

**AN ORDINANCE AMENDING THE ZONING OF REAL PROPERTY LOCATED IN THE CITY OF MARIETTA; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR SEVERABILITY;**

**WHEREAS**, the owner of the real property hereinafter described has made application with the City of Marietta requesting the zoning of said real property be amended from C-7 (Conditional Commercial District) to I-2 (Medium Industrial District); and

**WHEREAS**, notice of a public hearing was published in the Marietta Monitor on March 29, 2019, and mailed to the owners of property located within 300 feet of the real property on March 26, 2019; and

**WHEREAS**, a public hearing regarding the application for zoning amendment of the real property was held before the Planning Commission on April 23, 2019, and the Planning Commission has recommended amendment to the zoning of the real property as provided by Resolution P19-03; and

**WHEREAS**, a public hearing regarding the application for zoning amendment of the real property was held before the City Council on May 14, 2019, and the City Council has determined that the amendment of the zoning district of the real property, located within the corporate limits of the City of Marietta, is in the best interest of the City and the general public.

**THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA:**

**SECTION 1.** The zoning of the following property is hereby amended from C-7 (Conditional Commercial District) zoning district to I-1 (Light Industrial District) zoning district to wit:

Lot 4 and Lot 5, Block 82, City of Marietta, Love County, Oklahoma,  
according to the recorded plat thereof.

Prior to engaging in any industrial use, occupation, trade or business on the property, a greenbelt buffer of not less than fifteen feet (15') and a sight proof fence with a minimum height of not less than six feet (6') shall be established and maintained adjacent to any residential zoning.

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, repealed.

**SECTION 3.** If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

**PASSED** by the City Council and **SIGNED** by the Mayor of the City of Marietta, Oklahoma on this 14<sup>th</sup> day of May 2019.

CITY OF MARIETTA

ATTEST:

Dottie Gwin  
DOTTIE GWIN, CITY CLERK



BY: K Fraire  
KIMBERLY FRAIRE, MAYOR

# AFFIDAVIT OF PUBLICATION

CITY OF MARIETTA - ORDINANCE NO. 2019-04

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**PASSED** by the City Council and **SIGNED** by the Mayor of the City of Marietta, Oklahoma on this 14th day of May 2019.

ATTEST:  
  
/s/ Dottie Gwin  
DOTTIE GWIN, CITY CLERK

Published in the Marietta Monitor on June 14, 2019.

CITY OF MARIETTA  
BY: /s/ Kimberly Fraire  
KIMBERLY FRAIRE, MAYOR

STATE OF OKLAHOMA )  
  )SS  
COUNTY OF LOVE     )

Willis Choate, of lawful age, being duly sworn and authorized, says that he is publisher of the Marietta Monitor, a weekly newspaper published in the City of Marietta, Love County, Oklahoma a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971, as amended, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the following dates: June 14, 2019

Publication Fee: \$70.80

Willis Choate  
(Publisher)

Subscribed and sworn to before me this 14th  
day of June 20 19

My commission expires: October 29, 20 22

Bronwyn Carter  
Notary Public

