

City Council  
Atlanta, Georgia

**13-0-0112**

**U-82-21  
(TR-12-004)**

AN ORDINANCE  
BY: ZONING COMMITTEE

**AN ORDINANCE TO AMEND ORDINANCE U-82-21 AS ADOPTED BY THE CITY COUNCIL ON July 6, 1982 AND APPROVED BY THE MAYOR ON July 14, 1982 FOR THE PURPOSES OF APPROVING A TRANSFER OF OWNERSHIP FOR A SPECIAL USE PERMIT FOR A DAY CARE CENTER FOR PROPERTY LOCATED AT 799 HUTCHENS ROAD, S.E. AND FOR OTHER PURPOSES.**

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

SECTION 1. That the transfer (i.e. change of grantee) of Special Use Permit granted by **ORDINANCE U-82-21** for a **DAY CARE CENTER**, property located at **799 HUTCHENS ROAD, S.E.** from *Fred and Christine Baugh* to *Michelle Coverson* is hereby approved, under the provision of Section 16-25.002 (2), to wit:

SECTION 2. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



# CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 - ATLANTA, GEORGIA 30303-0308  
404-330-6145 - FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)



## APPLICATION TO TRANSFER SPECIAL PERMIT

The undersigned does hereby make application to transfer:

TR - 12 - 004

Special Use Permit  Special Exception Permit  Special Administrative Permit

To be completed by the new owner/operator of Special Permit:

Applicant: Michelle Coverson Phone Number: 4) 604 8852

Email Address: Michelle.coverson@yacham.com Fax Number: 4) 752 7458

Address: 799 Hutchens Road

City: Atlanta State: GA Zip: 30354

New Business/Owner Name: Early Journey Child Development Center

To be completed by the current holder of Special Permit:

Name: Fred & Christine Dough Phone Number: 4) 312-1044

Email Address: — Fax Number: —

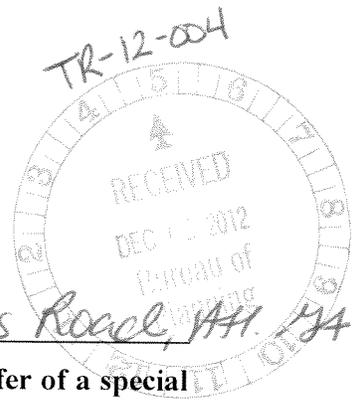
Address: 133 Augusta Drive

City: Macon State: GA Zip: 30253

### Instructions:

- Special Permit Transfer applications are processed on an "as requested" basis and may take up to 45 (forty-five) business days for review by Staff and/or legislative process.
- Provide a copy of the original ordinance/approval for special permit.
- Complete Transfer Application Form.
- Complete Applicant Affidavit (see page 2).
- Complete previous owner affidavit or submit a letter from previous/current owner authorizing the transfer of Special Use Permit to the new applicant (see page 3).
- Submit completed application with notarized signatures.
- Application fee of \$200 due at the time of application submittal.

APPLICANT AFFIDAVIT



I swear and affirm that I am the owner/lessee of 799 Hutchens Road, Atlanta, GA (indicate address of subject property) which is the subject of the request for a transfer of a special permit for U-82-21 (permit number). I affirm that I am thoroughly familiar with and will abide by the terms/conditions of the original permit.

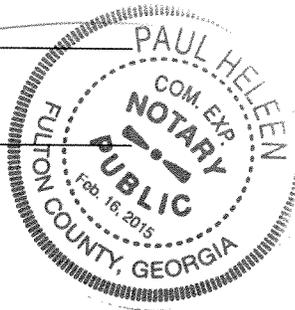
Name of applicant Schemka Michelle Cavessa  
Address 799 Hutchens Road  
Atlanta GA 30354  
City State Zip Code  
Telephone number 416048852

NOTARIAL STATEMENT

PERSONALLY APPEARED BEFORE ME PERSON(S) OF THE ABOVE NAME(S), WHO SWEAR THAT THE INFORMATION CONTAINED IN THIS AFFIDAVIT IS TRUE AND CORRECT TO THEIR BEST KNOWLEDGE AND BELIEF?

[Signature]  
Notary

12/12/12  
Date



**OWNER STATEMENT**



I swear and affirm that I am/was the owner of the property subject to the proposed special permit transfer. I hereby grant the transfer of special permit located at 799 Hitchens Road (Property Address) to Early January Child Development Center (New owner/applicant).

