

U-13-12 AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PRESCHOOL, PURSUANT TO SECTION 16-06.005 (1) (B), PROPERTY LOCATED AT 2490 HOSEA L. WILLIAMS DRIVE, S.E., FRONTING APPROXIMATELY 152 FEET ON THE NORTH SIDE OF HOSEA L. WILLIAMS DRIVE AND APPROXIMATELY 200 FEET ON THE WEST SIDE OF FIFTH AVENUE. PROPERTY LOCATED AT THE NORTHWESTERLY INTERSECTION OF HOSEA L. WILLIAMS DRIVE AND FIFTH AVENUE. DEPTH: VARIES. AREA: APPROXIMATELY 0.697 ACRES. LAND LOT 204, 15TH DISTRICT, DEKALB COUNTY, GEORGIA. OWNER: RICHARD DORSEY, CHAIRMAN OF TRUSTEE BOARD OF EAST LAKE UNITED METHODIST CHURCH APPLICANT: WILLIAM ASP NPU O COUNCIL DISTRICT 5

Application File Date	May 7, 2013
Zoning Number	U-13-12
NPU / CD	O/5
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval Conditional (7/11/2013)

Review List:

Office of Research and Policy Analysis	Completed	05/24/2013 9:37 AM
Zoning Committee	Completed	06/13/2013 10:07 AM
Community Development & Human Resources Committee	Completed	06/24/2013 5:00 PM
Zoning Review Board Staff	Completed	07/18/2013 2:16 PM
Office of Research and Policy Analysis	Completed	07/22/2013 10:32 AM
Zoning Committee	Pending	

HISTORY:

06/12/13	Zoning Committee
06/17/13	Community Development & Human Resources Committee REFERRED TO ZRB AND ZC

RESULT:	REFERRED TO ZRB AND ZC [12 TO 0]
AYES:	Wan, Martin, Smith, Shook, Moore, Young Jr., Sheperd, Bottoms, Hall, Bond, Archibong, Adrean
EXCUSED:	H. Lamar Willis
AWAY:	Aaron Watson, Cleta Winslow

RESULT: REFERRED TO ZRB AND ZC [12 TO 0]
AYES: Wan, Martin, Smith, Shook, Moore, Young Jr., Sheperd, Bottoms, Hall, Bond, Archibong, Adrean
EXCUSED: H. Lamar Willis
AWAY: Aaron Watson, Clela Winslow

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**AN ORDINANCE
BY ZONING COMMITTEE**

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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 PRESCHOOL is hereby granted. Said use is granted to EAST LAKE UNITED METHODIST CHURCH and is to be located at 2490 HOSEA L. WILLIAMS DRIVE, S.E., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 204 of the 15th 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.

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LEGAL DESCRIPTION

U-13-12

All that tract or parcel of land lying and being in Land Lot 204 of Land District 15 in Dekalb County, Georgia containing 0.696 acres, and being more particularly described as follows;

Beginning at the point of intersection of the west side of Fifth Avenue (60' R/W), and the north side of Hosea L. Williams Drive (80' R/W); thence run along said right of way of Hosea L. Williams Drive South 89 degrees 05 minutes 00 seconds West, a distance of 152.13 feet to a crimped top pipe; thence, leaving said right of way, run North 01 degrees 35 minutes 00 seconds West a distance of 199.25 feet to a crimped top pipe; thence, run North 88 degrees 29 minutes 45 seconds East a distance of 150.99 feet to a point on the west right of way of Fifth Avenue; thence, run along said right of way South 01 degrees 54 minutes 17 seconds East a distance of 200.81 feet to the point of beginning.



CONDITIONS FOR U-13-12 FOR 2490 HOSEA WILLIAMS DRIVE, N.E.

1. This permit shall be valid for 3 years from the date of approval by the Atlanta City Council
2. The permit shall only be valid as long as William Asp and Alecia Karpick are the operators of the Day Care.