FILE REFERENCE NO: 20141205
ORDINANCE NO: 7778

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 07260, District 17, Parcel 0090, 2nd Section, Marietta, Cobb County, Georgia and being known as 2136 Kingston Court from LI (Light Industrial) to OHR (Office High Rise).

WHEREAS, application has been filed by **WELCOME GROUP OF HOSPITALITY, INC.** 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 726 of the 17th Land District, 2nd Section, Cobb County, Georgia, and being within the city limits of Marietta, and being more particularly described as follows:

BEGINNING at an iron pin found on the southerly right-of-way of Kingston Court (being 60 feet) and being located 349.79 feet easterly from its' intersection with the easterly right-of-way of Franklin Road, thence along said southerly right-of-way of Kingston Court North 88 degrees 40 minutes 00 seconds East a distance of 264.00 feet to an iron pin found, thence leaving said right-of-way South 01 degree 29 minutes 20 seconds East a distance of 269.96 feet to an iron pin found on the northerly right-of-way of Delk Road; thence along the northerly right-of-way of Delk Road South 88 degrees 31 minutes 40 seconds West a distance of 264.00 feet to an iron pin found; thence leaving said right-of-way North 01 degree 29 minutes 19 seconds West a distance of 270.60 feet to the Point of Beginning.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from LI (Light Industrial) to OHR (Office High Rise).

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

1. Stipulation letter from Garvis L. Sams, Jr. to Russell J. Roth, AICP, dated December 9, 2014.
2. If the property is not closed upon or developed within 12 months of rezoning, it would revert to the previous zoning category of LI.

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 4149.

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: **December 10, 2014**

APPROVED:

R. Steve Tumlin, Jr., Mayor

ATTEST:

Stephanie Guy, City Clerk