

10-0-0505

(Do Not Write Above This Line)

AN ORDINANCE
BY ZONING COMMITTEE Z-06-37/Z-10-05

An Ordinance to amend Ordinance 06-0-0776 that rezoned property from the R-4 (Single-family Residential) District to the O-I-C (Office-Institutional-Conditional) District, for property located at 2812 Piedmont Road, N.E., for the purpose of a change of conditions. Land 60, 17th District, Fulton County, Georgia.
OWNER: BENJAMIN A. BLACKBURN
APPLICANT: BENJAMIN A. BLACKBURN
NPU-B
COUNCIL DISTRICT 7

ADOPTED BY
JUN 21 2010
COUNCIL

AS AMENDED

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

Date Referred 3/15/2010

Referred To: ZCB/zoning

First Reading
 Committee: Zoning
 Date: June 16, 2010
 Chair: [Signature]

Committee: [Blank]
 Date: [Blank]
 Chair: [Blank]

Actions:
 Adv, Held (see rev. side)
 Other: As Amended
 Members: [Signatures]

Refer To: [Blank]

Committee: [Blank]
 Date: [Blank]
 Chair: [Blank]

Actions:
 Fav, Adv, Held (see rev. side)
 Other: [Blank]
 Members: [Blank]

Refer To: [Blank]

Committee: [Blank]
 Date: [Blank]
 Chair: [Blank]

Actions:
 Fav, Adv, Held (see rev. side)
 Other: [Blank]
 Members: [Blank]

Refer To: [Blank]

Committee: [Blank]
 Date: [Blank]
 Chair: [Blank]

Actions:
 Fav, Adv, Held (see rev. side)
 Other: [Blank]
 Members: [Blank]

Refer To: [Blank]

- COUNCIL ACTION**
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

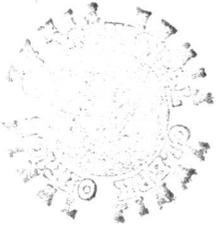
CERTIFIED

CERTIFIED
 JUN 21 2010
 ATLANTA CITY COUNCIL PRESIDENT
 [Signature]

CERTIFIED
 JUN 21 2010
 [Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED

JUN 22 2010
 [Signature]



City Council
Atlanta, Georgia

10-O-0505

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-10-05/Z-06-37
Date Filed: 2-22-10

AN ORDINANCE TO AMEND ORDINANCE 06-O-0776 THAT REZONED PROPERTY FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE O-I-C (OFFICE-INSTITUTIONAL-CONDITIONAL) DISTRICT, FOR PROPERTY LOCATED AT 2812 PIEDMONT ROAD, N.E. FOR THE PURPOSE OF A CHANGE OF CONDITIONS.

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 **2812 Piedmont Road, N.E.**, be changed from O-I-C (Office Institutional-Conditional) District to O-I-C (Office Institutional-Conditional) District , for the purpose of a change of conditions, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 60, 17th 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,

Shonda Daughlin Johnson
Municipal Clerk

ADOPTED as amended by the Council
APPROVED by Mayor Kasim Reed

JUN 21, 2010
JUN 29, 2010



Conditions for Z-10-05/ Z-06-37 for 2812 Piedmont Road, N.E.

