

**ZONING COMMITTEE
MINUTES
WEDNESDAY, NOVEMBER 15, 2006**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, November 15, 2006** in Committee Room #2, at 11:30 a.m.

The following members were present:

**The Honorable Carla Smith, Chair
The Honorable Howard Shook
The Honorable Anne Fauver
The Honorable Natalyn Archibong
The Honorable Joyce Sheperd
The Honorable C. T. Martin**

The following member was absent:

The Honorable Mary Norwood, Vice Chair

Others present at the meeting were, Charletta Wilson Jacks, Zoning Administrator, Department of Planning and Community Development; City Attorneys Lem Ward and Peter Andrews, Law Department; and members of the Public and Council staff.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. COMMUNICATION**

06-C-2387 (1) A Communication by Mayor Shirley Franklin re-appointing **Mr. Clinton Dye, III** to serve as a member of the Zoning Review Board in the Legal Category for the City of Atlanta. This re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

Councilmember Shook made a motion to approve. The vote was unanimous.

FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL

- D. RESOLUTION**

06-R-2491 (1) A Resolution by Councilmember Felicia A. Moore authorizing the Bureau of Planning to recognize as nonconforming lots of record, lots located at 2611 and 2615 Forrest Avenue, NW, that have been created as the result of previously issued building permits and that presently have houses located on them and for which the property owners have been paying taxes for a approximately twenty years. **(Held 11/14/06 at the request of the author)**

HELD

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E. PAPERS HELD IN COMMITTEE

06-O-0038 (1)
Z-05-56 An Ordinance by Councilmember Carla Smith to amend Various Sections of the Zoning Code of the City of Atlanta, for the purpose of clarifying and/or defining certain terms related to Supportive Housing; to provide how applications for such uses are to be processed; defining the term Community Center and removing certain redundant terms related to such use; redefining the conditions under which dormitories, Sorority Houses and Fraternity Houses are permitted; deleting rooming houses and boarding houses as permitted uses in certain districts; and for other purposes. **(Held 2/1/06 for further review)**

HELD

06-O-0273 (2) An Ordinance by Councilmembers Carla Smith, Ivory Lee Young, Jr. and Cleta Winslow correcting Ordinance Number 04-O-0179/Z-04-24 which amended Section 16-29.001(16) "Human Services" including Personal Care Homes, Rehabilitation Centers and Nursing Homes by clarifying and/or redefining certain terms; and for other purposes. **(Held 2/1/06 for further review)**

HELD

06-O-0286 (3)
Z-06-05 An Ordinance by Zoning Committee to rezone from the RG-4-C-HBS (Residential General-Sector 4 Conditional-Historic Building/Site) and RG-4-C (Residential General-Sector 4-Conditional) Districts, to the RG-4-C (Residential General-Sector 4-Conditional) District, property located at **2494 and 2510 Peachtree Road (a.k.a. 2500 Peachtree Road), NE**, fronting approximately 387.76 feet on the west side of Peachtree Road, beginning 400 feet from the southwest corner of Muscogee Avenue and Peachtree Road. **(Held 3/29/06 for further review)**

Depth: Varies
Area: Approximately 3.086 Acres
Land Lot: 112, 17th District, Fulton County, Georgia
Owner: 2500 Peachtree Condominium Association, Inc.
Applicant: 2500 Peachtree Condominium Association, Inc.
NPU-C Council District 8

HELD

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E. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0007 (4)
Z-05-65 An Ordinance by Councilmember Carla Smith **as amended by Zoning Committee** to rezone the portion of the property located at **1821 W. Anderson Avenue** that is zoned R-4 (Single Family Residential) to the O-I (Office Institutional) Classification, to issue a Special Use Permit for the subject property; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

HELD

06-O-0022 (5)
U-05-22 An Ordinance by Councilmember Carla Smith to issue a Special Use Permit for a Nursing Home at **1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue)**; to waive the 2,000 foot distance requirement for this location; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

HELD

06-O-0145 (6)
Z-05-134 An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **2228 Bicknell Street, SE**, fronting approximately 257.5 feet on the southeast side of Bicknell Street, beginning 109 feet from the southeast corner of Bagwell Drive. **(Held 8/16/06 at the request of the Councilmember of District 12)**

Depth: Varies
Area: Approximately 3.5 Acres
Land Lot: 70, 14th District, Fulton County, Georgia
Owner: Portfolio Properties Construction Co., LLC.
Applicant: Portfolio Properties Construction Co., LLC.
NPU-Z Council District 12

HELD

06-O-1805 (7)
Z-06-86 An **Amended** Ordinance by Zoning Committee to rezone from the I-2 (Heavy Industrial) District to the MR-4A (Multi-Family Residential) District, property located at **1246 Allene Avenue, SW**, fronting approximately 300 feet on the east side of Allene Avenue, beginning approximately 228 feet from the northeast corner of Erin Avenue. **(Held 11/1/06 pending CDP Public Hearing)**

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E. PAPERS HELD IN COMMITTEE (CONT'D)

Depth: Varies
Area: Approximately 8.93 Acres
Land Lot: 105, 14th District, Fulton County, Georgia
Owner: Allene Avenue Redevelopment, LLC
Applicant: Allene Avenue Redevelopment, LLC
NPU-X Council District 12

Councilmember Sheperd made a motion to approve as amended. The vote was unanimous.

