

FILE REFERENCE NO: 20120308

ORDINANCE NO: 7589

AN ORDINANCE

REZONING property in the corporate limits of the City of Marietta, Georgia, located in Land Lot 12420, District 16, Parcel 0930, 2nd Section, Marietta, Cobb County, Georgia and being known as 212 Powers Ferry Road.

WHEREAS, application has been filed by **SHAHIN BANAEIAN** 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 in Land Lot 1242 of the 16th District, 2nd Section, Cobb County, Georgia, and being in Lot 70, Block A of Powers Ferry Hills, Unit II, as per plat recorded in Plat Book 10, Page 27 of Cobb County, Georgia Records. Said plat is incorporated herein and made a part hereof.

Section 2: The above-described property is hereby rezoned from OI (Office Institutional) to CRC (Community Retail Commercial).

Section 3: The following variances are incorporated as conditions of zoning. These variances shall be for the current developed property only, and shall be discontinued upon the redevelopment of the site (subject to Section 706 Nonconforming Uses):

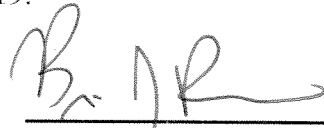
1. Variance to reduce the required buffer from 40 ft. to 0 ft. [Sect. 708.16(I)]
2. Variance to reduce the required two way driveway width from 20 ft. to 11.2 ft. [Sect. 716.08]

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Section 5: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.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



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

Approved as to form:



Douglas R. Haynie, City Attorney

Approved by City Council:

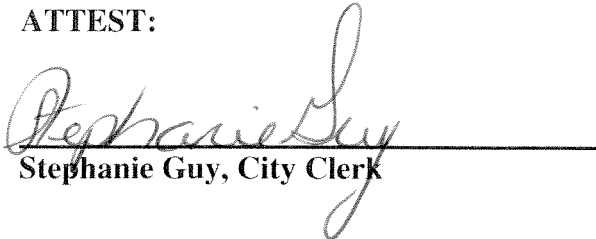
DATE: May 9, 2012

APPROVED:



