

FILE REFERENCE NO: 20160670

ORDINANCE NO: 7894

AN ORDINANCE

SPECIAL LAND USE PERMIT for property in the corporate limits of the City of Marietta, Georgia in Land Lot 1005, District 16, Parcel 0220, 2nd Section, Marietta, Cobb County, Georgia, and being known **325 Marble Mill Road**, only to alter the configuration of the parking lots, as shown on the attached site plan, for the existing waste transfer facility.

WHEREAS, application has been filed by **REPUBLIC SERVICES (CIVIL & ENVIRONMENTAL CONSULTANTS)** for a Special Land Use Permit for 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 OF LAND lying and being in Land Lot 1005 of the 16th District, 2nd section of Cobb County, Georgia, being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the point formed by the intersection of the land lot line common to Land Lots 1004 and 1005 with the southern right-of-way line of Marble Mill Road (50 foot right-of-way) and run in a westerly direction along said right-of-way line 853.13 feet to a ½ inch rod located at the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING as thus established, leave said right-of-way line of Marble Mill road and run south 00 degrees 41 minutes 45 seconds west 285.98 feet to a ½ inch rod; thence south 86 degrees 09 minutes 58 seconds east 148.80 feet to a ½ inch rod; thence south 00 degrees 55 minutes 47 seconds west 598.47 feet to a point; thence north 77 degrees 50 minutes 59 seconds east 98.47 feet to ½ inch rod; thence south 12 degrees 01 minute 07 seconds east 199.60 feet to a ½ inch rod located on the northwestern right-of-way line of James Street (50 foot right-of-way); thence run along said right-of-way line south 77 degrees 54 minutes 34 seconds west 297.15 feet to a ½ inch rod; thence leave said right-of-way line and run north 11 degrees 50 minutes 59 seconds west 199.71 feet to a ½ inch rod; thence south 78 degrees 00 minutes 09 seconds west 292.56 feet to a ½ inch rod; thence north 25 degrees 01 minute 36 seconds west 65.68 feet to a ½ inch rod (bent); thence north 02 degrees 48 minutes 37 seconds west 955.95 feet to a ¾ inch pipe located on the southern right-of-way line of Marble Mill Road, said pipe also being located 189.4 feet in the northeasterly direction from the point formed by the intersection of said right-of-way line with the land lot line common to Land Lots 1005 and 1006; thence run along said right-of-way line south 87 degrees 33 minutes 09 seconds east 419.67 feet to the ½ inch rod at the TRUE POINT OF BEGINNING

Said tract contains 12.125 acres (528,165 square feet) more or less.

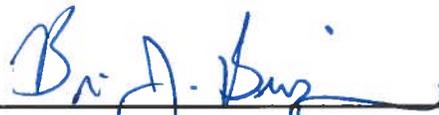
Section 2: The above-described property is hereby granted a Special Land Use Permit for a waste transfer facility in the corporate limits in the City of Marietta, Georgia; granting approval only conveys the right to alter the configuration of the parking lots, as shown on the attached site plan, for the existing waste transfer facility at 325 Marble Mill Road.

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.

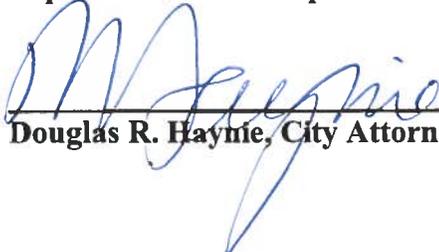
Section 5: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

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: August 10, 2016

APPROVED:

ATTEST:



R. Steve Tumlin, Jr., Mayor



Stephanie Guy, City Clerk