

13-0112
 (Do Not Write Above This Line)

AN ORDINANCE U-82-21
 (TR-12-004)

BY: ZONING COMMITTEE

AN ORDINANCE TO AMEND
 ORDINANCE U-82-21 AS
 ADOPTED BY THE CITY
 COUNCIL ON July 6, 1982 AND
 APPROVED BY THE MAYOR
 ON July 14, 1982 FOR THE
 PURPOSES OF APPROVING A
 TRANSFER OF OWNERSHIP
 FOR A SPECIAL USE PERMIT
 FOR A DAY CARE CENTER
 FOR PROPERTY LOCATED AT
 799 HUTCHENS ROAD, S.E.
 AND FOR OTHER PURPOSES **ADOPTED BY**

FEB 04 2013

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

Date Referred 1/22/13

Referred To: Zoning

Date Referred

Referred To:

Date Referred

Referred To:

Committee Zoning First Reading
 Date 1/15/13
 Chair [Signature]
 Referred To [Signature]

Committee Zoning
 Date 1/30/13
 Chair [Signature]
 Action [Signature]
 Fav, Adv, Hold (see rev. side)
 Other

Members
[Signature]
[Signature]
[Signature]
[Signature]
 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
 FEB 04 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 FEB 04 2013
 Rhonda Daughin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
 FEB 13 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



City Council
Atlanta, Georgia

13-0-0112

U-82-21
(TR-12-004)

AN ORDINANCE
BY: ZONING COMMITTEE

AN ORDINANCE TO AMEND ORDINANCE U-82-21 AS ADOPTED BY THE CITY COUNCIL ON July 6, 1982 AND APPROVED BY THE MAYOR ON July 14, 1982 FOR THE PURPOSES OF APPROVING A TRANSFER OF OWNERSHIP FOR A SPECIAL USE PERMIT FOR A DAY CARE CENTER FOR PROPERTY LOCATED AT 799 HUTCHENS ROAD, S.E. AND FOR OTHER PURPOSES.

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

SECTION 1. That the transfer (i.e. change of grantee) of Special Use Permit granted by **ORDINANCE U-82-21** for a **DAY CARE CENTER**, property located at **799 HUTCHENS ROAD, S.E.** from *Fred and Christine Baugh* to *Michelle Coverson* is hereby approved, under the provision of Section 16-25.002 (2), to wit:

SECTION 2. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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

February 04, 2013
February 13, 2013



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 - ATLANTA, GEORGIA 30303-0308
404-330-6145 - FAX: 404-658-7491
www.atlantaga.gov

APPLICATION TO TRANSFER SPECIAL PERMIT

The undersigned does hereby make application to transfer:

TR - 12 - 004

Special Use Permit Special Exception Permit Special Administrative Permit

To be completed by the new owner/operator of Special Permit:

Applicant: Michelle Coverson Phone Number: 4) 604 8852
 Email Address: Michelle.coverson@yachac.com Fax Number: 4) 752 7458
 Address: 799 Hutchens Road
 City: Atlanta State: GA Zip: 30354
 New Business/Owner Name: Early Journey Child Development Center

To be completed by the current holder of Special Permit:

Name: Fred + Christine Drough Phone Number: 4) 312-1044
 Email Address: — Fax Number: —
 Address: 133 Augusta Drive
 City: McDonough State: GA Zip: 30253

- Instructions:**
- Special Permit Transfer applications are processed on an "as requested" basis and may take up to 45 (forty-five) business days for review by Staff and/or legislative process.
 - Provide a copy of the original ordinance/approval for special permit.
 - Complete Transfer Application Form.
 - Complete Applicant Affidavit (see page 2).
 - Complete previous owner affidavit or submit a letter from previous/current owner authorizing the transfer of Special Use Permit to the new applicant (see page 3).
 - Submit completed application with notarized signatures.
 - Application fee of \$200 due at the time of application submittal.



APPLICANT AFFIDAVIT



I swear and affirm that I am the owner/lessee of 799 Hutchens Road, Atl. GA
(indicate address of subject property) which is the subject of the request for a transfer of a special
permit for U-82-21 (permit number). I affirm that I am thoroughly familiar with and will
abide by the terms/conditions of the original permit.

