

11 - 0-0691
 (Do Not Write Above This Line)

AN ORDINANCE Z-11-14
 BY ZONING COMMITTEE

An Ordinance to rezone property from R-5 (Two Family Residential) District to the RG-4-C (Residential General Sector 4) District, for the purpose of a change of conditions, property located at **169 Moreland Avenue, S.E.** fronting approximately 50 feet on the west side of Moreland Avenue, beginning approximately 450 feet from the south west corner of Kirkwood Avenue. Depth: 145 feet. Area: 0.17 acre. Land Lot 13, 14th District, Fulton County, Georgia.

OWNER: CHARLES ROBINSON, JR.
 APPLICANT: JAMES R. BAILEY NPU N

ADOPTED BY

COUNCIL

substitute as Amended OCT 03 2011

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

Date Referred 05/02/11
 Referred To: Z-11-14 Zoning
 Date Referred
 Referred To:
 Date Referred
 Referred To:

First Reading
 Committee Date
 Chair
 Referred 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

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
 Readings
 Consent V Vote RC Vote

CERTIFIED
 OCT 03 2011
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
 OCT 03 2011
 Municipal Clerk

MAYOR'S ACTION

APPROVED
 OCT 12 2011
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



City Council
Atlanta, Georgia

11-O-0691

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-11-14
Date Filed: 4-13-11

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 **169 Moreland Avenue, S.E.**, be changed from the R-5 (Two Family Residential) District to the MR-3-C (Multi-Family Residential-Conditional) District,, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 13, 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,

Rhonda Daughlin Johnson
Municipal Clerk

ADOPTED as amended by the Council
APPROVED as per City Charter Section 2-403

OCT 03, 2011
OCT 12, 2011



CONDITIONS FOR Z-11-14 FOR 169 MORELAND AVE. S.E.

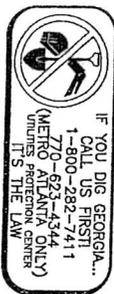
APPROVAL of a substitute ordinance rezoning the property to MR-3 conditioned upon the following:

1. The existing building located at the address 169 Moreland Ave. S.E. shall not be expanded in its existing size from the survey by McClung dated 4/7/11 by Michael Noels shown stamped received by the Office of Planning on May 24, 2011 and shall only be used as either a legally nonconforming roominghouse or a residential use permitted in the MR district.
2. The site shall operate as a roominghouse use only as long as the current ownership and property management of Mr. Charles Robinson Jr. remain.
3. The existing driveway (including driveway apron) and sidewalk along Moreland Avenue shall be repaired, reconstructed and maintained to meet current City of Atlanta and federal ADA standards.
4. The owner and/or operator shall obtain and maintain a current license to operate a roominghouse as required by City Code Sec. 30-766.
5. The owner and/or operator shall register as an operator of a hotel (which includes roominghouses) as required by City Code Sec. 168-48.
6. The owner and/or operator shall obtain all required business license.



- LEGEND**
- RCP REINFORCED CONCRETE PIPE
 - CMP CORRUGATED METAL PIPE
 - POWER POLE
 - LIGHT POLE
 - POWER METER
 - AIR CONDITION
 - TELEPHONE BOX
 - GAS VALVE
 - WATER METER
 - WATER VALVE
 - MUNCTION BOX
 - SAND/GRY SEWER MANHOLE

