

**AN ORDINANCE**

**REZONING** property in the corporate limits of the City of Marietta, Georgia in Land Lot 1216, District 16, Parcel 0530, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia, and being known as **413 Washington Avenue**.

**WHEREAS**, application has been filed by **FROG DEVELOPMENT, 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 1216 of the 16th District, 2nd Section of Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin on the north side of Washington Avenue, ninety (90) feet, more or less, from the corner formed by the intersection of the north side of Washington Avenue and the westerly right of way of Height Street; said point of beginning also being one hundred two and eight tenths (102.8) feet west as measured along the north side of Washington Avenue from the point of intersection of the north side of Washington Avenue and the center line of the paving of Height Street; thence running west along the north side of Washington Avenue, seventy five (75) feet to an iron pin; thence north one hundred sixty four (164) feet to an iron pin; thence east sixty four and eight tenths (64.8) feet to an iron pin; thence southerly one hundred sixty three (163) feet to an iron pin on the north side of Washington Avenue and the point of beginning, being improved property.

Said tract or parcel contains .25 acres, more or less (10,890 square feet).

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

**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:**



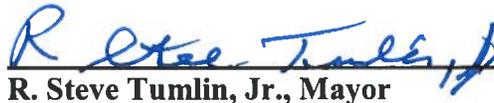
**Douglas R. Haynie, City Attorney**

**Approved by City Council:**

**DATE: June 8, 2016**

**APPROVED:**

**ATTEST:**



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



**Stephanie Guy, City Clerk**