

**AN ORDINANCE**

**REZONING** property in the corporate limits of the City of Marietta, Georgia Land Land Lots 214 & 215, District 17, Parcels 1180, 1120, 1140, 1150, and a portion of 0780 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as **84, 88, 100 & 150 Fairlane Drive.**

**WHEREAS**, application has been filed by **WILLIAM C. HAGEMANN** 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 Lot 214 & 215 of the 17th District, 2<sup>nd</sup> Section, Cobb County, Georgia, and being more particularly described as follows:

COMMENCING at the intersection of the northerly right of way of Powder Springs Road (100' R/W) and the westerly right of way of Fairlane Drive (Variable R/W); THENCE following along the westerly right of way of Fairlane Drive (Variable R/W) 243.2 feet to a point, said point being the POINT OF BEGINNING; THENCE South 38 degrees 13 minutes 23 seconds West, 56.90 feet to a point; THENCE North 78 degrees 42 minutes 11 seconds West 16.86 feet to a point; THENCE North 86 degrees 20 minutes 10 seconds West 98.85 feet to a point; THENCE North 85 degrees 11 minutes 10 seconds West 96.24 feet to a point; THENCE South 87 degrees 55 minutes 50 seconds West 92.95 feet to a point; THENCE South 84 degrees 34 minutes 50 seconds West 99.35 feet to a point; THENCE South 81 degrees 50 minutes 00 seconds West 198.12 feet to a point; THENCE North 25 degrees 06 minutes 13 seconds East 57.28 feet to a point; THENCE North 02 degrees 03 minutes 14 seconds East 354.10 feet to a point; THENCE South 89 degrees 21 minutes 14 seconds East 283.04 feet to a point; THENCE South 89 degrees 50 minutes 59 seconds East 328.14 feet to a point; THENCE South 02 degrees 23 minutes 39 seconds West 334.10 feet to a point, said point being the POINT OF BEGINNING;

Said tract or parcel of land contains 5.25 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-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 and variances from Adam J. Rozen, PC to Shelby Little, Planning & Zoning Manager for the City of Marietta, dated April 23, 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:**

  
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**Rusty Roth, Acting Director**  
**Department of Development Services**

**Approved as to form:**

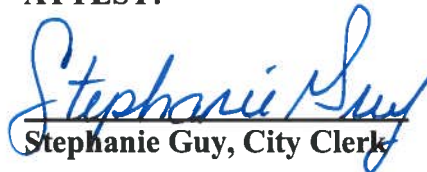
  
\_\_\_\_\_  
**Douglas R. Haynie, City Attorney**

**Approved by City Council:**

**DATE:** May 13, 2020

**APPROVED:**

**ATTEST:**

  
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**Stephanie Guy, City Clerk**

  
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**R. Steve Tumlin, Jr., Mayor**