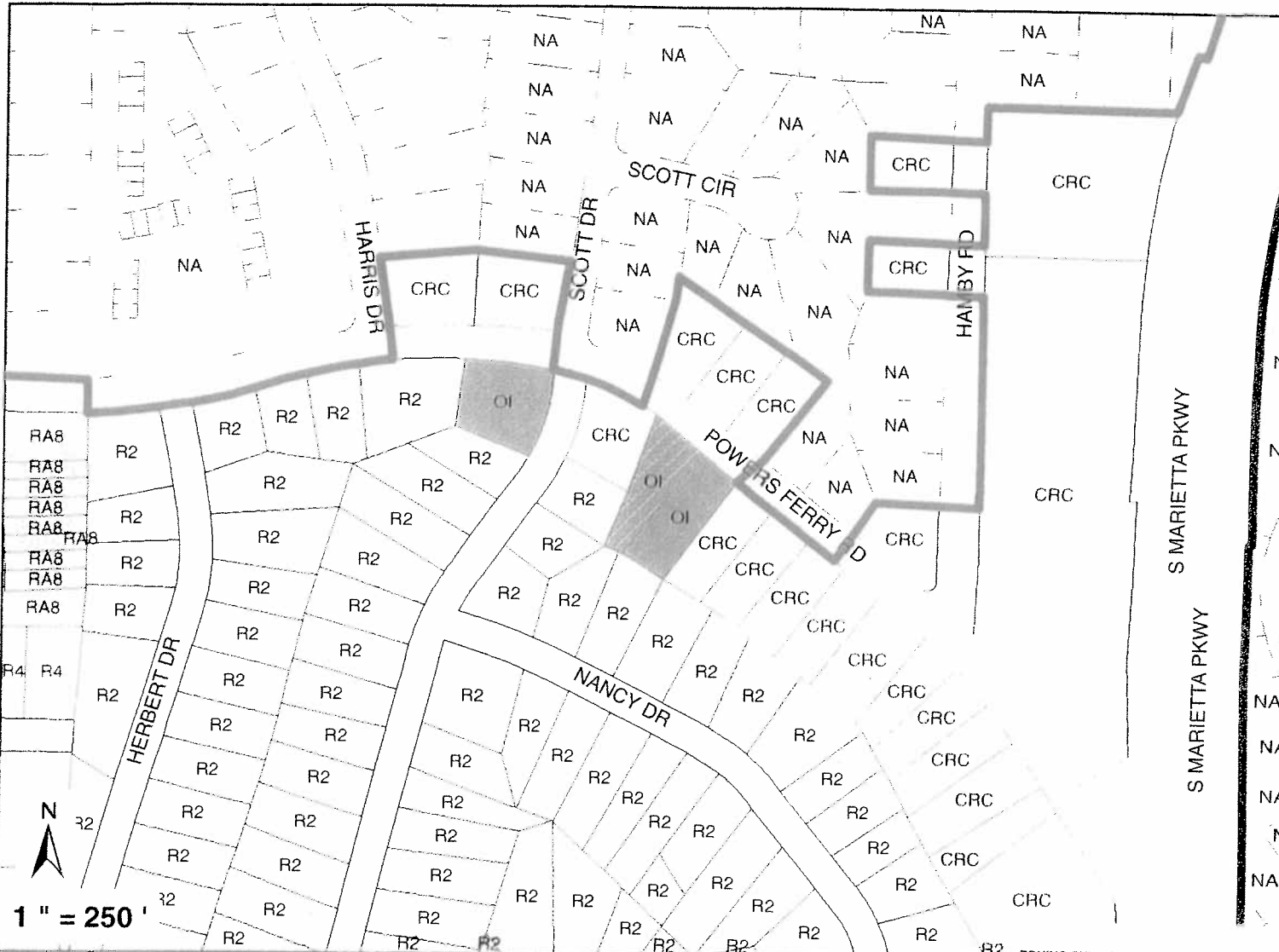
R. Steve Tumlin, Jr., Mayor

ATTEST:



Stephanie Guy, City Clerk

Rezoning



N
1" = 250'

Address District - Land Lot - Parcel Acreage Ward Zoning FLU

212 POWERS FERRY RD 16 12420 0930 0.276 7A OI RAC

Name of Applicant/ Petitioner:	Shanin Banaeian	Proposed Zoning:	CRC
Property Owner:	Javad Banaeian		
Agent:	n/a		
Proposed Use:	Boutique retail business		
Planning Commission Hearing Date:	5/1/2012	Case Number:	Z 2012-03
City Council Hearing Date:	5/9/2012		

- ZONING SYMBOLS**
- TIERS**
- TIER A
 - TIER B
- RAILROAD
- Selected Parcel
- Parcel Buffer
- CITY LIMITS
- R1 - Single Family Residential (1 unit/acre)
 - R2 - Single Family Residential (2 units/acre)
 - R3 - Single Family Residential (3 units/acre)
 - R4 - Single Family Residential (4 units/acre)
 - RA4 - Single Family Residential - Attached
 - RA6 - Single Family Residential - Attached
 - RA8 - Single Family Residential - Attached
 - MHP - Mobile Home Park
 - PRD-SF - Planned Residential Dev Single Family
 - RM8 - Multi Family Residential (8 units/acre)
 - RM10 - Multi Family Residential (10 units/acre)
 - RM12 - Multi Family Residential (12 units/acre)
 - RHR - Residential High Rise
 - PRD-MF - Planned Residential Dev Multi Family
 - NRC - Neighborhood Retail Commercial
 - CRC - Community Retail Commercial
 - RRC - Regional Retail Commercial
 - PCD - Planned Commercial Development
 - LI - Light Industrial
 - HI - Heavy Industrial
 - PID - Planned Industrial Development
 - MXD - Mixed Use Development
 - CBD - Central Business District
 - OIT - Office Institutional Transitional
 - LRO - Low Rise Office
 - OI - Office Institutional
 - OS - Office Services
 - OHR - Office High Rise