

**AN ORDINANCE**

**REZONING** property in the corporate limits of the City of Marietta, Georgia Land Lots 855 & 874, District 16, Parcel 0520 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as **451 Dickson Road**.

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**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:

All the tract or parcel of land lying and being in Land Lots 855 and 874 of the 16<sup>th</sup> District, 2<sup>nd</sup> Section, Cobb County, Georgia, and being more particularly described as follows:  
BEGIN at a right of way monument located at the intersection of the northeast margin of Dickson Road (50 foot right of way) and the northwest margin of Interstate 75; thence along the northwest margin of Interstate 75, north 18 degrees 20 minutes 03 seconds east 253.20 feet to a right of way monument; thence north 17 degrees 42 minutes east 148.82 feet to an iron pin; thence south 47 degrees 56 minutes 16 seconds east 241.33 feet to an iron pin; thence south 46 degrees 51 minutes 27 seconds west 370.02 feet to a right of way monument located on the northeast margin of Dickson Road; thence along the northeast margin of said road north 46 degrees 16 minutes 50 seconds west 47.14 feet to a right of way monument, which right of way monument is the POINT OF BEGINNING.

Said tract or parcel of land contains 1.21± acres (52,708 square feet).

**Section 2:** The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from R-2 (Single Family Residential – 2 units/acre) to LI (Light Industrial).

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

- Letter of stipulations from Adam J. Rozen of Sams, Larkin, Huff & Balli to Shelby Little, Planning & Zoning Manager for the City of Marietta, dated December 21, 2018; except that stipulation #2 shall be amended to state that the black chain link fence shall be a minimum height of 6 ft.

**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:**

  
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Rusty Roth, Director  
Department of Development Services

**Approved as to form:**

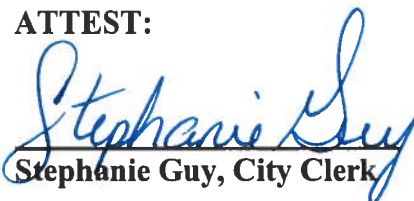
  
\_\_\_\_\_  
Douglas R. Haynie, City Attorney

**Approved by City Council:**

**DATE:** January 9, 2019

**APPROVED:**

**ATTEST:**

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

  
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R. Steve Tumlin, Jr., Mayor