FILE REFERENCE NO: 20200061
ORDINANCE NO: 8141

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia Land Land Lot 1160, District 16, Parcel 1280 of the 2nd Section, Cobb County, Georgia, and being known as **171 Cole Street.**

WHEREAS, application has been filed by **T.D. PROPERTY RENTALS LLC** 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 1160 of the 16th District, 2nd Section, Cobb County, City of Marietta, Georgia further described as follows:

Beginning at a point on the west side of Cole Street 100 feet north of its intersection with the north side of Lemon Street; thence running west, parallel with the north side of Lemon Street, 142 feet to a point and corner; thence running north, parallel with the west side of Cole Street, 95 feet, more or less, to the center line of branch; running thence easterly and northeasterly, along the center line of branch, 165 feet, more or less to the west side of Cole Street; thence running south, along the west side of Cole Street, 114 feet, more or less, to the point of beginning.

Said tract or parcel of land contains 0.27± acres.

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 R-4 (Single Family Residential – 4 units/acre).

Section 3: The following variance is incorporated as a condition of zoning:

1. Variance to reduce the southern side yard setback from 10 feet to 7 feet. [§708.04 (H)]

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Section 5: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.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:

Rusty Roth

Rusty Roth, Acting Director
Department of Development Services

Approved as to form:

Douglas R. Haynie, City Attorney

Approved by City Council:

DATE: March 11, 2020

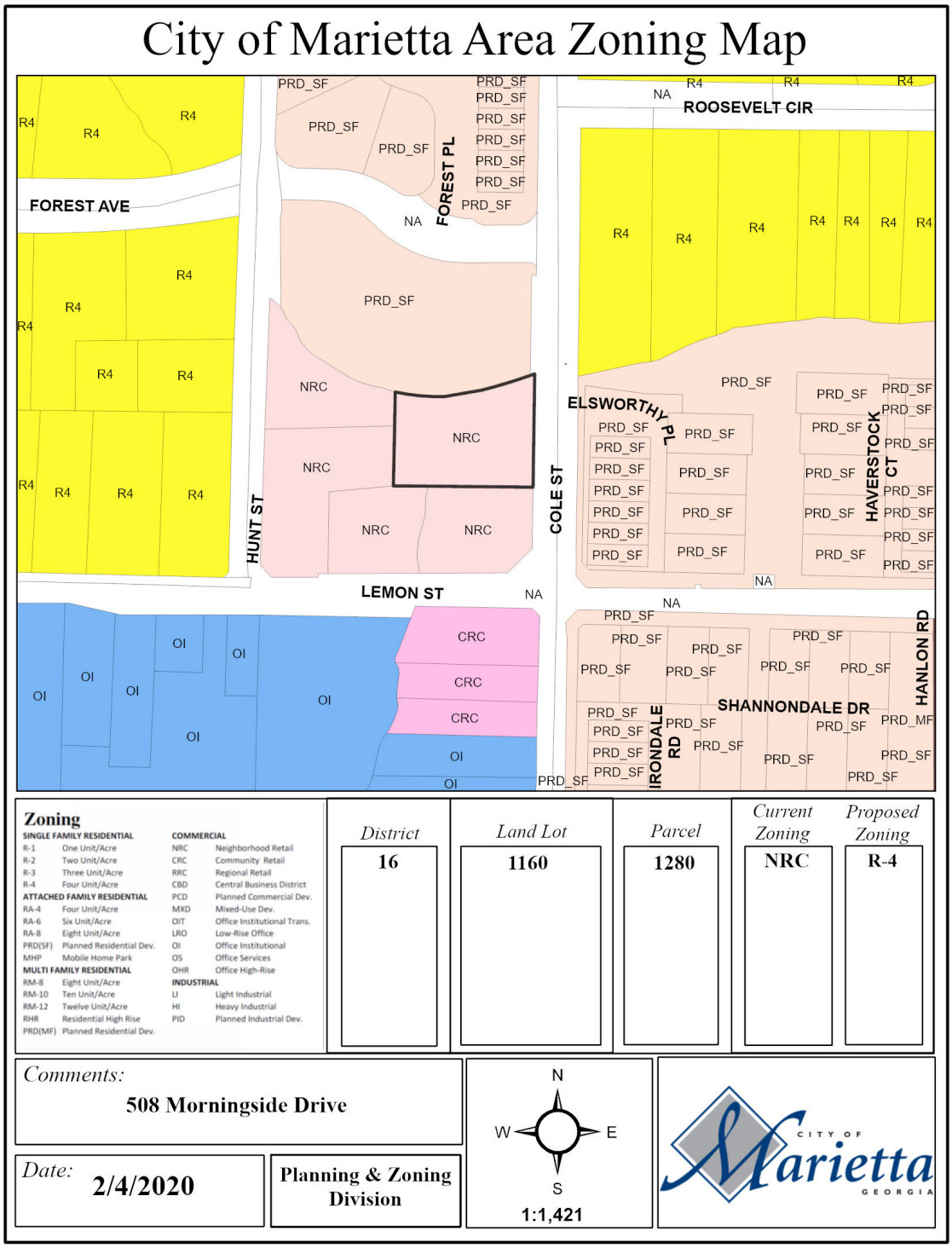
APPROVED:

R. Steve Tumlin, Jr., Mayor

ATTEST:

Stephanie Guy

Stephanie Guy, City Clerk

Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Rusty Roth, AICP, Director

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