

City Council
Atlanta, Georgia

00-0-1448

SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

U-00-29/U-85-32
12-14-00

AN ORDINANCE TO AMEND ORDINANCE U-85-32, AS AMENDED, ADOPTED BY CITY COUNCIL NOVEMBER 4, 1985 AND APPROVED BY THE MAYOR NOVEMBER 12, 1985, GRANTING A SPECIAL USE PERMIT FOR A GROUP HOME, PROPERTY LOCATED AT **1043 METROPOLITAN PARKWAY, S.W., (FKA 1043 STEWART AVENUE, S.W.)** TO APPROVE A CHANGE OF CONDITIONS.

OWNER: LUCILLE P. FEARS
APPLICANT: JOHN L. PERDUE
NPU-V COUNCIL DISTRICT 4

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

SECTION 1. That Special Use Permit U-85-32, as amended, adopted by City Council November 4, 1985 and approved by the Mayor November 12, 1985 is hereby amended so as to change the applicable conditions to those shown in Sections 2 and 3 of this ordinance. Said property is located at **1043 Metropolitan Parkway (fka 1043 Stewart Avenue, S.W.)** and is more particularly described by the attached legal description identified as Exhibit A.

SECTION 2. That the previously adopted condition governing the development of Special Use Permit U-85-32, which limits its client load to no more than six (6) persons is hereby deleted in its entirety and a new condition is hereby adopted which limits the client load to ten (10) persons and which limits the duration of this amended permit to two (2) years from the effective date of this ordinance.

SECTION 3. The development of this property as a Group Home shall be conditioned upon the site plan entitled "Survey for Lucile P. Fears" prepared by Roy E. Housworth, Jr., Registered Land Surveyor, dated July 7, 2000 and marked received by the Bureau of Planning August 14, 2000.

SECTION 4. That the site plan hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by the Board of Zoning Adjustment upon the application of a petitioner.

SECTION 5. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

A true copy,

Thonda Dauphin Johnson
Municipal Clerk, CMC

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

JAN 16, 2001

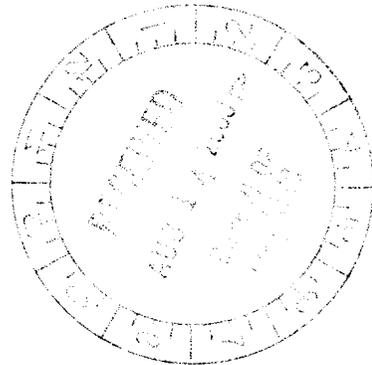
JAN 25, 2001

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 106 of the 14th District, Fulton County, Georgia, being Lot 5, Block 5, Subdivision of Atlanta Real Estate Company's property, as per plat recorded in Plat Book 4, Pages 124 and 125, Fulton County Records, and being more particularly described as follows:

