

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia, Land Lot 1076, District 16, Parcels 0720 & 1230 of the 2nd Section, Cobb County, Georgia, and being known as **601 & 611 Tower Road.**

WHEREAS, application has been filed by **WORLD CHANGERS CHURCH INTL** 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:

601 Tower Road

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 1076 OF THE 16th DISTRICT, COBB COUNTY, GEORGIA AND BEING 5.87 ACRES AS SHOWN ON PLAT OF SURVEY BY GERALD H. BERNHARD, REGISTERED LAND SURVEYOR LICENSE NO. 2688, DELTA. SURVEYORS, INC., DATED MAY 17, 2010 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE RIGHTOF WAY MARKER WHERE THE WEST RIGHT OF WAY OF THE COBB COUNTY DEPARTMENT OF TRANSPORTATION AND THE SOUTH RIGHT OF WAY OF TOWER ROAD INTERSECT; THENCE RUNNING ALONG THE WEST RIGHT OF WAY OF THE COBB COUNTY DEPARTMENT OF TRANSPORTATION S 25°40'12" W, A DISTANCE OF 246.97' TO A PK NAIL FOUND IN ASPHALT PAVING, THENCE RUNNING ALONG SAID RIGHT OF WAY S 64°55'01" E, A DISTANCE OF 18.81' TO AN IRON PIN SET, CONTINUING ALONG SAID RIGHT OF WAY CURVING TO THE LEFT A CHORD BEARING OF S 16°18'03" W A CHORD DISTANCE OF 491.84' BEING SUBTENDED BY AN ARC DISTANCE OF 492.93' TO A POINT, THENCE CONTINUING ALONG SAID RIGHT OF WAY CURVING TO THE LEFT A CHORD BEARING OF S 08°01'53" W A CHORD DISTANCE OF 135.39' BEING SUBTENDED BY AN ARC DISTANCE OF 135.40' TO AN IRON PIN FOUND, THENCE LEAVING SAID RIGHT OF WAY RUNNING N 68°31'21" W A DISTANCE OF 248.75' TO AN IRON PIN SET, THENCE RUNNING N 03°25'58" W, A DISTANCE OF 415.83' TO AN IRON PIN FOUND, THENCE RUNNING N 00°47'33" E, A DISTANCE OF 25.00' TO AN IRON PIN SET, THENCE RUNNING N 01°08'17" E, A DISTANCE OF 112.57' TO AN IRON PIN FOUND, THENCE RUNNING N 00°42'16" E, A DISTANCE OF 204.49' TO AN IRON PIN SET ON THE SOUTH RIGHT OF WAY OF TOWER ROAD, THENCE RUNNING ALONG SAID RIGHT OF WAY

N 89°55'50" E, A DISTANCE OF 304.80' TO A POINT, THENCE RUNNING S 89°52'46" E, A DISTANCE OF 80.81' TO A POINT, THENCE RUNNING S 00°18'17" E, A DISTANCE OF 7.06' TO A CONCRETE MARKER, THENCE RUNNING S 85°47'25" E, A DISTANCE OF 62.92' TO A CONCRETE MARKER AND THE POINT OF BEGINNING.

BEING ALSO THE SAME AS PARCELS I, 111, AND VI IN THAT DEED UNDER POWER OF SALE RECORDED IN DEED BOOK 14715, PAGE 4198, COBB COUNTY. GEORGIA RECORDS.

611 Tower Rd

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 1076 of the 16th District, 2nd Section, City of Marietta, Cobb County, Georgia, and being 1.00 acre, more or less, and designated as Tract I on that certain Plat of Survey for Back to the Bible M.R.F. Church, Inc., a Georgia non-profit corporation, RG Investments, LLC, a Georgia limited liability company, and Ticor Title Insurance Company, dated April 12, 2007, last revised September 10, 2008, prepared by Paul Lee Consulting Engineering Associates, Inc., Mark G. Lee, GRLS #2522, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at the intersection of the easterly right of way of Kennesaw Avenue (original 30 foot right of way) with the southerly right of way of Tower Road (original 40 foot right of way); thence proceed in an easterly direction as measured along the original 40 foot southerly right of way of Tower Road for a distance of 908.90 feet to a point and corner; thence proceed south 00 degrees 24 minutes 06 seconds east for a distance of 3.92 feet to a nail found in concrete on the existing right of way of Tower Road (being a variable right of way), said point being the TRUE POINT OF BEGINNING; thence running north 88 degrees 55 minutes 11 seconds east as measured along the said existing southerly right of way of Tower Road for a distance of 209.56 feet to a nail found in concrete; thence running north 88 degrees 54 minutes 45 seconds east as measured along the said existing southerly right of way of Tower Road for a distance of 3.38 feet to a point and corner; thence leaving the said existing southerly right of way of Tower Road and running thence south 00 degrees 24 minutes 40 seconds west for a distance of 205.97 feet to a reinforced iron pin found and corner; thence running south 88 degrees 52 minutes 29 seconds west for a distance of 210.02 feet to a reinforced iron pin found and corner, thence running north 00 degrees 24 minutes 06 seconds west for a distance of 206.08 feet to the point of BEGINNING.

Said tract or parcels contains 6.87 acres, more or less.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from R-3 (Single Family Residential – 3 units/acre) and OI (Office Institutional) to OI (Office Institutional).

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

- The portion of the property south of Noses Creek shall remain undeveloped.

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

1. Variance to reduce the required parking to 175 parking spaces. [§716.07 (E)]
2. Variance to allow existing steeple to remain at present height (87 ft.). [§ 708.23 (H)]

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.

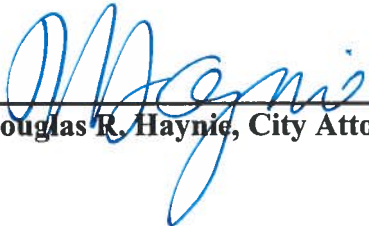
Section 7: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

Final Ordinance submitted by:



Rusty Roth, Director
Department of Development Services

Approved as to form:



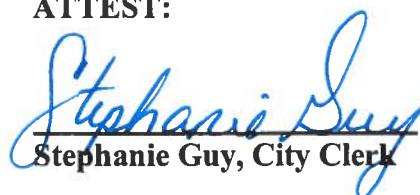
Douglas R. Haynie, City Attorney

Approved by City Council:

DATE: August 14, 2019

APPROVED:

ATTEST:



Stephanie Guy, City Clerk



R. Steve Tumlin, Jr., Mayor