

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 1231, 16th District, Parcel 0410 of the 2nd Section, Cobb County, Georgia, and being known as **225 Crescent Circle**.

WHEREAS, application has been filed by **THE HERBAN GROUP INC (THP 225 CRESCENT 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:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING LOCATED IN LAND LOT 1231 OF THE 16TH DISTRICT, 2ND SECTION, COBB COUNTY, CITY OF MARIETTA, GEORGIA ACCORDING TO AN ALTA/ACSM LAND TITLE, BOUNDARY AND TOPOGRAPHIC SURVEY FOR MTC CORPORATION AND CHICAGO TITLE INSURANCE COMPANY, PREPARED BY TRAVIS PRUITT & ASSOCIATES, INC., BY JAIME F. HIGGINS (GEORGIA REGISTERED LAND SURVEYOR NO. 2802) DATED DECEMBER 18, 2017, AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO SAID SURVEY AS FOLLOWS:

BEGINNING AT AN IRON PIN SET AT THE NORTHWESTERLY END OF THE MITERED INTERSECTION FORMED BY THE SOUTHERLY RIGHT OF WAY OF CRESCENT CIRCLE (50' R/W) WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF SOUTH MARIETTA PARKWAY A/K/A STATE ROUTE 120 (VARIABLE R/W), RUN THENCE ALONG SAID MITER SOUTH 63 DEGREES 38 MINUTES 49 SECONDS EAST A DISTANCE OF 41.10 FEET TO A CONCRETE RIGHT OF WAY MONUMENT ON THE SOUTHWESTERLY RIGHT OF WAY OF SOUTH MARIETTA PARKWAY (VARIABLE R/W); RUN THENCE ALONG SAID RIGHT OF WAY SOUTH 23 DEGREES 58 MINUTES 39 SECONDS EAST A DISTANCE OF 81.20 FEET TO A HALF INCH REBAR FOUND; THENCE SOUTH 24 DEGREES 28 MINUTES 59 SECONDS EAST A DISTANCE OF 226.73 FEET TO A HALF INCH REBAR AND CAP FOUND (RLS 3109); THENCE DEPARTING SAID RIGHT OF WAY, RUN THENCE SOUTH 89 DEGREES 08 MINUTES 38 SECONDS WEST A DISTANCE OF 129.15 FEET TO A HALF INCH REBAR FOUND ON THE EASTERLY RIGHT OF WAY OF CRESCENT CIRCLE (50' R/W); THENCE ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 287.90 FEET AND A LENGTH OF 143.14 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 41 DEGREES 00 MINUTES 10 SECONDS WEST A CHORD DISTANCE OF 141.67 FEET TO AN IRON PIN SET; CONTINUING ALONG THE AFORESAID RIGHT OF WAY LINE, THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 323.47 FEET AND A LENGTH OF 60.12

FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 55 DEGREES 53 MINUTES 25 SECONDS WEST AND A CHORD DISTANCE OF 60.03 FEET TO A HALF INCH REBAR FOUND; CONTINUING ALONG THE AFORESAID RIGHT OF WAY LINE, THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 85.93 FEET AND A LENGTH OF 101.85 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 20 DEGREES 20 MINUTES 04 SECONDS WEST AND A CHORD DISTANCE OF 95.99 FEET TO A ONE AND A HALF INCH AXLE FOUND; CONTINUING ALONG THE AFORESAID RIGHT OF WAY LINE, THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 64.54 FEET AND A LENGTH OF 68.69 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 45 DEGREES 01 MINUTES 42 SECONDS EAST AND A CHORD DISTANCE OF 65.49 FEET TO AN IRON PIN SET; CONTINUING ALONG THE AFORESAID RIGHT OF WAY LINE, THENCE NORTH 75 DEGREES 55 MINUTES 10 SECONDS EAST A DISTANCE OF 97.97 FEET TO A POINT MARKED BY AN IRON PIN SET AT THE SOUTHWESTERLY RIGHT OF WAY OF SOUTH MARIETTA PARKWAY A/K/A STATE ROUTE 120 (VARIABLE R/W), SAID POINT BEING THE POINT OF BEGINNING.

SAID TRACT CONTAINS 50,931 SQUARE FEET OR 1.169 ACRES.

Section 2: The above-described property is hereby rezoned in the corporate limits of the City of Marietta, Georgia from CRC (Community Retail Commercial) with stipulations to CRC (Community Retail Commercial) with stipulations.

Section 3: The following is incorporated as a condition of zoning:

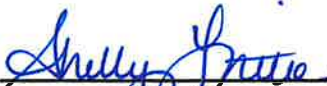
1. Elimination of the letter of stipulations approved with Z2017-29 (20170904) so the property may be used for administrative offices only.
2. No outside storage permitted.

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

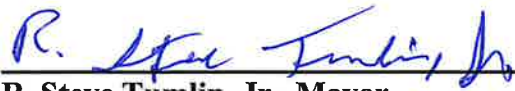
Approved by City Council:

DATE: July 8, 2026

APPROVED:

ATTEST:


Stephanie Guy, City Clerk


R. Steve Tumlin, Jr., Mayor