

10-0-0040

(Do Not Write Above This Line)

An Ordinance Z-09-39
By Councilmember

An Ordinance to rezone property from the R-4A (Single Family Residential) and the C-1-C (Community Business-Conditional) Districts, to the C-1 (Community Business) District, property located at 178 McDonough Boulevard, SE, fronting approximately 54 feet on the north side of McDonough Boulevard, beginning 122 feet from the northwest corner of Lakewood.

Depth: Approximately 199 Feet
Area: 0.624 Acre

Land Lot: 56, 14h District, Fulton County, Georgia

Owner: PRITHVI, Inc.

Applicant: Robert W. Hoffman

Consent Refer District 7

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

Date Referred 1/4/10

Referred To: ZRB + Zoning

Date Referred ADOPTED BY

Referred To: FEB 15 2010

Date Referred FEB 15 2010
Referred To: COUNCIL

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Zonings
Date 2/4/10
Chair Robert W. Hoffman

Action
Fav, Adv, Hold (see rev. side)
Other

Members
Refer To

Committee

Date _____
Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date _____
Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other

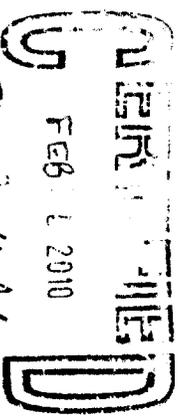
Members

Refer To

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

CERTIFIED

FEB 15 2010



Richard R. Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

[Handwritten Signature]

APPROVED



City Council
Atlanta, Georgia

10-0-0040

AN ORDINANCE
BY: ZONING COMMITTEE

Z-09-39
Date Filed: 10-13-09

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 **178 McDonough Boulevard, S.E.** be changed from the R4A (Single family Residential) District and the C-1-C (Community Business-Conditional) District to the C-1-C (Community Business-Conditional) District, to wit:

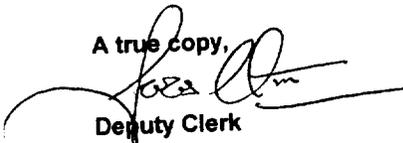
ALL THAT TRACT or parcel of land lying and being in Land Lot 56, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

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.

A true copy,



Deputy Clerk

ADOPTED as amended by the Council
APPROVED by Mayor Kasim Reed

FEB 15, 2010
FEB 23, 2010



CONDITIONS FOR Z-09-39 for 178 McDonough Boulevard, S.E.

1. The following principal uses shall be prohibited: Pool halls, taverns or bars; Parking structures and lots; Clubs and lodges; Sales and leasing agencies for new or used passenger automobiles, Selling, servicing and repairing of new or used vehicles or dealing with the disposal of new or used vehicles.



UTILITY LOCATION NOTE:

THE LOCATION ON THE UNDERGROUND UTILITIES SHOWN ON THIS SURVEY IS BASED ON PAINT MARKS AND FLAGS PLACED ON THE SURFACE BY THE VARIOUS UTILITY LOCATION SERVICES. THIS SURVEYOR DOES NOT GUARANTEE THE ACCURACY OF THIS INFORMATION, AND SHALL NOT BE HELD LIABLE FOR DAMAGES RESULTING FROM FINDING UTILITIES IN OTHER LOCATIONS OR THE NON-EXISTENCE OF UTILITIES. ALL CONTRACTORS SHALL CALL THE UTILITY LOCATION SERVICE AT 1-800-282-7411 AT LEAST 72 HRS. BEFORE DIGGING.

NOTE "AA"

THE LEGAL DESCRIPTION FOR THE JOINING TRACT 14-0056-0003-022 OWNED BY WALTER AARON INCLUDES TAX PARCEL 14-0056-0011. THIS IS A DEEDED OVERLAP ONTO OUR SUBJECT PROPERTY THAT NEEDS TO BE RESOLVED.

F:\SURVEY\HOUSTON\08-0077\PASSERALLA-LAKEWOOD\MCDONOUGH\A\SITEMAP.jpg

SITE

SITE MAP
NOT TO SCALE

BASED ON THE F.I.R.M. PANELS, IT IS MY OPINION THAT THE PROPERTY SHOWN HEREON IS OUTSIDE THE FLOOD HAZARD AREA

SEE F.I.R.M. PANEL NO. 1351570359E DATED: 06/22/1998

GENERAL NOTES:

THE FIELD DATA USED TO CALCULATE THIS PLAT HAS A CLOSURE PRECISION OF ONE FOOT IN 43,319 FEET AND AN ANGULAR ERROR OF 0" PER ANGLE. TRAVERSE ADJUSTED BY COMPASS RULE. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS WAS A TOPCON GTS 211. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 50,000 FEET.

