

**AN ORDINANCE**

**REZONING** property in the corporate limits of the City of Marietta, Georgia in Land Lot 287, District 17, Parcel 0090 of the 2<sup>nd</sup> Section, Cobb County, Georgia, and being known as 224 West Dixie Avenue.

**WHEREAS**, application has been filed by **PETER VARLJEN** for a 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 Land Lot 287 of the 17<sup>th</sup> District 2<sup>nd</sup> Section Cobb County, Georgia and being Lot 9 of Glovers Groves Estates Subdivision in City of Marietta and being more particularly described as follows:

Beginning at the southwesterly intersection of Atlanta Street and West Dixie Avenue. Proceeding thence 170.00 feet to an iron pin on the southerly right-of-way of West Dixie Avenue and the true point of beginning; Proceeding thence N03 degrees 00 minutes 00 seconds E a distance of 185.00feet. Proceeding thence N 87 degrees 00 minutes 00 seconds W a distance of 85.00 feet; Proceeding thence N03 degrees 00 minutes 00 seconds E a distance of 185.00 feet to an iron pin on the southerly right -of-way of west Dixie; Proceeding thence S87 degrees 00 minutes 00 seconds E a distance of 85 feet to an iron pin on said right-of-way and the true point of beginning.

Said tract of land contains 0.361 acres.

**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 variances are hereby incorporated as conditions of zoning:

- Variances to allow the garage to remain in place and as-is. [*§708.04 (F)*]

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**Section 5:** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.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

  
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**Rusty Roth, Director**  
**Department of Development Services**

**Approved as to form:**


  
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**Douglas R. Haynie, City Attorney**


**Approved by City Council:**

**DATE:** February 12, 2020

**APPROVED:**

**ATTEST:**

  
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**R. Steve Tumlin, Jr., Mayor**

  
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**Stephanie Guy, City Clerk**