

02-0-0072

CITY COUNCIL  
ATLANTA, GEORGIA

A SUBSTITUTE ORDINANCE  
BY: ZONING COMMITTEE

U-01-47/U-82-32

AN ORDINANCE TO AMEND ORDINANCE U-82-32, AS AMENDED, ADOPTED BY CITY COUNCIL NOVEMBER 1, 1982 AND APPROVED BY THE MAYOR NOVEMBER 4, 1982, GRANTING A SPECIAL USE PERMIT FOR A DAY CARE AND PRESCHOOL NURSERY, PROPERTY LOCATED AT **1929 MYRTLE DRIVE, S.W.**, FOR THE PURPOSE OF APPROVING A SITE PLAN AMENDMENT.

OWNER: ANDERSON J. GLOBE

APPLICANT: SAME

NPU-R

COUNCIL DISTRICT 11

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

SECTION 1. That all previously adopted conditions governing the development of property at 1929 Myrtle Drive, S.W., more particularly described by the attached legal description, identified as Exhibit A, are hereby deleted in their entirety and a new site plan entitled "Globe Learning, Atlanta, Georgia" prepared by Washington Associates, Designers, Interiors and Planners, dated October 12, 2001 and marked received by the Bureau of Planning November 19, 2001 is hereby adopted in lieu thereof.

SECTION 2. That the following previously approved conditions U-82-32 shall remain in effect. "That adequate turnaround space for the pick-up and drop-off of children be approved by the Bureau of Traffic and Transportation" and "That an eight-foot wooden privacy wall shall be erected along the north property line for it's entire length excluding the front and rear setback areas."

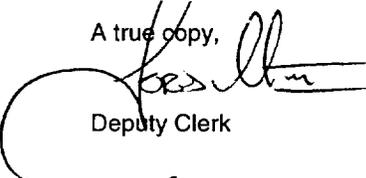
SECTION 3. That the following additional conditions are hereby imposed: 1) Applicant shall provide adequate landscape and trees to provide adequate buffering and screening in the north and rear yards. 2) Children shall be loaded and unloaded at the doorsteps of

the learning center to avert the possibility of injury due to cars pulling into the parking area.

SECTION 4. That the amended 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 in response to 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 That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.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,

  
Deputy Clerk

**ADOPTED** by the Council  
**APPROVED** by the Mayor

JAN 22, 2002  
JAN 29, 2002

U-82-32



EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 167 of the 14th District of Fulton County, Georgia, being more particularly described as follows:

Beginning at an iron pin on the West side of Myrtle Drive 1791.00 feet south of the Intersection of the west side of Myrtle Drive with the south curb line of Campbellton Road as measured along the west side of Myrtle Drive; running thence south along the west side of Myrtle Drive 80 feet to an iron pin; running thence west and forming an interior angle of 90 degrees 28 minutes with the preceding course a distance of 200.00 feet to an iron pin; running thence north and forming an interior angle of 89 degrees 32 minutes with the preceding course a distance of 80 feet to an iron pin; running thence east a distance of 200.00 feet to an iron pin on the west side of Myrtle Drive and the Point of Beginning; all as shown on plat of survey prepared by Eaton Pendley & Associates, Registered Land Surveyor, dated July 22, 1986, for Mardilis Corp.

U-01-47/U-82-32



SUBSTITUTE ORDINANCE

BY: Zoning Committee



U- 82-32  
Date Filed Sept. 8, 1982

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

SECTION 1. Under the provisions of Chapter 25, Section 16-25001, Item \_\_\_\_\_ of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for Day Care and pre-school nursery to be located at 1929 Myrtle Dr. S.W. is granted to Samuel and Clementine Cosby for that tract of parcel of land lying and being in Land Lot 167 of the 14th District, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a point on the west side of Myrtle Drive at the southeast corner of property which was conveyed to J.L. Shirah by Warranty Deed which is recorded in Deed Book 2004, page 218, Fulton County Record; running thence north along the west side of Myrtle Drive 80 feet; thence west 200 feet; thence south 80 feet to the south line of the above mentioned J.L. Shirah property; thence east along said line 200 feet to the west side of Myrtle Drive and the point of beginning, being improved property and having located thereon a dwelling.

