

**AN ORDINANCE**

**REZONING** property in the corporate limits of the City of Marietta, Georgia, Land Lot 1215, District 16, Parcels 0860 & 0850, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia and being known as **527 & 533 Lawrence Street**.

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**WHEREAS**, application has been filed by **TURNER CHAPEL AME CHURCH** for a Special Land Use Permit (SLUP) for a food and clothing pantry (storage and distribution) associated with a place of assembly 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 1215 of the 16<sup>th</sup> District, 2<sup>nd</sup> Section of Cobb County, Georgia, as shown and depicted as 0.228 acres on a plat of survey prepared for Turner Chapel A.M.E. Church by A.S. Giometti & Associates, Inc., Registered Land Surveyor, Dated March 18, 1993 and being more particularly described as follows:

Beginning at a point formed by the intersection of the northerly right of way line of Lawrence Street and the southerly right of way line of Leroy Street 114.23 feet; Thence north 09 degrees 51 minutes 45 seconds East, 202.72 feet to a point; Thence south 81 degrees 56 minutes 55 seconds East, 63.49 feet to a point; Thence south 09 degrees 57 minutes 29 seconds West, 194.25 feet to a point; Thence south 89 degrees 33 minutes 18 seconds West, 64.00 feet to the POINT OF BEGINNING.

All that tract or parcel of land lying and being in Land Lot 1215 of the 16<sup>th</sup> District, 2<sup>nd</sup> Section of Cobb County, Georgia and being more particularly described as follows:

Beginning at the Northwest corner of the intersection of Lawrence Street and Brooks Street (now known as Leroy Street) in the City of Marietta, Cobb County, Georgia, and running in a northerly direction along the West side of said Brooks Street (now known as Leroy Street) for a distance of One Hundred Seventy (170) feet to the property now or formerly owned by Horace Tiggs; thence in a westerly direction along the property of said Horace Tiggs for a distance of Sixty (60) feet to the property of Adams or formerly owned by Adams; thence in a southerly direction along the property of said Adams for a distance of One Hundred Seventy (170) feet to the north side of Lawrence Street a distance of Sixty (60) feet to the POINT OF BEGINNING.

Said tract or parcel contains 0.635 Acres, more or less.

**Section 2:** The above-described property is hereby granted a Special Land Use Permit in the corporate limits in the City of Marietta, Georgia to allow a food and clothing pantry (storage and distribution) associated with a place of assembly.

**Section 3:** The following variances are incorporated as conditions of the Special Land Use Permit:

1. Variance to reduce the front setback from 75 ft. to 29 ft. [§708.04 (E.1.b)]
2. Variance to reduce the western side setback from 75 ft. to 11 ft. [§708.04 (E.1.b)]
3. Variance to reduce the eastern side setback from 75 ft. to 71 ft. [§708.04 (E.1.b)]
4. Variance to allow gravel as an acceptable parking surface. [§716.08 (B)]

**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.

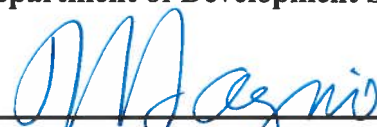
**Section 5:** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

**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:**

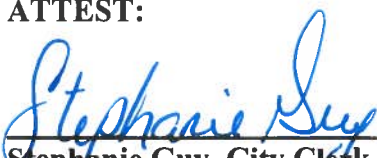
  
\_\_\_\_\_  
Douglas R. Haynie, City Attorney


**Approved by City Council:**

**DATE:** August 14, 2019

**APPROVED:**

**ATTEST:**

  
\_\_\_\_\_  
Stephanie Guy, City Clerk

  
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R. Steve Tumlin, Jr., Mayor