

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 1214, District 16, Parcel 0780, 2nd Section, Cobb, Cobb County, Georgia and being known as **108 Ayers Ave.**

WHEREAS, application has been filed by **ARNOLD KATZ (PATRICIA M. BENEDICT)** 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 1214, 16th District, 2nd Section, Cobb county, Georgia, as shown on plan of survey thereof prepared by Douglas D. Middleton, Registered Land Surveyor No. 1716, dated December 31, 1981, with a last revision date of July 17, 1987, and being more particularly described as follows:

BEGINNING at an iron pin located on the eastern right-of-way of Ayers Avenue (having a 30 foot right-of-way) said iron pin being north 152.11 feet as measured along the eastern right-of-way of Ayers Avenue of the intersection of the eastern right-of-way of Ayers Avenue and the northern right-of-way of Lawrence Street (and said iron pin being located on the common boundary line between the property described herein and property now or formerly owned by A.D.E. Church Builders, Inc.); thence North 82 degrees 52 minutes East 70.93 feet along property now or formerly owned by A.D.E. Church Builders, Inc. to an iron pin; thence North 83 degrees 36 minutes East 90.68 feet along property now or formerly owned by B.C. Adair, Jr. to an iron pin; thence North 84 degrees 11 minutes East 42.79 feet along property now or formerly owned by M.E. Mosher to an iron pin and corner; thence North 03 degrees 35 minutes East along property now or formerly owned by Ruby F. Hunnicutt, a distance of 68.00 feet to an iron pin and corner; thence North 89 degrees 48 minutes West along property now or formerly owned by Colquitt Investment Co. a distance of 69.00 feet to an iron pin; thence North 89 degrees 38 minutes West along property now or formerly owned by G.R. Key, a distance of 69.02 feet to an iron pin; thence South 88 degrees 24 minutes West along property now or formerly owned by Colquitt Investment Co. a distance of 65.81 feet to an iron pin located on the eastern right-of-way of Ayers Avenue; thence South 02 degrees 14 minutes West along said right-of-way 90.00 feet to the iron pin located at the POINT OF BEGINNING. Being the same property as described at Deed Book 2481, Page 104, Cobb County, Georgia records.

Said tract containing 16,117.2 square feet or 0.37 acres.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from OI (Office Institutional) to OI (Office Institutional) with an additional use (rug cleaning).

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

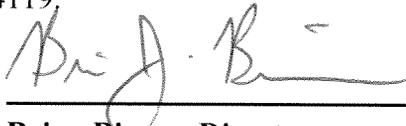
1. There shall be a chemical spill kit on-site.
2. The material named "Matrix Break Down" shall be stored into an approved fire resistance container.
3. The subject property shall no longer operate with a septic tank and instead tie into the sewer and water

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.

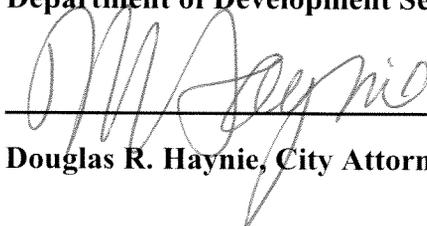
Section 6: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119,

Final Ordinance submitted by:



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

Approved as to form:



Douglas R. Haynie, City Attorney

Approved by City Council:

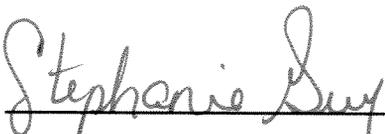
DATE: September 9, 2015

APPROVED:

ATTEST:



R. Steve Tumlin, Jr., Mayor



Stephanie Guy, City Clerk