

City Council
Atlanta, Georgia

03-0-1339

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-03-53/Z-84-84

AN ORDINANCE TO AMEND ORDINANCE Z-84-84,
ADOPTED BY CITY COUNCIL DECEMBER 3, 1984
AND APPROVED BY THE MAYOR DECEMBER
5, 1984 REZONING FROM THE R-5 (TWO-FAMILY
RESIDENTIAL) DISTRICT TO THE C-1-C (COMMUNITY
BUSINESS-CONDITIONAL) DISTRICT, NOW ZONED
C-1-C/HD20K (COMMUNITY BUSINESS-CONDITIONAL/
GRANT PARK HISTORIC DISTRICT) DISTRICT, PROPERTY
LOCATED AT **423 GEORGIA AVENUE, S.E.**, FOR THE
PURPOSE OF APPROVING A CHANGE OF CONDITIONS.
OWNER: GENE J. KANSAS
APPLICANT: KATIE ANDERSEN
NPU-W COUNCIL DISTRICT 1

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

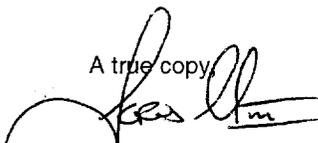
SECTION 1. That Ordinance Z-84-84, adopted by City Council December 3, 1984 and approved by the Mayor December 5, 1984 rezoning from the R-5 (Two-Family Residential) District to the C-1-C (Community Business-Conditional) District (now zoned C-1-C/HD20K (Community Business-Conditional/Grant Park Historic District) District is hereby amended so as to delete all of the currently governing conditions and substitute in lieu thereof the following:

1. The development of this property must include substantial plantings on the north, west and south sides.
2. The development may incorporate no more than 1,600 square feet of retail space and 148 square feet of storage space or 2,000 square feet of office space.
3. The development shall incorporate no more than eight (8) residential units with a maximum FAR of .473.
4. There shall be no less than 19 parking spaces.

SECTION 2. That a copy of Ordinance Z-84-84 is hereby attached for reference purposes.

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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy


Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

December 1, 2003
December 9, 2003

CLERK OF COUNCIL
Atlanta, Ga.

SUBSTITUTE
AN ORDINANCE
BY: ZONING COMMITTEE

Z-84-84
Date Filed: 11/8/84

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

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection herewith be changed so that the following property located at 423 Georgia Avenue, S.E.

be changed from R-5 (Two-Family Residential)
District to C-1-C (Community Business-Conditional)
District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 43
of the 14th District, Fulton County, Georgia, being more
particularly described as follows:

See attached legal description

SECTION 2. That this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta entitled "Conditional Development" and the Building Inspector shall issue a building permit for the development of the above described property 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.

See attached conditions for Z-84-84

SECTION 3. That the maps referred to, now on file in the Office of the Clerk of Council, 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.

(3/12/84)

Z-03-53/Z-84-84
page 1 of 6

A true copy

DEPUTY CLERK CMC

ADOPTED by City Council Dec. 3, 1984
APPROVED by the Mayor Dec. 5, 1984

LEGAL DESCRIPTION FOR Z-84-84

All that tract or parcel of land lying and being in the City of Atlanta in land lot 43 of the 14th District of Fulton County, Georgia to wit;

BEGINNING at a point on the southwest corner of Cherokee Avenue and Georgia Avenue; thence south along the west side of Cherokee Avenue 118 feet to a point; thence west 150 feet to a point; thence north 118 feet to a point on the south side of Georgia Avenue; thence east 150 feet along the south side of Georgia Avenue to a point which is the point of beginning.

Z-03-53/2-84-84

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CONDITIONS FOR Z-84-84

1. The site plan entitled "Proposed Site Plan" prepared by Camp Architects, dated October 22, 1984, last revised November 1, 1984 and marked received by the City of Atlanta Zoning Division November 5, 1984 consisting of two (2) sheets entitled "Proposed Site Plan" and "Proposed Floor Plan" and identified as above. However, this plan shall be revised so that the northern end of the new addition shall be no closer than 20 feet to the property line along Georgia Avenue.
2. There is to be no expansion of the service station use in any form. The addition of more gasoline pumps and the expansion of the service station into any area which it does not now occupy are specifically prohibited. The proposed expansion of the structure is to be limited to the tire service use and the establishment of a convenience store limited in size to 300 square feet.
3. There is to be no outdoor storage of any kind on this site.
4. The hours of operation of all elements of this business are limited to 7:00 A.M. until 7:00 P.M. daily.
5. The areas shown on the above referenced floor plan marked "storage" are to be used only for that purpose.
6. That the tire service shall operate from 7 A.M. to 7 P.M. and the gas sales and convenience store services shall operate from 7 A.M. to 9 P.M. with the entire facility being operated Monday through Saturday.

