

3348

12-0 -1436
(Do Not Write Above This Line)

AN ORDINANCE U-12-20
BY: ZONING COMMITTEE

An Ordinance granting a Special Use Permit for a **NIGHTCLUB** pursuant to Section 16-18L.007 (3) (a) of the Zoning Ordinance, property located at **34 IRBY AVENUE, N.W.**, fronting approximately 32 feet on the north side of Irby Avenue beginning approximately 64 feet from the northeast corner of Irby Avenue and Early Street. Depth: varies. Area: approximately 0.273 acres. Land Lot 99, 17th District, Fulton County, Georgia.

OWNER: FIRST SECURITY AND EXCHANGE PARTNERSHIP, LLP
APPLICANT: DEWAYNE N. MARTIN NPU B
COUNCIL DISTRICT 8

FILED

DEC 02 2013

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

Date Referred 11/5/12
 Referred To: ZRB + Zoning
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

Committee Zoning
 Date 11/26/12
 Chair [Signature]
 Referred To ZRB + Zoning

Committee Zoning
 Date 11/26/12
 Chair [Signature]
 Action Other FILE
 Fav, Adv, Hold (see rev. side)
 Members [Signatures]
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
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Committee _____
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 Chair _____
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 Fav, Adv, Hold (see rev. side)
 Other _____
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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
 DEC 02 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 DEC 02 2013
 Rhonda Dushin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

RCS# 3210
12/02/13
5:59 PM

Atlanta City Council

MULTIPLE

ITEMS 9-40 OF THE ZONING COMMITTEE
REPORT
FILE

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

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

MULTIPLE

Municipal Clerk
Atlanta, Georgia

12-0-1436

AN ORDINANCE
BY: ZONING COMMITTEE

U-12-20

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

SECTION 1. Under the provisions of Section 16-18I.007 (3) (a) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **NIGHTCLUB**, is hereby granted. Said use is granted to **FIRST SECURITY AND EXCHANGE PARTNERSHIP, LLP** and is to be located at **34 IRBY AVENUE, N.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 99, 17th District, Fulton 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.

LEGAL DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99 OF THE 17TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR ON THE SOUTHERLY RIGHT-OF-WAY LINE OF IRBY AVENUE (APPARENT 60' R/W) BEING 369 FEET EASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY FROM THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PACES FERRY ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE S 89°56'18" E, A DISTANCE OF 77.19 FEET TO A PK NAIL; THENCE DEPART SAID SOUTHERLY RIGHT-OF-WAY LINE AND RUN ALONG THE WESTERLY LINE OF TWO TRACTS OF PARCELS OF LAND NOW OR FORMERLY OWNED BY CAROLYN O. & BRUCE B. WILSON, S 19°48'20" W, A DISTANCE OF 175.94 FEET TO A POINT ON A 12 FOOT ALLEY (PER DEED BOOK 461, PAGE 60); THENCE DEPART SAID WESTERLY LINE AND RUN ALONG THE NORTHERLY LINE OF SAID ALLEY N 85°14'53" W, A DISTANCE OF 59.40 FEET TO A POINT; THENCE DEPART SAID NORTHERLY LINE AND RUN ALONG THE EASTERLY LINE OF A TRACT OR PARCEL OF LAND NOW OR FORMERLY OWNED BY MORTON REALTY CO. N 14°31'17" E A DISTANCE OF 166.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.258 ACRES (11,250 SQUARE FEET) MORE OR LESS.

U-12-020

