



Municipal Clerk
Atlanta, Georgia

05- 0 -0750
U-05--09

AN ORDINANCE
BY: IVORY LEE YOUNG, JR.

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

SECTION 1. Under the provisions of (Section 16-20B.004) (3) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Real Estate Office is hereby approved. Said use is granted to D.K. Armstrong Properties, LLC. and is to be located at **1189 South Ponce de Leon Avenue, N.E.** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 241, 15th District, Dekalb County, Georgia, being more particularly described by the attached legal description.

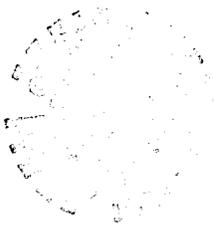
SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,
Rhonda Daughlin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

June 20, 2005
June 23, 2005



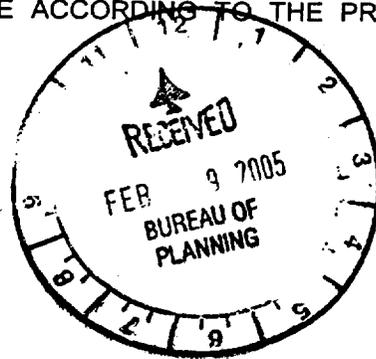
Conditions for U-05-09 for 1189 Ponce de Leon Avenue, N.E.

1. A site plan entitled "Site Improvement Plan REMAX Atlanta, Georgia" prepared by Reece Hoopes & Fincher, dated April 25, 2005 and marked received by the Bureau of Planning April 25, 2005.
2. This Special Use shall become null and void at the time Re/Max Metro Atlanta is no longer operating from the subject property.
3. No advertising or commercial signage to be visible from exterior (except to the extent sign consists of a stone monument and name of owner/user is chiseled in stone, with no coloration.
4. No ReMax or other trademarks to be displayed in color and be visible from the exterior.
5. No placards or banners visible from exterior.
6. No balloons visible from exterior
7. No flags or streamers visible from exterior.
8. No commercial truck traffic.
9. No trash dumpsters.
10. No offsite property and lots may be used to service this use in any way (including parking, trash, storage, etc.)
11. Adjoined lot on Fairview Road may not be used in any way to service this use (including parking, trash, storage, etc.)
12. Any new exterior lighting to be limited to gaslight.
13. No color changes to exterior of facility.
14. No expansion of existing improvements or parking areas.
15. No hire of facility for private parties.
16. No directional signage for parking.

