

11-0244

(Do Not Write Above This Line)

U-11-08

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

FINAL COUNCIL ACTION  
 2nd     1st & 2nd     3rd  
 Readings  
 Consent     V Vote     RC Vote

AN ORDINANCE BY  
 COUNCILMEMBER ALEX WAN

Committee \_\_\_\_\_  
 Date 6/15/2011  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

CERTIFIED  
 JUN 20 2011  
 ATLANTA CITY COUNCIL PRESIDENT

GRANTING A SPECIAL USE PERMIT FOR A PARK PURSUANT TO SECTION 16-06.005(1)(k) FOR PROPERTY LOCATED AT 1076 AND 1082 SAINT CHARLES PLACE, NE, FRONTING APPROXIMATELY 130. FEET ON THE NORTH SIDE OF SAINT CHARLES PLACE AND 128 FEET ON THE EAST SIDE OF NORTH HIGHLAND AVENUE AT THE INTERSECTION OF SAINT CHARLES PLACE AND NORTH HIGHLAND AVENUE

ADOPTED BY \_\_\_\_\_  
 Refer To \_\_\_\_\_  
 Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

CERTIFIED  
 JUN 20 2011  
 ATLANTA CITY COUNCIL PRESIDENT

Depth: 128 Feet  
 Area: 0.41 Acre  
 Land Lot: 16 of the 14th District, Fulton County, Georgia

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

CERTIFIED  
 JUN 20 2011  
 R. Douglas Johnson  
 MUNICIPAL CLERK

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

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

MAYOR'S ACTION  
 APPROVED  
 JUN 29 2011

Date Referred 02/07/2011  
 Referred To: JFB & Joving

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

WITHOUT SIGNATURE BY OPERATION OF LAW

Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

WITHOUT SIGNATURE BY OPERATION OF LAW



Municipal Clerk  
Atlanta, Georgia

**11-O-0244**

AN ORDINANCE  
COUNCILMEMBER ALEX WAN  
AS AMENDED BY: ZONING COMMITTEE

**U-11-08**

**GRANTING A SPECIAL USE PERMIT FOR A PARK PURSUANT TO SECTION 16-06.005 (1) (K) FOR PROPERTY LOCATED AT 1076 AND 1082 SAINT CHARLES PLACE, N.E. FRONTING APPROXIMATELY 130 FEET ON THE NORTH SIDE OF SAINT CHARLES PLACE AND 128 FEET ON THE EAST SIDE OF NORTH HIGHLAND AVENUE AT THE INTERSECTION OF SAINT CHARLES PLACE AND NORTH HIGHLAND AVENUE; AND FOR OTHER PURPOSES.**

**DEPTH: 128 FEET  
AREA: 0.41 ACRE  
LAND LOT: 16 OF THE 14<sup>TH</sup> DISTRICT OF FULTON COUNTY, GEORGIA  
OWNER: VIRGINIA HIGHLAND CIVIC ASSOCIATION, INC.  
APPLICANT: VIRGINIA HIGHLAND CIVIC ASSOCIATION, INC.  
NPU-F  
COUNCIL DISTRICT: 6**

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

SECTION 1. Under the provisions of Section 16-06.005 (1) (k) of the Zoning Ordinance of the City of Atlanta, a special use permit for a **PARK**, is hereby approved. Said use is granted to **VIRGINIA HIGHLAND CIVIC ASSOCIATION, INC.**, to be located at **1076 AND 1082 SAINT CHARLES PLACE, N.E.** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 16, 14<sup>th</sup> 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.

