

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia, Land Lots 574, 575, & 579, District 17, Parcels 0270, 0190, 0160, & 0010 of the 2nd Section, Cobb County, Georgia, and being known as **557, 571, 605, & 673 Wylie Road.**

WHEREAS, application has been filed by **THE REVIVE LAND GROUP** 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 Lots 574, 575 & 579 of the 17th, District, City of Marietta, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a 3/4" open top pipe found at the common corner of land lots 574, 575, 578 & 579 and being the true point of beginning. Thence leaving said land lot corner and following along the common line of land lots 578 & 579 and following along the property of the City of Marietta South 89 degrees 39 minutes 36 seconds East, a distance of 346.23 feet to a #4 rebar found; thence leaving said land lot line and following along the property of St. Augustine Place Condominium, Phases I, II, & III the following courses and distances: South 00 degrees 20 minutes 03 seconds West, a distance of 456.82 feet to a #4 rebar found; thence South 48 degrees 55 minutes 11 seconds West, a distance of 288.74 feet to a #4 rebar found on the Northeasterly Right of Way Line of Wylie Road (40' R/W); thence following along the Northeasterly Right of Way Line of Wylie Road the following courses and distances: North 47 degrees 36 minutes 15 seconds West, a distance of 83.78 feet to a point; thence with a curve turning to the left with an arc length of 228.60 feet, said curve having a radius of 1168.63 feet, being subtended by a chord bearing of North 53 degrees 06 minutes 53 seconds West, and a chord length of 224.24 feet, to a point; thence North 58 degrees 43 minutes 08 seconds West, a distance of 155.21 feet to a #4 rebar found; thence North 58 degrees 43 minutes 08 West, a distance of 11.65 feet to a point; thence with a curve turning to the right with an arc length of 275.96 feet, said curve having a radius of 423.32 feet, being subtended by a chord bearing of North 40 degrees 02 minutes 35 seconds West, and a chord length of 271.10 feet, to a point; thence North 21 degrees 22 minutes 03 seconds West, a distance of 95.10 feet to a point; thence with a curve turning to the left with an arc length of 84.49 feet, said curve having a radius of 1426.69 feet, being subtended by a chord bearing of North 23 degrees 16

minutes 58 seconds West, and a chord length of 84.48 feet, to a #4 rebar set; thence with a compound curve turning to the left with an arc length of 128.05 feet, said curve having a radius of 1426.69 feet, being subtended by a chord bearing of North 27 degrees 33 minutes 02 seconds West, and a chord length of 128.01 feet, to a point; thence North 30 degrees 07 minutes 19 seconds West, a distance of 157.75 feet to a #4 rebar set; thence leaving said Northeasterly Right of Way Line of Wylie Road and following along the property of Securecare Properties I, LLC the following courses and distances: North 85 degrees 54 minutes 55 seconds East, a distance of 269.09 feet to a #4 rebar found; thence North 85 degrees 54 minutes 55 seconds East, a distance of 377.68 feet to a #4 rebar set on the common line of land lots 575 & 578; thence following along the common line of land lots 575 & 578 and the property of the City of Marietta South 00 degrees 36 minutes 20 seconds West, a distance of 301.26 feet to a 3/4" open top pipe found which is the true point of beginning.

Said tract or parcel contains 12.13 acres, more or less.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from CRC (Community Retail Commercial) and R-2 (Single Family Residential – 2 units/acre) to PRD-SF (Planned Residential Development Single Family).

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

- Letter of stipulations from Neville Allison, The Revive Land Group, LLC to Shelby Little, Planning & Zoning Manager for the City of Marietta, dated July 10, 2019, with the following changes:
 - Stipulation #4 will be stricken in its entirety.
 - The cabana for the pool will contain restrooms.

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

1. Variance to reduce the minimum lot size requirement from 4,000 sq. ft. to footprint of the smallest unit. [§708.09 (H)]
2. Variance to increase the maximum impervious surface from 60% to 66%. [§708.09 (H)]
3. Variance to eliminate the required acceleration and deceleration lanes [§730.01 (I.4.b)]
4. Variance to provide sidewalk as shown on the submitted plan. [§732.07 (C)]

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:



Rusty Roth, Director
Department of Development Services

Approved as to form:



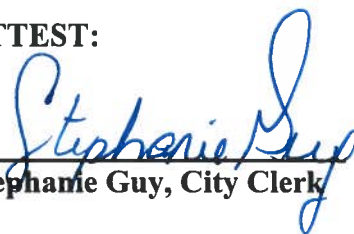
Douglas R. Haynie, City Attorney

Approved by City Council:


DATE: July 10, 2019

APPROVED:

ATTEST:



Stephanie Guy, City Clerk



R. Steve Tumlin, Jr., Mayor