

2067

13-0-0336

(Do Not Write Above This Line)

AN ORDINANCE U-13-02  
BY: ZONING COMMITTEE

An Ordinance granting a Special Use Permit for a **CHURCH AND DAYCARE CENTER** pursuant to Section 16-06.005 (1) (b and c) of the Zoning Ordinance, property located at **470 CANDLER PARK DRIVE, N.E.**, fronting approximately 164 feet on the west side of Candler Park Drive and at located at the southwest intersection of Candler Park Drive and Magnolia Street. Depth: approximately 214 feet. Area: 0.761 acres. Land Lot 240, 15<sup>th</sup> District, Dekalb County, Georgia.

OWNER: First Existentialist Congregation  
APPLICANT: Randy Pimsler  
NPU N  
COUNCIL DISTRICT 6

ADOPTED BY

substitute  
MAY 20 2013  
COUNCIL

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

Date Referred: 3/4/13  
 Referred To: ZRB + Zoning  
 Date Referred:  
 Referred To:  
 Date Referred:  
 Referred To:

Committee: Zoning  
 Date: 5/22/13  
 Chair: [Signature]  
 Referred To:

First Reading

Committee: Zoning  
 Date: 5/15/13  
 Chair: [Signature]  
 Action: Fav, Adv, Hold (see rev. side)  
 Other: [Signature]  
 Members: [Signatures]  
 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  
 MAY 20 2013  
 ATLANTA CITY COUNCIL PRESIDENT  
 [Signature]

CERTIFIED  
 MAY 20 2013  
 Rhonda Daughlin Johnson  
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED  
 MAY 29 2013  
 WITHOUT SIGNATURE  
 BY OPERATION OF LAW



Municipal Clerk  
Atlanta, Georgia

**13-O-0336**

**U-13-02**

AN ORDINANCE  
AS SUBSTITUTED  
BY: ZONING COMMITTEE

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

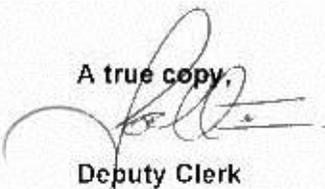
SECTION 1. Under the provisions of Section 16-06.005 (1) (b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **DAYCARE CENTER** is hereby granted. Said use is granted to **FIRST EXISTENTIALIST CENTER**, and is to be located at **479 CANDLER PARK N.E.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 240, 15<sup>th</sup> District, Dekalb County, Georgia, being more particularly described by the attached legal description and/or map.

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

MAY 20, 2013  
MAY 29, 2013



**Conditions for U-13-02 for 470 Candler Park Drive, N.E.**

1. The special use permit shall be valid for a period of five (5) years from the date of Council adoption.
2. The special use permit for an after school care program shall be valid only as long as Cheri Smithson is the operator of the program.
3. The special use permit is not transferable.
4. A maximum number of 20 clients shall be served by the program



BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA:

SECTION 1. Under the provisions of Chapter 23, Ordinance 16-25001, Item D, of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for Operation of a Church, to be located at 470-480 Candler Park Drive, N. E.

is granted to Phoenix Unitarian Fellowship, Inc. for that tract or parcel of land lying and being in Land Lot 240 of the 15th District, DeKalb County, Georgia, being more particularly described as follows:

BEGINNING at an iron pin located on the western right of way line of Candler Park Drive (having a 60 foot right of way), said iron pin being located a distance of 322.6 feet northerly from the intersection of said western right of way line of Candler Park Drive with the northern right of way line of Miller Street (having a 50-foot right of way), as measured along the said western right of way line of Candler Park Drive; and running thence north 86 degrees 45 minutes west a distance of 214 feet to an iron pin found; thence north 1 degree 59 minutes east a distance of 130 feet to an iron pin placed; thence south 86 degrees 45 minutes east a distance of 56 feet to an iron pin placed at an old concrete base of a fence post found; thence north 1 degree 59 minutes east a distance of 34 feet to an iron pin placed; thence south 86 degrees 45 minutes east a distance of 158 feet to an iron pin placed on the western right of way line of Candler Park Drive; thence south 1 degree 59 minutes west a distance of 164.0 feet to the point of beginning, and being more particularly shown on plat of survey prepared for Phoenix Unitarian Fellowship by Virgil F. Gaddy, Registered Land Surveyor, dated May 27, 1977, which plat is incorporated herein by this reference and made a part of this description.

SECTION 2. That this ordinance is approved under the provisions of Section 16-25002 of the Zoning Ordinance of the City of Atlanta and the Building Inspector shall issue a building permit for the development of the above described property only in strict compliance with the following conditions:

A site plan entitled "Site Plan, Phoenix Unitarian Fellowship"; prepared by Ralph Liss Associates and marked-received by the Bureau of Planning October 17, 1977

NOTE: The site plan hereby approved does not authorize the violation of any zoning district regulation. District regulation variances can be approved only by application to the Atlanta Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts thereof which conflict with the terms of this Ordinance, are hereby repealed.

ADOPTED by City Council November 7, 1977  
APPROVED November 11, 1977

A true copy,  
*Jerry C. Beale*  
Deputy Clerk of Council

