

**AN ORDINANCE**

**REZONING** property in the corporate limits of the City of Marietta, Georgia Land Lot 289, District 20, Parcel 0100, a portion of 0700, a portion of 0710, a portion of 0750, 1010, and a portion of 0770 of the 2<sup>nd</sup> Section, Cobb County, Georgia and being known as **578 Anderson Road and portions of 1860 Kendrick Court, 1870 Kendrick Court, 1860 Leonidas Trail, 1870 Leonidas Trail, 1880 Leonidas Trail.**

**WHEREAS**, application has been filed by **GT KORDARES TRUST** 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:

**Tract A – 578 Anderson Road**

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24 1990, as revised March 15, 1991 and April 22, 1997, and prepared by William M. Herndon, Jr, Herndon Surveying & Design, Inc., G.R.L.S. No. 1883, being approximately 4.766 acres and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common corner of Land Lots 281, 282, 289 and 290, run thence South 87 degrees 57 minutes 52 seconds East along the northern land lot line of Land Lot 289 for a distance of 402.50 feet to an iron pin and the TRUE POINT OF BEGINNING; running thence South 87 degrees 57 minutes 32 seconds East along the northern land lot line of Land Lot 289 for a distance of 231.32 feet to a corner and a #4 rebar; running thence South 00 degrees 39 minutes 08 seconds West a distance of 401.59 feet to a corner and #4 rebar; running thence North 89 degrees 26 minutes 37 seconds West a distance of 329.35 feet to a #4 rebar and corner; running thence South 00 degrees 39 minutes 08 seconds West a distance of 60.00 feet to a 2" angle iron and corner; running thence North 89 degrees 26 minutes 37 seconds West a distance of 339.00 feet to a #4 rebar and corner, which corner is along the eastern right of way of Anderson Road (being a 30 foot right of way); running thence along said right of way North 02 degrees 42 minutes 36 seconds East a distance of 97.72 feet to an iron pin and point; continuing thence along said right of way along a curve to the right an arc distance of 82.10 feet (said arc having a chord bearing of North 25 degrees 23 minutes 26 seconds East and a chord distance of 79.98 feet) to an iron pin; continuing thence along said right

of way North 48 degrees 04 minutes 16 seconds East a distance of 88.69 feet to an iron pin; running thence North 50 degrees 34 minutes 34 seconds East a distance of 369.55 feet to an iron pin and the POINT OF BEGINNING.

**Tract B – a portion of 1880 Leonidas Trail**

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, being 0.255 acres designated as Tract "B" as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24, 1990, as revised March 15, 1991 and revised April 22, 1997 and prepared by William M. Herndon, Jr., G.R.L.S. No. 1883, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common intersection of Land Lots 281, 282, 289 and 290, 20th District, 2nd Section, Cobb County, Georgia. and run thence South 87 degrees 57 minutes 52 seconds East along the northern land lot line of Land Lot 289, said district and section, for a distance of 402.50 feet to a #4 rebar; continue thence South 87 degrees 57 minutes 32 seconds East for a distance of 231.32 feet to a #4 rebar and corner; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 126.59 feet to a #4 rebar; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 275.00 feet to a #4 rebar and corner; continue thence North 89 degrees 26 minutes 37 seconds West for a distance of 69.34 feet to a #4 rebar and the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running thence North 89 degrees 26 minutes 37 seconds West for a distance of 185.01 feet to a #4 rebar and corner; thence running South 00 degrees 39 minutes 08 seconds West for a distance of 60.00 feet to a 2" angle iron and corner; running thence South 89 degrees 26 minutes 37 seconds East for a distance of 183.01 feet to an iron pin and corner; running thence North 00 degrees 39 minutes 08 seconds East a distance of 60.00 feet to a #4 rebar and the TRUE POINT OF BEGINNING.

