



Municipal Clerk
Atlanta, Georgia

05-O-0869

U-05-15

AN ORDINANCE
BY: ZONING COMMITTEE

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

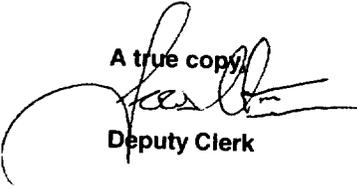
SECTION 1. Under the provisions of (Section 16-11.005 (1)(l) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for Outdoor Dining is hereby approved. Said use is granted to Halpern Enterprises, Inc. and is to be located at **500-502 Amsterdam Avenue, N.E.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 51 and 55. 17th District, Fulton 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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


Deputy Clerk

ADOPTED as amended by the Council
APPROVED by the Mayor

JUL05, 2005
JUL12, 2005

**Conditions for U-05-15
500 – 502 Amsterdam Avenue**

1. The site plan submitted by the applicant for 500 – 502 Amsterdam Avenue, received by the Bureau of Planning on 04/12/05.
2. No outside sound amplification system/equipment will be used.

500 - 560 AMSTERDAM AVENUE, ATLANTA, GEORGIA

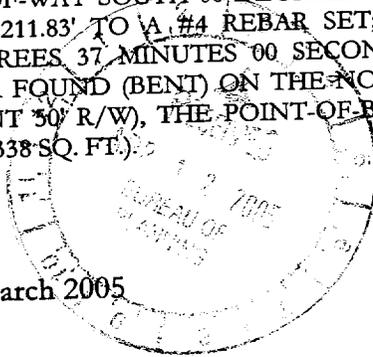
LEGAL DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 54 AND 55 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE FULLY SHOWN AND DESIGNATED ON A BOUNDARY SURVEY FOR HALPERN ENTERPRISES, INC. DATED FEBRUARY 28, 2005, LAST REVISED MARCH 3, 2005, PREPARED BY HIGHLAND ENGINEERING, INC. AND HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