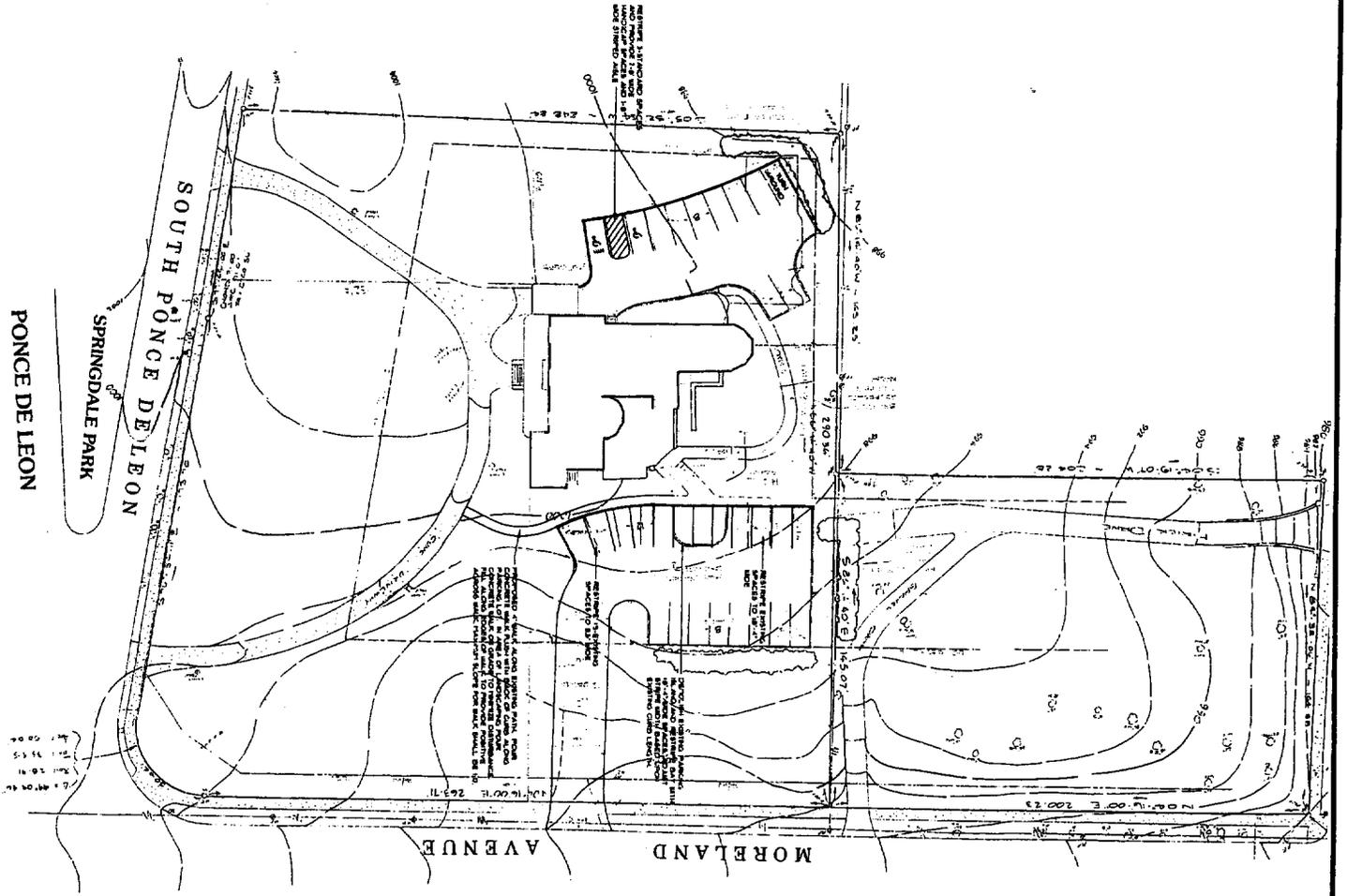
EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 241 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA, BEING LOT 1, BLOCK 2, OF THE DRUID HILLS SUBDIVISION, AS PER PLAT RECORDED AT PLAT BOOK 74, PAGE 159, DEKALB COUNTY, GEORGIA RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

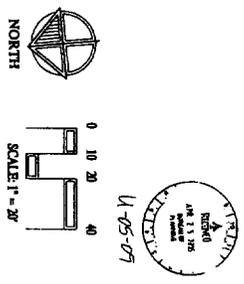
BEGINNING AT A 1/2" REBAR FOUND ON THE EASTERN RIGHT OF WAY OF MORELAND AVENUE 200.23 FEET NORTH OF ITS INTERSECTION WITH THE NORTHERN RIGHT OF WAY OF FAIRVIEW ROAD; RUNNING THENCE ALONG THE EASTERN RIGHT OF WAY OF MORELAND AVENUE NORTH 03 DEGREES 50 MINUTES 46 SECONDS EAST 263.71 FEET TO AN IRON PIN SET; RUNNING THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 28.91 FEET, AN ARC DISTANCE OF 50.09 FEET TO AN IRON PIN SET ON THE SOUTHERN RIGHT OF WAY OF SOUTH PONCE DE LEON; RUNNING THENCE ALONG THE SOUTHERN RIGHT OF WAY OF SOUTH PONCE DE LEON SOUTH 77 DEGREES 01 MINUTES 14 SECONDS EAST 175.70 FEET TO A POINT; CONTINUING THENCE ALONG THE SOUTHERN RIGHT OF WAY OF SOUTH PONCE DE LEON, ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 2740.56', A CHORD DISTANCE OF 90.96 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING THE SOUTHERN RIGHT OF WAY OF SOUTH PONCE DE LEON AND RUNNING SOUTH 05 DEGREES 52 MINUTES 54 SECONDS WEST 248.71 FEET TO A 1 1/5" SOLID PIPE; RUNNING THENCE NORTH 86 DEGREES 45 MINUTES 11 SECONDS WEST 143.37 FEET TO A 1" OPEN TOP PIPE; RUNNING THENCE NORTH 86 DEGREES 44 MINUTES 42 SECONDS WEST 144.76 FEET TO A 1/2" REBAR FOUND ON THE EASTERN RIGHT OF WAY OF MORELAND AVENUE AND THE POINT OF BEGINNING; ALL AS SHOWN ON PRELIMINARY PLAT FOR D. K. ARMSTRONG PROPERTIES, LLC BY SURVEY SYSTEMS AND ASSOC., INC, DATED FEBRUARY 3, 2005; AND BEING KNOWN AS 1189 PONCE DE LEON AVENUE ACCORDING TO THE PRESENT SYSTEM OF NUMBERING IN DEKALB COUNTY, GEORGIA.



