

AN ORDINANCE

SPECIAL LAND USE for property in the corporate limits of the City of Marietta, Georgia Land Lot 41, District 19, Parcel 0020, 2nd Section, Marietta, Cobb County, Georgia and being known as 649 Cheatham Hill Drive (a/k/a 393 Terrell Drive).

WHEREAS, application has been filed by **COBB COUNTY YOUTH MUSEUM, INC** for a Special Land Use Permit (SLUP) for 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 41 of the 19th District, 2nd Section of Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin, point and corner marking the northwest corner of said Land Lot 41 (said point also being the common corner of Land Lots 33, 34 and 42 of said district and section); running thence south 88 degrees 38 minutes 33 seconds east along the north line of said Land Lot 41, 331.18 feet to a point and corner; running thence south 1 degrees 6 minutes 21 seconds west 1360.68 feet to a point and corner located on the south land lot line of said Land Lot 41; running thence north 87 degrees 36 minutes 12 seconds west along the south line of said Land Lot 41 329.14 feet to a concrete monument marking the southwestern corner of said Land Lot 41 (and being also the common corner of Land Lots 42, 107 and 108 of said district and section); running thence north 1 degrees 0 minutes 58 seconds east along the west line of said Land Lot 41 1354.72 feet to the northwest corner of said land lot and the point of beginning.

Said tract or parcel of land contains 10.29± acres.

Section 2: The above-described property is hereby granted a Special Land Use Permit in the corporate limits in the City of Marietta, Georgia in order to expand and operate a place of assembly (museum) on property zoned R-2 (Single Family Residential – 2 units/acre).

Section 3: The following variances are incorporated as conditions of the special land use permit:

1. Variance to reduce the setback for an existing structure (pavilion) from 75 feet to 8 inches.
[§708.02 (E.1.b)]

2. Variance to reduce the setback for the existing building (Youth Museum) and proposed addition from 75 feet to 16 feet. [§708.02 (E.1.b)]
3. Variance to allow a septic system for a commercial site. [§732.03]
4. Variance to reduce the required parking spaces from 26 to 14. [§716.07 (E)]
5. Variance to reduce the two-way interior drive width from 20 feet to 18 feet. [§716.08 (C.5)]

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:



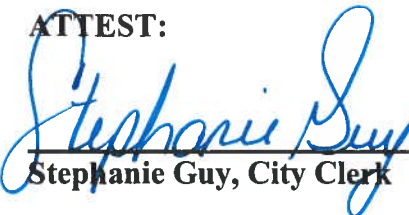
Douglas R. Haynie, City Attorney

Approved by City Council:

DATE: May 8, 2019

APPROVED:

ATTEST:



Stephanie Guy, City Clerk



R. Steve Tumlin, Jr., Mayor