Z-03-53 | Z-84-84

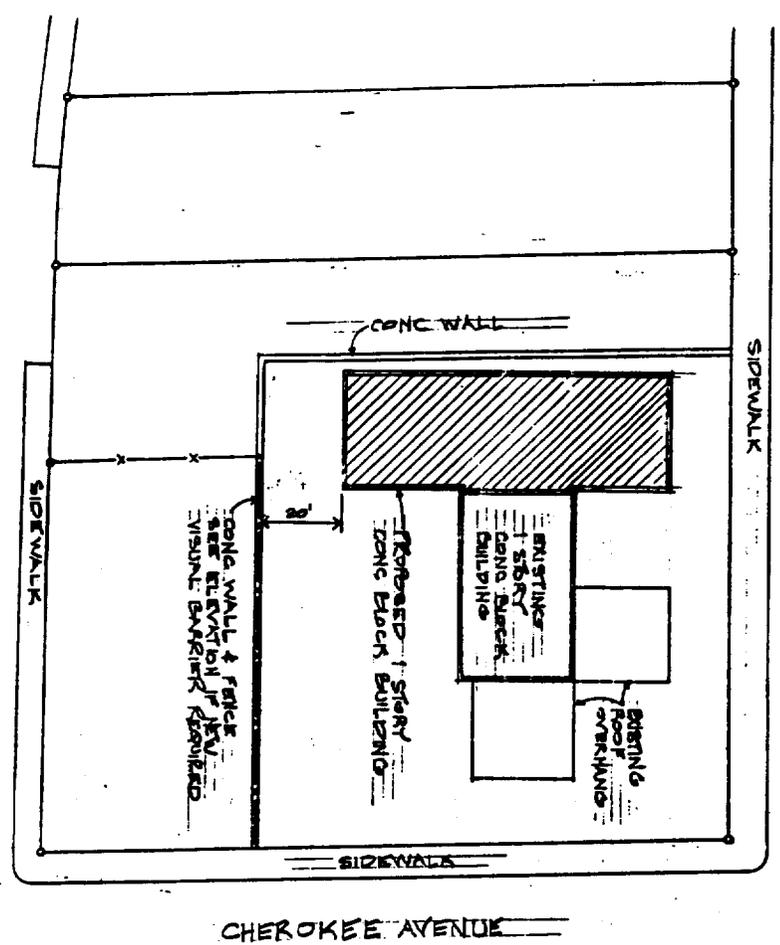
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JOHNNY L. BAILEY PROPERTY
 AREA: 0.506 ACRES
 LAND LOT 45, 14th DISTRICT
 CITY OF ATLANTA
 FULTON COUNTY, GEORGIA

NOTE: THIS DRAWING IS BASED ON
 SURVEY BY R.W. LYNAN SURVEYORS,
 DATED 5-10-84.

2-03-5312-84-84
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PROPOSED SITE PLAN
 0' 0" 20' 40'
 NORTH

