

CITY COUNCIL
ATLANTA, GEORGIA

02-0-1267

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-02-52
DATE FILED: 9-5-02

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 be amended and the maps established in connection therewith be changed so that the following property located at **2451 Bankhead Highway, N.W.** be changed from the **R-5 (Two-Family Residential)** District to the **C-2-C (Commercial Service-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **177** of the **14th** 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 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.

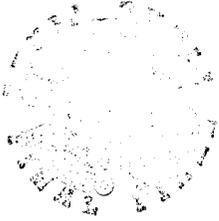
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

DEC 02, 2002
DEC 10, 2002



Conditions for Z-02-52

1. Site plan similar to that entitled "Proposed Elderly Dwelling Units, Johnnie B. Moore Towers" prepared by Christian and Associates, Architects, dated August 12, 2002, last revised August 28, 2002 and marked received by the Bureau of Planning August 29, 2002.
2. The second (i.e. northernmost) building cannot be constructed until a site plan amendment is approved by the City Council subsequent to a public hearing regarding same.
3. The maximum height of the proposed buildings shall not exceed 40-feet.

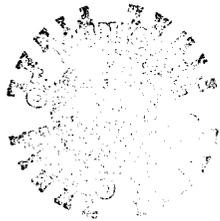


EXHIBIT "A"