No.	Revision	Date

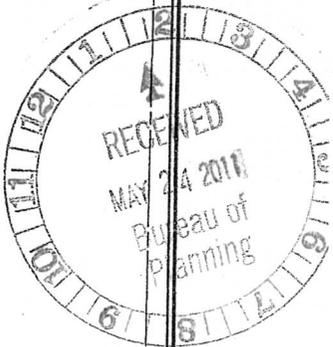
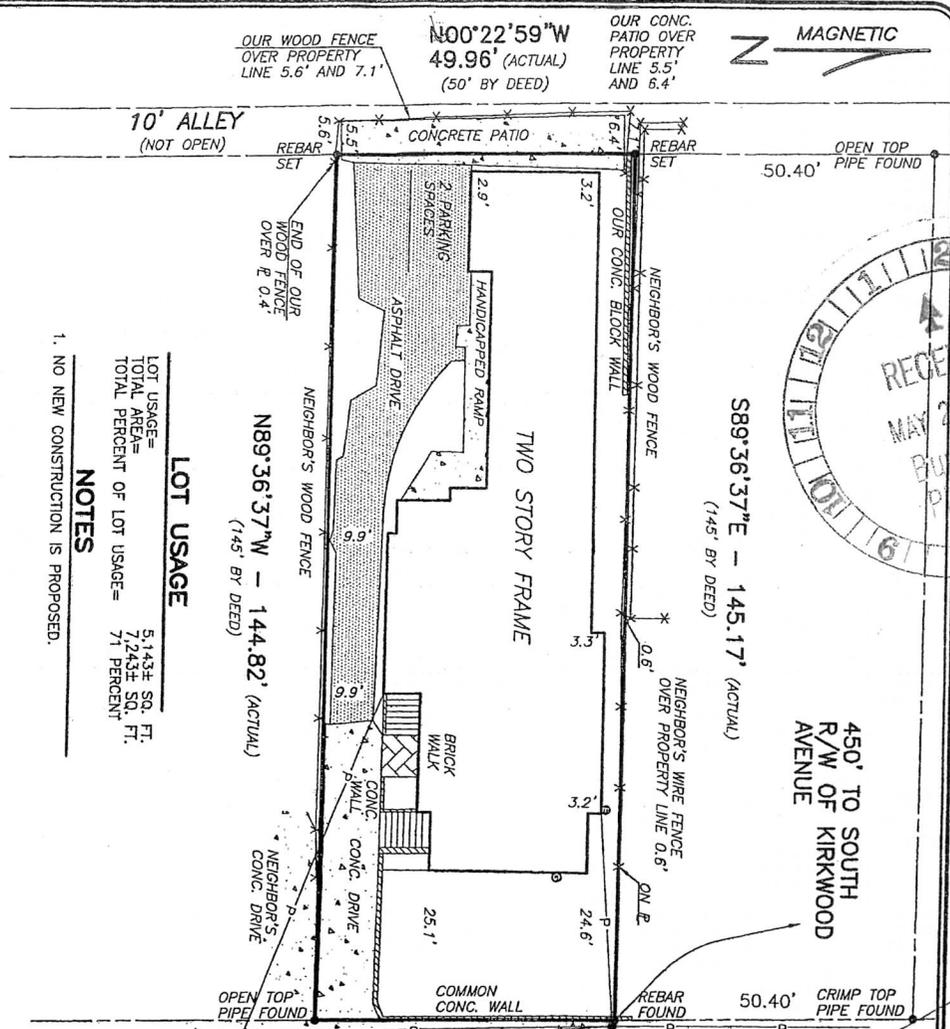


LOT USAGE

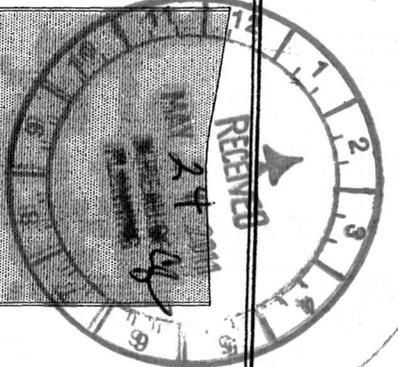
LOT USAGE = 5,143± SQ. FT.
 TOTAL AREA = 7,243± SQ. FT.
 TOTAL PERCENT OF LOT USAGE = 71 PERCENT

NOTES

1. NO NEW CONSTRUCTION IS PROPOSED.



450' TO SOUTH R/W OF KIRKWOOD AVENUE



McCLUNG SURVEYING SERVICES, INC.
 4833 South Cobb Drive Suite 200
 Smyrna, Georgia 30080 (770) 434-3353

This property (is not) located in a Federal Flood Area as indicated by F.I.R.M. Official Flood Hazard Maps.