BAILEY TIRE SERVICE
 425 GEORGIA AVENUE
 ATLANTA, GA 30312
 524-5029

CITY OF ATLANTA
 ZONING DIVISION

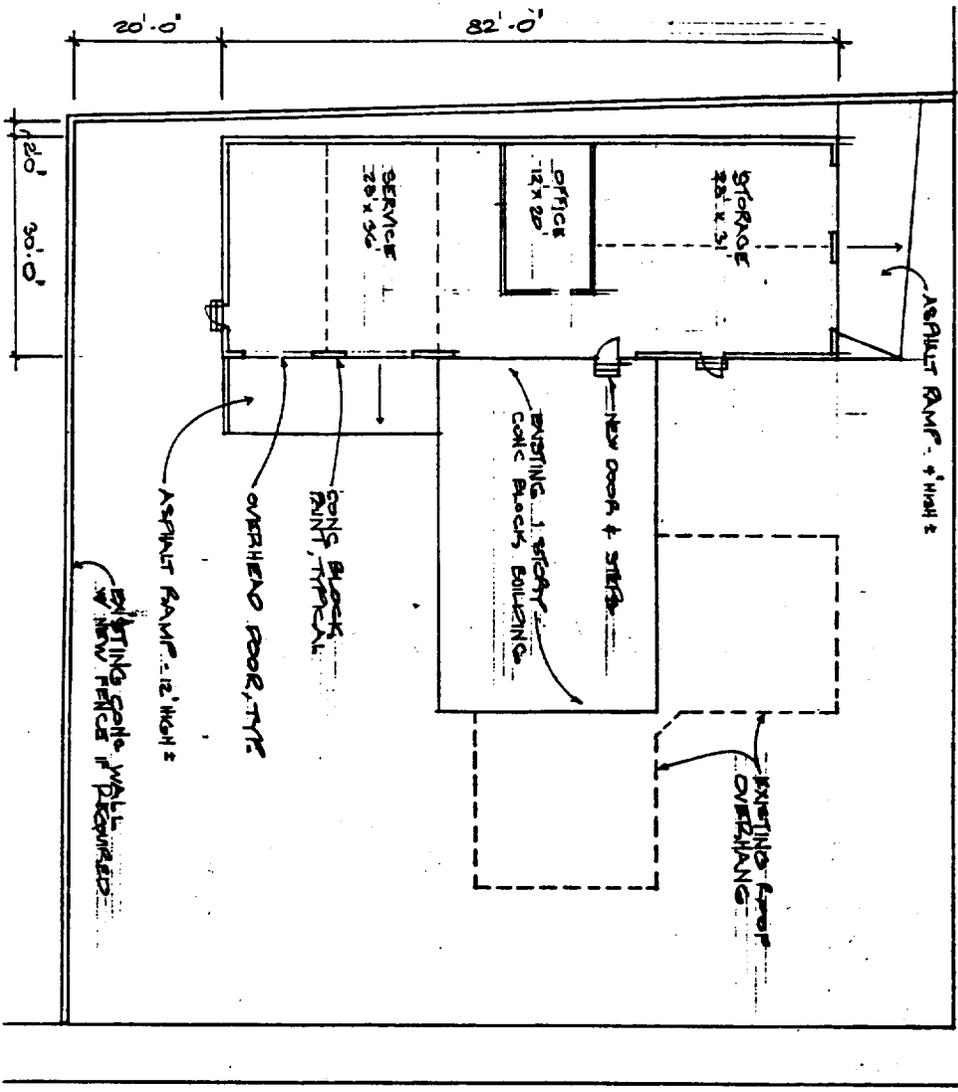
2-84-84

DATE: OCTOBER 22, 1984
 REVISION: NOV 1, 1984

CAMP ARCHITECTS
 5045 MOUNTAIN PARK WAY
 DOUGLASVILLE, GEORGIA
 404-6910

RECEIVED
 NOV 5 1984

GEORGIA AVENUE

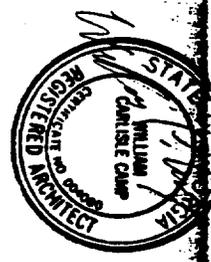


PROPOSED FLOOR PLAN



BAILEY TIRE SERVICE
 425 GEORGIA AVENUE
 ATLANTA, GA. 30312

CHEROKEE AVENUE



RECEIVED
 NOV 15 1984

CITY OF ATLANTA
 ZONING DIVISION
 Z-84-84

2-03-53/2-84-84

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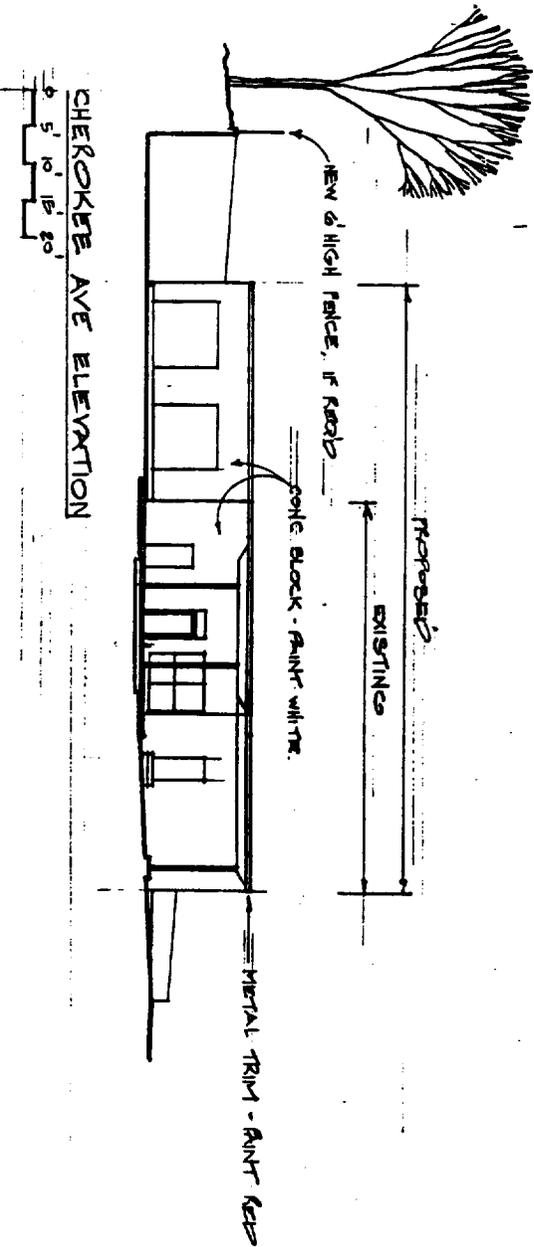
DATE: OCTOBER 22, 1984
 REVISED: NOV. 1, 1984

CAMP ARCHITECTS
 5645 MOUNTAIN PARK WAY
 DOUGLASSVILLE, GEORGIA
 941.6910

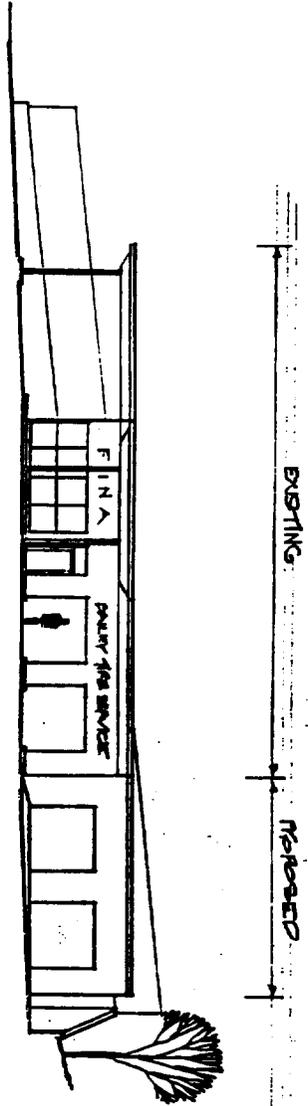
BAILEY TIRE SERVICE
 403 GEORGIA AVENUE
 ATLANTA, GA 30512
 524-5069

CAMP ARCHITECTS
 5645 MOUNTAIN PARK WAY
 DUBLASVILLE, GEORGIA
 749-6910

DATE: OCTOBER 22, 1984
 REVISION: NOV. 1, 1984



GEORGIA AVE ELEVATION



CITY OF ATLANTA
 ZONING DIVISION
 2-84-84

NOV 15 1984

RECEIVED

2-03-53/2-84-84

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RCS# 5200
12/01/03
6:40 PM

Atlanta City Council

Regular Session

MULTIPLE

03-O-1339 Z-03-53/Z-84-84 423 GEROGIA AV
02-O-1994 U-02-33/U-86-39 1215 PIEDMONT
ADOPT ON SUB

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

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

MULTIPLE

03-1339

(Do Not Write Above This Line)

AN ORDINANCE Z-03-53/Z-84-84
BY: ZONING COMMITTEE

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BY THE MAYOR DECEMBER 5, 1984
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APPLICANT: KATIE ANDERSEN
NPU-W COUNCIL DISTRICT 1

ADOPTED BY

DEC 01 2003

COUNCIL

substitute

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

Date Referred 9-2-03

Referred To: LKB & Loring

First Reading

Committee
Date
Chair

Zoning
11/25/03
Debi M Starns

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

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
DEC 1 2003
Debi M Starns
ACTING COUNCIL PRESIDENT PRO TEM

CERTIFIED
DEC 01 2003

Rachel Daughlin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

DEC 09 2003

MAYOR