

# COMMITTEE AMENDMENT FORM

DATE: 1/30/08

COMMITTEE	<u>ZONING</u>	PAGE NUM. (S)
ORDINANCE I. D.	<u>#07-O-2530</u>	SECTION (S)
RESOLUTION I. D.	<u>#08-R-</u>	PARA.

AMENDS THE LEGISLATION BY ADDING FIVE (5) CONDITIONS.

AMENDMENT DONE BY COUNCIL STAFF 1/30/08

**CONDITIONS FOR U-07-34/U-01-37  
For  
1700 Piedmont Road, N.E.**

1. The maximum enrollment shall be 275 students.
2. Use limited to the existing footprint and the existing buildings.
3. No additional outdoor athletic or any other outdoor facilities.
4. No lights on the existing (recently approved) soccer field.
5. No expansion of parking lots.



City Council  
Atlanta, Georgia

**07-0-2530**

**U-07-34-U-01-37**

AN ORDINANCE  
BY: ZONING COMMITTEE

AN ORDINANCE TO AMEND ORDINANCE 01-O-1268 (U-01-37) WHICH GRANTED A SPECIAL USE PERMIT FOR A PRIVATE SCHOOL PURSUANT TO SECTION 16-06.005 (1) (L) FOR PURPOSES OF A CHANGE OF CONDITIONS. PROPERTY LOCATED AT **1700 PIEDMONT AVENUE, N.E.**, FRONTING APPROXIMATELY 1, 150 FEET ON THE WEST SIDE OF PIEDMONT AVENUE BEGINNING AT THE SOUTHWEST CORNER OF MONTGOMERY FERRY ROAD. DEPTH: VARIES. AREA: APPROXIMATELY 10.718 ACRES. LAND LOTS 51 AND 56, 17<sup>TH</sup> DISTRICT, FULTON COUNTY, GEORGIA.

OWNER: MORNINGSIDE BAPTIST CHURCH  
APPLICANT: HERITAGE PREPARATORY SCHOOL OF GEORGIA  
NPU-F COUNCIL DISTRICT 6

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

SECTION 1. Under the provisions of Section 16.06.005 (1) (1) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **PRIVATE SCHOOL** is hereby amended for the purposes of a change of conditions. Said use granted to HERITAGE PREPARATORY SCHOOL OF GEORGIA to be located at **1700 PIEDMONT AVENUE, N.E** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 51 and 56, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

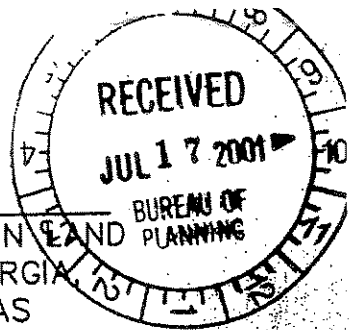
SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions 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.

U-01-37

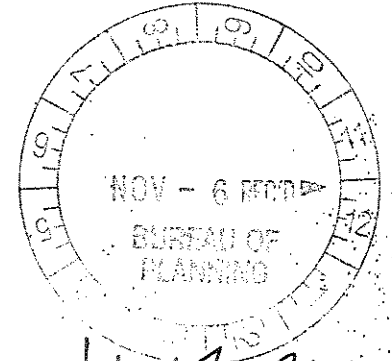
MORNINGSIDE BAPTIST CHURCH

LEGAL DESCRIPTION:



ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LOT 51 AND 56 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, CITY OF ATLANTA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF PIEDMONT ROAD (RIGHT-OF-WAY VARIES) AND MONTGOMERY FERRY ROAD (RIGHT-OF-WAY VARIES); THENCE SOUTH 37° 53'13" WEST, A DISTANCE OF 208.49 FEET; THENCE SOUTH 35°32'12" WEST, A DISTANCE OF 245.75 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 190.01 FEET AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 52°49'45" WEST 111.54 FEET; ALONG SAID CURVE, A DISTANCE OF 113.21 FEET; THENCE SOUTH 69°53'48" WEST 126.75 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1130.76 FEET AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 64° 29' 23" WEST 152.14 FEET, ALONG SAID CURVE A DISTANCE OF 152.25 FEET; THENCE SOUTH 52°58' 28" WEST, A DISTANCE OF 102.57 FEET; THENCE SOUTH 36°28'06" EAST, A DISTANCE OF 119.12 FEET; THENCE SOUTH 53°32'07" WEST, A DISTANCE OF 95.00 FEET; THENCE SOUTH 20° 04'18" EAST, A DISTANCE OF 254.82 FEET; THENCE SOUTH 56°48'37" EAST, A DISTANCE OF 90.81 FEET; THENCE SOUTH 86°26'13" EAST, A DISTANCE OF 53.42 FEET; THENCE NORTH 03°01'20" EAST, A DISTANCE OF 12.86 FEET; THENCE SOUTH 69°04'50" EAST, A DISTANCE OF 86.20 FEET; THENCE SOUTH 86°26'32" EAST, A DISTANCE OF 102.49 FEET; THENCE SOUTH 03°01'20" WEST, A DISTANCE OF 96.80 FEET; THENCE SOUTH 82°59'39" EAST, A DISTANCE OF 76.59 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 115.68 FEET AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 66°27'53" EAST 117.91 FEET; ALONG SAID CURVE, A DISTANCE OF 123.72 FEET; THENCE NORTH 12°10'22" EAST, A DISTANCE OF 605.27 FEET; THENCE NORTH 11°56'36" EAST, A DISTANCE OF 70.74 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 847.39 FEET AND BEING SUBTENDED BY A CHORD WHICH BEARS NORTH 01°37'43" EAST 304.09 FEET; ALONG SAID CURVE, A DISTANCE OF 305.75 FEET; THENCE NORTH 09°07'16" WEST, A DISTANCE OF 167.89 FEET TO THE POINT OF BEGINNING.



U-07-034