

DATE: 04-01-09

COMMITTEE: ZONING COMMITTEE

ORDINANCE I. D: 09-O-0092

RESOLUTION:

AMENDMENT:

PAGE NUMBER(S):

SECTION(S):

PARAGRAPH(S):

**AMENDS THE LEGISLATION BY ADDING THREE (3) CONDITIONS ONE OF WHICH IS A  
SITE PLAN AMENDMENT RECEIVED BY THE BUREAU OF PLANNING 12/10/08**

**AMENDMENT DONE BY COUNCIL STAFF 4/01/09**

City Council  
Atlanta, Georgia

**09-O-0092**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-08-84**  
Date Filed: 12-10-08

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

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **772 Bender Street, S.W.**, be changed from R-4B (Single Family Residential) District to the RG-3-C (Residential General-Sector 3-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 86, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey/map.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**Conditions for Z-08-84 for 772 Bender Street, S.W.**

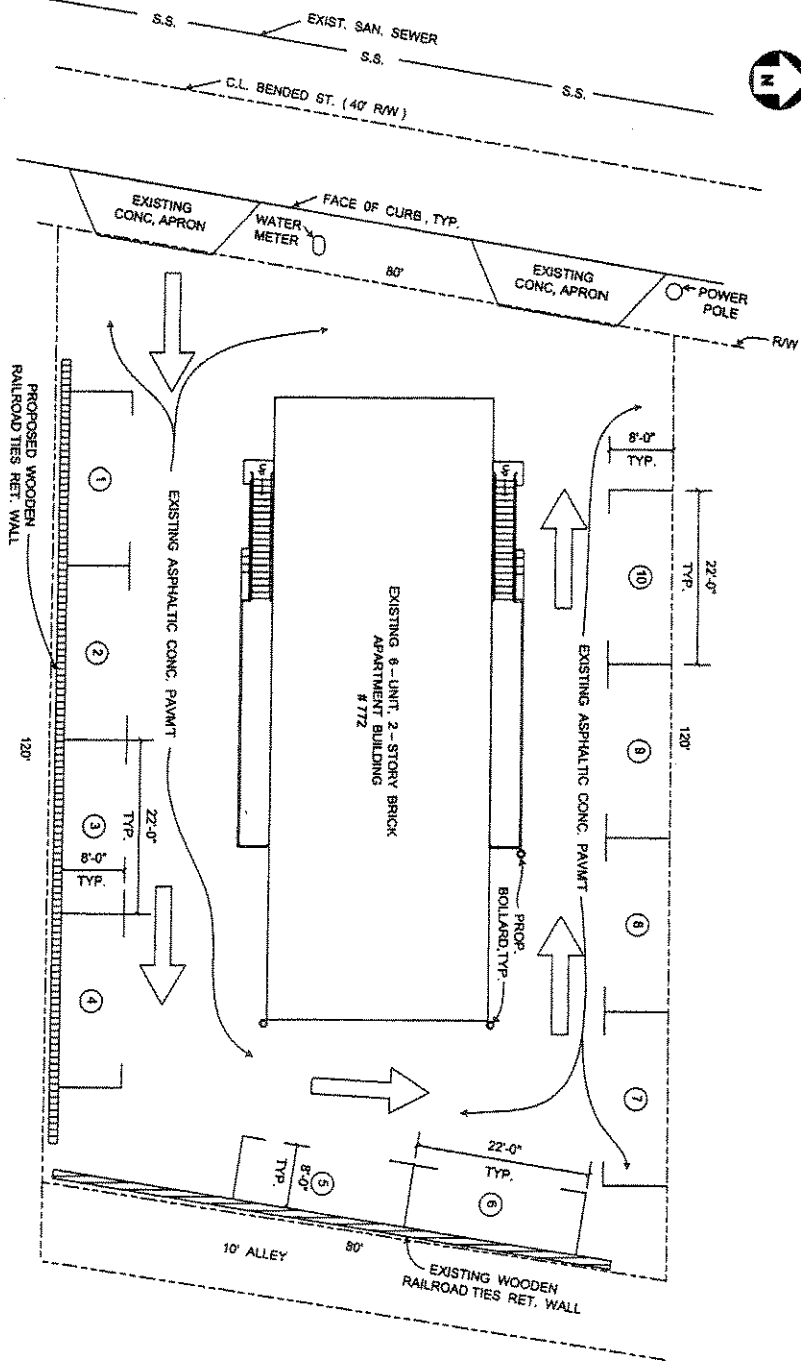
1. Site plan entitled "The View at Bender Apartment Building" dated December 1, 2008 and marked by the Bureau of Planning on December 10, 2008.
2. The developer shall construct a sidewalk along the entire frontage of the property.
3. The developer shall submit detailed landscape plans to the Bureau of Planning for review and approval prior to the issuance of a building permit.

