FILE REFERENCE NO: 20141029

ORDINANCE NO: 7767

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 12370, District 16, 2nd Section, Marietta, Cobb County, Georgia and being known as right-of-way located along Coggins Place.

WHEREAS, application has been filed by the **CITY OF MARIETTA** 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 1:

All that tract or parcel of land lying in and being in Land Lot 1237 of the 16th District, 2nd Section, City of Marietta, Cobb County, Georgia, and being more particularly described as follows:

Commencing at a point located at the intersection of the southerly right-of-way line of Roswell Street (having a variable right-of-way) and the westerly right-of-way line of Coggins Place (having a 60 foot wide right-of-way), said point being the POINT OF BEGINNING;

THENCE South 02 degrees 21 minutes 20 seconds East for a distance of 210.09 feet to a point; THENCE South 88 degrees 03 minutes 58 seconds West for a distance of 8.13 feet to a point on the westerly right-of-way line of Coggins Place; THENCE run along said westerly right-of-way line, North 00 degrees 08 minutes 22 seconds West for a distance of 438.34 feet to the POINT OF BEGINNING.

Said property contains 0.0195 acres more or less.

Tract2:

All that tract or parcel of land lying in and being in Land Lot 1237 of the 16th District, 2nd Section, City of Marietta, Cobb County, Georgia, and being more particularly described as follows:

Commencing at a 1/2" rebar located at the intersection of the southerly right-of-way line of Roswell Street (having a variable right-of-way) and the easterly right-of-way line of Coggins Place (having a 60 foot wide right-of-way); THENCE run along the easterly right-of-way line of Coggins Place, South 00 degrees 12 minutes 05 seconds West for a distance of 12.00 feet to a point, said point being the POINT OF BEGINNING; THENCE run along the easterly and northerly right-of-way line of Coggins Place the following courses and distances: THENCE South 00 degrees 12 minutes 05 seconds West for a distance of 140.98 feet to a point; THENCE run along a curve to the left having a radius of 40.00 feet and an arc length of 61.79 feet, being subtended by a chord bearing South 44 degrees 03 minutes 13 seconds East for a distance of 55.83 feet to a point; HENCE South 88 degrees 18 minutes 27 seconds East for a distance of 21.78 feet to a 1/2" rebar; THENCE leaving said right-of-way line, run South 00 degrees 00 minutes 48 seconds West for a distance of 10.50 feet to a point; THENCE run along a curve to the right having a radius of 80.00 feet and an arc length of 117.11 feet, being subtended by a chord bearing North 44 degrees 18 minutes 50 seconds West for a distance of 106.97 feet to a point; THENCE North 02 degrees 21 minutes 21 seconds West for a distance of 116.24 feet to a point; THENCE South 88 degrees 41 minutes 32 seconds East for a distance of 19.42 feet to the POINT OF BEGINNING.

Said property contains 0.0617 acres more or less.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from Unzoned right-of-way to CRC (Community Retail Commercial).

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:

Brian Binzer, Director
Department of Development Services

Approved as to form:

Douglas R. Haynie, City Attorney

Approved by City Council:

DATE: **October 8, 2014**

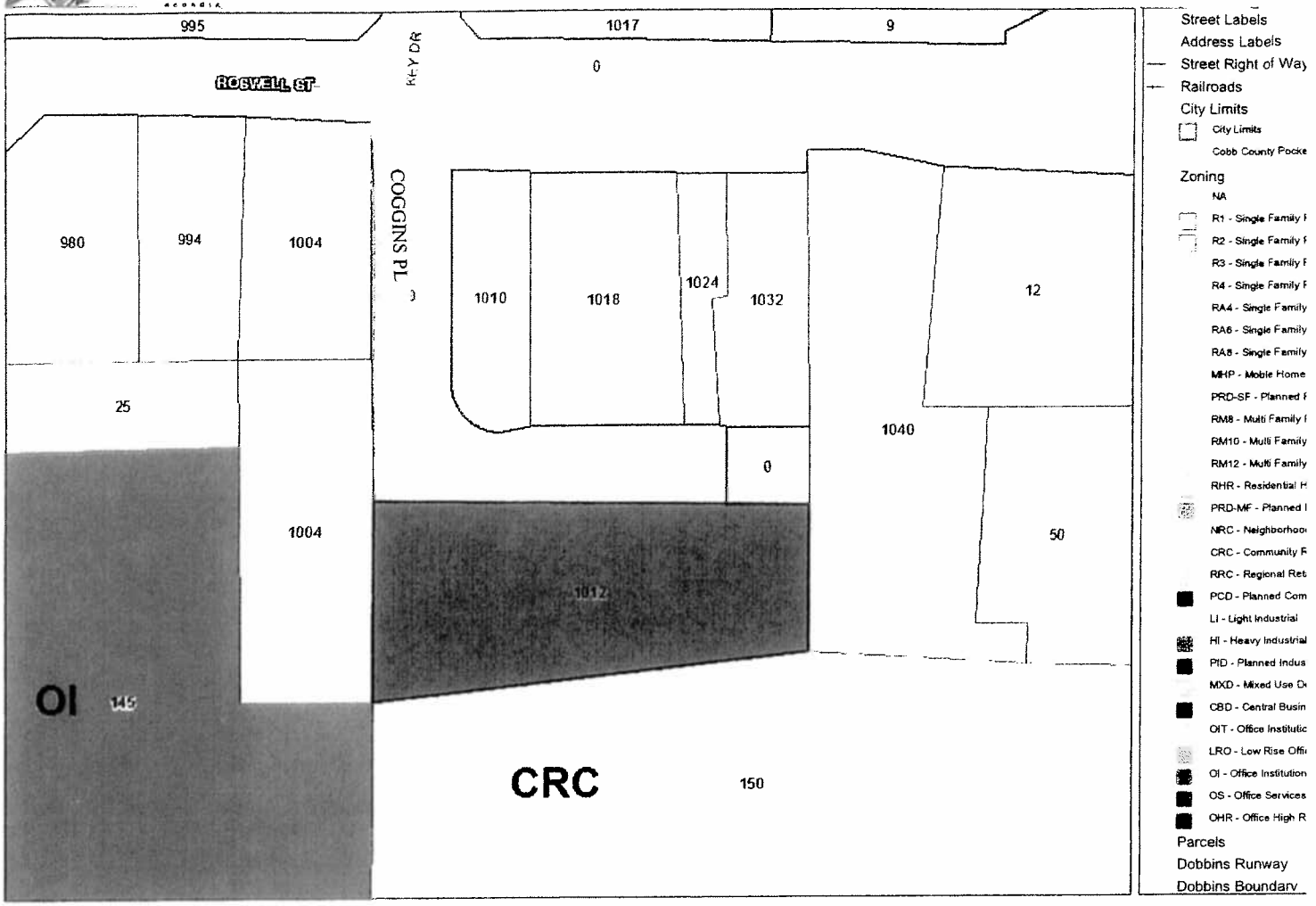
APPROVED:

R. Steve Tumlin, Jr., Mayor

ATTEST:

Stephanie Guy, City Clerk

Rezoning



Property Owner: City of Marietta

Applicant: Roger Davis, Red Hare Brewery

Proposed Zoning: CRC

Agent:

Proposed Use: Right-of-way swap

Planning Commission Date: 10/1/14

City Council Hearing Date: 10/8/14 *Case Number:* Z2014-20

City of Marietta Planning & Zoning

Zoning Symbols

- Railroads
- 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 Fami
- 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