**Tract C – a portion of 1870 Leonidas Trail**

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, being 0.199 acres designated as Tract "C" as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24, 1990, as revised March 15, 1991 and revised April 22, 1997 and prepared by William M. Herndon, Jr., G.R.L.S. No. 1883, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common intersection of Land Lots 281, 282, 289 and 290, 20th District, 2nd Section, Cobb County, Georgia, and run thence South 87 degrees 57 minutes 52 seconds East along the northern land lot line of Land Lot 289, said district and section, for a distance of 402.50 feet to a #4 rebar; continue thence South 87 degrees 57 minutes 32 seconds east for a distance of 231.32 feet to #4 rebar and corner; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 126.59 feet to a #4 rebar; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 275.00 feet to a #4 rebar and corner at the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running thence North 89 degrees 26 minutes 37 seconds West for a distance of 69.34 feet to a #4 rebar; running thence South 00 degrees 39 minutes 08 seconds West for a distance of 60.00 feet to an iron pin and corner; running thence South 89 degrees 26 minutes 37 seconds East for a distance of 144.34 feet to an iron pin and corner; running thence North 00

degrees 39 minutes 08 seconds East for a distance of 60.00 feet to a point and corner; running thence North 89 degrees 26 minutes 37 seconds West for a distance of 52.04 feet to the TRUE POINT OF BEGINNING.

**Tract D – a portion of 1860 Leonidas Trail**

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, being 0.032 acres designated as Tract "D" as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24, 1990, as revised March 15, 1991 and revised April 22, 1997 and prepared by William M. Herndon, Jr., G.R.L.S. No. 1883, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common intersection of Land Lots 281, 282, 289 and 290, 20th District, 2nd Section, Cobb County, Georgia, and run thence South 87 degrees 57 minutes 52 seconds East along the northern land lot line of Land Lot 289, said district and section, for a distance of 402.50 feet to a #4 rebar; continue thence South 87 degrees 57 minutes 32 seconds East for a distance of 231.32 feet to a #4 rebar and corner; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 126.59 feet to a #4 rebar; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 275.00 feet to a #4 rebar and corner; running thence South 89 degrees 26 minutes 37 seconds East for a distance of 52.04 feet to the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running thence South 89 degrees 26 minutes 37 seconds East for a distance of 22.96 feet to an iron pin and corner; running thence South 00 degrees 39 minutes 08 seconds West for a distance of 60.00 feet to an iron pin and corner; running thence North 89 degrees 26 minutes 37 seconds West for a distance of 22.96 feet to an iron pin and corner; running thence North 00 degrees 39 minutes 08 seconds East for a distance of 60.00 feet to the TRUE POINT OF BEGINNING.

**Tract E – a portion of 1870 Kendrick Court**

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, being 0.473 acres designated as Tract "E" as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24, 1990, as revised March 13, 1991 and revised April 22, 1997 and prepared by William M. Herndon, Jr., G.R.L.S. No. 1883, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common intersection of Land Lot 281, 282, 289 and 290, 20th District, 2nd Section, Cobb County, Georgia, and run thence South 87 degrees 57 minutes 52 seconds East along the northern land lot line of Land Lot 289, said district and section, for a distance of 402.50 feet to a #4 rebar; continue thence South 87 degrees 57 minutes 32 seconds East for a distance of 231.32 feet to a #4 rebar and corner; continue thence South 00 degrees 39 minutes 08 seconds West for a distance of 126.59 feet to the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, running thence South 00 degrees 39 minutes 08 seconds West for a distance of 275.00 feet to a #4 rebar and corner; running thence South 89 degrees 26 minutes 37 seconds East for a distance of 75.00 feet to an iron pin and corner; running then North 00 degrees 39 minutes 08 seconds East for a distance of 275.00 feet to an iron pin and corner; running thence North 89 degrees 26 minutes 37 seconds West for a distance of 75.00 feet to the TRUE POINT OF BEGINNING.

