

12-0-0384
 (Do Not Write Above This Line)

AN ORDINANCE Z-12-04
 BY: ZONING COMMITTEE

An Ordinance to rezone from the R-5/HD20K (Two-family Residential/Grant Park Historic) Districts to the SPL-22/HD20K (Special Public Interest/Grant Park Historic) Districts, property located at **313 and 317 Cherokee Avenue, S.E.** fronting approximately 83 feet on the west side of Cherokee Avenue beginning 112.50 feet from the northwest corner of Woodward Avenue. Depth: varies. Area: approximately 0.153 acres. Land Lot 44, 14th District, Fulton County, Georgia.
 OWNER: JAMES R. CLAXTON
 APPLICANT: ALLEN HOSS
 NPU W
 COUNCIL DISTRICT 1

JUN 1 8 2012

Subst 1st
ADOPTED BY

COUNCIL

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

Date Referred: 7/16/12
 Referred To: ZB+Zoning
 Date Referred:
 Referred To:
 Date Referred:
 Referred To:

Committee: Zoning First Reading
 Date: 6/29/2012
 Chair: Allen Hoss
 Referred To: ZB+Zoning

Committee: Zoning
 Date: 7/2012
 Chair: Allen Hoss

Action: Other
 Fav, Adv, Hold (see rev. side): ON SCHEDULE
 Members:

Refer To

Committee:
 Date:
 Chair:

Action:
 Fav, Adv, Hold (see rev. side):
 Other:
 Members:

Refer To

Committee: Zoning
 Date: 13, 2012
 Chair: Allen Hoss

Action:
 Fav, Adv, Hold (see rev. side): ON SCHEDULE
 Other:
 Members:

Refer To

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

CERTIFIED
 JUN 1 8 2012
 ATLANTA CITY COUNCIL PRESIDENT
Allen Hoss

CERTIFIED
 JUN 1 8 2012
Paul Douglas Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
 JUN 9 7 2012
 MAYOR'S SIGNATURE
 BY OPERATION OF LAW



City Council
Atlanta, Georgia

12-O-0384

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-12-04
Date Filed: 2-14-12

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 **313 CHEROKEE AVENUE, S.E.**, be changed from the R-5/HD20K (Two-family Residential/Grant Park Historic) Districts to the SPI-22-subarea 4/HD20K-C (Special Public Interest/Grant Park Historic-Conditional) Districts, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 44, 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 suffix "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,

Deputy Municipal Clerk

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

June 18, 2012
June 27, 2012



Conditions for Z-12-04 for 313 Cherokee Avenue, S.E.

1. Site Plan to be submitted to the Office of Planning and subsequently approved by the Director of Planning as a part of the Special Administrative Permit process which includes the following as well as other requirements of the SPI-22- Subarea 4 zoning district:
 - a. A minimum 21 foot buffer adjacent to the southernmost residential properties, followed by a 5 foot sidewalk, 14 foot driveway and a 10 foot planting buffer for the multifamily residences to the north.
2. The property will be limited to a use of a one-way driveway that provides access to an access-controlled parking lot not open to the general public and is not be used for the purpose of providing access for valet parking.



All that tract or parcel of land lying and being in Land Lot 44 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

LEGAL DESCRIPTION - 317 CHEROKEE AVENUE

Beginning from a point 112.50 ft. on a line S 01degrees, 50' 49" W from the northwest property corner at the intersection of Cherokee Ave. and Woodward Ave., proceed to a point 32.50 ft. north at the northeast property corner. Going west from northeast property corner to a point 50.80 ft. on a line N 87 degrees, 25' 38" W to the northwest property corner, turning south 32.50 ft. on a line N 01 degrees 15' 56" E to the southwest property corner. Continue east 50.47 ft. on a line N 87 degrees, 25' 47" W to the original start point at the southeast property corner.

LEGAL DESCRIPTION - 313 CHEROKEE AVENUE

Beginning from a point 145 ft. on a line S 01 degrees 50' 49" W from the northwest property corner at the intersection of Cherokee Ave. and Woodward Ave., proceed to a point 50.00 ft. north at the northeast property corner. Going west from the northeast property corner to a point 100.95 ft. on a line S 87 degrees 25' 38" E to the northwest property corner, turning south 50.00 ft. on a line N 01degrees, 40' 30"E to the southwest property corner. Continue east 100.80 ft. on a line N 87 degrees, 25' 38" W to the original start point at the southeast property corner.

Together with that portion of an alley as described in Quit Claim Deed recorded in Deed Book 16676, page 37, Fulton County.

Z-12-04

RCS# 2084
6/18/12
4:46 PM

Atlanta City Council

12-O-0384

REZONE 313 CHEROKEE AVE FROM
R/5/HD20K TO SPI-22/HD20K
ADOPT SUB

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

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

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