A true copy,  
*Rhonda Daughin Johnson*  
Municipal Clerk

ADOPTED as amended by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

June 20, 2011

June 29, 2011



**Conditions for U-11-08 for 1076 and 1082 St. Charles Place, N.E.**

1. The final design and site plan shall be approved by the Urban Design Commission.



## EXHIBIT A

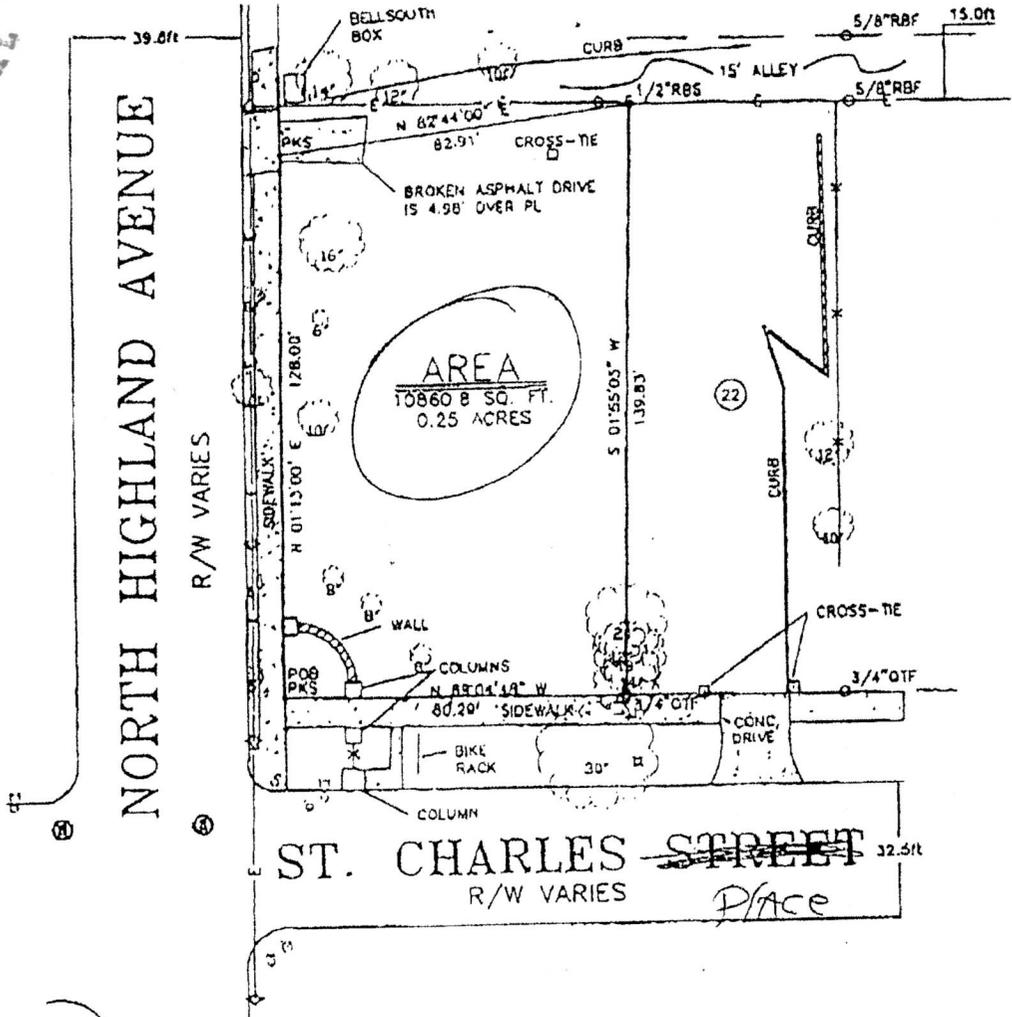
All that tract or parcel of land lying and being in land lot 16, 14<sup>th</sup> district, Fulton County, Georgia, being Lots 21 and 22, Block 2, Atkins Park and being more particularly described as follows:

Beginning at a PK nail set on the northern side of St. Charles Place at its northeast intersection with North Highland Avenue; running thence along the easterly right of way of North Highland Avenue north 01 degrees 13 minutes 00 seconds east a distance of 128.00 feet to a PK nail set; running thence north 82 degrees 44 minutes 00 seconds east a distance of 82.91 feet to a 1/2 inch rebar set; running thence south 89 degrees 11 minutes 14 seconds east a distance of 51.10 feet to a 5/8 inch rebar found; running thence south 02 degrees 00 minutes 00 seconds west a distance of 140.21 feet to a 3/4 inch open top pipe found on the northerly right of way of St. Charles Place; running thence north 88 degrees 45 minutes 26 seconds west a distance of 50.90 feet to a 3/4 inch open top pipe found; continuing along the northerly right of way of St. Charles Place north 89 degrees 04 minutes 48 seconds west a distance of 80.29 feet to the point of beginning, according to surveys prepared by Georgia Land Surveying Co., Inc., Josh L. Lewis, III, registered land surveyor (RLS no. 1751), dated 11/29/2004, bearing job # 181859 and 181860, being known as 1076 and 1082 St. Charles Place, according to the present system of numbering in the City of Atlanta, Fulton County, Georgia.

The above described property being a combination of the property conveyed at deed book 41356, page 33 and deed book 41416, page 481, Fulton County, Georgia, records.



