

AN ORDINANCE

**REZONING** property located in Land Lot 12880, District 16, in the corporate limits of the City of Marietta, Georgia, consisting of 0.25 acres (Tract I) and 0.25 acres (Tract II) and being known as 181 Lakewood Drive (Parcel 0770) and 197 Lakewood Drive (Parcel 0920).

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**WHEREAS**, application has been filed by **KEVIN SEIFERT** for rezoning of 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 I – 181 Lakewood Drive**

All that tract or parcel of land lying and being in Land Lot 1288 of the 16th District, 2nd Section, City of Marietta, Cobb County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, COMMENCE at a point at the intersection of the southerly right of way line of Waterman Street (40 foot right of way) and the easterly right of way line of Lakewood Drive (70 foot right of way), if said right of ways were extended to form a point of intersection; THENCE along the southerly right of way line of Waterman Street South 88 degrees 44 minutes 04 seconds East a distance of 29.95 feet, said point being the TRUE POINT OF BEGINNING;

THENCE from said TRUE POINT OF BEGINNING, as thus established, and continue along said right of way of Waterman Street South 88 degrees 44 minutes 04 seconds East a distance of 25.84 feet to a point; THENCE leaving said right of way of Waterman Street South 26 degrees 33 minutes 33 seconds East a distance of 148.33 feet to a point; THENCE North 81 degrees 58 minutes 56 seconds West a distance of 125.71 feet to a 1 inch open top pipe found on the easterly right of way of Lakewood Drive; THENCE along said right of way line of Lakewood Drive North 01 degrees 10 minutes 20 seconds East a distance of 86.34 feet to a point; THENCE leaving said right of way line of Lakewood Drive along a curve to the right with a radius of 30.00 feet and an arc length of 47.09 feet, said curve having a chord bearing of North 46 degrees 06 minutes 49 seconds East and a chord distance of 42.40 feet to a point, said point being the TRUE POINT OF BEGINNING.

## **Tract II – 197 Lakewood Drive**

All that tract or parcel of land lying and being in Land Lot 1288 of the 16th District, 2nd Section, City of Marietta, Cobb County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, COMMENCE at a point at the intersection of the southerly right of way line of Waterman Street (40 foot right of way) and the easterly right of way line of Lakewood Drive (70 foot right of way), if said right of ways were extended to form a point of intersection; THENCE along the easterly right of way line of Lakewood Drive South 01 degree 10 minutes 20 seconds West a distance of 30.06 feet to a point; THENCE South 01 degree 10 minutes 20 seconds West a distance of 86.34 feet to an 1 inch open top pipe found, said point being the TRUE POINT OF BEGINNING;

THENCE from said TRUE POINT OF BEGINNING, as thus established, leaving said right of way line of Lakewood Drive South 81 degrees 58 minutes 56 seconds East a distance of 156.00 feet to a 1 1/2 inch open top pipe found; THENCE South 01 degrees 33 minutes 25 seconds West a distance of 60.02 feet to a 1 inch open top pipe found; THENCE North 88 degrees 43 minutes 51 seconds West a distance of 154.44 feet to a crimp top pipe found on the easterly right of way of Lakewood Drive; THENCE along said easterly right of way line of Lakewood Drive North 01 degrees 08 minutes 31 seconds East a distance of 78.35 feet to a 1 inch open top pipe found, said point being the TRUE POINT OF BEGINNING.

**Section 2:** The above described property is hereby rezoned into the corporate limits of the City of Marietta, Georgia, from RA-6 (Single Family Residential – Attached) to PRD-MF (Planned Residential Development – Multi Family)

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

1. The property will be posted and advertised at least 15 days prior to consideration of the detailed plan by the Mayor and City Council.
2. A mandatory homeowners association shall be created for the entire development.
3. A maximum of five percent (5%) of the townhomes and condominiums shall be rental units at any one time for a period of one year. This stipulation shall also be included as a deed restriction and included on the plat.
4. There shall be no apartments in the development.
5. All roads shall meet city standards with any changes presented for approval at the time the detailed plan is presented for approval.
6. The architecture shall be presented for review at the time the detailed plan is presented for approval.
7. These parcels shall be incorporated into the Manget Development and adjacent existing PRD-MF zoning as identified in Ordinance 6874 adopted by City Council on November 9, 2005. Any future development of these lots shall have their detailed plan approved by City Council to show the incorporation into the Manget Development.

**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.

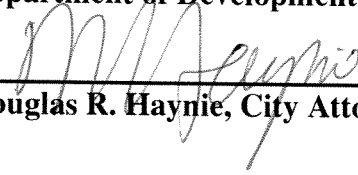
**Section 6:** This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

