

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia Land Lot 1216, District 16, Parcel 0740 of the 2nd Section, Cobb County, Georgia, and being known as **386 Fort Street**.

WHEREAS, application has been filed by **LAMBERTO CAMPOS** 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 16th District, 2nd Section, Cobb County, Georgia, lying within land lot 1216, identified as tax parcel 074 on the field map of Cobb county Tax Assessor, and being more particularly described as follows: Aforesaid property appearing to be commercial property having an address of 206 Fort Street/103 Rigby Street Marietta, Georgia. According to Cobb County Tax Records. Said property is further described in Deed Book 7246, Page 17, Cobb county, Georgia Records.

Said tract or parcel of land contains 0.062± acres (2,701 square feet).

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 a variance to increase density to 16.2 units/acre.

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

1. Variance to increase the density from 4 units/acre to 16.2 units/acre. [§708.04 H]
2. Variance to reduce the minimum lot size from 7,500 square feet to 2,700 square feet. [§708.04 H]
3. Variance to reduce the minimum lot width (Fort Street) from 75' to 42'. [§708.04 H]
4. Variance to reduce the front setback from 25' to 10'. [§708.04 H]
5. Variance to reduce the major side setback from 25' to 10'. [§708.04 H]
6. Variance to reduce the minor side setback from 10' to 7'. [§708.04 H]
7. Variance to reduce the rear setback from 30' to 10'. [§708.04 H]

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: March 13, 2019

APPROVED:

ATTEST:



Stephanie Guy, City Clerk



R. Steve Tumlin, Jr., Mayor