FAVORABLE AS AMENDED

06-O-1950 (8)
Z-06-92

An **Amended** Ordinance by Zoning Committee to rezone from the R-5 (Single-Family Residential) District to the RG-4 (Residential General-Sector 4) District, property located at **575 Boulevard, SE, (578 Rosalia Street, SE)**, fronting approximately 100 feet on the west side of Boulevard. **(Held 11/1/06 pending CDP Public Hearing)**

Depth: Varies
Area: Approximately 0.339 Acre
Land Lot: 44, 14th District, Fulton County, Georgia
Owner: Atlanta Decatur Oxford District United Methodist Church, Bobby A. Jones, Trustee Chair
Applicant: Jeffrey L. Wilson
NPU-W Council District 1

HELD

06-O-1952 (9)
Z-06-95

An **Amended** Ordinance by Zoning Committee to rezone from the O-I (Office-Institutional) District to the C-1 (Community Business) District, property located at **890 Conley Road, SE**, fronting approximately 804.11 feet on the north side of Conley Road, beginning 957 feet from the northeast corner of Jonesboro Road and Conley Road. **(Held 11/1/06 pending CDP Public Hearing)**

Depth: Varies
Area: Approximately 68.32 Acres
Land Lots: 1, 31 and 32, 14th District, Fulton County, Georgia
Owner: Don Scott
Applicant: Travis Pruitt
NPU-Z Council District 12
HELD

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E. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-1953 (10) An Ordinance by Zoning Committee to rezone from the I-1
Z-06-96 (Light Industrial) District to the R-4 (Single-Family Residential) District, property located at **568 Trabert Avenue, NW**, fronting approximately 280 feet on the south side of Trabert Avenue. **(Held 11/1/06 pending CDP Public Hearing)**

Depth: Varies
Area: Approximately 0.53 Acre
Land Lot: 148, 17th District, Fulton County, Georgia
Owner: Jamal L. Lewis
Applicant: Rebecca S. Burney

NPU-E Council District 8

HELD

06-O-1955 (11) An Ordinance by Zoning Committee to rezone from the PD-H
Z-06-99 (Planned Development-Housing) District to the PD-MU (Planned Development-Mixed-Use) District, property located at **1602 Johnson Road, NW and 1380/1430 Rockdale Street, NW**, fronting approximately 234 feet on the east side of Johnson Road, beginning 484.46 feet from the northwest corner of Rockdale Street. **(Held 11/1/06 pending CDP Public Hearing)**

Depth: Approximately 1,832 Feet
Area: Approximately 12.0 Acres
Land Lots: 225 and 190, 17th District, Fulton County, Georgia
Owner: Northwest Intown Development, LLC
Applicant: Brock Built, LLC

NPU-G Council District 9

HELD

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E. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0955 (12) A **Substitute** Ordinance by Zoning Committee to rezone from
Z-06-44 the I-1-C (Light Industrial-Conditional) District to the MR5-A
(Multi-Family Residential) District, property located at **1155
Hill Street, SE**, fronting approximately 350 feet on the west
side of Hill Street and approximately 272 feet on the north
side of Englewood Avenue. **(Held 11/1/06 at the request of
District Council Person)**

Depth: Varies
Area: Approximately 8.719 Acres
Land Lot: 55, 14th District, Fulton County, Georgia
Owner: Jack and Harvey Taffel
Applicant: Chaz E. Waters/Skyline Partners, LLC.
NPU-Y Council District 1

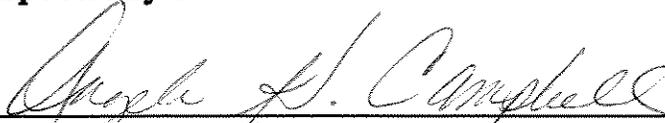
HELD

06-O-2283 (13) An Ordinance by Councilmembers Joyce M. Sheperd and
Cleta Winslow authorizing the Mayor or her designee to place
interim development controls on construction on all vacant
parcels in the Murphy Triangle (lying within the boundaries
of Murphy Avenue, Warner Street, Allene Avenue and Sylvan
Road) for a period not to exceed nine (9) months; and for
other purpose. **(Held 11/1/06 at the request of the author
of the legislation)**

HELD

**There being no further business to come before the Zoning Committee the
meeting was adjourned at 11:40 a.m.**

Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Carla Smith, Chairperson