

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 1236, District 16, Parcel 0770 of the 2nd Section, Cobb County, Georgia, and being known as **27 Aviation Road**.

WHEREAS, application has been filed by **CAPITAL CITY PROPERTIES, INC. (ELIZABETH BRIGHT)** 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 the City of Marietta, in Land Lot 1236 of the 18th District, 2nd Section of Cobb County, Georgia, being all of Lot No. 155 of the Victory Heights Subdivision, as per plat by A.T. Merritt, Jr., C.E., dated June 9, 1942, and recorded in Plat Book 4, pages 176 and 177, in the Office of the Clerk of the Superior Court of Cobb County, Georgia, and being more particularly described as follows:

Beginning at a point on the northeast side of Aviation Road at a point where the southeast line of Lot No. 156 intersects said road, running thence 73 feet to the northwest line of Lot No. 154 of said subdivision; thence northeasterly along the northwestern line of said Lot No. 154 a distance of 159 feet to the property of the Georgia Power Company; thence north 41 degrees 8 minutes west along said power company property a distance of 53 feet to the southeast line of said Lot No. 156; thence southwesterly along the southeastern line of said Lot No. 156 a distance of 149 feet to Aviation Road and the point of beginning.

APN 16123600770

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

Section 3: The following variances are incorporated as conditions to zoning:

1. Variance to reduce the minimum lot size for OIT from 10,000 sq. ft. to 9,492 sq. ft. [*§708.21 (H)*]
2. Variance to reduce the minimum lot width from 75 ft. to 70 ft. [*§708.21 (H)*]

Section 4: The following stipulations are incorporated as conditions of zoning:

1. Single family residential shall continue as a permitted use on the property.

2. Setback encroachments for the principal structure may remain but no new setback encroachments may be created.
3. The location and design of the building in the rear must match the plans presented at the meeting (Exhibit A).
4. The design of the front (principal) building must be in line with the residential architecture down the street.

Section 5: 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 6: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7: 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: March 12, 2025

APPROVED:

ATTEST:

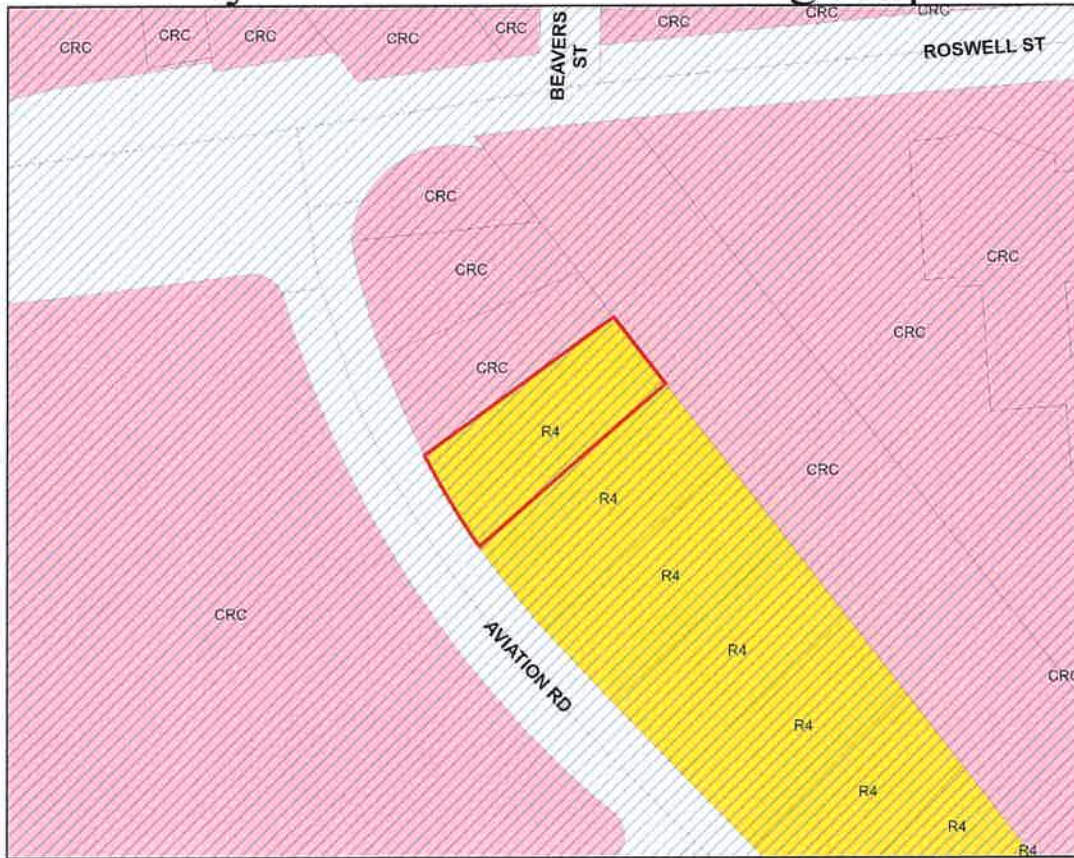


Stephanie Guy, City Clerk



R. Steve Tumlin, Jr., Mayor

City of Marietta Area Zoning Map



Zoning		District	Land Lot	Parcel	Current Zoning	Proposed Zoning
SINGLE FAMILY RESIDENTIAL R-1 One Unit/Acre R-2 Two Unit/Acre R-3 Three Unit/Acre R-4 Four Unit/Acre ATTACHED FAMILY RESIDENTIAL RA-4 Four Unit/Acre RA-6 Six Unit/Acre RA-8 Eight Unit/Acre PRO(RSF) Planned Residential Dev LMHP Mobile Home Park MULTI FAMILY RESIDENTIAL RM-8 Eight Unit/Acre RM-10 Ten Unit/Acre RM-12 Twelve Unit/Acre RMH Residential High Rise PRO(MR) Planned Residential Dev		16	1236	0770	R-4	OIT
COMMERCIAL NBC Neighborhood Retail CRC Community Retail RRC Regional Retail CBD Central Business District PCD Planned Commercial Dev MCD Mixed-Use Dev OIT Office Institutional/Tiers LRO Low-Rise Office OS Office Services OHR Office High-Rise INDUSTRIAL LI Light Industrial HI Heavy Industrial PID Planned Industrial Dev						

Comments: 27 Aviation Rd

Date: 1/29/2025

Planning & Zoning Division

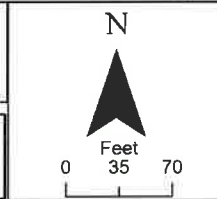


Exhibit A

Rear structure

- Height of building 14.6 feet
- Garage doors 9 feet

Proposed building



Exhibit A

Rear structure

- Rear of structure



Exhibit A

Proposed Site Plan

- New addition is (606 sq. ft.)
- New enclosed storage space
- Front: Paved parking (5 Parking spaces)
- Back: Driveway to be added
- Adding 6-foot privacy fence at rear of property (UHAUL)
- Existing 6-foot privacy fence on North and South side.
- Existing 6-foot gate on side of house

