

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 290, District 17, Parcel 0580 of the 2nd Section, Cobb County, Georgia, and being known as **374 Kings Court**.

WHEREAS, application has been filed by **RAJANIKANTH PANDIRI** 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 properties to wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 290 OF THE 17TH DISTRICT IN 2ND SECTION OF COBB COUNTY, GEORGIA, AND IN THE CITY OF MARIETTA, AND BEING LOT 10, KING CONSTRUCTION COMPANY PROPERTY SUBDIVISION, ACCORDING TO A PLAT RECORDED IN PLAT BOOK 5, PAGE 28, COBB COUNTY RECORDS, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE WEST SIDE OF KINGS COURT 66.6 FEET NORTH, AS MEASURED ALONG THE WEST SIDE OF KINGS COURT FROM THE NORTH SIDE OF HAWKINS STREET IF SAID STREET LINES WERE EXTENDED TO FORM AN ANGLE INSTEAD OF A CURVE, SAID POINT OF BEGINNING BEING AT THE NORTHEAST CORNER OF LOT 8, SAID SUBDIVISION, AS SHOWN BY SAID PLAT, AND RUNNING THENCE NORTH ALONG THE WEST SIDE OF KINGS COURT 65 FEET TO AN IRON PIN THENCE WEST ALONG THE SOUTH BOUNDARY OF LOT 9, SAID SUBDIVISION, 76 FEET TO AN IRON PIN; THENCE SOUTH WESTERLY ALONG THE SOUTHEAST BOUNDARY OF LOT 7, SAID SUBDIVISION, AND A FENCE LINE 33.5 FEET TO AN IRON PIN, THENCE SOUTH ALONG THE EAST BOUNDARY OF LOT 6, SAID SUBDIVISION, AND A FENCE 30.5 FEET TO AN IRON PIN, THENCE EAST ALONG THE NORTH BOUNDARY OF LOT 8, SAID SUBDIVISION, AN PARTLY ALONG A FENCE, 80 FEET TO THE WEST SIDE OF KINGS COURT AND THE POINT OF BEGINNING. Parcel ID: 17-0290-0-058-0

This Deed is given subject to all easements and restrictions of record.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia from RA-6 (Single Family Residential Attached – 6 units/acre) to R-4 (Single Family Residential – 4 units/acre).

Section 3: The following variances are incorporated as a condition of zoning:

1. Variance to allow the property to function as a single family detached dwelling subject to R-4 permitted uses and Section 712.11, Residential Infill Development Overlay District.
2. Variance to increase the permitted density from 8 units/acre to 8.13 units/ac. [*§712.11 (N)*]
3. Variance to reduce the permitted side setback from 5 ft. to 3.6 ft. [*§712.11 (N)*]
4. Variance to waive the required architectural standards [*§712.11 (P)*]

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, Director
 Department of Development Services


Approved as to form:


 Douglas R. Haynie, City Attorney

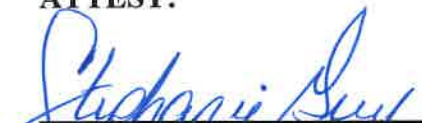
Approved by City Council:

DATE: May 10, 2023

APPROVED:


 R. Steve Tumlin, Jr., Mayor

ATTEST:


 Stephanie Guy, City Clerk