FILE REFERENCE NO: 20140461
ORDINANCE NO: 7736

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 11620, District 16, Parcel 0080, 2nd Section, Marietta, Cobb County, Georgia and being known as 443 Roosevelt Circle.

WHEREAS, application has been filed by **ROSA LEE COLLINS** 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 or being in Land Lots 1161 and 1162, 16th District, 2nd Section in the City of Marietta, Cobb County, Georgia and being Lot 14, Block "D" of McARTHUR MANOR SUBDIVISION, as shown on Plat of Survey recorded in Plat Book 5, Page 49, Cobb County Records, and being more recently shown on a Plat of Survey prepared by Clifton E. Phillips, R. L. S., dated September 4, 1973, and being more particularly described as follows:

BEGINNING at an iron pin on the northwest side of Roosevelt Circle located 197.3 feet southerly and southwesterly, as measured along the northwest side of Roosevelt Circle, from the southwest corner formed by the intersection of McArthur Drive and Roosevelt Circle (if said corner were extended to form an angle instead of a curve); thence Northwesterly along the south line of Lot 13, said block and subdivision, 150.6 feet to an iron pin; thence Southwesterly, 15 feet to an iron pin located at the northeast corner of Lot 15, said block and subdivision; thence Southeasterly along the northeast line of lot 15, said block and subdivision, 144.0 feet to an iron pin on the northwest side of Roosevelt Circle; thence Northeasterly along the northwest side of Roosevelt Circle and following the curvature thereof 100 feet to an iron pin at the Point of Beginning, being improved property known as 443-445 Roosevelt Circle according to the present system of numbering houses in Marietta, Georgia.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from R-4 (Single Family Residential 4 units/acre) to R-4 (Single Family Residential 4 units/acre) with an additional use as a duplex.

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

- Should the main structure be demolished, the zoning will revert back to R-4 (Single Family Residential 4 units/acre), without the residential duplex use.

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: **July 9, 2014**

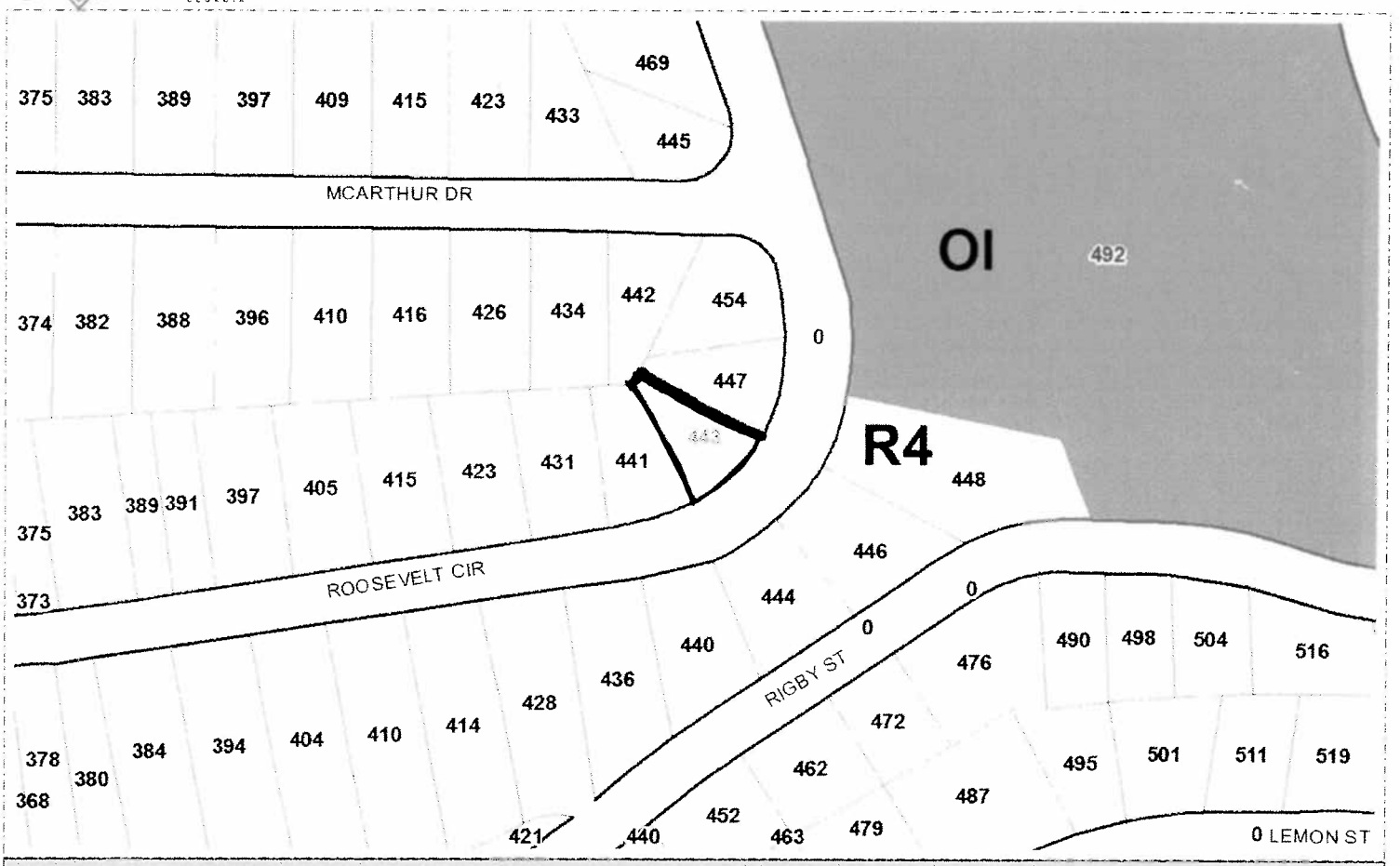
APPROVED:

R. Steve Tumlin, Jr., Mayor

ATTEST:

Stephanie Guy, City Clerk

Rezoning



Address	Parcel Number	Acreage	Ward	Zoning	FLU
443 ROOSEVELT CIR	16116200080	0.161	5A	R4	MDR

Property Owner: Rosa Collins

Applicant: n/a

Proposed Zoning: R-4

Agent: n/a

Proposed Use: Duplex

Planning Commission Date: 07/01/14

City Council Hearing Date: 07/09/14 *Case Number:* Z2014-08

City of Marietta Planning & Zoning

Zoning Symbols

- Railroads
- City Limits
- Cobb County Pockets
- NA
- R1 - Single Family Residential (1 unit/acre)
- R2 - Single Family Residential (2 units/acre)
- R3 - Single Family Residential (3 units/acre)
- R4 - Single Family Residential (4 units/acre)
- RA4 - Single Family Residential - Attached
- RA6 - Single Family Residential - Attached
- RA8 - Single Family Residential - Attached
- MHP - Mobile Home Park
- PRD-SF - Planned Residential Dev. Single Family
- RM8 - Multi Family Residential (8 units/acre)
- RM10 - Multi Family Residential (10 units/acre)
- RM12 - Multi Family Residential (12 units/acre)
- RHR - Residential High Rise
- PRD-MF - Planned Residential Dev. Multi Family
- NRC - Neighborhood Retail Commercial
- CRC - Community Retail Commercial
- RRC - Regional Retail Commercial
- PCD - Planned Commercial Development
- LI - Light Industrial
- HI - Heavy Industrial
- PID - Planned Industrial Development
- MXD - Mixed Use Development
- CBD - Central Business District
- OIT - Office Institutional Transitional
- LRO - Low Rise Office
- OI - Office Institutional
- OS - Office Services
- OHR - Office High Rise