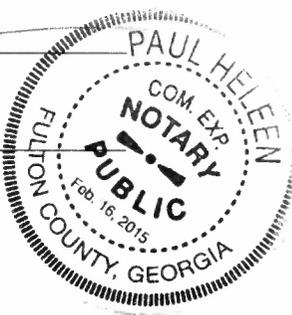
Name of applicant Schemka Michelle Covessa
Address 799 Hutchens Road
Atlanta GA 30354
City State Zip Code
Telephone number 416048850

NOTARIAL STATEMENT

PERSONALLY APPEARED BEFORE ME PERSON(S) OF
THE ABOVE NAME(S), WHO SWEAR THAT THE
INFORMATION CONTAINED IN THIS AFFIDAVIT IS
TRUE AND CORRECT TO THEIR BEST KNOWLEDGE
AND BELIEF:

[Signature]
Notary

12/17/12
Date





OWNER STATEMENT



I swear and affirm that I am/was the owner of the property subject to the proposed special permit transfer. I hereby grant the transfer of special permit located at

799 Hutchens Road (Property Address) to Early Journey Child Development Center (applicant)

Yvonne + Christine Baugh
Name

133 Augusta Dr.
Address

MC Donough, Ga 30253
City State Zip Code

4-312-1044 / 678-289-9719
Telephone Number



AUTHORIZATION TO INSPECT PREMISES



With the signature below, I authorize the staff of the City of Atlanta to inspect the premises, which are the subject of this special permit transfer application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

Owner or Agent of Owner (Applicant)

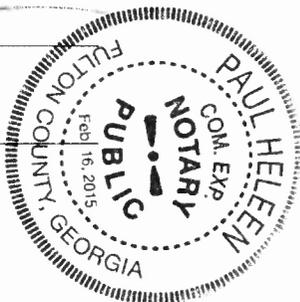
NOTARIAL STATEMENT

PERSONALLY APPEARED BEFORE ME PERSON(S) OF THE ABOVE NAME(S), WHO SWEAR THAT THE INFORMATION CONTAINED IN THIS AFFIDAVIT IS TRUE AND CORRECT TO THEIR BEST KNOWLEDGE AND BELIEF.

Notary

12/17/12

Date



TR-12-004



Return Recorded Document to:
Brochstein & Bantley, P.C.
827 Fairways Court, Suite 100
Stockbridge, GA 30281

BB#: 21224887

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF Henry

THIS INDENTURE, made the 19th day of October, 2012, between Fred Baugh, as party of the first part, hereinafter called Grantor, and Early Journey Child Development Center, Inc., as party of the second part, hereinafter called Grantee (the words "Grantor(s)" and "Grantee(s)" 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 00/100 DOLLARS (\$10.00)** and other good and valuable considerations 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 Land Lot 30 of the 14th District, Fulton County, Georgia, being lot 9 and part of Lot 8, Section No. 1, Poole Creek Hills Subdivision, as per plat recorded in Plat Book 60, page 12, Records of Fulton County, Georgia and being more particularly described as follows:

Beginning at the southeast corner of Hutchens Road and Katomarick Drive; running thence southeasterly along the southwesterly side of Hutchens Road a distance of 172.0 feet to an iron pin; running thence southwesterly a distance of 206.2 feet to an iron pin; running thence northwesterly a distance of 14.0 feet to an iron pin; running thence northwesterly a distance of 20.0 feet to an iron pin; running thence northwesterly a distance of 90.0 feet to an iron pin located on the easterly side of Katomarick Drive; running thence northerly along the easterly side of Katomarick Drive a distance of 200.0 feet to the point of beginning. Being improved property having a one-story brick house thereon and being more particularly shown on survey prepared by Eston Pendly & Assoc., Inc., dated May 2, 1975.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

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**.

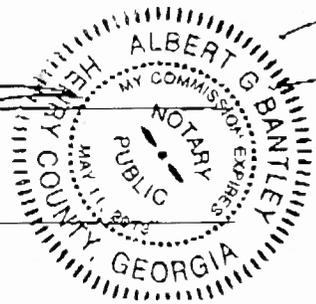
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed, sealed and delivered in the presence of:

Sharon P. [Signature]
Witness

[Signature]
Notary Public



Fred Baugh
Fred Baugh



SUBSTITUTE
AN ORDINANCE
BY: ZONING COMMITTEE

U-82- 21
DATE FILED 6/29/82

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

SECTION 1. Under the provisions of Chapter 25, Section 16-25.001, of the 1982 Zoning Ordinance of the City of Atlanta, a Special Use Permit for DAY CARE CENTER to be located at 799 HUTCHENS ROAD, S.E.

is hereby granted to Fred A. Christine Baugh for that tract or parcel of land lying and being in Land Lot 30 of the 14th District, Fulton County, Georgia, being more particularly described as follows:

SEE ATTACHMENTS



SECTION 2. This amendment is approved under the provisions of Section 16-25.002 entitled "Special permits, general" Chapter 25 Special Permits of the 1982 Zoning Ordinance of the City of Atlanta. The Director of the Bureau of Buildings shall issue a building permit only in compliance with the following conditions. NOTE: This site plan hereby approved does not authorize the violation of any zoning district regulations. District regulation variances or exceptions may be approved only by application to the City of Atlanta Board of Zoning Adjustment.