SECTION 2. That this amendment is approved under the provisions of Section 16-25002 of the Zoning Ordinance of the City of Atlanta entitled "Conditional Development" and the Building Inspector shall issue a building permit only in compliance with the following conditions: NOTE: The conditional site plan hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Atlanta Board of Zoning Adjustment.

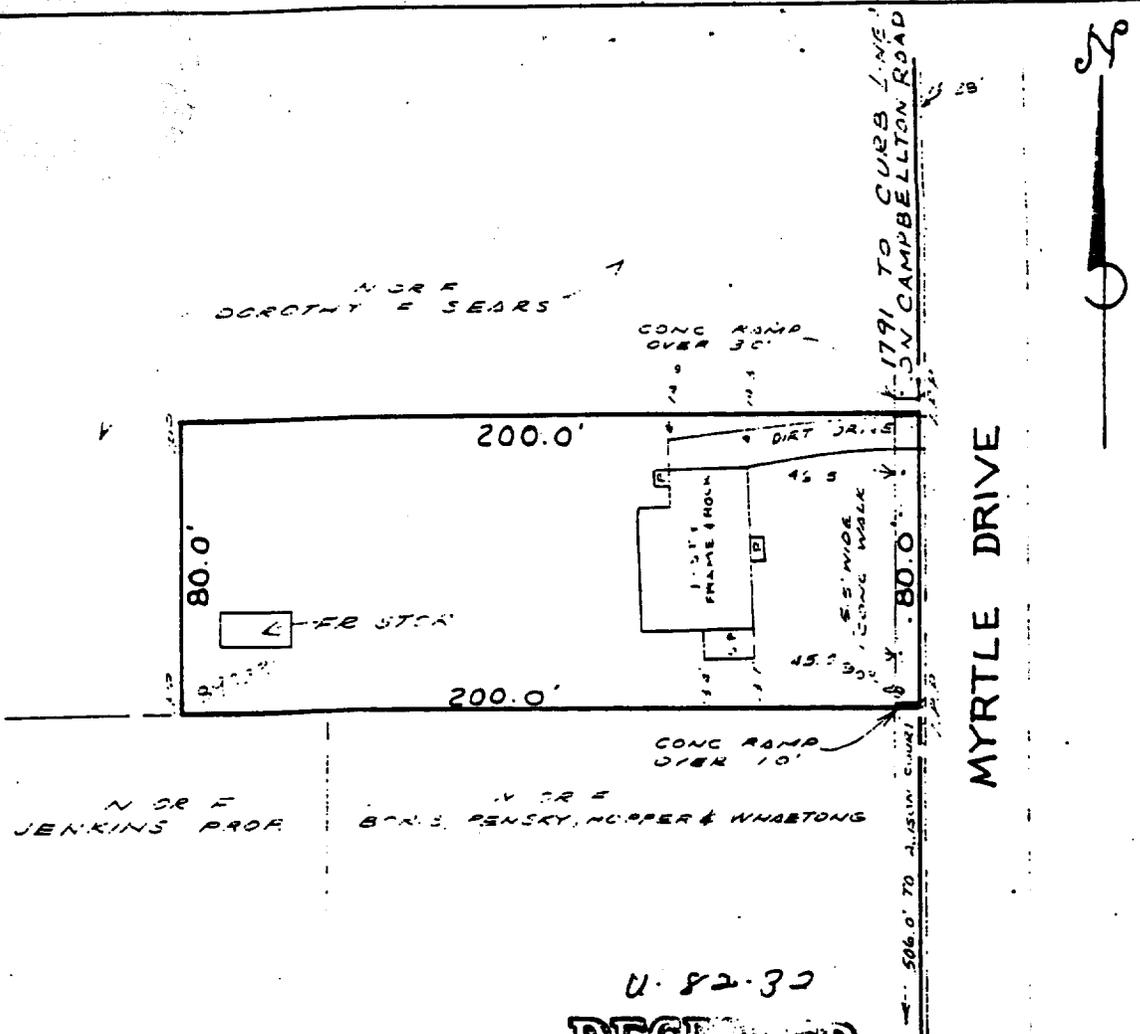
1. That the site be developed according to the site plan entitled "Survey for Samuel Cosby, prepared by Eston Pendley, dated received by the City of Atlanta Zoning Division on September 8, 1982.
2. That adequate turn around space for the pick up and drop-off of children be approved by the Bureau of Traffic and Transportation.

