

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, 17<sup>th</sup> 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



Land Planners  
Engineers  
Surveyors  
Landscape Architects

A tract of land, situated in Land Lot 152, 17<sup>th</sup> 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 12<sup>th</sup>, 2012 (Project No. 2010102) unto which reference is hereby made