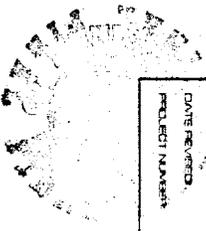
BANKHEAD HIGHWAY - LEGAL DESCRIPTION



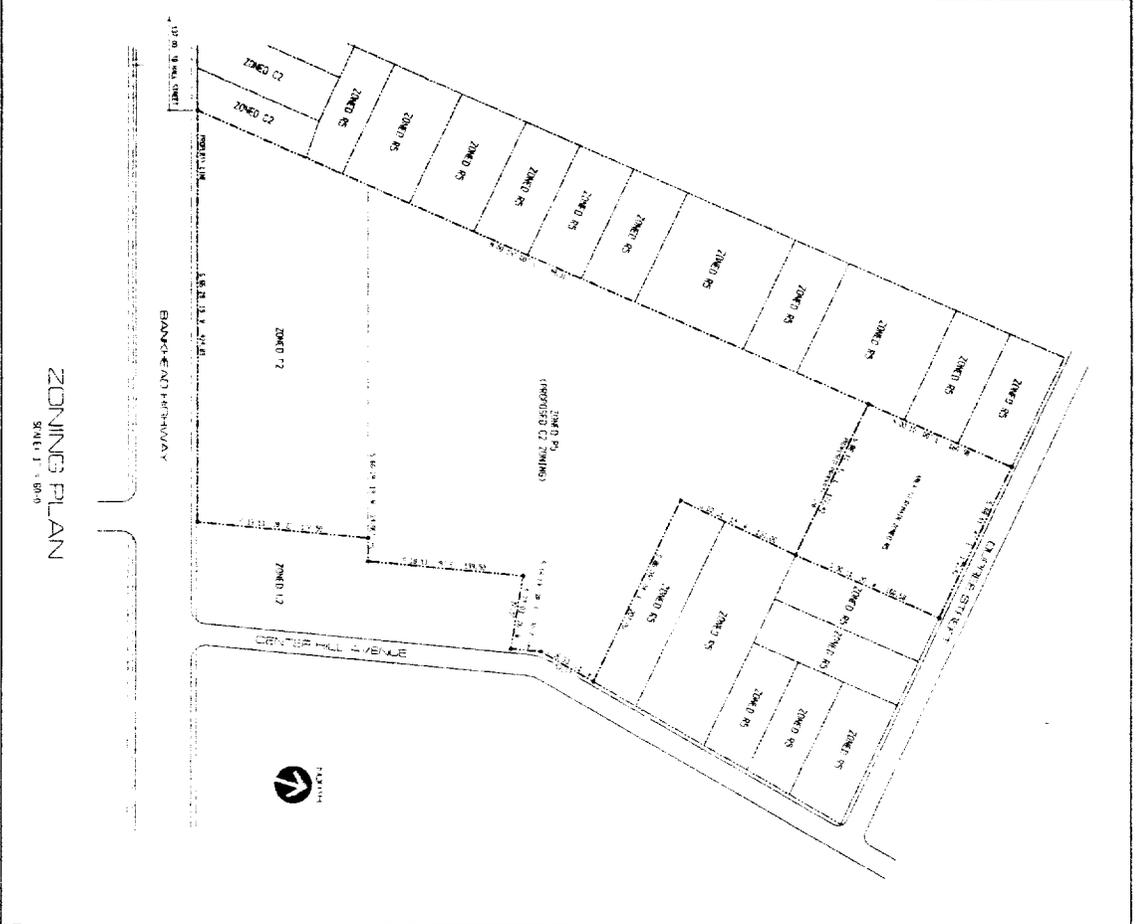
2-02-52

All that tract or parcel of land lying and being in Land Lot 177 of the 14th District, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a 1/2 inch rebar set 137.00 feet from the intersection of the northwesterly right of way of Bankhead Highway and the easterly right of way of Hall Street (a 40-foot right of way); running thence North 00 degrees 15 minutes 00 seconds East, 748.31 feet to a point; running thence North 88 degrees 11 minutes 47 seconds East, 172.42 feet to a point; running thence South 02 degrees 01 minute 14 seconds West, 130.00 feet to a point; running thence South 88 degrees 09 minutes 04 seconds East, 207.00 feet to a point on the westerly right of way of Center Hill Avenue (a 30-foot right of way); running thence along the westerly right of way of Center Hill Avenue a distance of 62.27 feet to a 1/2 inch rebar; running thence South 18 degrees 13 minutes 38 seconds West, 30.72 feet to a point; running thence South 77 degrees 03 minutes 26 seconds West along the property line of property now or formerly City of Atlanta, 76.00 feet to a 1/2 inch rebar set; running thence South 18 degrees 13 minutes 38 seconds East a distance of 159.50 feet; running thence South 66 degrees 29 minutes 19 seconds West, 24.0 feet to a point; running thence South 18 degrees 13 minutes 38 seconds East, 176.50 feet to a 1/2 inch rebar found on the northwesterly right of way of Bankhead Highway; running thence South 66 degrees 29 minutes 19 seconds West along the northwesterly right of way of Bankhead Highway, 424.89 feet to a 1/2 inch rebar set, said 1/2 inch rebar set being the POINT OF BEGINNING.

