

00-0-1274

(Do Not Write Above This Line)

AN ORDINANCE Z-00-63

BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE R-LC (RESIDENTIAL-LIMITED COMMERCIAL) DISTRICT, PROPERTY LOCATED AT 2036-2040 ROCKLEDGE STREET, N.E., FRONTING 99.92 FEET ON THE NORTHWESTERLY SIDE OF ROCKLEDGE STREET BEGINNING AT THE SOUTHWEST CORNER OF BISMARCK ROAD. DEPTH: 149.79 FEET; AREA: .34 ACRE; LAND LOT 50, 17TH DISTRICT, FULTON COUNTY, GEORGIA.

OWNER: MAXWELL R. CALLOWAY

APPLICANT: SAME

BY: G. DOUGLAS DILLARD, ESQ. ATTORNEY NPU-F COUNCIL DISTRICT 6

REFERRED BY SEP 05 2000  
CITY COUNCIL

ADOPTED BY  
OCT 0 2 2000

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER

Date Referred 9/5/00

Referred To: ZRB & Zoning

First Reading

Committee  
Date  
Chair

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee  
Date  
Chair

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

COUNCIL ACTION

2nd  1st & 2nd  3rd  
Readings

Consent  V Vote  RC Vote

CERTIFIED

CERTIFIED  
OCT 2 2000  
ATLANTA CITY COUNCIL PRESIDENT  
[Signature]

CERTIFIED  
OCT 0 2 2000  
[Signature]  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

OCT 1 1 2000

WITHOUT SIGNATURE  
BY OPERATION OF LAW



**00-O-1274**

City Council  
Atlanta, Georgia

A SUBSTITUTE ORDINANCE  
BY: ZONING COMMITTEE

Z-00-63  
9-7-00

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at **2036-2040 Rockledge Street, N.E.** be changed from the **R-4 (Single-Family Residential)** District, to the **R-LC-C (Residential-Limited Commercial-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **50** of the **17<sup>th</sup>** District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

*Phonda Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

OCT 02, 2000

OCT 11, 2000



### Conditions for Z-00-63

1. That this property shall have no occupancy engaged in adult businesses as defined in Chapter 29 of the City of Atlanta Zoning Ordinance; including adult bookstores, adult motion picture theater, adult mini-motion picture theaters, adult cabarets, adults entertainment establishments; as well as retail stores selling, or renting, adult entertainment items, adult video, adult DVD or other adult media; as well as bath houses, massage establishments or any other adult establishment.”

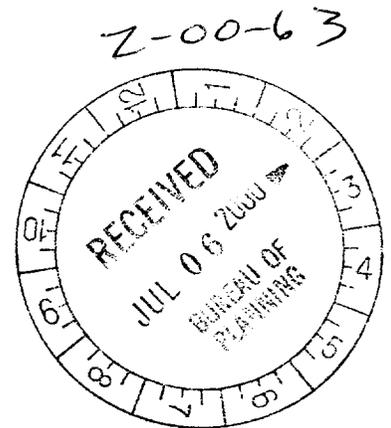


## LEGAL DESCRIPTION

### PARCEL A

BEING ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 50 of the 17<sup>th</sup> District of Fulton County, Georgia, and being part of Lots 13, 14 and 15, Block C, of Mayfair Subdivision, according to a plat recorded in Plat Book 10, Page 136, Fulton County Records and being more particularly described as follows:

BEGINNING at an iron pin found at the intersection formed by the southwesterly right-of-way of Bismark Road with the northwest right-of-way of Rockledge Road (formerly Trenton Street) running thence north 60 degrees, 61 minutes 17 seconds West a distance of 149.79 feet to an iron pin found; thence South 26 degrees 17 minutes 14 seconds West a distance of 50.57 feet to an iron pin found; thence North 61 degrees 05 minutes 51 seconds West a distance of 150.06 feet to an iron pin found on the northwesterly right-of-way of Rockledge Road; thence proceeding North 25 degrees 57 minutes 00 seconds East along said northwesterly right-of-way of Rockledge Road a distance of 49.95 feet to an iron pin found at the intersection of Bismark Road and Rockledge Road, the same being the POINT OF BEGINNING, the same being improved property known as 2040 Rockledge Road, N.E., according to the present system of numbering of houses in the City of Atlanta, Georgia.



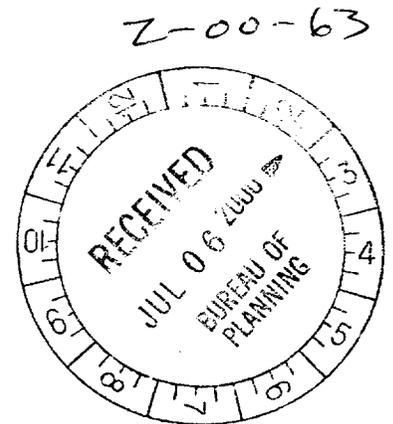


## LEGAL DESCRIPTION

### PARCEL B

BEING ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 50 of the 17<sup>th</sup> District of Fulton County, Georgia, and being part of Lots 13, 14 and 15, Block C, of Mayfair Subdivision, according to a plat recorded in Plat Book 10, Page 136, Fulton County Records and being more particularly described as follows:

BEGINNING at a point on the northwest side of Rockledge Road 49.95 feet southwesterly as measured along the northwesterly side of Rockledge Road from an iron pin found at the corner formed by the intersection of the northwest side of Rockledge Road and the southwest side of Bismark Road thence running North 61 degrees 05 minutes 51 seconds West a distance of 150.06 feet to an iron pin found; thence running South 26 degrees 13 minutes 24 seconds a distance of 49.94 feet to an iron pin found; thence running South 61 degrees 04 minutes 57 seconds East a distance of 149.90 feet to an iron pin found on the northwesterly right-of-way of Rockledge Road; thence proceeding North 26 degrees 24 minutes 10 seconds East along said northwesterly right-of-way line of Rockledge Road a distance of 49.97 feet to an iron pin found and the POINT OF BEGINNING, the same being improved property known as 2036 Rockledge Road, N.E., according to the present system of numbering of houses in the City of Atlanta, Georgia.



RCS# 2274  
10/02/00  
3:11 PM

Atlanta City Council

Regular Session

00-O-1274

Z-00-63; 2036-2040 Rockledge St., NE  
(F-6), R-4 to R-LC-C  
Adopt on Subs

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

Y McCarty	B Dorsey	NV Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

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