Section 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Page 2 of 3

A true copy  
*Jessie C. Borden*  
DEPUTY CLERK

ADOPTED by City Council Nov. 1, 1982  
APPROVED by the Mayor Nov. 4, 1982



U-82-32

**RECEIVED**

SEP 9 1982

CITY OF ATLANTA  
ZONING DIVISION

Survey for SAMUEL COSBY  
And CLEMETENE COSBY  
Of property at 1929 Myrtle Drive  
Lot  
Land Lot 167, 14th District, Fulton County, Georgia



Date: 6/18/82 Scale: 1" = 40'

THIS PROPERTY (IS) (IS NOT) LOCATED IN A  
FEDERAL FLOOD AREA AS INDICATED BY  
"FIA OFFICIAL FLOOD HAZARD MAPS"

BY ESTON PENDLEY & ASSOC., INC.  
REGISTERED LAND SURVEYORS

In my opinion, this plat is a correct representation of the land  
platted and has been prepared in conformity with the mini-  
mum standards and requirements of law

*Eston Pendley*  
Member SAMSOG

U-01-47/U-82-32

Page 3 of 3



# 01-0-1934

(Do Not Write Above This Line)

AN ORDINANCE U-01-47/U-82-32  
 BY: ZONING COMMITTEE

AN ORDINANCE TO AMEND ORDINANCE  
 U-82-32, AS AMENDED, ADOPTED BY CITY  
 COUNCIL NOVEMBER 1, 1982 AND APPROVED  
 BY THE MAYOR NOVEMBER 4, 1982, GRANTING  
 A SPECIAL USE PERMIT FOR A DAY CARE  
 AND PRESCHOOL NURSERY, PROPERTY LOCATED  
 AT 1929 MYRTLE DRIVE, S.W., FOR THE  
 PURPOSE OF APPROVING A SITE PLAN  
 AMENDMENT.

OWNER: ANDERSON J. GLOBE  
 APPLICANT: SAME  
 NPU-R COUNCIL DISTRICT 11

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

Date Referred 11/19/01

Referred To: ZRB & Zoning

*First Reading Schedule*

Committee Date 11-19-01  
 Chair V. S. ...

<p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Actions: _____</p> <p>Fav, Adv, Held (see rev. side) _____</p> <p>Other: _____</p> <p>Members _____</p> <p>Refer To _____</p>	<p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Actions: _____</p> <p>Fav, Adv, Held (see rev. side) _____</p> <p>Other: _____</p> <p>Members _____</p> <p>Refer To _____</p>
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- COUNCIL ACTION**
- 2nd     1st & 2nd     3rd  
Readings
- Consent     V Vote     RC Vote

**CERTIFIED**

**MAYOR'S ACTION**

City Council  
Atlanta, Georgia

01-0-1934

AN ORDINANCE  
BY: ZONING COMMITTEE

U-01-47/U-82-32

AN ORDINANCE TO AMEND ORDINANCE U-82-32,  
AS AMENDED, ADOPTED BY CITY COUNCIL  
NOVEMBER 1, 1982 AND APPROVED BY THE  
MAYOR NOVEMBER 4, 1982, GRANTING A SPECIAL  
USE PERMIT FOR A DAY CARE AND PRESCHOOL  
NURSERY, PROPERTY LOCATED AT **1929 MYRTLE  
DRIVE, S.W.**, FOR THE PURPOSE OF APPROVING A  
SITE PLAN AMENDMENT.  
OWNER: ANDERSON J. GLOBE  
APPLICANT: SAME  
NPU-R COUNCIL DISTRICT 11