**Final Ordinance submitted by:**



**Brian Binzer, Director  
Department of Development Services**

**Approved as to form:**



**Douglas R. Haynie, City Attorney**

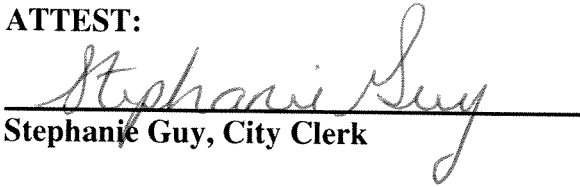
**Approved by City Council:**

**DATE: June 12, 2013**

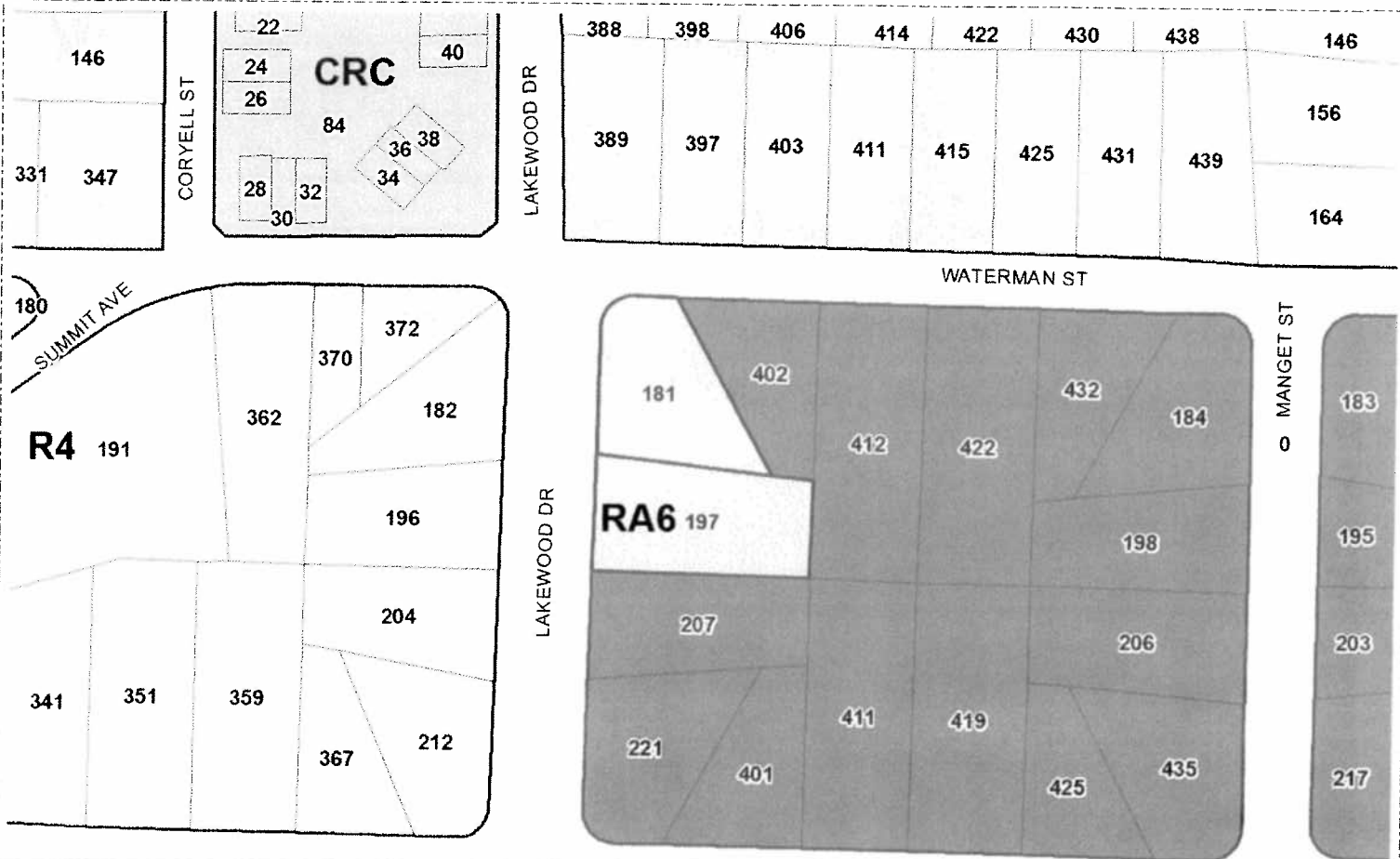
**APPROVED:**

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

**ATTEST:**

  
**Stephanie Guy, City Clerk**

# Rezoning



Address	Parcel Number	Acreage	Ward	Zoning	FLU
197 LAKEWOOD DR	16128800920	0.277	1A	RA6	MDR
181 LAKEWOOD DR	16128800770	0.241	1A	RA6	MDR

<b>Name of Applicant/Petitioner:</b>	Kevin Seifert
<b>Proposed Zoning:</b>	PRD-MF
<b>Property Owner:</b>	GDCI GA 4 and Florene B. Ballew
<b>Agent:</b>	n/a
<b>Proposed Use:</b>	To combine parcels with Manget Development
<b>Planning Commission Date:</b>	6/4/13
<b>City Council Hearing Date:</b>	6/12/13
<b>Case Number:</b>	Z2013-17

**Zoning Symbols**

- Redroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - Mobile Home Park
- PRD-SF - Planned Residential Dev. Single Family
- RM8 - Multi Family Residential (8 units/acre)
- RM10 - Multi Family Residential (10 units/acre)
- RM12 - Multi Family Residential (12 units/acre)
- RHR - Residential High Rise
- PRD-MF - Planned Residential Dev. Multi Family
- NRC - Neighborhood Retail Commercial
- CRC - Community Retail Commercial
- RRC - Regional Retail Commercial
- PCD - Planned Commercial Development
- LI - Light Industrial
- HI - Heavy Industrial
- PID - Planned Industrial Development
- MXD - Mixed Use Development
- CBD - Central Business District
- OIT - Office Institutional/Transitional
- LRO - Low Rise Office
- OI - Office Institutional
- OS - Office Services
- OHR - Office High Rise

City of Marietta Planning & Zoning