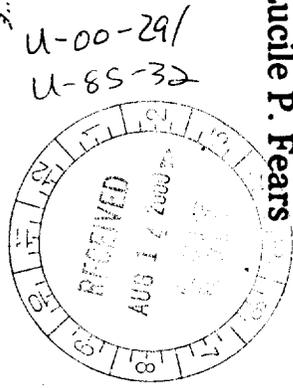
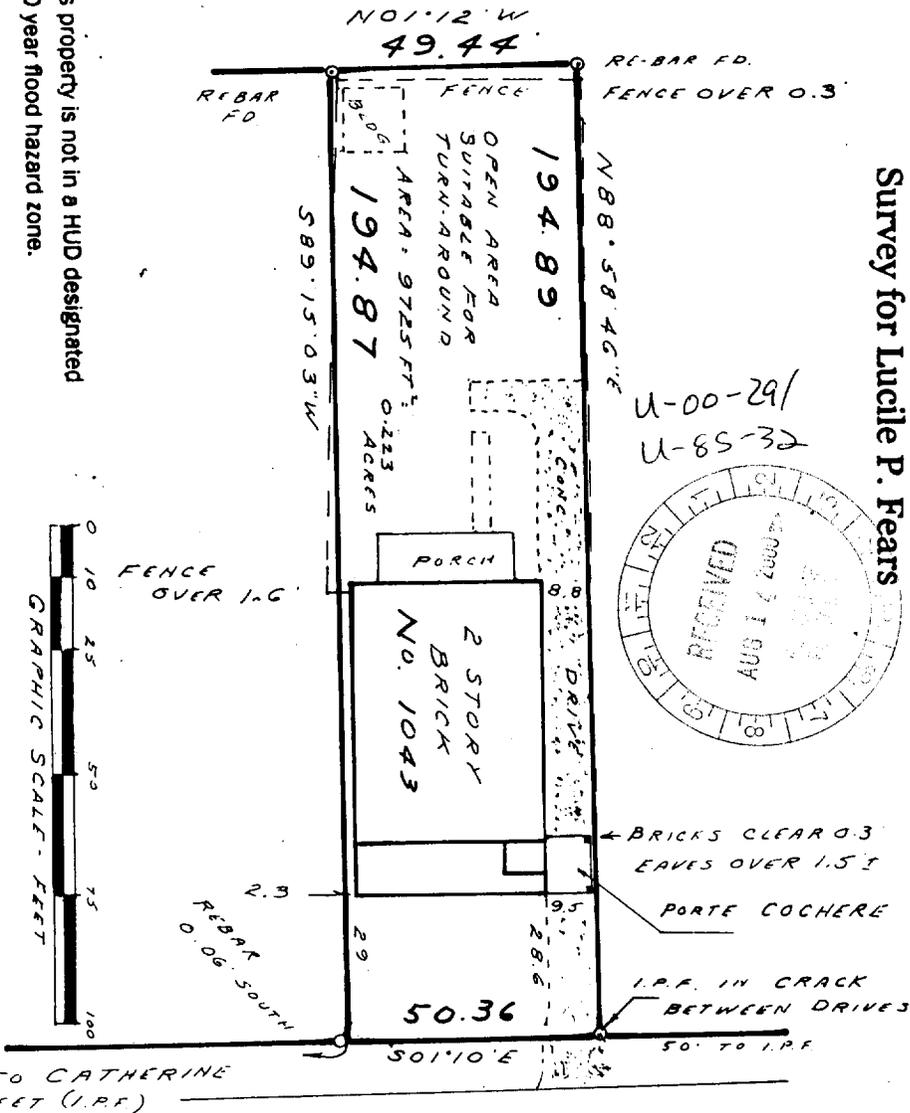
Beginning at an iron pin located on the westerly right of way line of Stewart Avenue, 150.0 feet northerly, as measured along the westerly right of way line of Stewart Avenue, from the point formed by the intersection of the westerly right of way line of Stewart Avenue and the northerly right of way line of Catherine Street; thence South 89 degrees 16 minutes 56 seconds West, 195.0 feet to an iron pin found; thence North 01 degrees 10 minutes 10 seconds West, 49.52 feet to an iron pin found; thence North 89 degrees 08 minutes 31 seconds East, 195.0 feet to a point located on the westerly right of way line of Stewart Avenue; thence South 01 degrees 09 minutes 57 seconds East, along the westerly right of way line of Stewart Avenue, 50.0 feet to an iron pin found and the point of beginning; as shown on a plat of survey for Jeremiah Benson by Perry E. McClung, Registered Land Surveyor, dated May 30, 1996.

U-00-29/ U-85-32



Sheet 1 of 2

Survey for Lucile P. Fears



This property is not in a HUD designated 100 year flood hazard zone.
 This plat was made from an open traverse. It has been calculated for closure and its accuracy exceeds 1 Foot in 10,000 Feet.

Roy E. Housworth, Jr., RLS
 106 Fairview Building
 403 W. Ponce De Leon Ave
 Decatur, GA 30030