In my opinion this plat is a correct representation of the land platted.

Fences should not be placed using side dimensions from house.



Michael R. Moles
 Georgia RLS #2646
 Member SAMSOG
 JOB#229801

CHARLES ROBINSON
 PROPERTY OF

169 MORELAND AVENUE
 ATLANTA, GEORGIA

LAND LOT 13, SECTION 14TH, COUNTY FULTON, GEORGIA

PLAT PREPARED: 4-7-11
 FIELD: 4-5-11 SCALE: 1"=20'

500°01'15"W
 49.95' (ACTUAL)
 (50' BY DEED)

MORELAND AVENUE (70' R/W)

- SURVEY NOTES**
- STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF ABOVEGROUND UTILITIES AS SHOWN HEREON ARE BASED ON TO THE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF ABOVEGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, THE FOLLOWING OFFICES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS. EASEMENTS AS SHOWN ARE APPROXIMATE AND TAKEN FROM RECORDED DOCUMENTS.
 - THROUGH OUT GEORGIA 1-800-482-7411
 - SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
 - THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECORDED RATIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
 - THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000± FEET AND AN ANGULAR ERROR OF 02 PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000± FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
 - BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
 - THIS PLAT NOT INTENDED FOR RECORPING.

REFERENCE MATERIAL

1. WARRANTY DEED IN FAVOR OF CHARLES ROBINSON, JR. AND BELINDA B. ROBINSON DEED BOOK 25058 PAGE 145 FULTON COUNTY, GEORGIA RECORDS

TOTAL AREA = 0.166± ACRES
 OR 7,243± SQ. FT.



File No.: 98-30971
Name: ROBINSON

RETURN TO
SHUPING & MORSE
6259 Riverdale Road
Riverdale, GA 30274



GEORGIA, FULTON COUNTY
FILED AND RECORDED

98 NOV 23 AM 8:30

JUANITA HICKS
CLERK, SUPERIOR COURT

Space Above This Line For Recording Data

WARRANTY DEED

STATE OF Georgia COUNTY OF Clayton

THIS INDENTURE, Made the 29th day of October, in the year one thousand nine hundred NINETY EIGHT, between DOROTHY F. WORD

of the County of FULTON, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and CHARLES ROBINSON, JR. AND BELINDA B. ROBINSON

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND XX/100's and other good and valuable consideration----- (\$**10.00--) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA IN LAND LOT 13 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTSIDE OF MORE LAND AVENUE 450 FEET SOUTH OF THE SOUTHWEST CORNER OF MORELAND AND KIRKWOOD AVENUE, AND RUNNING THENCE SOUTH FIFTY (50) FEET; THENCE WEST ONE HUNDRED FORTY FIVE (145) FEET TO A 10 FOOT ALLEY; THENCE NORTH ALONG SAID ALLEY FIFTY (50) FEET; THENCE EAST ONE HUNDRED FORTY FIVE (145) FEET TO THE WEST SIDE OF MORELAND AVENUE AT THE BEGINNING POINT.

Real Estate Transfer Tax
Paid \$ 4.00
Date 11-23-98
JUANITA HICKS
Clerk, Superior Court

By [Signature]
Deputy Clerk

THIS CONVEYANCE is executed subject to all easements, covenants and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will WARRANT AND FOREVER DEFEND the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above

signed, sealed and delivered in presence of:



[Signature]
DOROTHY F. WORD

[Signature] (Seal)
DOROTHY F. WORD

[Signature] (Seal)
Carlton H. Warden
Notary Public

RCS# 1459
10/03/11
3:04 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

11-O-0778 AND 11-O-0691

ADOPT SUB

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 0

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

MULTIPLE