

13-0 -0108
(Do Not Write Above This Line)

AN ORDINANCE Z-12-47
BY: ZONING COMMITTEE

An Ordinance to rezone from the R-4A/C-1/Beltline Overlay (Single Family Residential/Community Business/Beltline Overlay) District to the C-1 (Community Business) District, property located at **1583 Howell Mill Road, N.W.**, fronting approximately 127 feet on the east side of Howell Mill Road at the northern intersection of Antone Street. Depth: approximately 195 feet. Area: approximately 0.56 acres. Land Lot 152, 17th District, Fulton County, Georgia.
OWNER: 1583 HOWELL MILL ROAD, LLC
APPLICANT: 1583 HOWELL MILL ROAD, LLC
NPU D
COUNCIL DISTRICT 8

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

Date Referred: 1/22/13
Referred To: Zoning + ZRB
Date Referred:
Referred To:
Date Referred:
Referred To:

substituted
ADOPTED BY
MAR 04 2013
COUNCIL

Committee: Zoning
Date: 1/15/13
Chair: [Signature]
Referred To: Zoning + ZRB

Committee: Zoning
Date: 2/27/13
Chair: [Signature]
Action: Fav, Adv, Hold (see rev. side) Other: Substituted
Members: Carl Smith, James M. Sheperd, Hal Shel
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
MAR 04 2013
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
MAR 04 2013
Rhonda Daughlin Johnson
MUNICIPAL CLERK

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



City Council
Atlanta, Georgia

13-O-0108

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-12-47
Date Filed: 12-14-12

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 **1583 Howell Mill Road, N.W.**, be changed from the R-4A/-C-1/Beltline Overlay (Single Family Residential/Community Business/Beltline Overlay) District to the C-1/Beltline Overlay (Community Business-Beltline Overlay) Districts, to wit:

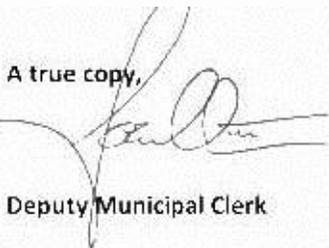
ALL THAT TRACT or parcel of land lying in Land Lot 152, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

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 suffice "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.

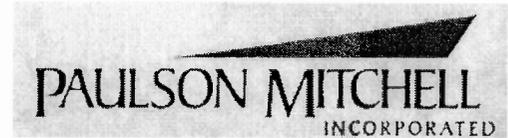
A true copy,



Deputy Municipal Clerk

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

March 04, 2013
March 13, 2013



Land Planners
Engineers
Surveyors
Landscape Architects

A tract of land, situated in Land Lot 152, 17th District, Fulton County, Georgia (City of Atlanta); said tract consists of two tracts as recorded in Deed Book 7608 Page 168, Clerk of Courts, aforesaid county and state; the bearings of which are State Plane Grid (Georgia West Zone) and being more particularly described as follows:

Commence at a no.4 rebar found marking the intersection of southerly right-of-way line of Verner Street Northwest (30 foot right-of-way) with the easterly right-of-way line of Howell Mill Road (50 foot right-of-way); thence $S3^{\circ}35'58''W$ along said easterly right-of-way line of for a distance of 137.03 feet to a no.4 rebar found and the **Point of Beginning** of the Tract herein described; thence along the southerly line of lands now or formerly owned by Shirley Investments, LP (DB 39479 PG 379) for the following courses and distances: $S88^{\circ}06'26''E$ for a distance of 150.09 feet to a no.4 rebar found; $S3^{\circ}17'48''W$ for a distance of 10.12 feet to no. 4 rebar found; $S88^{\circ}18'12''E$ for a distance of 32.77 feet to a no. 4 rebar found; $N88^{\circ}14'42''E$ for a distance of 10.96 feet to a no. 4 rebar found; thence $S2^{\circ}01'28''W$ along the westerly line of lands now or formerly owned by Franklin D. Ballance (DB 44283 PG 109) for a distance of 119.61 feet to a no.4 rebar found at the intersection of said line with the northerly right-of-way line of Antone Street Northwest (40 foot right-of-way); $N87^{\circ}45'07''W$ along said northerly line for a distance of 195.60 feet to an "X" set in concrete at the intersection of said line with the easterly right-of-way line of said Howell Mill Road; thence $N2^{\circ}56'11''E$ along said easterly line for a distance of 127.72 feet to the **Point of Beginning** of said Tract.

Containing 0.563 acres or 24,530 square feet as shown on a survey prepared by Paulson Mitchell Inc. dated July 12th, 2012 (Project No. 2010102) unto which reference is hereby made

RCS# 2583

3/04/13

3:03 PM

Atlanta City Council

MULTIPLE

13-O-0108/Z-12-47; 12-O-0457/Z-12-14

AND 12-O-0493/Z-12-17

ADOPT ON SUB

YEAS: 13

NAYS: 0

ABSTENTIONS: 0

NOT VOTING: 3

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

Y Adrean

Y Sheperd

NV Mitchell

MULTIPLE