1. Site plan entitled "Proposed Site Plan - Day Care Facility" prepared by Norman G. Allen, Registered Architect, undated and marked received by the City of Atlanta, Zoning Division May 10, 1982, except as noted in condition two (2) below.
2. That the parking and access plan shown on the referenced site plan is to be revised as required by the Bureau of Traffic and Transportation and such revision is to be approved by them.
3. That there be no signs or other decorative elements on the exterior of the building except an identification sign in compliance with the appropriate R-4 district regulations of the 1982 Zoning Ordinance.

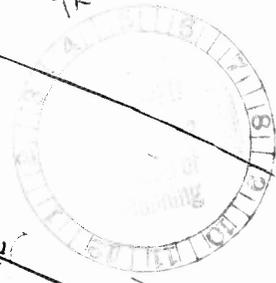
SECTION 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

A true copy
Jerry C. Borden
DEPUTY CLERK

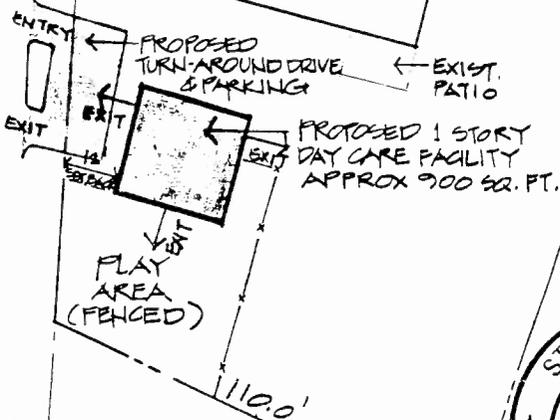
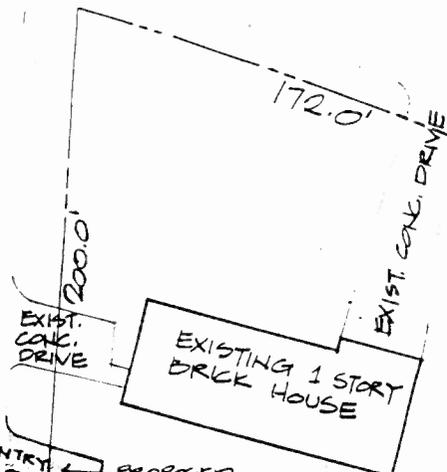
ADOPTED by City Council July 6, 1982
APPROVED by the Mayor July 14, 1982

HUTCHENS ROAD

TR-12-004



KATOMARICK DRIVE



4-82-~~321~~
RECEIVED

MAY 10 1982

CITY OF ATLANTA
ZONING DIVISION

NOTE: REFER TO ATTACHED SURVEY FOR ADDITIONAL LOT INFORMATION.



PROPOSED SITE PLAN-DAY CARE FACILITY
799 HUTCHENS RD., S.E. ATLANTA, GEORGIA

2466397

WARRANTY DEED

TR-12004 U 82-20 21

STATE OF GEORGIA

COUNTY OF DEKALB

THIS INDENTURE, Made the 10th day of May, in the year one thousand nine hundred Seventy-Five, between

CECIL R. TURNER

of the County of Fulton, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

FRED BAUGH

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 Dollars and other 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 Land Lot 30 of the 14th District, Fulton County, Georgia, being Lot 9 and part of Lot 8, Section No. 1, Poole Creek Hills Subdivision, as per plat recorded in Plat Book 60, page 12, Records of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at the southeast corner of Hutchens Road and Katomarick Drive; running thence southeasterly along the southwesterly side of Hutchens Road a distance of 172.0 feet to an iron pin; running thence southwesterly a distance of 206.2 feet to an iron pin; running thence northwesterly a distance of 14.0 feet to an iron pin; running thence northwesterly a distance of 20.0 feet to an iron pin; running thence northwesterly a distance of 90.0 feet to an iron pin located on the easterly side of Katomarick Drive; running thence northerly along the easterly side of Katomarick Drive a distance of 200.0 feet to the point of BEGINNING. Being improved property having a one-story brick house thereon and being more particularly shown on survey prepared by Eston Pendley & Assoc., Inc., dated May 2, 1975.

Fulton County, Georgia
Real Estate Transfer Tax

Paid \$ 44.00

Date May 19, 1975

Barbara J. Trice

GEORGIA, Fulton County, Clerk's Office Superior Court
Filed & Recorded, May 19, 1975 at 9:00 A.M.

Barbara J. Trice CLERK

Clerk of Superior Court

By Bruce Carley
Dep. Clerk

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 written.

Signed, sealed and delivered in presence of:

Lyle Rehwald _____ (Seal)
CECIL R. TURNER _____ (Seal)

Notary Public, Georgia, State at Large
My Commission Expires Jan. 31, 1978
N. P. _____ (Seal)
SEAL

RCS# 2549
2/04/13
4:38 PM

Atlanta City Council

13-O-0112

AMEND ORDINANCE U-82-21 TO APPROVE
TRANSFER OF OWNERSHIP@799 HUTCHENS RD.
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

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

13-O-0112