

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia in Land Lot 360, District 17, Parcel 0220, 2nd Section, Marietta, Cobb County, Georgia, and being known as **560 Haley Street**.

WHEREAS, application has been filed by **BROCK BUILT HOMES, LLC** 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 360 of the 17th District, City of Marietta, Cobb County, Georgia and being more particularly described as follows:

Commencing at the easterly right-of-way intersection of South Avenue (apparent 40' R/W) and the southerly right-of-way of Haley Street (Apparent 40' R/W); thence S87°46'12"E, a distance of 93.45 feet along Haley Street right-of-way to a ½" rebar found said point being the POINT OF BEGINNING; thence continuing along Haley Street right-of-way S88°04'00"E, a distance of 150.79 feet to a ½" rebar found; thence leaving said right-of-way S00°15'16"E, a distance of 200.13 feet to a point; thence N87°54'28"W, a distance of 149.84 feet to a ½" rebar found; thence N00°31'50"W, a distance of 199.75 feet to a ½" rebar found; and back to the POINT OF BEGINNING.

Said tract containing 30,027 square feet or 0.689 acres.

Section 2: The above-described property is hereby rezoned into the corporate limits in the City of Marietta, Georgia NRC (Neighborhood Retail Commercial) to PRD-SF (Planned Residential Development – Single Family).

Section 3: The following stipulations are hereby incorporated as conditions of zoning:

- The attached site plan and tree plan, signed by the property owner and dated May 11, 2016 shall constitute the contemporaneously approved detailed plan for 554 & 560 Haley Street. Architectural elevations of the proposed structures shall be submitted to City Council at a later date for consideration and approval prior to construction.

Section 4: The following variance is hereby incorporated as a condition of zoning:

- Reduction of the required minimum tract size from 3 acres to 0.689 acres.

Section 5: 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 6: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

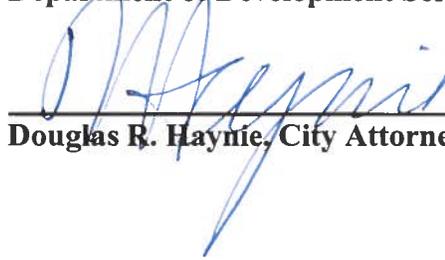
Section 7: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

Final Ordinance submitted by:



**Brian Binzer, Director
Department of Development Services**

Approved as to form:



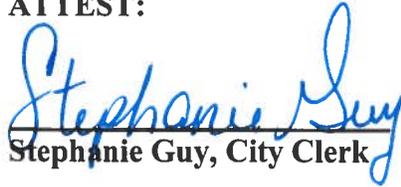
Douglas R. Haynie, City Attorney

Approved by City Council:

DATE: May 11, 2016

APPROVED:

ATTEST:



Stephanie Guy, City Clerk



R. Steve Tumlin, Jr., Mayor