

11-0-1587

(Do Not Write Above This Line)

U-11-37

AN ORDINANCE
BY: ZONING COMMITTEE

An Ordinance granting a Special Use Permit pursuant to Section 16-06.005 (1) (g) for a Personal Care Home, property located at **727 Kennolia Drive, S.W.**, fronting approximately 102 feet on the west side of Kennolia Drive and approximately 475 feet north of the intersection of Kennolia Drive and Beecher Road. Depth: approximately 244 feet. Area: approximately 0.560 acres. Land Lot 171, 14th District Fulton County, Georgia.

OWNER: DAVID L.

THORNTON

APPLICANT: MICHAEL A. EDEY

NPU-1

COUNCIL DISTRICT 11

As Amended

JAN 17 2012

ADOPTED BY

COUNCIL

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

Date Referred

11/7/11

Referred To:

ZRB + Zoning

Date Referred

Referred To:

Date Referred

Referred To:

Committee Date Chair Referred to

ZONING

11/21/2012

ZRB + ZONING

First Reading

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

CERTIFIED
JAN 17 2012

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED
JAN 17 2012

Rick Vaughan
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JAN 26 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



City Council
Atlanta, Georgia

11-O-1587

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-11-37

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

SECTION 1. Under the provisions of to Section 16-06.005 (1) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Personal Care Home is hereby approved. Said use is granted to **DAVID L. THORNTON** and is to be located at **727 KENNOLIA DRIVE, S.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 171, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or site plan.

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,


Deputy Clerk

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

JAN 17, 2012
JAN 26, 2012



Conditions for U-11-37 for 727 Kennolia Drive, S.W.

1. Site plan and Floor Plan dated September 2, 2011 and marked received by the Office of Planning on September 28, 2011.
2. The Special Use Permit shall only be valid as long as David L. Thornton is the owner and operator.
3. The Special Use Permit shall be valid for a duration of three (3) years from the date of approval by the City Council.
4. The facility shall be restricted to no more than six (6) residents not including the live-in care giver.
5. The applicant shall erect a 6 foot opaque fence in the side yards to serve as a buffer for adjacent residences.
6. The applicant shall be allowed to enclosed the existing deck.



U-1-37

Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 171 of the 14th District of Fulton County, Georgia, being Lot 32 and part of Lots 31 and 33 of R.M. Kenney Property, as the same appears at Plat Book 20, page 33, Fulton County Records, which plat is incorporated herein and made a part hereof by reference and being more particularly described as follows:

Beginning at a point on the west side of Kennolia Drive 472.6 feet north of the intersection of the West line of Kennolia Drive with the north side of Beecher Street; running thence North along the west side of Kennolia Drive 102 feet to the southeast corner of Lot 30 of said subdivision; running thence in a northwesterly direction with an interior angle of 88 degrees 27 minutes a distance of 244.2 feet to an iron pin found; running thence in a southwesterly direction with an interior angle of 91 degrees 37 minutes a distance of 92 feet to an iron pin found; running thence in a southeasterly direction with an interior angle of 90 degrees 45 minutes a distance of 244.2 feet to the point of beginning, being improved property known as 727 Kennolia Drive, S.W., according to the present system of numbering houses in Fulton County, Georgia, being the same property conveyed to Louis Jackson form Wholesale Homebuyers, LLC, by virtue of a limited warranty deed dated December 21, 2005 and recorded January 17, 2006 at Deed Book 41776, Page 499, Fulton County, Georgia Records.



RCS# 1702
1/17/12
4:53 PM

Atlanta City Council

MULTIPLE

11-O-1281/11-O-1585/11-O-1586/11-O-1587
11-O-1590/11-O-1583 AND 11-O-1584
ADOPT AS AMNDED

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 1

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

MULTIPLE