FEET TO A #4 REBAR FOUND; THENCE LEAVING THE SAID RIGHT OF WAY OF WEAVER DRIVE (40 FOOT RIGHT OF WAY), SOUTH 49 DEGREES 10 MINUTES 05 SECONDS EAST A DISTANCE OF 192.34 FEET TO A #4 REBAR SET; THENCE SOUTH 51 DEGREES 56 MINUTES 15 SECONDS WEST A DISTANCE OF 47.50 FEET TO A CRIMPED TOP FOUND; THENCE SOUTH 39 DEGREES 18 MINUTES 28 SECONDS WEST A DISTANCE OF 53.63 FEET TO A #4 REBAR SET; THENCE NORTH 49 DEGREES 09 MINUTES 42 SECONDS WEST A DISTANCE OF 184.65 FEET TO A #4 REBAR FOUND ON THE SOUTH EASTERLY SIDE OF WEAVER DRIVE (40 FOOT RIGHT OF WAY); SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINS 0.41 ACRES (18,611.96 SQUARE FEET) MORE OR LESS.

**TRACT 3 (unaddressed Weaver Drive)**

THE LAND IS DESCRIBED AS FOLLOWS:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 854 AND 855 OF THE 16TH DISTRICT, 2ND SECTION, CITY OF MARIETTA, COBB COUNTY, GEORGIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT MARKING THE INTERSECTION OF THE NORTH EASTERLY SIDE OF OWENBY DRIVE (VARIABLE RIGHT OF WAY) AND THE SOUTH EASTERLY SIDE OF WEAVER DRIVE (40 FOOT RIGHT OF WAY) PER PLAT BOOK 11 PAGE 73; THENCE NORTH EASTERLY ALONG THE SOUTHERN RIGHT OF WAY LINE OF WEAVER DRIVE (40 FOOT RIGHT OF WAY) FOR A DISTANCE OF 220.0 FEET TO A #4 REBAR FOUND, THENCE NORTH 40 DEGREES 51 MINUTES 05 SECONDS EAST A DISTANCE OF 100.21 FEET TO A #4 REBAR FOUND; SAID POINT BEING THE **POINT OF BEGINNING**.

THENCE FROM THE SAID POINT OF BEGINNING, CONTINUING ALONG THE SOUTH EASTERLY RIGHT OF WAY LINE OF WEAVER DRIVE (40 FOOT RIGHT OF WAY) NORTH 41 DEGREES 27 MINUTES 20 SECONDS EAST A DISTANCE OF 66.72 FEET TO A #4 REBAR SET; THENCE FOLLOWING A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 71.33 FEET, AND RADIUS OF 59.02 FEET, WITH A CHORD BEARING OF NORTH 05 DEGREES 26 MINUTES 15 SECONDS EAST A DISTANCE OF 67.07 FEET TO A #4 REBAR SET; THENCE LEAVING THE SAID RIGHT OF WAY OF WEAVER DRIVE (40 FOOT RIGHT OF WAY), SOUTH 34 DEGREES 48 MINUTES 45 SECONDS EAST A DISTANCE OF 84.07 FEET TO A #4 REBAR FOUND; THENCE NORTH 53 DEGREES 20 MINUTES 35 SECONDS EAST A DISTANCE OF 53.12 FEET TO A #4 REBAR FOUND; THENCE SOUTH 35 DEGREES 29 MINUTES 40 SECONDS EAST A DISTANCE OF 160.30 FEET TO A #4 REBAR FOUND; THENCE SOUTH 49 DEGREES 53 MINUTES 18 SECONDS WEST A DISTANCE OF 115.96 FEET TO A #4 REBAR FOUND; THENCE NORTH 49 DEGREES 10 MINUTES 05 SECONDS WEST A DISTANCE OF 192.34 FEET TO A #4 REBAR FOUND ON THE SOUTH EASTERLY SIDE OF WEAVER DRIVE (40 FOOT RIGHT OF WAY); SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINS 0.60 ACRES (26, 130.45 SQUARE FEET) MORE OR LESS.