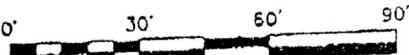
UNDERGROUND PIPELINE



REFERENCES:

1. PLAT BOOK 5, PAGE 172-173
2. DEED BOOK 36533, PAGE 323
3. DEED BOOK 30089, PAGE 395

I HAVE THIS DATE, EXAMINED THE "FIRM OFFICIAL FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL (AND IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS. WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE ITS OPINION FOR SAID PARCEL.  
 MAP ID: 13121C0265 E EFFECTIVE DATE: JUNE 22, 1988



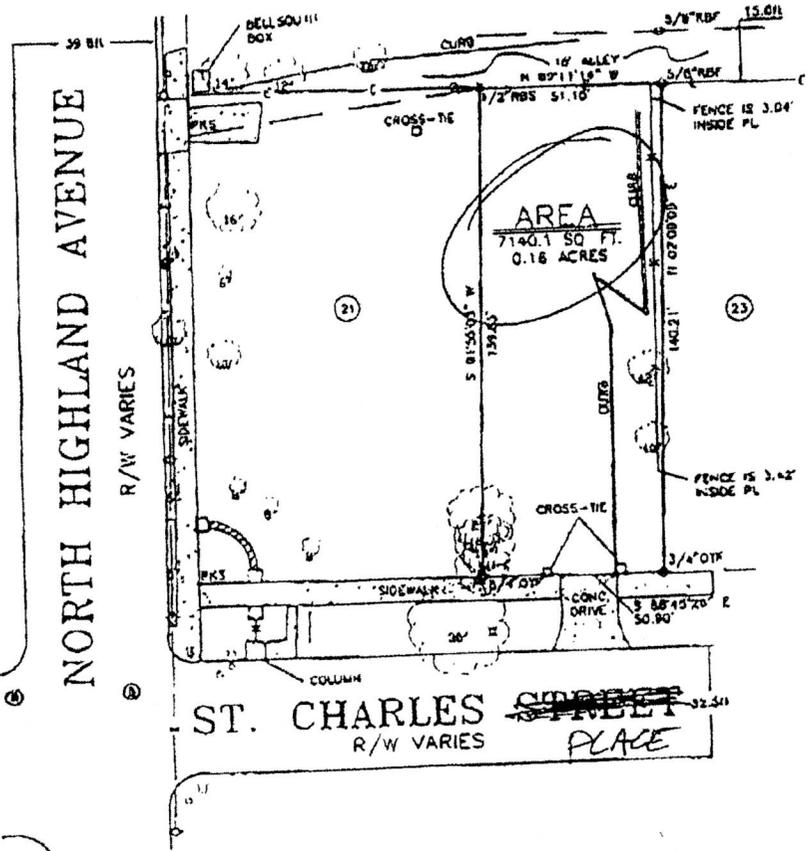
PLAT PREPARED FOR: 1076 ST. CHARLES STREET		DATE: 11/29/04	GA. LAND SURVEYING CO., INC.	LAND SURVEYING ~ LAND PLANNING	185 CLIFTWOOD DRIVE	ATLANTA, GEORGIA 30328	PHONE (404) 255-4671	FAX (404) 255-8807
JOSEPH LASTER		SCALE: 1" = 30'						
LAND LOT 16	14TH DISTRICT	SECTION	FULTON COUNTY, GEORGIA					
LOT 21	BLOCK 2	UNIT	PARTY CHIEF: TE					
SUBDIVISION: ATWOOD PARK			NO. 574					

MAY 9 2006 - 3:38PM

EXHIBIT C



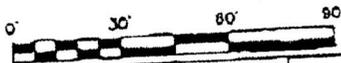
- 1/2" REDAN 361
- IRON PIN FOUND
- CATCH BASIN
- DRAIN
- FIRE HYDRANT
- GUY WIRE
- LIGHT POLE
- MANHOLE
- POWER POLE
- COMMUNICATION MANHOLE
- SEWER
- ELECTRIC
- FENCE
- UNDERGROUND PIPELINE



- REFERENCES
1. PLAT BOOK 5, PAGE 172-173
  2. DEED BOOK 36533, PAGE 323
  3. DEED BOOK 30039, PAGE 385

I HAVE THIS DATE, EXAMINED THE "FIRM OFFICIAL FLOOD HAZARD MAP" AND FOUND NO FLOOD HAZARD REFERENCED PARCEL (S) IS NOT IN THE AREA HAVING SPECIAL FLOOD HAZARDS. WITHOUT AN ELEVATION DETERMINATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO THE OPINION FOR SAID PARCEL.

MAP NO. 13121G0285 E EFFECTIVE DATE: JUNE 22, 1998



PLAT PREPARED FOR 1082 ST. CHARLES STREET		DATE 11/29/04	GA. LAND SURVEYING CO., INC.
JOSEPH LASTER		SCALE 1" = 30'	
LAND LOT 16	14TH DISTRICT	SECTION	LAND SURVEYING - LAND PLANNING
LOT 22	BLOCK 2	TOWNSHIP	135 CLIFTHOOD DRIVE
ATKINS PARK		PARTY OWNERS	ATLANTA, GEORGIA 30328
NO. 574 P. 2			PHONE (404) 255-4871
			FAX (404) 255-6607

EXHIBIT C

MAX. 9.2006 = 3:37PM

RCS# 1143  
6/20/11  
7:58 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

11-O-0244, 11-O-0537

ADOPT AS AMEND

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 1  
ABSENT 1

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

MULTIPLE