

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 645, 17th District, Parcel 0100 of the 2nd Section, Cobb County, Georgia, and being known as **782 Franklin Gateway**.

WHEREAS, application has been filed by **IRONVEST INVESTMENT, LLC (OMIELA, INC.)** 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:

All that tract or parcel of land lying and being in Land Lot 645 of 17th District, 2nd Section, Cobb County, Georgia, and being more particularly described in follows:

BEGINNING at an iron pin on the southwest side of Franklin Road, same having an 80 foot right-of-way, at the intersection of the southwest side of Franklin Road with the east line of Land Lot 645; running thence south 0 Degrees 13 minutes 43 seconds east along the east line of said Land Lot 645, 176.20 feet to an iron pin; thence north 62 degrees 08 minutes 48 seconds west 158.45 feet to an iron pin; thence north 16 degrees 48 minutes 06 seconds east 153.41 feet to an iron pin on the southwest side of Franklin Road; thence southeasterly along the southwest side of Franklin Road an arc distance of 78.4 feet, same having a chord distance of south 63 degrees 40 minutes 34 seconds east 78.34 feet to an iron pin and the point of beginning.

Together with easement rights contained in Warranty Deed from ATMET Development Co. to Margaret Skinner dated September 30, 1971, filed October 1, 1971, recorded in Deed Book 1258, page 268 Cobb County, Georgia records.

LESS AND EXCEPT FOR THE RIGHT OF WAY

PARCEL 5, 782 FRANKLIN ROAD

All and singular that certain tract of land lying and being in Land Lot 645, 17th District, of Cobb County, Georgia, being more particularly described as follows:

COMMENCING at a northwesterly right-of-way line of Franklin Court and the westerly right-of-way line of Franklin Road (80' right-of-way); THENCE North 41°31'25" West, along said westerly right-of-way line of Franklin Road a distance of 351.93 feet to a point; THENCE North 41°31'25" West, continuing along said westerly right-of-way line a distance of 115.82 feet to a point; THENCE continuing along said westerly right-of-way line on the arc of a curve to the left a distance

of 196.16 feet, said curve having a radius of 485.78 feet and a chord of North 53°05'31" West, 194.83 feet to a point; THENCE North 64°39'39" West, continuing along said westerly right-of-way line a distance of 69.93 feet to a point; THENCE North 64°39'35" West, continuing along said westerly right-of-way line a distance of 95.24 feet to a point; THENCE North 64°39'37" West, continuing along said westerly right-of-way line a distance of 137.21 feet to a point; THENCE North 64°39'37" West, continuing along said westerly right-of-way line a distance of 210.31 feet to a point; THENCE continuing along said westerly right-of-way line on the arc of a curve to the right a distance of 212.82 feet, said curve having a radius of 7405.72 feet and a chord of North 63°50'13" West, 212.82 feet to a point said point being the POINT OF BEGINNING. THENCE South 00°12'33" West, leaving said westerly right-of-way line of Franklin Road a distance of 9.74 feet to a point; THENCE North 50°51'12" West, a distance of 41.69 feet to a point on the westerly right-of-way line of Franklin Road. THENCE along the arc of a curve to the left a distance of 36.37 feet, said curve having a radius of 7405.72 feet and a chord of South 62°52'23" East, 36.37 feet to a point said point being the POINT OF BEGINNING.

Containing 157 square feet or 0.004 acres as shown on plans for State Department of Transportation, Project PI No. 0010325, by ARCADIS, approved February 26, 2013.

Section 2: The above-described property is hereby rezoned in the corporate limits of the City of Marietta, Georgia from PRD-MF (Planned Residential Development - Multifamily) to NRC (Neighborhood Retail Commercial).