**TRACT 3 [595 (aka 200) Weaver Drive]**

THE LAND IS DESCRIBED AS FOLLOWS:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 854 AND 855 OF THE 16TH DISTRICT, 2ND SECTION, CITY OF MARIETTA, COBB COUNTY, GEORGIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT MARKING THE INTERSECTION OF THE NORTH EASTERLY SIDE OF OWENBY DRIVE (VARIABLE RIGHT OF WAY) AND THE SOUTH EASTERLY SIDE OF WEAVER DRIVE (40 FOOT RIGHT OF WAY) PER PLAT BOOK 11 PAGE 73; THENCE NORTH EASTERLY ALONG THE SOUTHERN RIGHT OF WAY LINE OF WEAVER DRIVE (40 FOOT RIGHT OF WAY), FOR A DISTANCE OF 220.0 FEET TO A #4 REBAR FOUND, THENCE NORTH 40 DEGREES 51 MINUTES 05 SECONDS EAST A DISTANCE OF 100.21 FEET TO A #4 REBAR FOUND; THENCE NORTH 41 DEGREES 27 MINUTES 20 SECONDS EAST A DISTANCE OF 66.72 FEET TO A #4 REBAR SET; THENCE FOLLOWING A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 71.33 FEET, AND RADIUS OF 59.02 FEET, WITH A CHORD BEARING OF NORTH 05 DEGREES 26 MINUTES 15 SECONDS EAST A DISTANCE OF 67.07 FEET TO A #4 REBAR SET; SAID POINT BEING THE **POINT OF BEGINNING**. THENCE FROM THE SAID POINT OF BEGINNING, LEAVING THE SAID RIGHT OF WAY OF WEAVER DRIVE (40 FOOT RIGHT OF WAY) NORTH 33 DEGREES 45 MINUTES 31 SECONDS EAST A DISTANCE OF 213.24 FEET TO A COMPUTED POINT TO THE CENTERLINE OF THE CREEK; THENCE SOUTH EASTERLY ALONG THE CENTERLINE OF THE CREEK A DISTANCE OF ± 103.80 FEET; THENCE LEAVING THE CENTERLINE OF THE SAID CREEK SOUTH 34 DEGREES 46 MINUTES 31 SECONDS WEST A DISTANCE OF 177.47 FEET TO A #4 REBAR FOUND; THENCE SOUTH 53 DEGREES 20 MINUTES 35 SECONDS WEST A DISTANCE OF 53.12 FEET TO A #4 REBAR FOUND; THENCE NORTH 34 DEGREES 48 MINUTES 45 SECONDS WEST A DISTANCE OF 84.07 FEET TO A #4 REBAR SET ON THE NORTH EASTERLY SIDE OF WEAVER DRIVE (40 FOOT RIGHT OF WAY); SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINS 0.47 ACRES (20, 652.61 SQUARE FEET) MORE OR LESS.

**Section 2:** The above-described property is hereby rezoned in the corporate limits of the City of Marietta, Georgia from R-20 (Single Family Residential) in unincorporated Cobb County and CRC (Community Retail Commercial) in the City to LI (Light Industrial) in the city.

**Section 3:** The following is 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 6, 2025.

**Section 4:** The following variances are incorporated as conditions of zoning:

1. Variance to reduce the required 50-foot buffer to 20 feet along the property line shared with the residential lot at 611 Weaver Drive. [*§708.26 (I.)*]
2. Variance to reduce the required 50-foot buffer to 15 feet along the property line shared with the adjacent residential lot at 585 Weaver Drive when 200 Weaver Drive (Parcel 3) is used for industrial purposes. [*§708.26 (I.)*]
3. Variance to reduce the required 50-foot buffer to 20 feet along the property line shared with the adjacent residential lot at 626 Oakhurst Drive when 200 Weaver Drive (Parcel 3) is used for industrial purposes. [*§708.26 (I.)*]
4. Variance to allow gravel to be used as a parking surface. [*§716.08 (B.)*]
5. Variance to allow Cryptomeria as street trees. [*§712.08 (Table G-2.)*]

6. Variance to allow outdoor storage within 50 feet of property zoned or used for residential purposes and 25 feet from City right-of-way. [*§708.26 (B.36.e.)*]
7. Variance to disturb the natural topography and vegetation in the required buffer adjacent to 611 Weaver Drive. [*§710.05 (A.)*]