RECEIVED  
 DEC 10 2008  
 Bureau of  
 Planning



2-08-84

SITE DATA  
 9,600 S.F. = 0.22 AC.  
 BLDG. AREA = 2212 S.F.



SITE PLAN

NOTE:  
 I, AM FAMILIAR WITH THE CITY OF ATLANTA ZONING ORDINANCE, INCLUDING REVISIONS, AND I CERTIFY THAT TO THE BEST OF MY ABILITY, THESE PLANS ARE ACCURATE AND COMPLY WITH THE GENERAL AND DISTRICT REGULATIONS OF THE ZONING ORDINANCE.

*William Morton, Jr.*

NOTE:  
 1. BOUNDARY INFORMATION SHOWN TAKEN FROM THE CITY OF ATLANTA'S TAX MAPS.  
 2. ALL OTHER DATA WAS FIELD LOCATED BY A. SPIVEY T.M. HUNTER ON 11-28-08. (CONDITIONS WERE SUNNY AND CLEAR WITH LIGHT WINDS.)



TITLE		REVISIONS	
THE VIEW AT BENDER APARTMENT BUILDING SITE PLAN		NO.	DATE
772 BENDER ST. ATLANTA, GA. 30311			
DATE: 12-01-2008	SCALE: 1" = 10'		
PROJECT NO: 008908	CLIENT: W. MORTON		

THE GENESIS GROUP	
380° OF PROFESSIONAL SERVICE CIVIL, ARCHITECTURE, DESIGN & CONSTRUCTION MANAGEMENT	2308 BEN HILL ROAD EAST POINT, GA. 30244 404-750-9554 OFFICE 678-750-2941 CELL E-MAIL ADDRESS: aaronspivey@rhbo.com



City Council  
Atlanta, Georgia

09-0 -0092

Z-08-84

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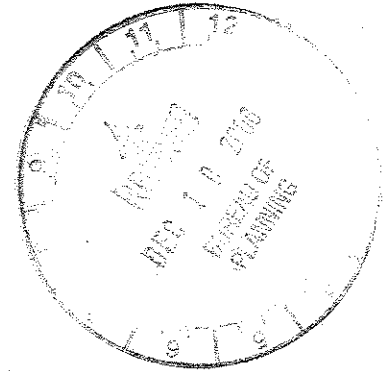
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2-08-084

EXHIBIT "A"

