

COMMITTEE AMENDMENT FORM

DATE: 04/01/09

COMMITTEE	<u>ZONING</u>	PAGE NUM. (S)
ORDINANCE I. D.	<u>#09-O-0206</u>	SECTION (S)
RESOLUTION I. D.	<u>#09-R-</u>	PARA.

AMENDS THE LEGISLATION BY ADDING TWO (2) CONDITIONS ONE OF WHICH IS A SITE PLAN AMENDMENT RECEIVED BY THE BUREAU OF PLANNING 03/09/09.

AMENDMENT DONE BY COUNCIL STAFF 4/01/09

Municipal Clerk
Atlanta, Georgia

09-O-0206

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-09-01

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

SECTION 1. Under the provisions of Section 16-06 A.005 (1 k)) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **COMMUNITY CENTER** is hereby approved. Said use is granted to **FLIPPER TEMPLE 2009 ASSOCIATES, L.P.** and is to be located at **2405 ABNER PLACE, N.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 246, 17th 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR U-09-01 for 2405 Abner Place, N.W.

1. Site plan, dated January 30, 2009 and revised March 5, 2009 titled "Flipper Temple Apartments: New Community Building Site Plan", prepared by Martin Riley Associates-Architects, PC and marked received by the Bureau of Planning on March 9, 2009.
2. The special use permit shall be valid only as long as Flipper Temple 2009 Associates, L. P. is the operator of the community center and for a period of ten years from the date of Council adoption.

Municipal Clerk
Atlanta, Georgia

09- 0 -0206

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Property Description (2405 Abner Place)

Beginning at a 1" crimp top pipe found; thence south 62 degrees 47 minutes 19 seconds east, a distance of 79.89 feet to a 5/8" rebar set on the northwesterly right-of-way of Abner Place; thence along said right-of-way south 27 degrees 12 minutes 41 seconds west, a distance of 130.40 feet to a 5/8" rebar set at the northerly right-of-way of Abner Terrace; thence along said right-of way, north 65 degrees 30 minutes 29 seconds west, a distance of 97.90 feet to a 5/8" rebar set; thence north 34 degrees 45 minutes 40 seconds east a distance of 136.23 to a 1" crimp top pipe being the point of beginning.

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Atlanta City Council

REGULAR SESSION

MULTIPLE

09-O-0205, ~~09-O-0206~~, 09-O-0207, 09-O-0208,
09-O-0210, 09-O-0211
REFER ZRB/ZONE

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

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

MULTIPLE