404 377 7240

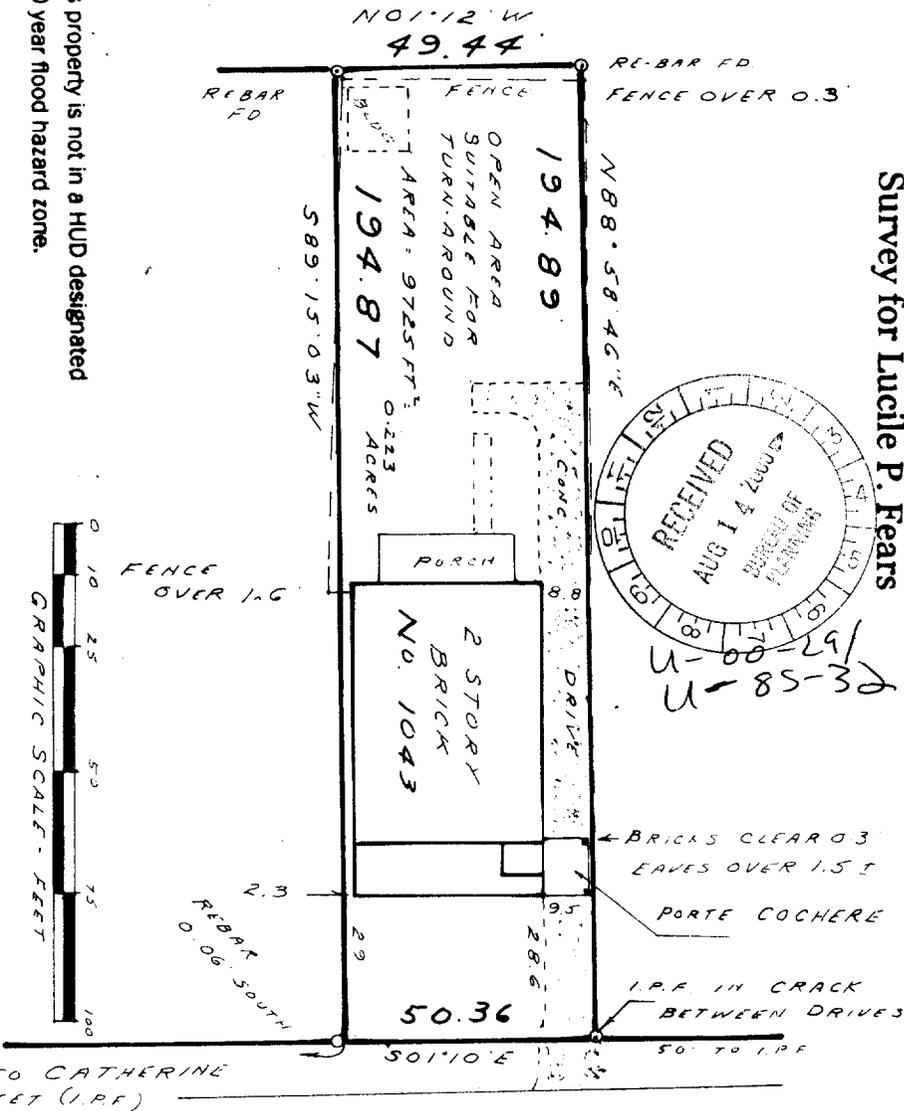
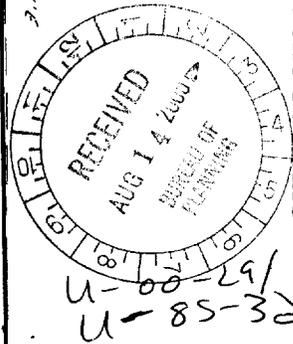
METROPOLITAN PARKWAY
 formerly STEWART AVENUE

IN BLOCK 5
 ATLANTA REAL ESTATE CO'S PROPERTY
 P.B 4 PP 124 & 125.



LAND LOT 106 - 14th DISTRICT
 FULTON COUNTY, GEORGIA
 City of ATLANTA
 Scale : 1"=30' Date : July 7, 2000

Survey for Lucile P. Fears



METROPOLITAN PARKWAY
 formerly STEWART AVENUE

IN BLOCK 5
 ATLANTA REAL
 ESTATE CO.'S PROPERTY
 P.B. 4 PP 124 & 125

Sheet 2 of 2



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Roy E. Houseworth, Jr., RLS
 106 Fairview Building
 403 W. Ponce De Leon Ave
 Decatur, GA 30030

404 377 7240

LAND LOT 106 - 14th DISTRICT
 FULTON COUNTY, GEORGIA
 City of ATLANTA
 Scale : 1"=30' Date : July 7, 2000

RCS# 2539
1/16/01
2:22 PM

Atlanta City Council

Regular Session

MULTIPLE

Zoning Summary Report Items 1-7
1891; 1893; 1896; 1898; 1892; 1679; 1448
ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Unanimous

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

MULTIPLE