**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:**

  
\_\_\_\_\_  
Shelby Little, Planning & Zoning Manager

**Approved as to form:**

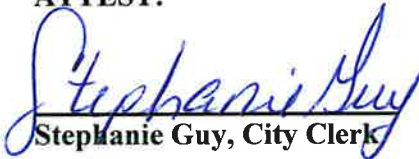
  
\_\_\_\_\_  
Douglas R. Haynie, City Attorney  
*Deniel White*

**Approved by City Council:**

**DATE:** June 11, 2025

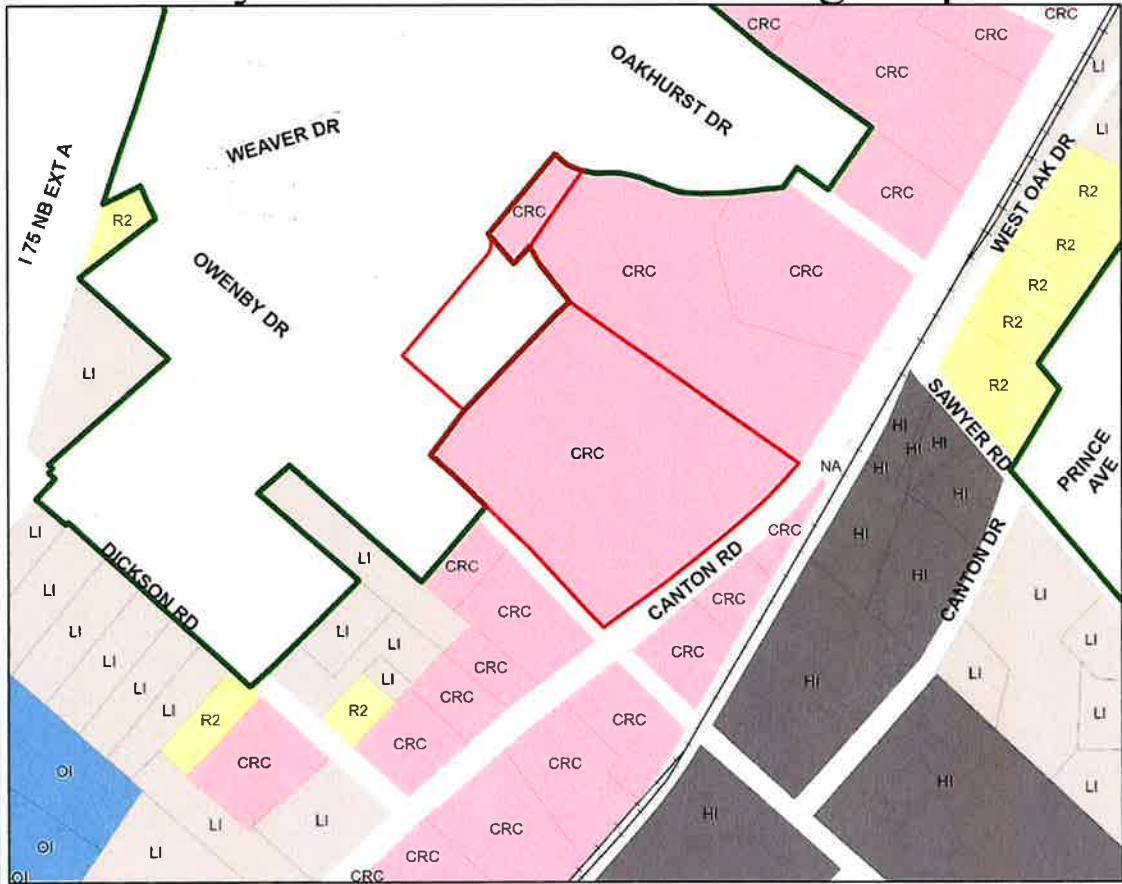
**APPROVED:**

**ATTEST:**

  
\_\_\_\_\_  
Stephanie Guy, City Clerk

  
\_\_\_\_\_  
R. Steve Tumlin, Jr., Mayor

# City of Marietta Area Zoning Map



| Zoning                             |                                 | District | Land Lot | Parcel | Current Zoning | Proposed Zoning |
|------------------------------------|---------------------------------|----------|----------|--------|----------------|-----------------|
| <b>SINGLE FAMILY RESIDENTIAL</b>   | <b>COMMERCIAL</b>               |          |          |        |                |                 |
| R-1 One Unit/Acre                  | NRC Neighborhood Retail         | 16       | 854      | 0460   | R-20           | LI              |
| R-2 Two Units/Acre                 | CRC Community Retail            | 16       | 855      | 0480   | R-20           | LI              |
| R-3 Three Units/Acre               | RNC Regional Retail             | 16       | 854      | 0620   | CRC            | LI              |
| R-4 Four Units/Acre                | CBD Central Business District   | 16       | 875      | 0080   | CRC            | LI              |
| <b>ATTACHED FAMILY RESIDENTIAL</b> | PCD Planned Commercial Dev.     |          |          |        |                |                 |
| RA-4 Four Units/Acre               | MND Mixed Use Dev.              |          |          |        |                |                 |
| RA-6 Six Units/Acre                | OIT Office Institutional/Trans. |          |          |        |                |                 |
| RA-8 Eight Units/Acre              | LRO Low-Rise Office             |          |          |        |                |                 |
| PRD(S): Planned Residential Dev.   | OI Office Institutional         |          |          |        |                |                 |
| MHP Mobile Home Park               | OS Office Services              |          |          |        |                |                 |
| <b>MULTI FAMILY RESIDENTIAL</b>    | OHR Office High-Rise            |          |          |        |                |                 |
| RM-8 Eight Units/Acre              | <b>INDUSTRIAL</b>               |          |          |        |                |                 |
| RM-16 Ten Units/Acre               | LI Light Industrial             |          |          |        |                |                 |
| RM-17 Twelve Units/Acre            | HI Heavy Industrial             |          |          |        |                |                 |
| RHS Residential High-Rise          | PIG Planned Industrial Dev.     |          |          |        |                |                 |
| PRD(MF): Planned Residential Dev.  |                                 |          |          |        |                |                 |

**Comments:** unaddressed Weaver Dr;  
160 & 595 Weaver Drive;  
1475 Canton Road

**Date:** 3/11/2025

**Planning & Zoning Division**

