

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia, Land Lots 208 & 209, District 17, Parcels 0010 & 0810 of the 2nd Section, Cobb County, Georgia, and being known as **1501 & 1521 Sandtown Road**.

WHEREAS, application has been filed by **20 HOLDINGS, 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 in Land Lots 208, 209, 224 & 225 of the 17th District 2nd Section of Cobb County Ga, and also being more particularly described as follows:

COMMENCING at an iron pin found at the common Land Lot Line of 208, 209, 224 & 225; said pin is the POINT OF BEGINNING. THENCE, from the POINT OF BEGINNING and southerly along the common Land Lot Lines between Land Lots 208 & 225 on a bearing of South 00 degrees 43 minutes 06 seconds West, a distance of 227.00 feet to a point; THENCE, leaving the common Land Lot Lines between Land Lots 208 & 225 on a bearing of North 89 degrees 29 minutes 11 seconds West, a distance of 196.00 feet to a point on the right-of-way of Sandtown Road. THENCE, northerly along said right-of-way following a curve to the left with an arc length of 243.15 feet, having a radius of 1967.40 feet and being subtended by a chord with a bearing of North 20 degrees 30 minutes 47 seconds West, for a distance of 243.00 feet to a point; THENCE, continuing along said right-of-way on a bearing of North 26 degrees 50 minutes 29 seconds West, a distance of 429.51 feet to a point at the southeastern intersection of the right-of-way of Sandtown Road and the right-of-way Osborne Road, THENCE, easterly along the right-of-way of Osborne Road on a bearing South 80 degrees 38 minutes 34 seconds East, a distance of 489.83' to a point on the common Land Lot Line between Land Lots 209 & 224; THENCE, along the common Land Lot Line between Land Lots 209 & 224 on a bearing of South 01 degrees 04 minutes 56 seconds West, a distance of 266.42 feet to an iron pin; THENCE, leaving the common Land Lot Lines between Land Lots 209 & 224 on a bearing of South 44 degrees 18 minutes 08 seconds East, a distance of 56.72 to an iron pin on the common Land Lot Lines between Land Lots 224 & 225; THENCE, along the common Land Lot Lines between Land Lots 224 & 225 on a bearing of North 88 degrees 32 minutes 40 seconds West, a distance of 39.99 feet to an iron pin found; said iron pin being the POINT OF BEGINNING.

Said tract being 4.2 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-20 (Single Family Residential – Cobb County) to PRD-SF (Planned Residential Development – Single Family) in the City.

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

- Letter of stipulations and variances from J. Kevin Moore of Moore Ingram Johnson & Steele to Shelby Little, Planning & Zoning Manager for the City of Marietta, dated March 10, 2020.
- Applicant must comply with noise attenuation construction requirements as identified in the letter from Kenneth W. Williams, Base Civil Engineer, Dobbins ARB to Rusty Roth, Development Services Director for the City of Marietta, dated March 2, 2020.

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:



 Rusty Roth, Director
 Department of Development Services

Approved as to form:



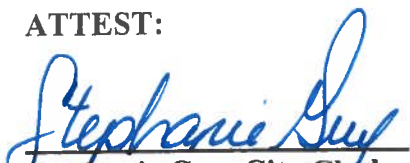
 Douglas R. Haynie, City Attorney

Approved by City Council:

DATE: May 13, 2020

APPROVED:

ATTEST:



 Stephanie Guy, City Clerk



 R. Steve Tumlin, Jr., Mayor