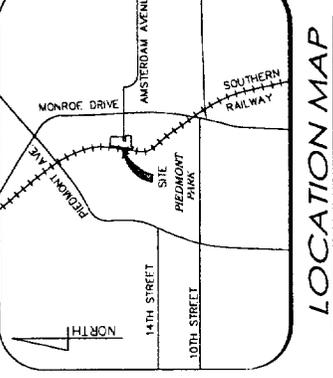
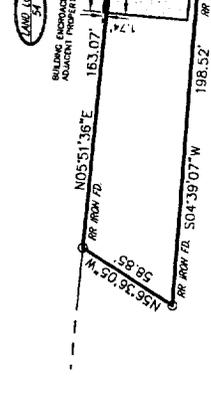
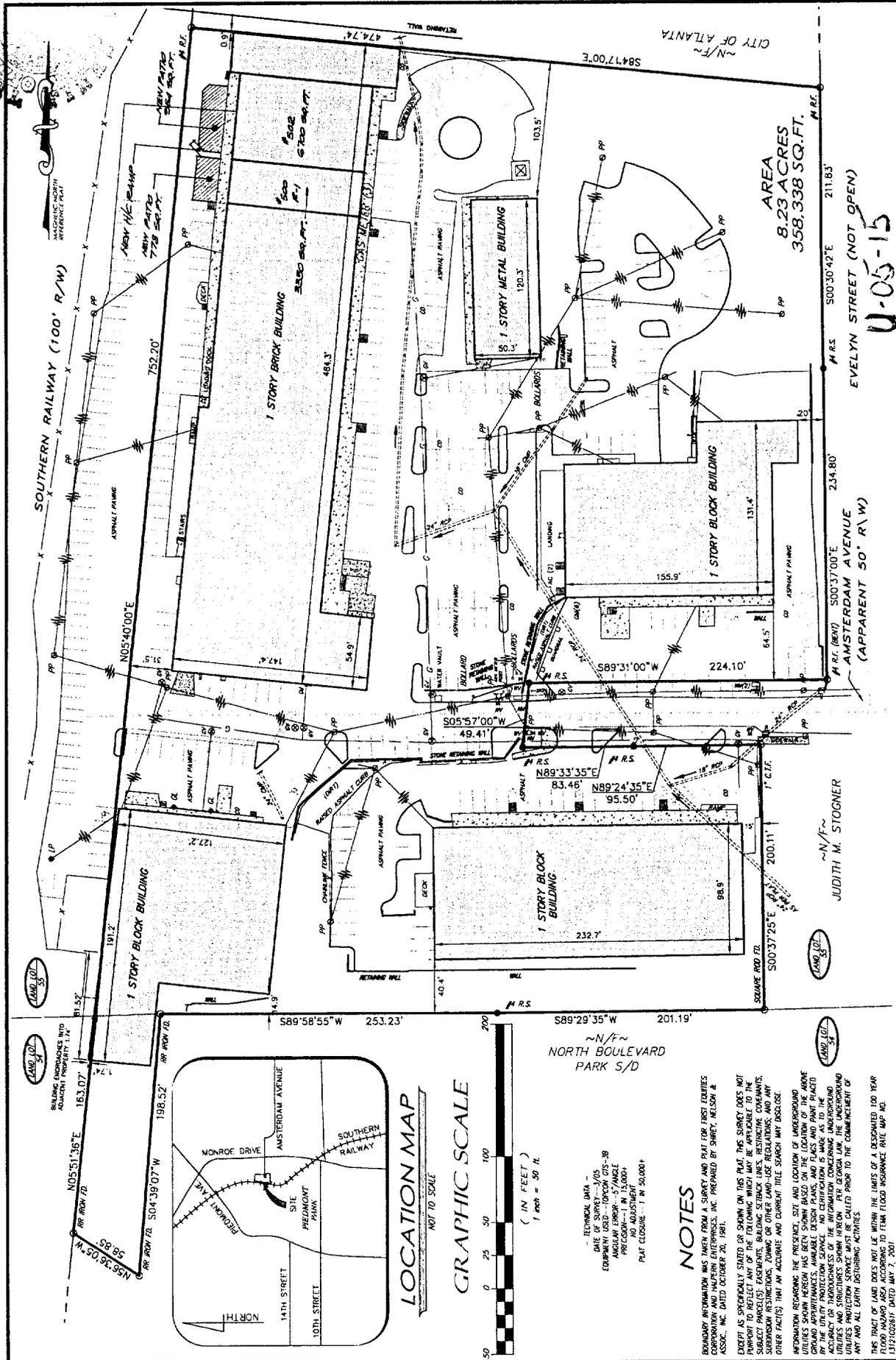
BEGINNING AT A #4 REBAR FOUND (BENT) ON THE INTERSECTION OF THE NORTHERN RIGHT-OF-WAY OF AMSTERDAM AVENUE (APPARENT 50' R/W) AND THE WESTERN RIGHT-OF-WAY OF EVELYN AVENUE (NOT OPEN), THE POINT-OF-BEGINNING (P.O.B.); THENCE TURNING AND CONTINUING ALONG THE NORTHERN RIGHT-OF-WAY OF AMSTERDAM AVENUE SOUTH 89 DEGREES 31 MINUTES 00 SECONDS WEST (S89°31'00"W) A DISTANCE OF 224.10' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 05 DEGREES 57 MINUTES 00 SECONDS WEST (S05°57'00"W) A DISTANCE OF 49.41' TO A #4 REBAR SET ON THE SOUTHERN RIGHT-OF-WAY OF AMSTERDAM AVENUE; THENCE TURNING AND CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 89 DEGREES 33 MINUTES 35 SECONDS EAST (N89°33'35"E) A DISTANCE OF 83.46' TO A #4 REBAR SET; THENCE CONTINUING ALONG SAID LINE NORTH 89 DEGREES 24 MINUTES 35 SECONDS EAST (N89°24'35"E) A DISTANCE OF 95.50' TO A 1" CRIMPED TOP FOUND; THENCE TURNING AWAY FROM SAID RIGHT-OF-WAY AND CONTINUING ALONG THE LINE OF N/F JUDITH M. STOGNER SOUTH 00 DEGREES 37 MINUTES 25 SECONDS EAST (S00°37'25"E) A DISTANCE OF 200.11' TO A SQUARE ROD FOUND ON THE SOUTHERN LINE OF LAND LOT 55; THENCE TURNING AND CONTINUING ALONG THE LINE OF N/F NORTH BOULEVARD PARK S/D SOUTH 89 DEGREES 29 MINUTES 35 SECONDS WEST (S89°29'35"W) A DISTANCE OF 201.19' TO A #4 REBAR SET; THENCE CONTINUING ALONG SAID LINE SOUTH 89 DEGREES 58 MINUTES 55 SECONDS WEST (S89°58'55"W) A DISTANCE OF 253.23' TO A RR IRON FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 04 DEGREES 39 MINUTES 07 SECONDS WEST (S04°39'07"W) A DISTANCE OF 198.52' TO A RR IRON FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE NORTH 56 DEGREES 36 MINUTES 05 SECONDS WEST (N56°36'05"W) A DISTANCE OF 58.85' TO A RR IRON FOUND ON THE EASTERN RIGHT-OF-WAY OF SOUTHERN RAILWAY (100' R/W); THENCE TURNING AND CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 05 DEGREES 51 MINUTES 36 SECONDS EAST (N05°51'36"E) A DISTANCE OF 163.07' TO A POINT; THENCE CONTINUING ALONG SAID LINE NORTH 05 DEGREES 40 MINUTES 00 SECONDS EAST (N05°40'00"E) A DISTANCE OF 752.20' TO A #4 REBAR FOUND; THENCE TURNING AWAY FROM SAID RIGHT-OF-WAY AND CONTINUING ALONG THE LINE OF N/F CITY OF ATLANTA SOUTH 84 DEGREES 17 MINUTES 00 SECONDS EAST (S84°17'00"E) A DISTANCE OF 474.74' TO #4 REBAR FOUND ON THE WESTERN RIGHT-OF-WAY OF EVELYN STREET (NOT OPEN); THENCE TURNING AND CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 00 DEGREES 30 MINUTES 42 SECONDS EAST (S00°30'42"E) A DISTANCE OF 211.83' TO A #4 REBAR SET; THENCE CONTINUING ALONG SAID LINE SOUTH 00 DEGREES 37 MINUTES 00 SECONDS EAST (S00°37'00"E) A DISTANCE OF 234.80' TO A #4 REBAR FOUND (BENT) ON THE NORTHERN RIGHT-OF-WAY OF AMSTERDAM AVENUE (APPARENT 50' R/W), THE POINT-OF-BEGINNING (P.O.B.); SAID TRACT CONTAINING 8.23 ACRES (358,338 SQ. FT.).

