

2697

13-0-1225

(Do Not Write Above This Line)

Committee Zoning
Date 8/28/13
Chair [Signature]
Referred To ZRB

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RC Vote

Z-13-31

AN ORDINANCE
BY: ZONING COMMITTEE

An Ordinance to rezone from the C-1-C (Community Business-Conditional) District to the MR-4B (Multi-family Residential) District for property located at 627 IRWIN STREET, N.E. fronting approximately 100 feet on the south side of Irwin beginning 400 feet from the southwest corner of Randolph. Depth: approximately 200 feet. Area: approximately .49 acres. Land Lot 19, 14th District, Fulton County, Georgia.

OWNER: JIM
LAVALLEE/EPIC DEVELOPMENT, LLC.
APPLICANT: JIM LAVALLEE/EPIC DEVELOPMENT, LLC.
NPU M
COUNCIL DISTRICT 2 As Amended

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

Date Referred 9/3/13
 Referred To: ZRB + Zoning
 Date Referred
 Referred To:
 Date Referred
 Referred To:

Committee Zoning
 Date 10/20/13
 Chair [Signature]
 Action AS AMENDED
 Fav, Adv, Hold (see rev. side)
 Other
 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
ADOPTED BY
NOV 04 2013
COUNCIL
 Refer To

Committee
 Date
 Chair
 Action
 Fav, Adv, Hold (see rev. side)
 Other
 Members
 Refer To

CERTIFIED
 NOV 04 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 NOV 04 2013
 Ronald Douglas Johnson
 MUNICIPAL CLERK

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



City Council
Atlanta, Georgia

13-O-1225

Z-13-31

Date Filed: 8-6-13

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

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 **627 IRWIN STREET, N.E.**, be changed from the C-1-C (Community Business-Conditional) District to the MR-4B-C (Multi-family Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 19 of the 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 Clerk

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

NOV 04, 2013
NOV 13, 2013



Conditions for Z-13-31 for 627 Irwin Street, N.E.

1. A site plan similar to one entitled "627 Irwin Street N.E. Proposed Site Plan" by Survey Land Express, Inc. and Gamble and Gamble Architects dated August 6, 2012 and stamped received by the Office of Planning, August 6, 2013. However, this condition shall not preclude application of the MR regulations.
2. Existing sidewalks and ramps along all property frontages shall be upgraded and/or repaired in order to meet current city and Americans with Disabilities Act standards.
3. The development shall not be gated to ensure stacking of vehicles does not occur across Irwin Street sidewalk and on Irwin Street.



BUILDER, OWNER: RICK BENNETT
 ADDRESS: PO Box 660066
 ATLANTA, GA 30366
 TEL 404-474-4900
 WORK HOURS 7.00 AM - 7.00 PM

Course	Bearing	Distance
L1	S 89°28'38" W	24.00'

SITE LOCATION MAP
 (NOT TO SCALE)

SSM#1
 RM 1016.10
 INV IN 1003.80
 INV OUT 1003.70

SSM#2
 RM 1013.80
 INV IN 1002.40
 INV OUT 1002.30

SSM#3
 RM 1006.12
 INV IN 997.52
 INV OUT 997.32

SSM#4
 RM 1024.82
 INV IN 1014.82
 INV OUT 1014.82

627 IRWIN STREET N.E.
 PROPOSED SITE PLAN

CRITICAL TREE ROOT ZONE CIRCLE (TYP)
 (RADIUS 1' FOR EACH 1" DIAMETER
 AT BREAST HEIGHT OF TREE
 VIOLATION LESS THAN 20%

STANDARD 4' ORANGE TREE SAVE FENCING
 ALL TREE SAVE FENCING TO BE INSTALLED
 ACCORDING TO TREE ORDINANCE
 (1' AWAY PER 1" OF TREE GIRTH)

ALL TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR
 TO THE COMMENCEMENT OF ANY CONSTRUCTION, DEMOLITION
 OR LAND DISTURBANCE ACTIVITIES.

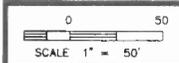
TREE PROTECTION FENCING SHALL BE MAINTAINED DURING THE
 ENTIRE PROJECT PERIOD.

