

AN ORDINANCE

**REZONING** property in the corporate limits of the City of Marietta, Georgia in Land Lot 1147, District 16, Parcel 0400, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as **367 Campbell Hill Street**.

**WHEREAS**, application has been filed by **SESSIONS STREET PARTNERS LLC (EDJ HOMES, LLC)** for rezoning of 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 1147 of the 15th District, 2nd Section, Cobb County, Georgia, and being more fully described as follows:

BEGINNING at a point on the west side of Campbell Hill Street 54 feet, more or less, south of the intersection of the west side of Campbell Hill Street with the south side of Sessions Street, and running thence Southerly along the westerly side of Campbell Hill Street 60 feet, more or less, to the corner of adjoining owner; running thence Westerly along line of adjoining owner 210 feet, more or less, to the old Brumby Chair Company property; thence northwesterly along said property 136 ½ feet, more or less, to the Hill property; thence East along the Hill property 61 feet, more or less, to a point; thence South 32 feet, more or less, to a point; thence East along adjoining owner 128 feet, more or less, to the POINT OF BEGINNING.

Said tracts or parcels contains 0.34 acres, more or less (14,810 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 R-4 (Single Family Residential – 4 units/acre).

**Section 3:** The following variances are incorporated as conditions of zoning:

1. Variance to reduce the side yard setback along the northern side of the existing structure from 10' to 0.9'. [*§708.04(H)*]
2. Variance to reduce the minimum lot width from 75' to 56'. [*§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, Director**  
**Department of Development Services**

**Approved as to form:** *D. Haynie*  
**Douglas R. Haynie, City Attorney**

**Approved by City Council:**

**DATE:** March 14, 2018

**APPROVED:**

**ATTEST:** *R. Steve Tumlin, Jr.*  
**R. Steve Tumlin, Jr., Mayor**

*Stephanie Guy*  
**Stephanie Guy, City Clerk**