1. A site plan dated 05/26/06 by Lord Aeck Sargent entitled "2812 Piedmont Road Rezoning Application" and marked received by the Bureau of Planning 6/22/06, consisting of two sheets (AS01 and AS02) AS02 marked received by the Bureau of Planning 6/09/06.
2. Height of the building shall be limited to 32 feet.
3. *External signage on the property shall be limited to a single free standing structure no higher than 41 inches from the ground, for which the sign area shall be 34 by 84 inches so long as it conforms to all City of Atlanta requirements and similar to the sign depicted on Exhibit 'B'. The location of the sign is to be approximately 6 feet from the southeast corner of the building, oriented such that is most visible from the northbound traffic on Piedmont Road. The location of the sign must conform to the location shown on Exhibit 'A' attached so long as it conforms to all City of Atlanta requirements.*
4. The first story of the structure shown on the Site Plan, consisting of approximately 2,100 square feet, shall be devoted solely and exclusively to the following principal uses: offices, studios or clinics (other than veterinary). The second story of the structure shown on the Site Plan, consisting of approximately 2,100 square feet, shall be devoted solely and exclusively to single family residential use as a single residential unit. No principal uses except for the principal uses expressly described in the immediately preceding sentences shall be allowed on the Property. No accessory retail use shall be permitted.
5. Any demolition and construction on the Property shall take place no earlier than 7:00 a.m. and no later than 7:00 p.m. on Monday through Friday, and no earlier than 9:00 a.m. and no later than 5:00 p.m. on Saturday. No demolition or construction shall take place on Sundays. During construction, all construction equipment (including, without limitation, all construction vehicles, construction equipment and vehicles or construction workers) shall be parked solely on-site within the Property. All building materials shall be staged solely on-site within the Property. During construction, the owner shall keep E. Wesley Road and Piedmont Road clean and free of construction debris, rubbish and any mud and dirt emanating from the Property.
6. All exterior lighting installed on the Property shall be designed, shield and constructed so as to prevent light spill off site and shall further be directed downward and away from adjacent properties.
7. HVAC units will be located on the roof of the structure as shown on the Site Plan and will be sized and designed so as to minimize noise impact on surrounding properties.
8. All dumpsters, loading and service facilities shall be screened.
9. No fencing or gating shall be permitted on the Property.
10. The owner of the Property shall install and maintain a new, front sidewalk along Piedmont Road of not less than 12 feet in width.



11. As shown on the Site Plan, the Property shall have only one curb cut point of ingress and egress, located off of East Wesley Road. All parking shall be restricted to the parking lot shown on the Site Plan. No parking shall be permitted in the entrance drive.
12. The design of the North and West elevations of the improvements constructed on the Property shall be architecturally consistent with the South and East elevations shown on the Elevation Plan. The materials used on the front, side and rear of the improvements shall likewise be of a consistent quality. The brick used shall be a residential grade of a color reviewed and approved by the Garden Hills Civic Association, Inc.
13. Trash removal at the Property shall take place no earlier than 7:00 a.m. and no later than 5:00 p.m. on Monday through Friday. Trash removal shall not take place on Saturday or Sunday.
14. The business or businesses operating on the Property shall open for use and visitation by non-employees no earlier than 8:00 a.m. and shall stay open no later than 6:30 p.m. on Monday through Saturday, and such business or businesses shall be closed on Sunday.

New condition=italicized font



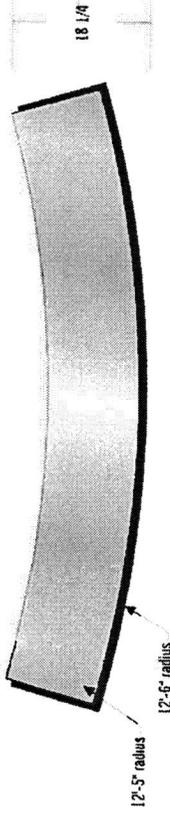
client:

Atlanta
Prosthodontics, Inc.