ALL LAND DISTURBANCE TO BE STABILIZED WITH VEGETATION UPON
 COMPLETION OF DEMOLITION.

TREE SAVE STATUS:
 X INDICATES TREE
 TO BE REMOVED

2-13-31
 TO SURVEY
 AND PLAN
 OFFICE OF
 PLANNING

(9) TOWNHOUSES
 3 LEVELS TYPICAL
 STOOP ENTRANCES FACING EAST
 (2 CAR) GARAGE ENTRANCES TO THE DRIVE
 PERIMETER TREES AT SETBACK
 24' CURB CUT



NOTE: NO TREES TO BE REMOVED FROM SITE.

PLAT PREPARED FOR:
615, 617, 627, 631 IRWIN STREET

LOT	BLOCK
SUBDIVISION	UNIT
LAND LOT 19	14TH DISTRICT SECTION
FULTON COUNTY, GEORGIA	
FIELD WORK DATE JULY 26, 2012	PRINTED/SIGNED AUG 06, 2012

SURVEY LAND EXPRESS, INC
 LAND SURVEYING SERVICES

70 LENOX POINT
 ATLANTA, GA 30324

FAX 404-501-0641
 TEL 404-252-5747
 INFO@SURVEYLANDEXPRESS.COM



IN MY OPINION, THE PLAT IS A CORRECT REPRESENTATION
 OF THE LAND PLATTED, AND HAS BEEN PREPARED IN CONFORMITY
 WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.



WHEREAS, U.S. Bank, N.A., a successor trustee to Wachovia Bank, N.A. (formerly known as First Union National Bank) as trustee for Long Beach Mortgage Loan Trust 2002-2, according to the terms of said Security Deed, did expose said property for sale to the highest and best bidder for cash on the first Tuesday, **September 7, 2010** within the legal hours of sale before the Courthouse door in **Fulton** County, Georgia, after first advertising said sale by a notice published in the **FULTON COUNTY DAILY REPORT** once a week for four weeks immediately preceding said sale and complying with the terms of said Security Deed and advertisement; and

WHEREAS, the property hereinafter described was knocked off to the Grantee herein, said Grantee being the highest and best bidder for cash at and for the sum of

THIS CONVEYANCE is made subject to any right of the United States of America to redeem the within-described property within one hundred and twenty (120) days from the aforesaid sale date in order to satisfy certain outstanding federal tax liens. See affidavit and notice to Internal Revenue Service attached hereto and made a part hereof.

NOW THEREFORE, in consideration of the premises and the above said sum, cash in hand paid, the receipt of which is hereby acknowledged, the said Grantors, acting by and through their duly appointed agent and Attorney-in-Fact, U.S. Bank, N.A., a successor trustee to Wachovia Bank, N.A. (formerly known as First Union National Bank) as trustee for Long Beach Mortgage Loan Trust 2002-2, do hereby sell, transfer and convey unto said Grantee herein, its successors and assigns, the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 19 of the 14th District of Fulton County, Georgia being more particularly described as follows: Beginning at a point on the south side of Irwin Street 206.4 feet west as measured along the south side of Irwin Street from the southwest corner of the intersection of Irwin Street and Auburn Avenue, said Point of Beginning also being located at the northwest corner of property now or formerly owned by Rice and Mitchell; thence running west along the south side of Irwin Street, 100 feet to a point; thence running south 200 feet to a point; thence running east 100 feet to a point; thence running north 200 feet to a point on the south side of Irwin Street, said point being the point of beginning.

Said property is known as **627 Irwin Street NE, Atlanta, GA 30312**, together with all fixtures and personal property attached to and constituting a part of said property, if any.

This conveyance is subject to any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), the right of redemption of any taxing authority, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, easements, restrictions, covenants, and matters of record superior to the Security Deed.

213-31

RCS# 3129
11/04/13
3:26 PM

Atlanta City Council

MULTIPLE 13-O-1221, 13-O-1225 AND 13-O-1005

ADOPT AS AMNDED

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

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

MULTIPLE