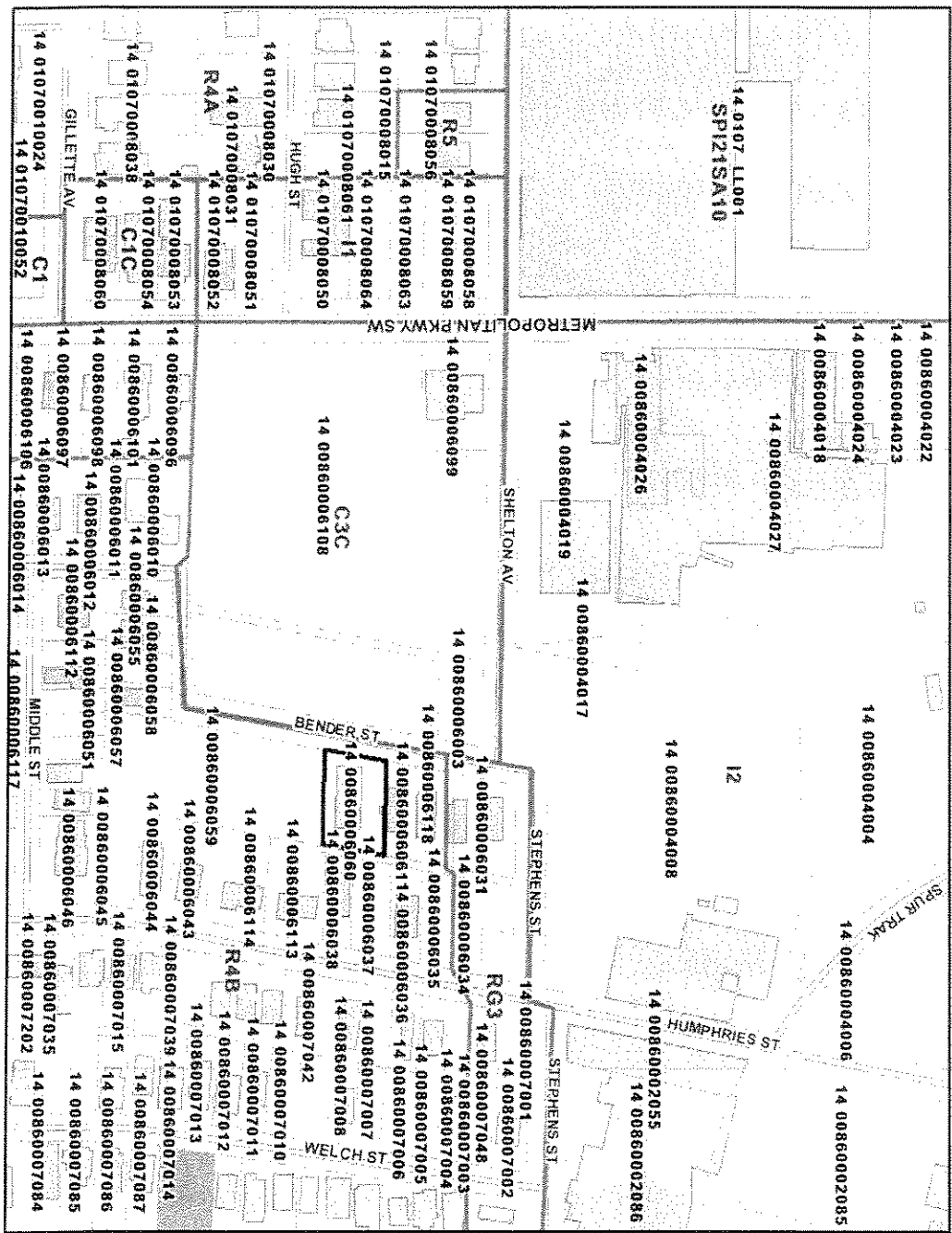
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 86 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST SIDE OF BENDER STREET 180 FEET SOUTH OF THE SOUTHEAST CORNER OF BENDER AND STEPHENS STREETS; AND RUNNING THENCE SOUTH ALONG THE EAST SIDE OF BENDER STREET A DISTANCE OF 80 FEET; RUNNING THENCE EAST A DISTANCE OF 120 FEET TO A 10-FOOT ALLEY; THENCE NORTH ALONG SAID ALLEY A DISTANCE OF 80 FEET; THENCE WEST A DISTANCE FO 120 FEET TO BENDER STREET AT THE POINT OF BEGINNING. BEING IMPROVED PROPERTY KNOWN AS 772 BENDER STREET, ATLANTA, GEORGIA 30310, ACCORDING TO THE CURRENT SYSTEM OF NUMBERING HOUSES IN THE CITY OF ATLANTA, FULTON COUNTY, GEORGIA.



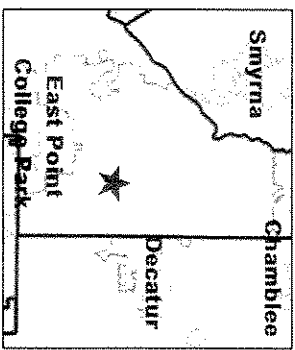
*[Handwritten signature]*

# 772 Bender Street



This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Map center: 2223567, 1358477



### Legend

- Points of Interest
- Zoning Districts
- Streets and Highways
- Other Limited Access
- State Route
- Arterial Roads
- Streets
- Ramps
- Unknown
- Interstates
- County Boundaries
- Parcels
- Building Footprints
- Airport Labels
- Runway Labels
- Runway/Approach/Taxiway
- Streams
- Ponds
- Parks
- Greenway Acquisitions
- Atlanta City Limits
- Metro Cities

Scale: 1:2,569

RCS# 2699  
1/22/09  
3:39 PM

Atlanta City Council

SPECIAL SESSION

MULTIPLE

09-O-0089, 09-O-0090, 09-O-0091, 09-O-0092

REFER ZONE/ZRB

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 2  
ABSENT 0

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

MULTIPLE