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

SECTION 1. That all previously adopted conditions governing the development of property at 1929 Myrtle Drive, S.W., more particularly described by the attached legal description, identified as Exhibit A, are hereby deleted in their entirety and a new site plan entitled "Globe Learning, Atlanta, Georgia" prepared by Washington Associates, Designers, Interiors and Planners, dated October 10, 2001 and marked received by the Bureau of Planning October 11, 2001 is hereby adopted in lieu thereof.

SECTION 2. That the following previously approved conditions of U-82-32 shall remain in effect. "That adequate turnaround space for the pick-up and drop-off of children be approved by the Bureau of Traffic and Transportation" and "That an eight-foot wooden privacy wall shall be erected along the north property line for its entire length excluding the front and rear setback areas."

SECTION 3. That the amended 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 in response to the application of a petitioner.

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

U-82-32



EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 167 of the 14th District of Fulton County, Georgia, being more particularly described as follows:

Beginning at an iron pin on the West side of Myrtle Drive 1791.00 feet south of the Intersection of the west side of Myrtle Drive with the south curb line of Campbellton Road as measured along the west side of Myrtle Drive; running thence south along the west side of Myrtle Drive 80 feet to an iron pin; running thence west and forming an interior angle of 90 degrees 28 minutes with the preceding course a distance of 200.00 feet to an iron pin; running thence north and forming an interior angle of 89 degrees 32 minutes with the preceding course a distance of 80 feet to an iron pin; running thence east a distance of 200.00 feet to an iron pin on the west side of Myrtle Drive and the Point of Beginning; all as shown on plat of survey prepared by Baton Pendley & Associates, Registered Land Surveyor, dated July 22, 1986, for Mardilis Corp.

U-01-47 / U-82-32



2

SUBSTITUTE ORDINANCE

BY: Zoning Committee



U-82-32  
Date Filed Sept. 8, 1982

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

SECTION 1. Under the provisions of Chapter 25, Section 16-25001, Item \_\_\_\_\_ of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for Day Care and pre-school nursery to be located at 1929 Myrtle Dr. S.W. is granted to Samuel and Clementine Cosby for that tract of parcel of land lying and being in Land Lot 167 of the 14th District, Fulton County, Georgia, being more particularly described as follows:

