

10-0-0035

(Do Not Write Above This Line)

An Ordinance U-09-22
By Councilmember

An Ordinance granting a Special Use Permit for a Day Care Center pursuant to Section 16-08.005 (1) (b) for property located at 3751 Martin Luther King, Jr Drive, SW, fronting approximately 165 feet on the southeasterly side of Martin Luther King, Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton Road.
Depth: Varies
Area: Approximately 5.8 Acres
Land Lot: 15, 14th District, Fulton County, Georgia
Owner: Charitable Connections, Inc.
Applicant: Charitable Connections, Inc./Michelle Uchiyema

Filed

NPU-# Council District 4
DEC 05 2011

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

Date Referred 1/4/10
Referred To: ZRB + Zoning
Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee
Date 2/27/2010
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 02/27/10
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
 - RC Vote

CERTIFIED

CERTIFIED
DEC 05 2011

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
DEC 05 2011

MAYOR'S ACTION

RCS# 1629
12/05/11
6:30 PM

Atlanta City Council

REGULAR SESSION

10-O-0035 SUP FOR DAYCARE AT 3751 M L KING, JR DR
 U-09-22; NPU-H; CD-10
 FILE

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	NV Martin	Y Watson
Y Young	Y Shook	NV Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

Municipal Clerk
Atlanta, Georgia

10-O-0035

AN ORDINANCE
BY: ZONING COMMITTEE

U-09-22

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

SECTION 1. Under the provisions of Section 16-08.005 (1) (b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **DAY CARE CENTER** is hereby granted. Said use is granted to **CHARITABLE CONNECTIONS, INC.** and is to be located at **3751 MARTIN LUTHER KING, JR. DRIVE, S.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 15, 14th 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.

RECEIVED
OCT 13 2009
Bureau of
Planning

EXHIBIT "A"

DESCRIPTION OF THE LAND

U-09-22

ALL THAT TRACT OR PARCEL OF LAND, lying, being and situate in Land Lot 15 of the 14 FF District of Fulton County, Georgia, being 5.817 acres, more or less, together with all improvements located thereon, as originally shown on plat for Park West Apartments recorded in Plat Book 87, Page 93, Fulton County, Georgia Records, but which property is more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING of the lot herein described, commence at the Right-Of-Way Monument marking the point of intersection of the northeast right-of-way line of Martin Luther King Jr. Drive [a 90 foot right of way at this point] and the northwesterly right-of-way line of Bolton Road; thence running along the northeast right-of-way line of Martin Luther King Jr. Drive North 32 degrees 11 minutes 47 seconds West a distance of 164.45 feet to a Right-Of-Way Monument; thence running in a northwesterly direction along the northeasterly right-of-way line of Martin Luther King Jr. Drive along the arc of a curve in the northeasterly right-of-way of Martin Luther King Jr. Drive a distance of 3.84 feet to a point [Rebar found 1.0 feet northwest of this point], the aforesaid arc being subtended by a chord line having a length of 3.84 feet, said

curve having a radius of 3,100.77 feet North 32 degrees 13 minutes 47 seconds West; thence running North 81 degrees 31 minutes 33 seconds East a distance of 271.50 to an Open Top Found; thence running North 01 degrees 11 minutes 37 seconds East a distance of 356.89 feet to a rebar found; thence running South 88 degrees 32 minutes 24 seconds West a distance of 269.20 feet to a Rebar found; thence running North 01 degrees 28 minutes 00 seconds West a distance of 172.06 feet to a point [Rebar found 2.6 feet Southeast of said point]; thence running South 89 degrees 41 minutes 00 seconds East a distance of 82.38 feet to an Open Top found; thence running South 03 degrees 55 minutes 41 seconds East a distance of 70.63 feet to an Open Top found; thence running South 89 degrees 13 minutes 51 seconds East a distance of 340.84 feet to a point; thence running South 07 degrees 47 minutes 17 seconds West a distance of 45.93 feet to a point [Rebar found 2.6 feet East of said point]; thence running South 06 degrees 49 minutes 25 seconds West a distance of 147.88 feet to a Crimp Top found; thence running South 76 degrees 16 minutes 56 seconds East along the westerly right-of-way line of Bolton Road a distance of 268.81 feet to a point [Rebar found 1.2 feet Southwest of point]; thence running in a southwesterly direction along the arc of a curve to the right in the westerly right-of-way line of Bolton Road a distance of 217.74 feet to a Rebar found, the aforesaid arc being subtended by a chord line having a length of 217.00 feet, said curve having a radius of 762.00 feet South 18 degrees 30 minutes 49 seconds West; running thence South 25 degrees 58 minutes 47 seconds West along the westerly right-of-way line of Bolton Road a distance of 82.15 feet to a Right-Of-Way Monument found; thence running North 62 degrees 55 minutes 43 seconds West along the westerly right-of-way line of Bolton Road a distance of 29.90 feet to a Rebar found [Right-Of-Way Monument found 9.0 feet East of said point]; thence running South 26 degrees 52 minutes 47 seconds West a distance of 97.40 feet to a Re-bar found; thence running South 86 degrees 04 minutes 30 seconds West a distance of 122.00 feet to a Rebar found;