

02-0-0477

City Council  
Atlanta, Georgia

SUBSTITUTE ORDINANCE  
BY: ZONING COMMITTEE

Z-02-13  
DATE FILED: 4-11-02

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, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **18-34-54 Fairburn Road, S.W.** be changed from the **RG-2 (Residential General Sector 2)** District to the **C-1-C (Community Business-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **243** of the **14<sup>th</sup>** District of **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 suffice "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 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 That all ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-02-13

1. Site plan entitled "Revised Site Plan, 18, 34 and 54 Fairburn Road" prepared by William Lindsey Stephenson, Registered Architect, dated April 1, 2002 and marked received by the Bureau of Planning April 2, 2002.
2. The apartment structure closest to Fairburn Road shall be no higher than 26 feet.

Martin Luther King, Jr.

CENTERLINE

C1

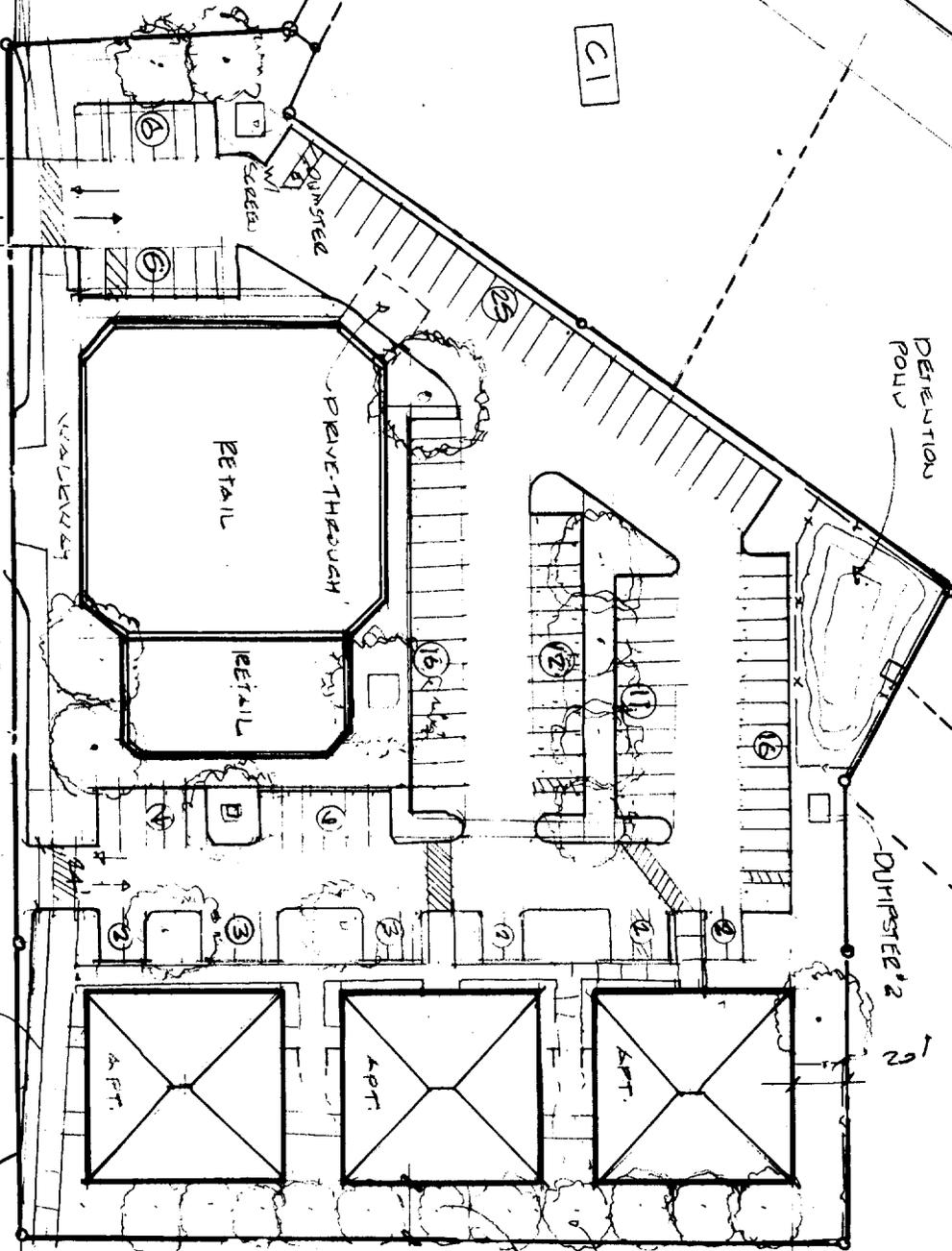
C1

R4

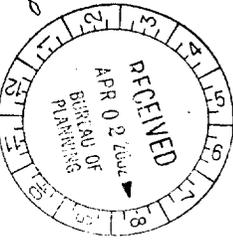
R5-2

DEFLECTION  
POUW

DUPHSTEET 2



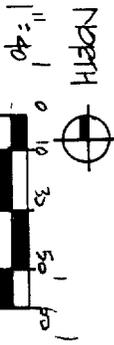
LANDSCAPED  
BUFFER  
COLLECTIVE  
25'