**Tract F & G – a portion of 1860 Kendrick Court**

All that tract or parcel of land lying and being in Land Lot 289 of the 20th District, 2nd Section, Cobb County, Georgia, being 0.202 acres designated as Tract "F" as per plat of survey prepared for Adrian F. Kirk, Jr., dated October 24, 1990, as revised March 15, 1991 and revised April 22, 1997 and prepared by William M. Herndon, Jr., G.R.L.S. No. 1883, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the common intersection of Land Lots 281, 282, 289 and 290, 20th District, 2nd Section, Cobb County, Georgia, and run thence South 87 degrees 57 minutes 52 seconds East along the northern land lot line of Land Lot 289, said district and section, for a distance of 402.50 feet to a #4 rebar; continue thence South 87 degrees 57 minutes 32 seconds East for a distance of 231.32 feet to a #4 rebar at the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING running thence South 00 degrees 39 minutes 08 seconds West for a distance of 126.59 feet to a point and corner; running thence South 89 degrees 26 minutes 37 seconds East for a distance of 75.00 feet to an iron pin and corner; running thence North 44 degrees 34 minutes 22 seconds West for a distance of 7.10 feet to a point and corner; running thence North 00 degrees 39 minutes 08 seconds East for a distance of 119.77 feet to a point and corner; running thence North 87 degrees 57 minutes 32 seconds West for a distance of 70.02 feet to the TRUE POINT OF BEGINNING.

Together with a section of land, five feet in width, along the western boundary line of Lot 81, Hardage Farm, Unit 1, as shown in Plat Book 119, page 18, Cobb County, Georgia Records.

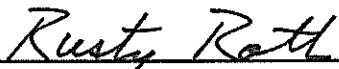
**Section 2:** The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from R-20 (Single Family Residential – Cobb County) to R-2 (Single Family Residential – 2 units/acre - City).

**Section 3:** 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.

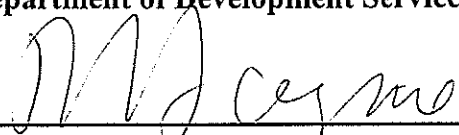
**Section 4:** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

**Section 5:** 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

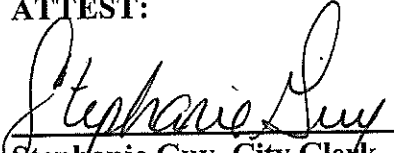
**Approved as to form:**

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


Approved by City Council:

DATE: January 9, 2019

ATTEST:

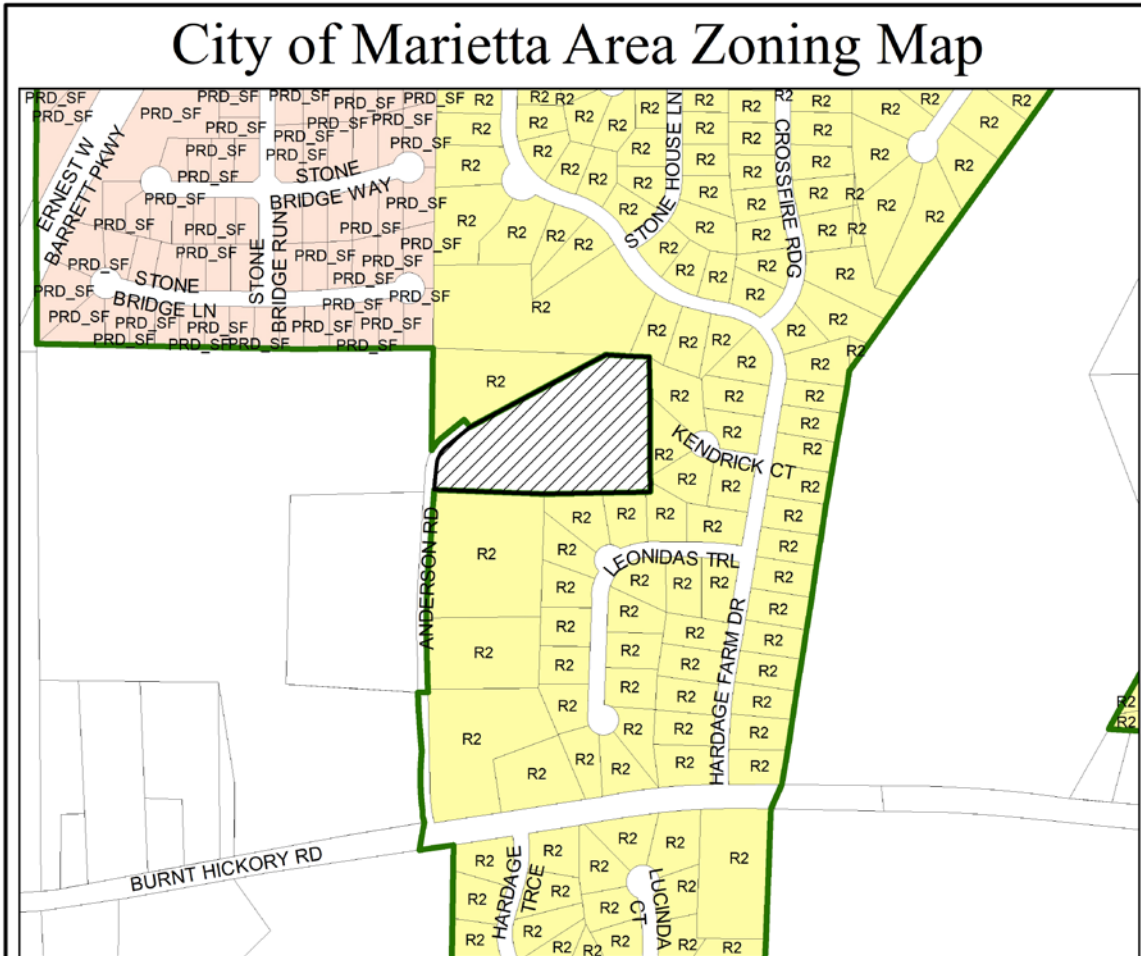
  
Stephanie Guy, City Clerk

APPROVED:

  
R. Steve Tumlin, Jr., Mayor

# MAP

## City of Marietta Area Zoning Map



Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
<b>SINGLE FAMILY RESIDENTIAL</b>	<b>COMMERCIAL</b>					
R-1 One Unit/Acre	NRC Neighborhood Retail	20	289	0100	R-20	R-2
R-2 Two Unit/Acre	CRC Community Retail	20	289	0700	Cobb	City
R-3 Three Unit/Acre	RRC Regional Retail	20	289	0710		
R-4 Four Unit/Acre	CBD Central Business District	20	289	0750		
<b>ATTACHED FAMILY RESIDENTIAL</b>	PCD Planned Commercial Dev.	20	289	1010		
RA-4 Four Unit/Acre	MXD Mixed-Use Dev.	20	289	0770		
RA-6 Six Unit/Acre	OIT Office Institutional Trans.					
RA-8 Eight Unit/Acre	LRO Low-Rise Office					
PRD(SF) Planned Residential Dev.	OI Office Institutional					
MHP Mobile Home Park	OS Office Services					
<b>MULTI FAMILY RESIDENTIAL</b>	OHR Office High-Rise					
RM-8 Eight Unit/Acre	<b>INDUSTRIAL</b>					
RM-10 Ten Unit/Acre	LI Light Industrial					
RM-12 Twelve Unit/Acre	HI Heavy Industrial					
RHR Residential High Rise	PID Planned Industrial Dev.					
PRD(MF) Planned Residential Dev.						

**Comments:** 578 Anderson Road and portions of 1860 & 1870 Kendrick Court, and 1860, 1870, & 1880 Leonidas Trail

Date: **11/28/2018**

Planning & Zoning Division

