

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia, Land Lot 287, District 17, Parcel 0080 of the 2nd Section, Cobb County, Georgia, and being known as **214 West Dixie Avenue**.

WHEREAS, application has been filed by **SHEA KONIGSMARK** 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 located in Land Lot 287 of the 17th District, 2nd Section, Cobb County, Georgia and being more particularly described as follows:

Beginning at a point on the South right-of-way of West Dixie Avenue 255.00 feet West of the intersection of West Dixie Avenue and West Atlanta Road, running thence South 00 degrees 19 minutes 42 seconds East for a distance of 185.01 feet to an iron pin placed; running thence South 89 degrees 35 minutes 18 seconds West for a distance of 85.00 feet to a solid rod found; running thence North 00 degrees 19 minutes 01 seconds West for a distance of 184.52 feet to a 1 inch open top pipe on the South right-of-way of West Dixie Avenue; running thence along said right-of-way North 89 degrees 15 minutes 25 seconds East for a distance of 84.96 feet to an iron pin found and the Point of Beginning.

Said tract or parcel contains .36 acres (15,702 square feet) more or less.

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

Section 3: The following variance is incorporated as a condition of zoning:

1. Variance to allow gravel as a parking surface. [§716.08 (A)]

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Section 5: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

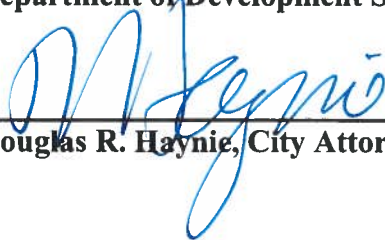
Section 6: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

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



R. Steve Tumlin, Jr., Mayor