

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 1158, District 16, Parcel 1240, 2nd Section, Marietta, Cobb County, Georgia and being known as a portion of **180 Locust Street**.

WHEREAS, application has been filed by **WILLIAM C. HAGEMANN PROFIT SHARING PLAN** 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 1158 of the 16th district, 2nd section, city of Marietta, Cobb County, Georgia, and being more particularly described as follows:

Commencing at a point at the intersection of the easterly right of way of Locust Street (apparent 30' r/w) and the northerly right of way of Polk Street (apparent 40' r/w);

Thence leaving the northerly right of way of Polk Street and following along the easterly right of way of Locust Street the following courses: north a distance of 166.0 feet to a #4 rebar found, said point being the point of beginning.

Thence along said easterly right of way north 01 degrees 36 minutes 49 seconds east a distance of 99.01 feet to a #4 rebar set,

Thence leaving said easterly right of way, north 89 degrees 34 minutes 29 seconds east a distance of 162.32 feet to a point on the westerly right of way of North Marietta Parkway (variable right of way);

Thence along said westerly right of way, south 2 degrees 24 minutes 2 seconds west a distance of 103.48 feet to a #4 rebar found;

Thence leaving said westerly right of way, north 88 degrees 51 minutes 18 seconds west a distance of 160.81 feet to the easterly right of way of Locust Street, said point being the point of beginning.

Said tract contains 0.38 acres (16,349 square feet) more or less.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from OI (Office Institutional) to R-4 (Single Family Residential – 4 units/ acre).

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

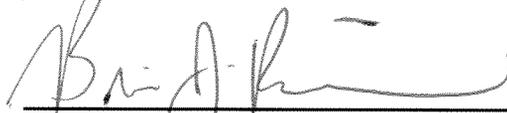
1. Variance to reduce the required setback for a detached garage from 21 feet to 12.9 feet.

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:

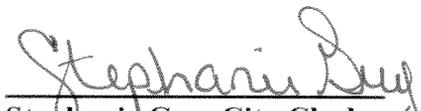
DATE: December 9, 2015

APPROVED:

ATTEST:



R. Steve Tumlin, Jr., Mayor



Stephanie Guy, City Clerk