

10-0-0047

(Do Not Write Above This Line)

AN ORDINANCE  
BY ZONING COMMITTEE Z-09-47

An Ordinance to rezone property from R-4 (Single Family Residential) to -C-1 (Community Business), property located at 1746 Defoor Avenue (aka 1748 Defoor), N.W. fronting approximately 50 feet on the south side of Defoor Avenue at the northeast intersection of Defoor Avenue and Defoor Place. Depth: approximately 153.90 feet. Area: approximately 0.191 acres. Land Lot 187, 17<sup>th</sup> District, Fulton County, Georgia.

OWNER: STEWART GIBSON  
APPLICANT: DAVID N. HAUSEMAN  
NPUD  
COUNCIL DISTRICT 9

**ADVERSE**

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

Date Referred 11/10

Referred To: CRB + Zoning

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_

First Reading

Committee Zoning  
Date 11/10/2010  
Chair [Signature]

Members: [Signatures]  
Fav, Adv, Held (see rev. side)  
Other: [Signature]

Refer To

Committee

Date

Chair

Members: \_\_\_\_\_  
Fav, Adv, Held (see rev. side)  
Other: \_\_\_\_\_

Refer To

Committee

Date

Chair

Members: \_\_\_\_\_  
Fav, Adv, Held (see rev. side)  
Other: \_\_\_\_\_

Refer To

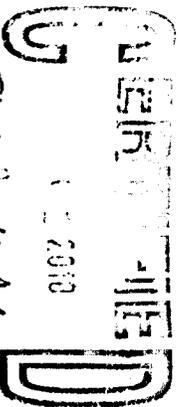
COUNCIL ACTION

- 2nd
  - 1st & 2nd
  - 3rd
- Readings

- Consent
- V Vote
- RC Vote

CERTIFIED

Mar 21 2010



Rachel Douglas  
MUNICIPAL CLERK

MAYOR'S ACTION



City Council  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-09-47**  
Date Filed: 11-12-09

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 **1746 Defoor Avenue (aka 1748 Defoor)** be changed from R-4 (Single Family Residential) to C-1 (Community Business) District to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 187, 17<sup>th</sup> 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.

LEGAL DESCRIPTION  
1746 Defoor Avenue  
18,316 SQ. FT. or 0.421 Acres

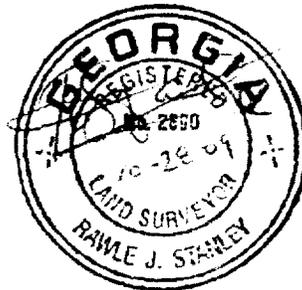
All and singular that certain tract of land lying and being in  
Land Lot 197, 17th District, City of Atlanta, of Fulton County, Georgia,  
being more particularly described as follows:

BEGINNING at a point at the intersection of the southwesterly right-of-way line  
of Defoor Avenue (40' R/W) and southeasterly right-of-way line of Defoor  
Place (40' R/W); run thence along said southwesterly right-of-way line of Defoor  
Avenue, South 36°43'23" East, a distance of 50.00 feet to a 1" crimp top pipe  
found;

THENCE leaving said southwesterly right-of-way line of Defoor Avenue, South  
53°09'08" West, a distance of 163.90 feet to a 1/2" rebar set;

THENCE North 57°22'51" West, a distance of 50.00 feet to a 1/2" rebar set on the  
aforementioned southeasterly right-of-way line of Defoor Place;

THENCE along said southeasterly right of-way line of Defoor Place, North  
53°14'53" East, a distance of 169.70 feet to a 1/2" rebar set, said point being  
the POINT OF BEGINNING.



2-39-047