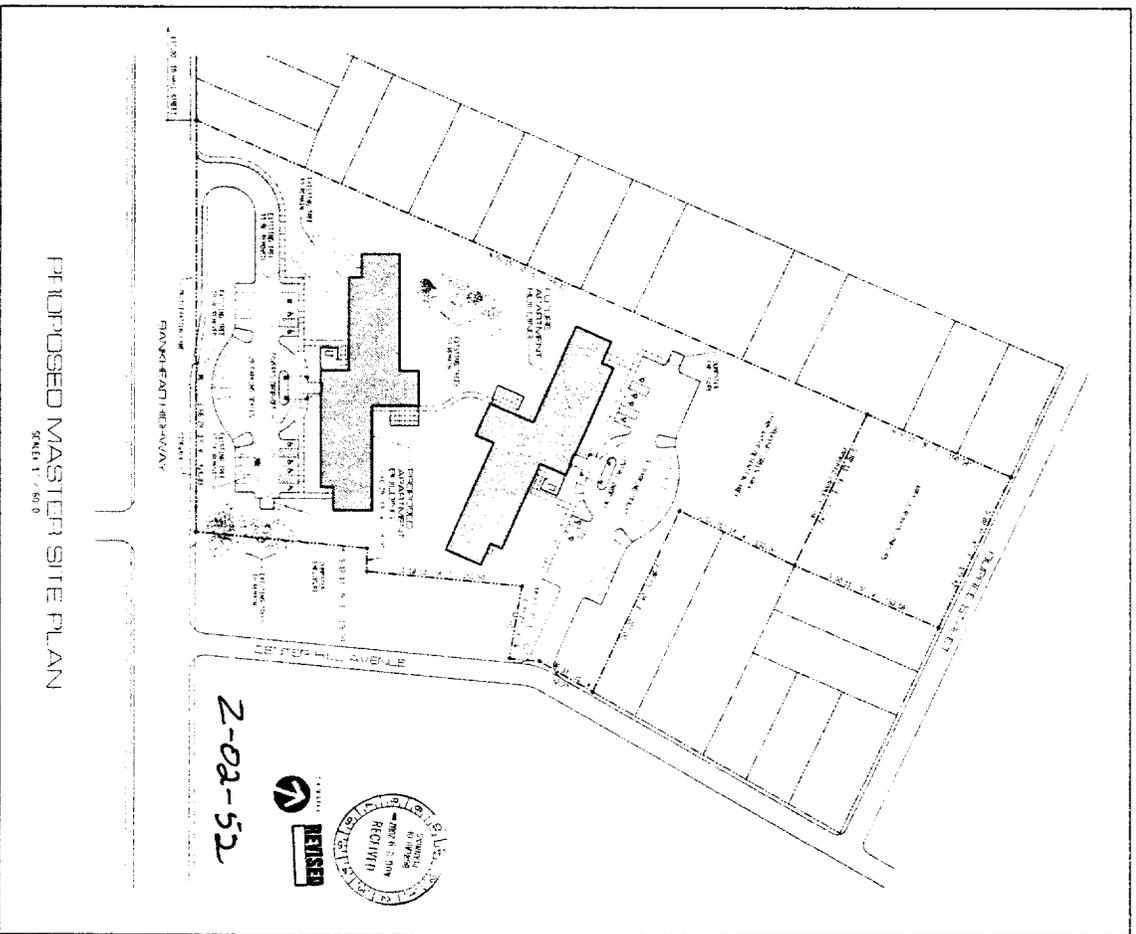


DATE REQUIRED 01/21/08
 DATE RECEIVED 01/29/08
 PROJECT NUMBER 5014



ZONING PLAN
 SCALE 1" = 500'

PROPOSED ELEVATOR DWELLING UNITS
JOHNNIE B. MOORE TOWERS
 PREPARED BY CHRISTIAN & ASSOCIATES ARCHITECTS



PROPOSED MASTER SITE PLAN
 SCALE 1" = 500'

2-02-52

CHRISTIAN & ASSOCIATES ARCHITECTS

RCS# 4277
12/02/02
4:15 PM

Atlanta City Council

Regular Session

02-0-1267

Z-02-52; 2451 Bankhead Highway, NW; Two
Family Residential to Commerical Service
ADOPT ON SUB

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

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

02-0-1267

02-0 -1267

(Do Not Write Above This Line)

AN ORDINANCE Z-02-52
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-5 (TWO-FAMILY RESIDENTIAL) DISTRICT TO THE C-2 (COMMERCIAL SERVICE) DISTRICT, PROPERTY LOCATED AT 2451 BANKHEAD HIGHWAY, N.W., FRONTING 427.92 FEET ON THE NORTHWESTERLY SIDE OF BANKHEAD HIGHWAY BEGINNING 137 FEET NORTHEASTERLY FROM THE NORTHEAST CORNER OF HALL STREET DEPTH: VARIES; AREA: 5.53 ACRES; LAND LOT 177, 14TH DISTRICT, FULTON COUNTY, GEORGIA.
OWNER: SALEM BAPTIST CHURCH OF ATLANTA, INC.

APPLICANT: SAME
BY: JOSEPH G. MATTARELLA, ESQ., ATTY.
NPU-3 COUNCIL DISTRICT 9

ADOPTED BY
DEC 0 2 2002
COUNCIL
substitute

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

Date Referred 7/15/02

Referred To: ZRB & Zoning

First Reading

Committee
Date
Chair

Committee
Date
Chair

ZONING
Oct. 2, 2002
Chair
Actions
Fav, Adv, Held (see rev. side)
Other
ON substitute
Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee
Date
Chair

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

DEC 0 2 2002

CERTIFIED
DEC 0 2 2002

Rachel Dunning Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

Mayor's Action
DEC 10 2002