U-05-09



U-05-07



<p>REBECC HOOPES & FINCHER Land Planning LANDSCAPE ARCHITECTURE ATLANTA • BIRMINGHAM</p> <p>DATE: APR 11, 2007 PROJECT: REMAX SHEET: L-1 OF 1</p>		<p>SITE IMPROVEMENTS PLAN REMAX ATLANTA, GEORGIA</p>		<p>PROJECT NO.: 050411-1 SCALE: 1" = 30' DATE: APR 11, 2007 TITLE: SITE IMPROVEMENTS PLAN DRAWN BY: JH CHECKED BY: JH DATE: APR 11, 2007 SHEET NO.: L-1 OF 1</p>	
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RCS# 6788
6/20/05
6:20 PM

Atlanta City Council

Regular Session

05-0-0750

U-05-09 REAL ESTATE OFFICE SPECIAL USE
PERMIT 1189 SOUTH PONCE DE LEON AVE
ADOPT AS AMEND

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 1

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

05-0-0750

05-0-0750
(Do Not Write Above This Line)

AN ORDINANCE U-05-09
BY: IVORY LEE YOUNG, JR.

An Ordinance granting a Special Use Permit for a Real Estate Office (Section 16-20B.004 (3) property located at 1189 South Ponce de Leon Avenue, N.E. fronting approximately 263 feet on the easterly side of Moreland Avenue and approximately 266 feet on the southwesterly side of Ponce de Leon Avenue. Property is also located at the intersection of Moreland Avenue and Ponce de Leon Avenue. Depth: Varies. Area: 1.83 acres. Land Lot 241, 15th District, DeKalb County, Georgia
OWNER: ALEXANDER D. PERWICH II
APPLICANT: D.K. ARMSTRONG PROPERTIES, LLC.
NPU-N COUNCIL DISTRICT 6
As Amended

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

Date Referred 4/18/05
Referred To: ZRB + Zoning
Date Referred ADOPTED BY
Referred To: JUN 2 0 2005
Date Referred JUN 2 0 2005
Referred To: COUNCIL

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee

Date 5/20/05
Chair _____

Action _____

Fav, Adv, Hold (see rev. side) _____
Other _____

Members

[Handwritten signatures]

Refer To _____

Committee

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side) _____
Other _____

Members

[Handwritten signatures]

Refer To _____

Committee

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side) _____
Other _____

Members

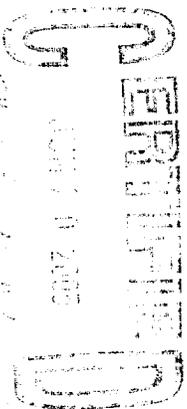
[Handwritten signatures]

Refer To _____

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

JUN 2 0 2005



MAYOR'S ACTION

[Handwritten signature]