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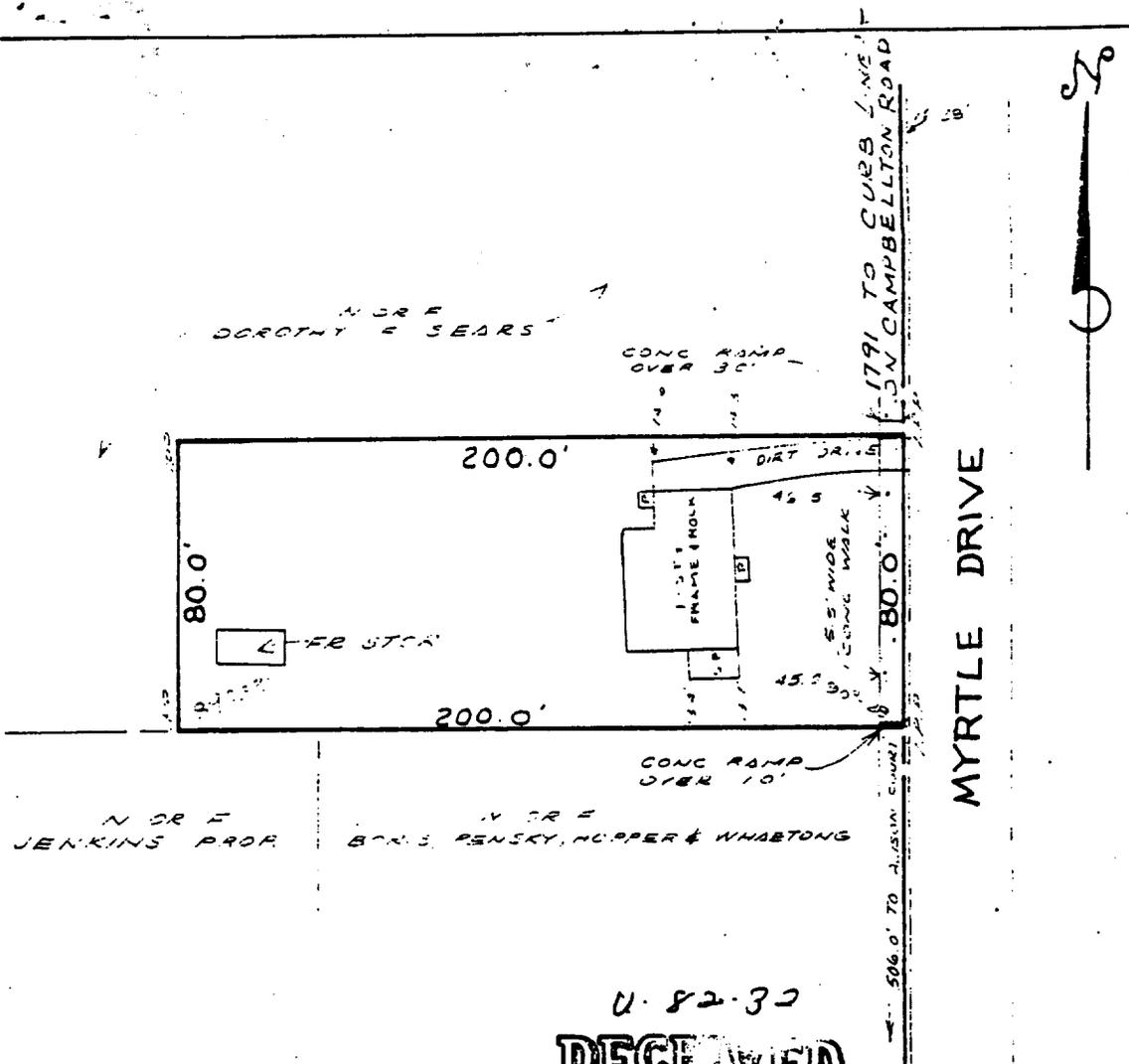
1. That the site be developed according to the site plan entitled "Survey for Samuel Cosby, prepared by Eston Pendley, dated received by the City of Atlanta Zoning Division on September 8, 1982.
2. That adequate turn around space for the pick up and drop-off of children be approved by the Bureau of Traffic and Transportation.

Section 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Page 2 of 3

A true copy  
*Jerry C. Boardman*  
DEPUTY CLERK

ADOPTED by City Council Nov. 1, 1982  
APPROVED by the Mayor Nov. 4, 1982



N OR F JENKINS PROP. N OR F BON'S, PENSKY, MUPPER & WHARTONS

1791 TO CURB LINE  
30' CAMPBELLTON ROAD  
506.0' TO J. WILSON CUMMINGS

MYRTLE DRIVE



U-82-32  
**RECEIVED**  
SEP 2 1982  
CITY OF ATLANTA  
ZONING DIVISION

Survey for SAMUEL COSBY  
And CLEMETENE COSBY  
Of property at 1929 Myrtle Drive  
Lot  
Land Lot 167, 14th District, Fulton County, Georgia



Date: 6/18/82 Scale: 1" = 40'  
THIS PROPERTY (IS) (IS NOT) LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY "FIA OFFICIAL FLOOD HAZARD MAPS"  
BY ESTON PENDLEY & ASSOC., INC.  
REGISTERED LAND SURVEYORS

