

12-0-0388

(Do Not Write Above This Line)

AN ORDINANCE U-12-04-
BY: ZONING COMMITTEE

An Ordinance granting a Special Use Permit pursuant to Section 16-17.005 (1)(c) for a recycling facility, property located at **1551 Perry Boulevard, N.W.** fronting approximately 975.69 feet on the north side of Perry Boulevard beginning 88.29 feet from the northwestern corner of Perry Boulevard and Marietta Road. Depth: varies. Area: approximately 5.07 acres. Land Lot 224. 17th District, Fulton County, Georgia.

OWNER: Hudgens and Company, Inc.
APPLICANT: Rand Recycling, Inc.
Battle Law P.C.
NPUG
COUNCIL DISTRICT 9

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

Date Referred: 4/18/12
Referred To: ZRB + Zoning
Date Referred: _____
Referred To: _____
Date Referred: _____
Referred To: _____

First Reading
Committee Date: Zoning 10/20/2012
Chair: Erica
Referred To: 2/13/2012

Committee Date: August 29, 2012
Chair: [Signature]

Action Fav, Adv, Hold (see rev. side) AS AMENDED

Members: [Signature]

Refer To: [Signature]

ADOPTED BY COUNCIL
Date: SEP 04 2012

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 FC Vote

CERTIFIED

CERTIFIED
SEP 04 2012
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
SEP 04 2012
Municipal Clerk
[Signature]

MAYOR'S ACTION

APPROVED

SEP 13 2012
WITHOUT SIGNATURE
BY OPERATION OF LAW



Municipal Clerk
Atlanta, Georgia

12-O-0388
U-12-04

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

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

SECTION 1. Under the provisions of Section 16-17.005 (1)(c) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a recycling facility (*junkyard, automobile salvage yard of scrap metal processor except where the premises upon which such activities are conducted are wholly enclosed within a building*) is hereby approved. Said use is granted to **RAND RECYCLING, INC.**, and is to be located at **1551 PERRY BOULEVARD, N.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 224 of the 17th District, Fulton County, Georgia, being more particularly described by the attached legal description.

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,

A handwritten signature in black ink, appearing to be "GEO. E. JONES", written over a horizontal line. Below the signature is the printed title "Deputy Municipal Clerk".

Deputy Municipal Clerk

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

September 04, 2012
September 13, 2012



Conditions for U-12-04 for 1551 Perry Boulevard N.W.

1. The Special Use Permit shall be valid as long as Rand Recycling, Inc. is the operator of this recovered metals recycling facility.
2. The Special Use Permit shall be valid for a five (5) year duration beginning from the date of approval by the Atlanta City Council.
3. The hours of operation shall be limited to 8:00 am to 5:00 pm Monday thru Friday and 8:00 am to 2:00 pm on Saturday.
4. No hazardous materials, burning processes, manufacturing activities, chemical processes, auto processing, draining of liquids or gas, or processing of electronic equipment is allowed on-site.
5. Outdoor storage of recovered materials and all refuse shall be completely enclosed and located at least fifty (50) feet from the Perry Boulevard right-of-way.
6. Existing curbcut aprons shall be upgraded to current Americans with Disabilities Act and City of Atlanta standards and driveways shall be paved to meet City of Atlanta standards as permitted by the Department of Public Works. Compliance with this condition will be made by the Department of Public Works during the permit review process.
7. Applicant shall place a directional sign at a minimum of 12 s.f. in size oriented to egress traffic onto Perry Boulevard stating "Turn left to West Marietta St. and Marietta Rd." Said sign will be considered an incidental sign which will not require a sign permit pursuant to Section 16-28A.
8. A minimum 6' wide sidewalk shall be installed adjacent to Perry Boulevard. All work to be undertaken by the applicant within the City of Atlanta right-of-way shall be permitted by the Department of Public Works prior to construction.
9. All outdoor metal processing, storage and refuse shall be screened from view from Perry Boulevard via visual and audio screening elements (including fencing, landscaping and trees) which shall be subject to final approval by the Director of the Office of Planning and the City Arborist.



U-12-04

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land 224 of the 17th District, Fulton County, Georgia, and being more particularly described as follows:

COMMENCING at a point 482.58 feet from the northeastern intersection of Hortense Way and Perry Boulevard and thence running North 28 degrees 35 minutes 37 East a distance of 260.38 feet to a point; thence South 70 degrees 17 minutes 52 second sEast a distance of 401.32 feet to a point; thence South 46 degrees 24 minutes 26 seconds East a distance of 371.10 to a point; thence South 13 degrees 15 minutes 02 Seconds West a distance of 259.10 feet to a point on the northern right of way of Perry Blvd.; thence along the northern right of way of Perry Boulevard North 59 degrees 23 minutes 47 seconds West a distance of 795.69 feet to a point and the POINT OF BEGINNING.

Being +/-5.07 acres and having a street address of 1551 Perry Blvd., Atlanta, GA

RCS# 2258
9/04/12
4:19 PM

Atlanta City Council

MULTIPLE

11-O-1686/12-O-0388/12-O-0969/12-O-0970
12-O-0971 AND 12-O-0972
ADOPT AS AMNDED

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

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

MULTIPLE