

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 1225, District 16, Parcel 1410 2nd Section, Marietta, Cobb County, Georgia, and being known as **999 Whitlock Avenue Suite 1.**

WHEREAS, application has been filed by **ASHLEY PECKICH** 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 1225 of the 16th District, 2nd Section, and in Land Lot 324 of the 20th District, 2nd Section, Cobb County, Georgia and being more particularly described as follows:

Beginning at a point located on the southeasterly right-of-way line of Old Dallas Road (401 R/W), said point also being located South 44 degrees 06 minutes 02 seconds West a distance of 200.00 feet, as measured along the southeasterly right-of-way line of Old Dallas Road, from an iron pin found located at the intersection of the southeasterly right-of way line of Old Dallas Road with the southerly right-of-way of WHITLOCK AVENUE (FORMERLY Dallas Highway) (AKA S. R/ 120 (801 R/W)); running thence South 47 degrees 08 minutes 28 seconds East a distance of 92.14 feet to a point; thence running North 85 degrees 22 minutes 09 seconds east a distance of 292.52 feet to a point; thence running South 02 degrees 21 minutes 11 seconds East a distance of 193.74 feet to a point; thence running South 56 degrees 38 minutes 35 seconds West a distance of 521.41 feet to a point; thence running North 00 degrees 23 minutes 37 seconds East a distance of 451.91 feet to a point on the southeasterly right-of-way line of Old Dallas Road; thence along the southeasterly right-of-way line of Old Dallas Road running North 44 degrees 06 minutes 02 seconds East a distance of 93.91 feet to a point located on the southeasterly right-of-way line of Old Dallas Road, said point being the point of beginning;

Said tract or parcel contains 3.28 acres, more or less (142,877 square feet).

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from NRC (Neighborhood Retail Commercial) to NRC (Neighborhood Retail Commercial) with an additional use for indoor dog boarding.

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

- Letter of stipulations from Adam J. Rozen, Sams, Larkin, Huff & Balli, to Russell J. Roth, AICP, Planning & Zoning Manager for the City of Marietta, dated June 7, 2016.
- Additional use to apply only to Suite 1.

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.

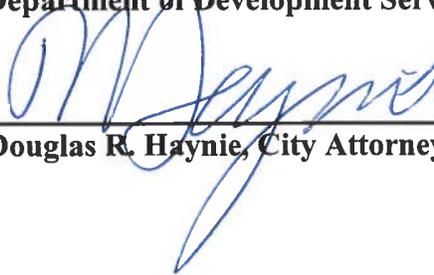
Section 6: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

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 8, 2016

APPROVED:

ATTEST:



R. Steve Tumlin, Jr., Mayor



Stephanie Guy, City Clerk