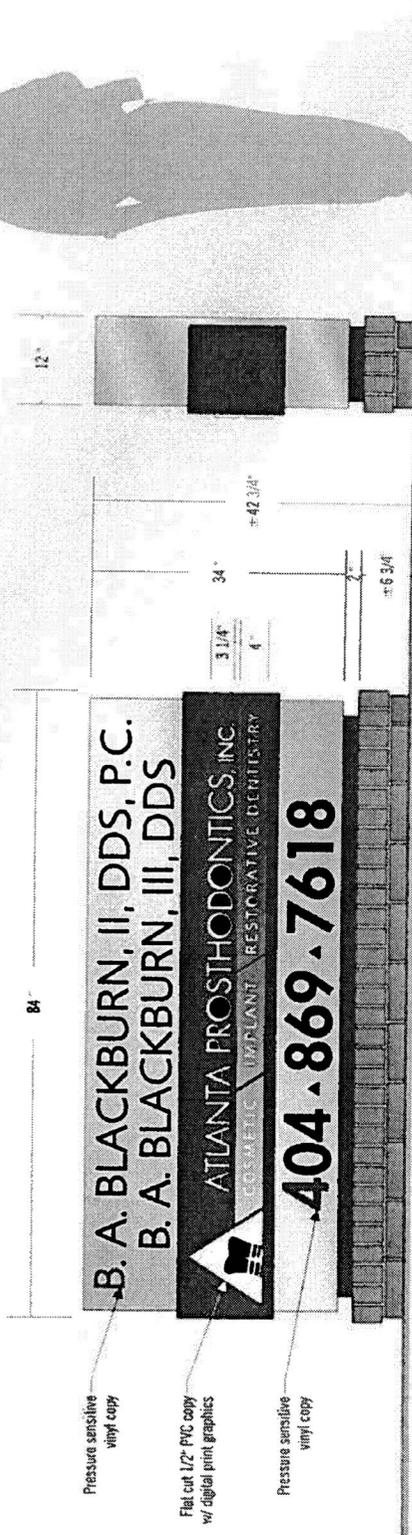
project:

Property ID

\$4,250 plus tax
\$950 installation
RC Signs is not responsible for
permitting issues, customer is
taking care of these himself



3 PLAN VIEW
61.00 Scale: 3/4" = 1'-0"



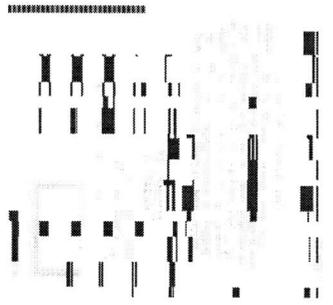
1 FRONT ELEVATION
61.00 Scale: 3/4" = 1'-0"

2 END VIEW
61.00 Scale: 3/4" = 1'-0"

One (1) single face curved aluminum monument w/ flat cut 1/2" PVC logo, vinyl copy & brick base.
Logo to have digitally printed vinyl graphics & reverse routed 'tooth'.

- COLORS / FINISHES - All finishes to be satin unless noted**
- Black
 - Digital print
 - MAP Brushed Aluminum
 - White

Exhibit
'B'



drawn by: mjl
date: 11/03/09
revised: mjl 11/09/09
revised: mjl 12/07/09
revised: mjl 01/29/10
filepath: g:\blackburn\property id\ artwork\layouts

title: **Monument v5**
scale: as noted
page: **G1.00**

EXHIBIT "A"

All that tract or parcel of land lying and being located in Land Lot 60 of the 17th District of Fulton County, Georgia and being shown on a Plat of Property of Inman Park Properties, Inc. by McClung Surveying Services, Inc. by Michael R. Noles, Georgia Registered Land Surveyor No. 2646, dated July 9, 2004 and being more fully described as follows:

The True Point of Beginning is at the intersection of the northerly right of way of East Wesley Road (50 foot R/W) and the westerly right of way of Piedmont Road (80 foot R/W);

Thence running along the westerly right of way of Piedmont Road, North 06 degrees 45 minutes 04 seconds East, a distance of 104.74 feet to a rebar set;

Thence leaving the right of way of Piedmont Road and running North 85 degrees 55 minutes 38 seconds West, a distance of 97.87 feet, to an open top on the east side of a twenty foot alley;

Thence running along the east side of said Alley, South 06 degrees 54 minutes 23 seconds West, a distance of 108.35 feet to a rebar set on the northerly right of way of East Wesley Road;

Thence running along the northerly right of way of East Wesley Road, South 88 degrees 01 minutes 19 seconds East, a distance of 98.40 feet to a point on the westerly right of way of Piedmont Road being the True Point of Beginning.

Said tract or parcel containing 10,431 square feet or 0.239 acres and being known as 2812 Piedmont Road using the present system of numbering in the City of Atlanta, Georgia.



Z-06-37

Z-10-05

RCS# 327
6/21/10
3:17 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

10-O-0505, 10-O-0337, 10-O-0520

ADOPT AS AMEND

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

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

MULTIPLE