

**AN ORDINANCE BY
COUNCILMEMBER JIM MADDOX**

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II, SECTION 10-92(B) OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO PROVIDE AN EXEMPTION FROM THE DISTANCE REQUIREMENTS FOR PACKAGE STORES LICENSED TO SELL MALT BEVERAGES AND/OR WINE BY THE PACKAGE LISTED IN SECTION 10-88.1 FOR AN ESTABLISHMENT LOCATED AT 4485 CAMPBELLTON ROAD, S.W.; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has promulgated legislation which specifically provides that there must be a least 1500 feet between package stores licensed to sell alcohol by the package; and

WHEREAS, Mr. Vada Farmer has made application for the sale of beer/wine at the **Chevron Station located at 4485 Campbellton Road, SW, Atlanta, Georgia** to sell beer and wine; and

WHEREAS, the Chevron Station is located within 400 feet of **Impec Carwash and Convenience Store located at 4472 Campbellton Road, S.W., Atlanta, Georgia** which establishment is licensed and does sell beer/wine;

WHEREAS, the Neighborhood Planning Unit P has voted to support this application while acknowledging the importance of Section 10-88.1 as an overall protection to the public;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1:

That Chapter 10, Article II, Section 10-92(b), of the City of Atlanta Code of Ordinances is amended by adding the following

- (7) For one retail establishment selling beer/wine located at 4485 Campbellton Road, SW; and situated on that parcel of land lying and being in Land Lot 47 and Land Lot 43 of the 14th F.F. District of Fulton County, Georgia and being more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND, SITUATED, LYING AND BEING IN THE CITY OF ATLANTA, LAND LOT 43 of the 14th District of Fulton County, Georgia, being more particularly described as follows:

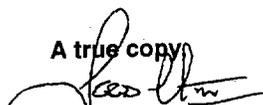
TO FIND THE TRUE POINT OF BEGINNING, Commence at a reference nail set at the intersection of a line located 30 feet easterly of the centerline of County Line Road (said right of way being 60 feet in width) and a line located 40 feet northerly of the centerline of Campbellton Road (said right of way being 80 feet in width), run thence north 00 degrees 03 minutes, 54 seconds west a distance of 30.42 feet to a point located on the easterly right of way of County Line Road, and the true point of beginning.

FROM THE TRUE POINT OF BEGINNING, as thus established, run thence along the easterly right of way of County Line Road north 00 degrees 03 minutes, 54 seconds west a distance of 126.70 feet to an iron pin placed; thence departing said right of way run north 81 degrees 27 minutes, 27 seconds east a distance of 170.07 feet to an iron pin placed, run thence south 00 degrees 13 minutes 19 seconds west a distance of 150.07 feet to a nail set on the northerly right of way of Campbellton road; run thence in a westerly direction along said right of way and following an arc to the left a distance of 41.03 feet to a point (said arc having a radius of 919.23 feet and being subtended by a chord bearing south 80 degrees 02 minutes 49 seconds west a distance of 41.02 feet); continue thence along said right of way south 78 degrees, 46 minutes, 06 seconds west a distance of 99.08 feet to a point; continue thence along said right of way and following an arc to the right a distance of 44.14 feet to a point (said arc having a radius of 25.00 feet and being subtended by a chord bearing north 50 degrees 38 minutes 54 seconds west a distance of 38.63 feet) and the true point of BEGINNING.

SAID PROPERTY containing 0.5852 acres and being designated as Tract "B" and shown on that certain plat of survey entitled, "Boundary Survey for Lansky Partnership and First Georgia Community Bank," dated April 30, 2001 (Revised March 28, 2003, and last revised April 11, 2003), prepared by P.J.K. Engineers and Surveyors, Inc., and recorded in Plat Book 240, Page 107, Fulton County, Georgia records, said Plat and its descriptive data are incorporated herein by reference to same.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived.

A true copy


Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

NOV 15, 2004
NOV 19, 2004

RCS# 6290
11/15/04
9:20 PM

Atlanta City Council

Regular Session

04-O-2036

AMEND SEC 10-92(B) PROVIDE EXEMPTION
DISTANCE REQUIREMENTS 4485 CAMPBELTON RD
ADOPT

YEAS: 10
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

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

04-O-2036

(Do Not Write) **04 Nov 2004**

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AND/OR WINE BY THE PACKAGE LISTED IN
SECTION 10-88.1 FOR AN ESTABLISHMENT
LOCATED AT 4485 CAMPBELLTON ROAD,
S.W.; AND FOR OTHER PURPOSES.

ADOPTED BY
NOV 1 5 2004
COUNCIL

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

Date Referred 11/1/04

Referred To: Public Safety

Date Referred

Referred To:

Date Referred

Referred To:

Committee _____

Date _____

Chair _____

Referred To _____

PSLA Committee

Date 11/9/04

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)

Other _____

Members _____

Handwritten signatures:

Refer To _____

Handwritten signature:

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)

Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action _____

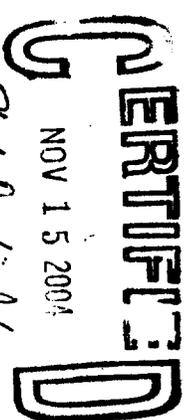
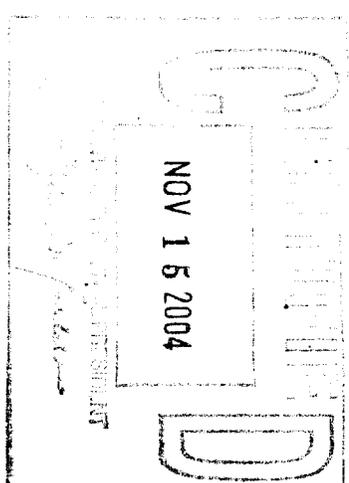
Fav, Adv, Hold (see rev. side)

Other _____

Members _____

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

CERTIFIED



Handwritten signature:
MUNICIPAL CLERK

MAYOR'S ACTION

Handwritten signature:

NOV 1 9 2004

MAYOR