THREE EXISTING TAX PARCELS
*14-0056-0003-011
ZONED R-4A BELTLINE
*14-0056-0003-023
ZONED C-1-C BELTLINE
*14-0056-0003-024
ZONED C-1-C BELTLINE
DEED REFERENCE
BOOK 21812/PG. 302
PLAT BOOK 156/PG. 149

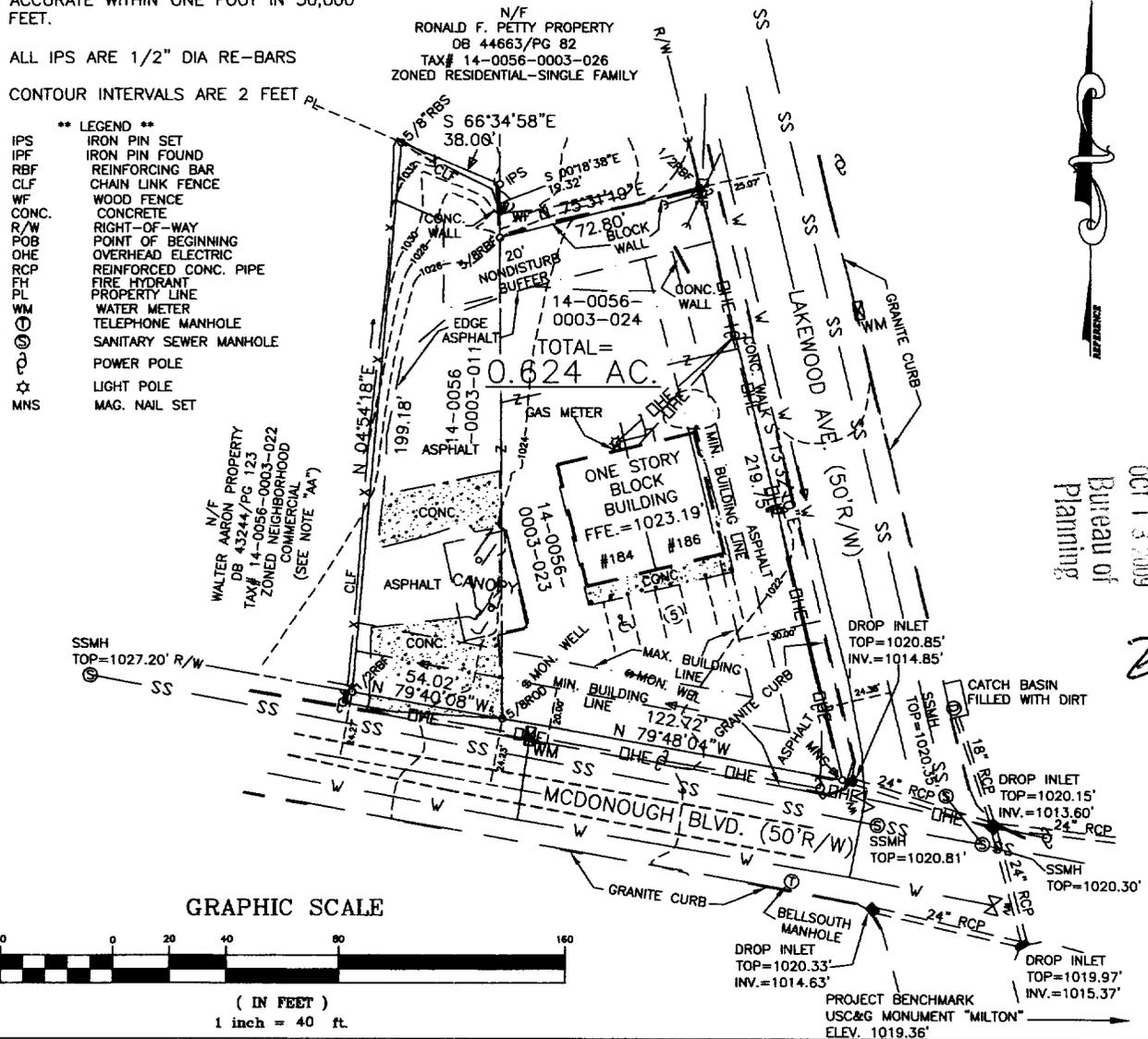
ALL IPS ARE 1/2" DIA RE-BARS

CONTOUR INTERVALS ARE 2 FEET

- IPS IRON PIN SET
- IPF IRON PIN FOUND
- RFB REINFORCING BAR
- CLF CHAIN LINK FENCE
- WF WOOD FENCE
- CONC. CONCRETE
- R/W RIGHT-OF-WAY
- POB POINT OF BEGINNING
- OHE OVERHEAD ELECTRIC
- RCP REINFORCED CONC. PIPE
- FH FIRE HYDRANT
- PL PROPERTY LINE
- WM WATER METER
- TM TELEPHONE MANHOLE
- SM SANITARY SEWER MANHOLE
- PP POWER POLE
- LP LIGHT POLE
- MNS MAG. NAIL SET

**** LEGEND ****

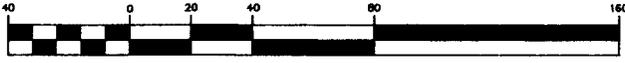
WALTER AARON PROPERTY
DB 43244/PG 123
TAX# 14-0056-0003-022
ZONED NEIGHBORHOOD COMMERCIAL
(SEE NOTE "AA")



OCT 13 2009
Bureau of Planning
RECEIVED

2-09-35

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

BOUNDARY & TOPOGRAPHIC SURVEY FOR:
Om Shanti Om Inc.

LAND LOT 56 14th DISTRICT FULTON COUNTY, GEORGIA

HOUSTON ENGINEERING, INC
1424 VETERANS DRIVE, CONYERS, GEORGIA 30012
OFFICE # (770) 761-1280 FAX # (770) 761-1261

REVISIONS	DATE
	04/23/08

RCS# 73
2/15/10
2:51 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

10-O-0040, 10-O-0037, 10-O-0043

ADOPT AS AMEND

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	NV Willis
Y Winslow	Y Adrean	NV Sheperd	NV Mitchell

MULTIPLE