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

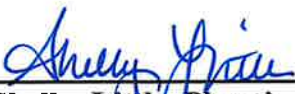
1. Variance to reduce the number of required parking spaces for a grocery store from 17 [or 16, depending on building square footage] to nine (9). [*§716.07 (Table J.)*]
2. Variance to allow a bulk sanitation container to be located in the front yard, rather than the rear or side yard in a non-residential area, with the stipulation that the bulk sanitation container is enclosed with masonry and with a wood front. [*§710.08 (B.1.)*]

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

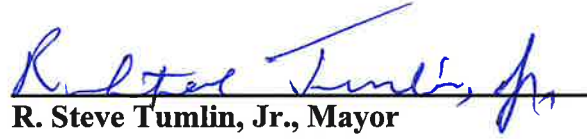
Approved by City Council:

DATE: July 8, 2026

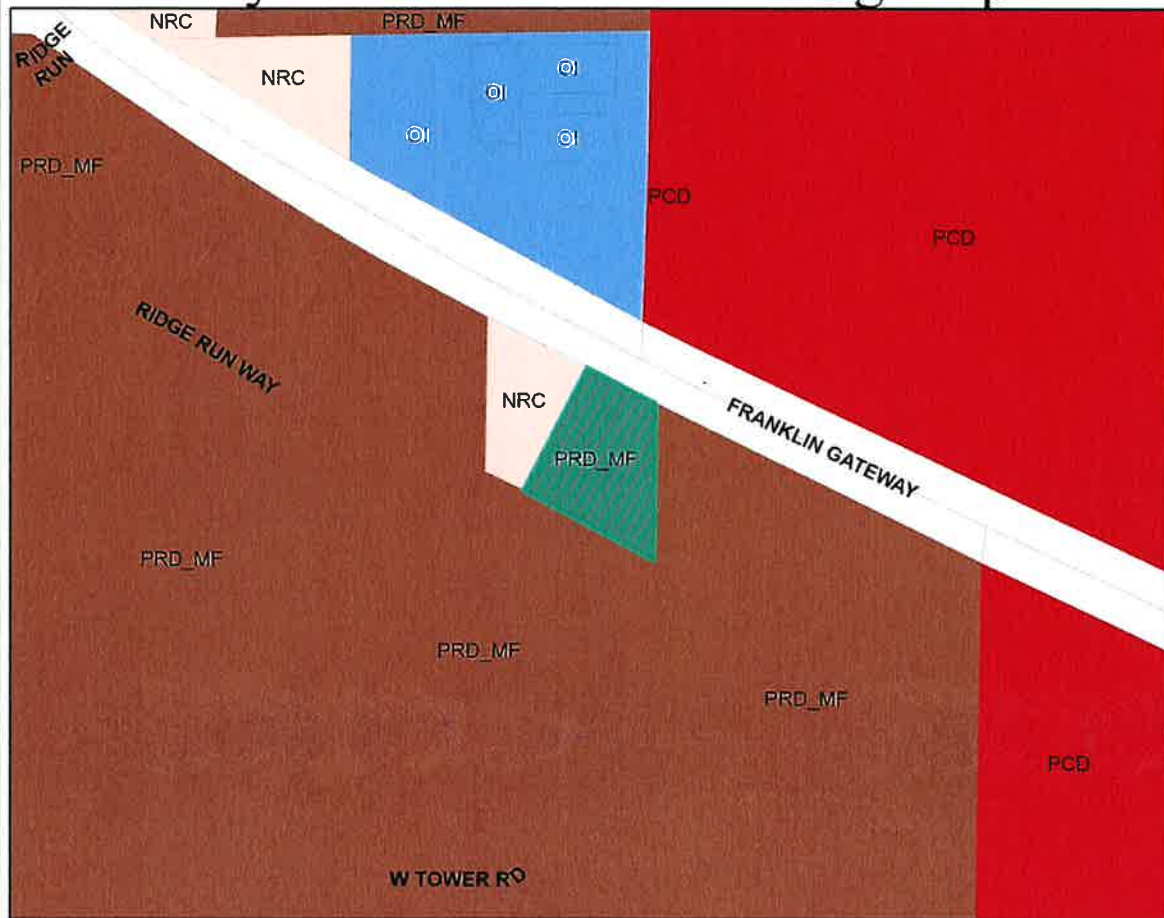
APPROVED:

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(MF) 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
 BHR 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

645

Parcel

0100

Current
Zoning

PRD-MF

Proposed
Zoning

NRC

Comments:

782 Franklin Gateway

Date:

6/10/2026

Planning & Zoning
Division

N



Feet
0 62.5 125