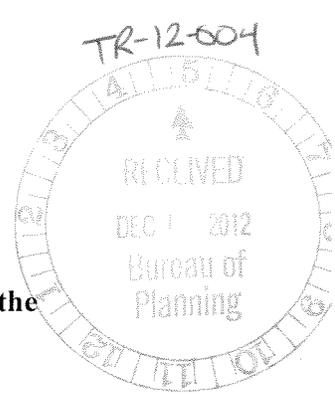
M. Fred + Christine Baugh  
Name

133 Augusta Dr.  
Address

McDonough, Ga 30253  
City State Zip Code

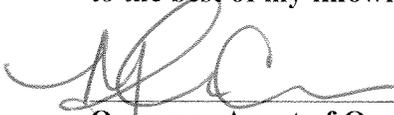
4-312-1044 / 678-289-9719  
Telephone Number

**AUTHORIZATION TO INSPECT PREMISES**



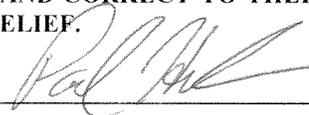
With the signature below, I authorize the staff of the City of Atlanta to inspect the premises, which are the subject of this special permit transfer application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

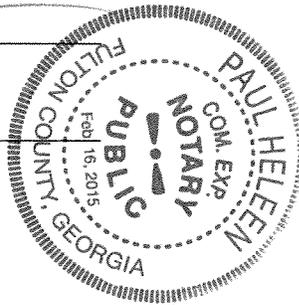
  
\_\_\_\_\_  
Owner or Agent of Owner (Applicant)

**NOTARIAL STATEMENT**

PERSONALLY APPEARED BEFORE ME PERSON(S) OF THE ABOVE NAME(S), WHO SWEAR THAT THE INFORMATION CONTAINED IN THIS AFFIDAVIT IS TRUE AND CORRECT TO THEIR BEST KNOWLEDGE AND BELIEF.

  
\_\_\_\_\_  
Notary

12/17/12  
\_\_\_\_\_  
Date



TR-12-004



Return Recorded Document to:  
Brochstein & Bantley, P.C.  
827 Fairways Court, Suite 100  
Stockbridge, GA 30281

BB#: 21224887

### WARRANTY DEED

STATE OF GEORGIA

COUNTY OF Henry

**THIS INDENTURE**, made the 19th day of October, 2012, between Fred Baugh, as party of the first part, hereinafter called Grantor, and Early Journey Child Development Center, Inc., as party of the second part, hereinafter called Grantee (the words "Grantor(s)" and "Grantee(s)" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH** that: Grantor, for and in consideration of the sum of **TEN AND 00/100 DOLLARS (\$10.00)** and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 30 of the 14th District, Fulton County, Georgia, being lot 9 and part of Lot 8, Section No. 1, Poole Creek Hills Subdivision, as per plat recorded in Plat Book 60, page 12, Records of Fulton County, Georgia and being more particularly described as follows:

Beginning at the southeast corner of Hutchens Road and Katomarick Drive; running thence southeasterly along the southwesterly side of Hutchens Road a distance of 172.0 feet to an iron pin; running thence southwesterly a distance of 206.2 feet to an iron pin; running thence northwesterly a distance of 14.0 feet to an iron pin; running thence northwesterly a distance of 20.0 feet to an iron pin; running thence northwesterly a distance of 90.0 feet to an iron pin located on the easterly side of Katomarick Drive; running thence northerly along the easterly side of Katomarick Drive a distance of 200.0 feet to the point of beginning. Being improved property having a one-story brick house thereon and being more particularly shown on survey prepared by Eston Pendly & Assoc., Inc., dated May 2, 1975.

**THIS CONVEYANCE** is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

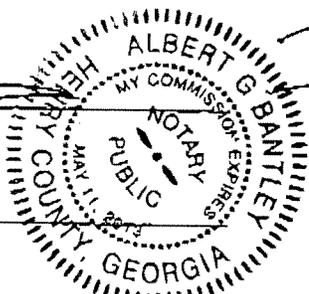
**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

**AND THE SAID** Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

**IN WITNESS WHEREOF**, Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of:

*Sharon P. [Signature]*  
Witness  
*[Signature]*  
Notary Public

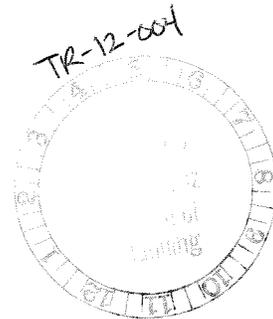


*Fred Baugh*  
Fred Baugh

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

SECTION 1. Under the provisions of Chapter 25, Section 16-25.001, of the 1982 Zoning Ordinance of the City of Atlanta, a Special Use Permit for DAY CARE CENTER to be located at 799 HUTCHENS ROAD, S.E. is hereby granted to Fred A. Christine Baugh for that tract or parcel of land lying and being in Land Lot 30 of the 14th District, Fulton County, Georgia, being more particularly described as follows:

SEE ATTACHMENTS



SECTION 2. This is amendment is approved under the provisions of Section 16-25.002 entitled "Special permits, general" Chapter 25 Special Permits of the 1982 Zoning Ordinance of the City of Atlanta. The Director of the Bureau of Buildings shall issue a building permit only in compliance with the following conditions. NOTE: This site plan hereby approved does not authorize the violation of any zoning district regulations. District regulation variances or exceptions may be approved only by application to the City of Atlanta Board of Zoning Adjustment.