2-02-13



Revised Siteplan  
18,34 & 54 Fairburn Road  
April 1, 2002  
NPUH/Council District 10



Fairburn Road

## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 243 of the 14th District, Fulton County, Georgia and being more particularly described as follows:

Beginning at a point along the easterly right of way of Fairburn Road and said point being 242.2 feet south along the easterly right of way of Fairburn Road from the southerly right of way of Martin Luther King Jr., Drive (as shown on survey prepared by Eston Pendley and dated March 23, 1992), thence,

THENCE North 86 degrees 46 minutes 19 seconds East for a distance of 94.80 feet to a point;

THENCE South 52 degrees 28 minutes 30 seconds East for a distance of 10.97 feet to a point;

THENCE South 24 degrees 04 minutes 58 seconds West for a distance of 25.00 feet to a point;

THENCE South 52 degrees 28 minutes 35 seconds East for a distance of 150.04 feet to a point;

THENCE South 52 degrees 28 minutes 35 seconds East for a distance of 119.20 feet to a point;

THENCE South 30 degrees 15 minutes 35 seconds West for a distance of 72.77 feet to a point;

THENCE South 02 degrees 40 minutes 06 seconds West for a distance of 150.00 feet to point;

THENCE South 88 degrees 50 minutes 26 seconds West for a distance of 268.50 feet to a point along the easterly right of way of Fairburn Road;

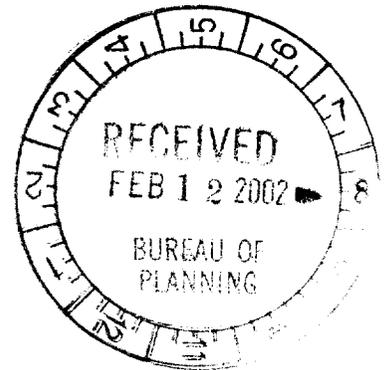
THENCE North 00 degrees 45 minutes 49 seconds East for a distance of 150.00 feet to a point;

THENCE North 00 degrees 45 minutes 49 seconds East for a distance of 256.32 feet to the point of beginning.

Said property contains 2.19 acres more or less.

This description is drawn from compiled information.

Fairburn Road site  
January 23, 2002  
File: c1364-21



Z-02-13

RCS# 4214  
11/04/02  
6:49 PM

Atlanta City Council

Regular Session

02-O-0477

ADVERSE

YEAS: 12  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

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

02-O-0477

02-C-0477

(Do Not Write Above This Line)

AN ORDINANCE Z-02-13  
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE RG-2 (RESIDENTIAL GENERAL-SECTOR 2) DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT, PROPERTY LOCATED AT 18-34-54 FAIRBURN ROAD, S.W., FRONTING 406.32 FEET ON THE EAST SIDE OF FAIRBURN ROAD BEGINNING 242.2 FEET SOUTH FROM THE SOUTHEAST CORNER OF MARTIN LUTHER KING, JR., DRIVE. DEPTH: VARIES; AREA: 2.19 ACRES MORE OR LESS; LAND LOT 243, 14TH DISTRICT, FULTON COUNTY, GEORGIA.  
OWNER: DWIGHT JACKSON  
APPLICANT: BYRON WASHINGTON  
COUNCIL DISTRICT 10  
NPU-H

PREPARED BY MAR 18 2002

TABLED BY CITY COUNCIL JUN 17 2002

TABLED BY CITY COUNCIL JUN 19 2002

TABLED BY CITY COUNCIL JUL 15 2002

TABLED BY CITY COUNCIL AUG 19 2002

Tabled by City Council Sep 3 2002

Tabled by City Council

TABLED BY CITY COUNCIL OCT 07 2002

TABLED BY CITY COUNCIL OCT 21 2002

TABLED BY CITY COUNCIL

TABLED BY CITY COUNCIL

TABLED BY CITY COUNCIL

Date Referred 3/18/02 ADVERSED 4/4/02

Referred To: ZRB+ Zoning

Committee Zoning  
Date March 13 2002  
Chair John M. Davis

First Reading

Committee Zoning  
Date May 15 2002  
Chair [Signature]  
Fav, Adv, Held (see rev. side) [Signature]  
Other: [Signature]  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

Committee Zoning  
Date June 12 2002  
V-Chair [Signature]  
Fav, Adv, Held (see rev. side) [Signature]  
Other: [Signature]  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

COUNCIL ACTION

2nd Reading  
 1st & 2nd Reading  
 3rd Reading

Consent  
 V Vote  
 RC Vote

CERTIFIED

MAYOR'S ACTION

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