V-05-15

Prepared by Highland Engineering March 2005



4-05-18



NOTES

BOUNDARY INFORMATION WAS TAKEN FROM A SURVEY AND PLAT FOR FIRST EQUITIES CORPORATION AND HALPERN ENTERPRISES, INC. PREPARED BY SHREY, NELSON & ASSOC., INC. DATED OCTOBER 20, 1981.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT PARCELS: EASEMENTS, BALDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS THAT MAY AFFECT OR LIMIT THE SURVEY AND BOUNDARY INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON HAS BEEN SHOWN BASED ON THE LOCATION OF THE ABOVE UTILITIES AS SHOWN ON THE PLAT AND CERTIFICATION IS MADE AS TO THE ACCURACY OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON. THE GEORGIA LAW, THE UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON, BEING DONE PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARLY DISTURBING ACTIVITIES.

THIS TRACT OF LAND DOES NOT LIE WITHIN THE LIMITS OF A DESIGNATED 100 YEAR FLOOD HAZARD ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 13121028101 DATED MAY 7, 2001.

AREA
8.23 ACRES
358,338 SQ. FT.

EVELYN STREET (NOT OPEN)

AMSTERDAM AVENUE
(APPARENT 50' R/W)

~N./E.~
JUDITH M. STOONER

DATE: 03/28/05

PROJECT NO.: 01-036

REVISIONS:

No.	Revision	Date
1	ADDED PARKING SPACES	03/28/05
2		
3		
4		
5		
6		
7		
8		

Surveyed By: R.G.
Drawn By: H.D.W.
Checked By: S.M.H.
Date: 03/28/05
Scale: 1" = 60'

Project No. 01-036
Surveyed By: R.G.
Drawn By: H.D.W.
Checked By: S.M.H.
Date: 03/28/05
Scale: 1" = 60'

HALPERN ENTERPRISES, INC.
589 BUFORD HIGHWAY
ATLANTA, GEORGIA 30340
Office: 770-451-0318
FAX: 770-454-0228

HALPERN ENTERPRISES, INC.
Land Lots 54 & 55 - 17th District
FULTON COUNTY, GEORGIA
CITY OF ATLANTA

01-036 BND
5-12001101-036 LDWG
FB 05-0011D

HIGHLAND ENGINEERING, INC.
1455 LINCOLN PARKWAY, SUITE 200
PH: 770-228-2121 FAX: 770-228-2222
700 DOUTCH FERRY RD., SUITE 780
CARTERSVILLE, GEORGIA 30120
PH: 770-607-1300 FAX: 770-607-1333

RCS# 6826
7/05/05
3:33 PM

Atlanta City Council

Regular Session

MULTIPLE 05-O-0880 05-O-0869 05-O-0867 05-O-0868
 05-O-0857 05-O-0858 05-O-0535
 ADOPT AS AMEND

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	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

05-0-0869
 (Do Not Write Above This Line)

AN ORDINANCE U-05-15
BY: ZONING COMMITTEE

An Ordinance granting a Special Use Permit for Outdoor Dining (Section 16-11.005 (1)(I)), property located at **500-502 Amsterdam Avenue, N.E.**, fronting approximately 49 feet at the western dead end of Amsterdam Avenue. Property also fronts approximately 446 feet along the west side of Evelyn Street, an unimproved right-of-way. Depth: varies. Area: 8.23 acres. Land Lots 51 and 55, 17th District, Fulton County, Georgia.
OWNER: HALPERN ENTERPRISES, INC.
APPLICANT: HALPERN ENTERPRISES, INC.
NPU-F COUNCIL DISTRICT 6

AS AMENDED

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

Date Referred 5-16-2005
 Referred To: ZRB & Zoning
 Date Referred _____
 Referred To: **ADOPTED BY**
 Date Referred JUL 05 2005
 Referred To: _____

First Reading
 Committee ZONING
 Date 5/17/2005
 Chair [Signature]
 Referred To ZONING

Committee _____
 Date 5/17/2005
 Chair [Signature]
 Action [Signature]
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____

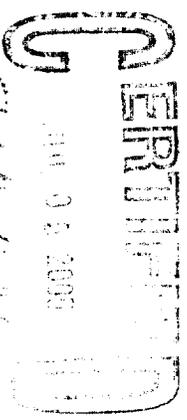
Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____

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

CERTIFIED

JUL 05 2005



MAYOR'S ACTION

[Signature]
 MAYOR

COUNCIL