1. Site plan entitled "Proposed Site Plan - Day Care Facility" prepared by Norman G. Allen, Registered Architect, undated and marked received by the City of Atlanta, Zoning Division May 10, 1982, except as noted in condition two (2) below.
2. That the parking and access plan shown on the referenced site plan is to be revised as required by the Bureau of Traffic and Transportation and such revision is to be approved by them.
3. That there be no signs or other decorative elements on the exterior of the building except an identification sign in compliance with the appropriate R-4 district regulations of the 1982 Zoning Ordinance.

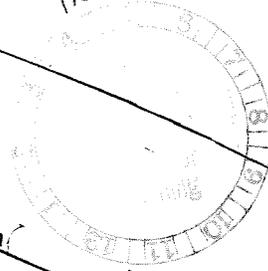
SECTION 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

A true copy  
*Jerry C. Burch*  
DEPUTY CLERK

ADOPTED by City Council July 6, 1982  
APPROVED by the Mayor July 14, 1982

HUTCHENS ROAD

TR-12-004

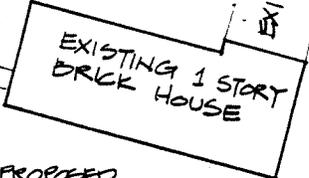


172.0'

KATOMARICK DRIVE

200.0'

EXIST. CONC. DRIVE



EXISTING 1 STORY BRICK HOUSE

EXIST. CONC. DRIVE

ENTRY

PROPOSED TURN-AROUND DRIVE & PARKING

EXIST. PATIO

EXIT



PROPOSED 1 STORY DAY CARE FACILITY APPROX 900 SQ. FT.

PLAY AREA (FENCED)

110.0'

206.2'

14.0'

4-82-~~821~~  
**RECEIVED**

MAY 10 1982

CITY OF ATLANTA  
ZONING DIVISION

NOTE: REFER TO ATTACHED SURVEY FOR ADDITIONAL LOT INFORMATION.



PROPOSED SITE PLAN-DAY CARE FACILITY

799 HUTCHENS RD., S.E. ATLANTA, GEORGIA

2466397

WARRANTY DEED

TR-12004 U 82-20 21

STATE OF GEORGIA

COUNTY OF DEKALB

THIS INDENTURE, Made the 10th day of May, in the year one thousand nine hundred Seventy-Five, between CECIL R. TURNER

of the County of Fulton, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

FRED BAUGH

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration (\$10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

All that tract or parcel of land lying and being in Land Lot 30 of the 14th District, Fulton County, Georgia, being Lot 9 and part of Lot 8, Section No. 1, Poole Creek Hills Subdivision, as per plat recorded in Plat Book 60, page 12, Records of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at the southeast corner of Hutchens Road and Katomarick Drive; running thence southeasterly along the southwesterly side of Hutchens Road a distance of 172.0 feet to an iron pin; running thence southwesterly a distance of 206.2 feet to an iron pin; running thence northwesterly a distance of 14.0 feet to an iron pin; running thence northwesterly a distance of 20.0 feet to an iron pin; running thence northwesterly a distance of 90.0 feet to an iron pin located on the easterly side of Katomarick Drive; running thence northerly along the easterly side of Katomarick Drive a distance of 200.0 feet to the point of BEGINNING. Being improved property having a one-story brick house thereon and being more particularly shown on survey prepared by Eston Pendley & Assoc., Inc., dated May 2, 1975.

Fulton County, Georgia  
Real Estate Transfer Tax

Paid \$ 44.00

Date May 19, 1975

Barbara J. Lrice

GEORGIA, Fulton County, Clerk's Office Superior Court  
Filed & Recorded May 19, 1975 at 9:00 A.M.

Clerk of Superior Court

By Bruce Carley  
dep. clerk

Barbara J. Lrice CLERK

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in presence of:

[Signature] \_\_\_\_\_ (Seal)  
[Signature] \_\_\_\_\_ (Seal)  
CECIL R. TURNER

[Signature] \_\_\_\_\_ (Seal)  
Notary Public, Georgia, State at Large  
My Commission Expires Jan. 31, 1978