In my opinion, this plat is a correct representation of the land plotted and has been prepared in conformity with the minimum standards and requirements of law

*Eston Pendley*  
Member SAMSOG

page 3 of 3

U-01-47/U-82-32



**01-0-1934**  
 (Do Not Write Above This Line)

AN ORDINANCE U-01-47/U-82-32  
 BY: ZONING COMMITTEE

AN ORDINANCE TO AMEND ORDINANCE  
 U-82-32, AS AMENDED, ADOPTED BY CITY  
 COUNCIL NOVEMBER 1, 1982 AND APPROVED  
 BY THE MAYOR NOVEMBER 4, 1982, GRANTING  
 A SPECIAL USE PERMIT FOR A DAY CARE  
 AND PRESCHOOL NURSERY, PROPERTY LOCATED  
 AT 1929 MYRTLE DRIVE, S.W., FOR THE  
 PURPOSE OF APPROVING A SITE PLAN  
 AMENDMENT.  
 OWNER: ANDERSON J. GLOBE  
 APPLICANT: SAME  
 NPU-R COUNCIL DISTRICT 11

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

Date Referred 11/19/01

Referred To: ZPB & Zoning

First Reading  
 Date 11-19-01  
 Chair J.S.M. [Signature]

Committee _____ Date _____ Chair _____ Action: _____ Fav, Adv, Held (see rev. side) _____ Others _____ Members _____ Refer To _____	Committee _____ Date _____ Chair _____ Action: _____ Fav, Adv, Held (see rev. side) _____ Others _____ Members _____ Refer To _____
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**COUNCIL ACTION**  
 2nd  1st & 2nd  3rd  
Readings  
 Consent  V Vote  RC Vote

**CERTIFIED**

**MAYOR'S ACTION**



RCS# 3409  
1/22/02  
1:40 PM

Atlanta City Council

Regular Session

MULTIPLE

02-0-0069; 02-0-0071  
02-0-0072  
ADOPT ON SUB

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

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

MULTIPLE

02-0-0072

(Do Not Write Above This Line)

AN ORDINANCE U-01-47/U-82-32  
BY: ZONING COMMITTEE

AN ORDINANCE TO AMEND ORDINANCE  
U-82-32, AS AMENDED, ADOPTED BY  
CITY COUNCIL NOVEMBER 1, 1982 AND  
APPROVED BY THE MAYOR NOVEMBER 4, 1982,  
GRANTING A SPECIAL USE PERMIT FOR A DAY  
CARE AND PRESCHOOL NURSERY, PROPERTY  
LOCATED AT 1929 MYRTLE DRIVE, S.W.,  
FOR THE PURPOSE OF APPROVING A SITE  
PLAN AMENDMENT.

OWNER: ANDERSON J. GLOBE  
APPLICANT: SAME  
NPU-R COUNCIL DISTRICT 11

ADOPTED BY  
JAN 22 2002

COUNCIL

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

Date Referred 1/7/02  
Referred To: Zoning

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_

Committee Zoning  
Date 1/16/02  
Chair Patricia Stone  
Actions  
Fav, Adv, Held (see rev. side)  
Other  
Members  
Refer To

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Actions  
Fav, Adv, Held (see rev. side)  
Other  
Members  
Refer To

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Actions  
Fav, Adv, Held (see rev. side)  
Other  
Members  
Refer To

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Actions  
Fav, Adv, Held (see rev. side)  
Other  
Members  
Refer To

COUNCIL ACTION

- 2nd
  - 1st & 2nd
  - 3rd
- Readings
- Consent
  - V Vote
  - RC Vote

CERTIFIED

CERTIFIED  
JAN 22 2002  
ATLANTA CITY COUNCIL PRESIDENT  
Catherine W. Woodard

CERTIFIED  
JAN 22 2002  
Municipal Clerk

MAYOR'S ACTION

Signature: [Handwritten Signature]  
Date: JAN 24 2002