

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A PRESCHOOL PURSUANT TO SECTION 16-06A.005 (1) (B), PROPERTY LOCATED AT 1223 HARDEE STREET, N.E. FRONTING APPROXIMATELY 199 FEET ON THE SOUTH SIDE OF HARDEE STREET AND APPROXIMATELY 160 FEET EAST OF THE OF THE INTERSECTION OF HARDEE STREET AND SCREVEN AVENUE. DEPTH: VARIES. AREA: APPROXIMATELY 3.32 ACRES. LAND LOT 208, 15TH DISTRICT, DEKALB COUNTY, GEORGIA. OWNER: JAMES L. SMITH/ANTIOCH EAST BAPTIST CHURCH, INC. APPLICANT: NEW MORNING COMMUNITY PRESCHOOL AND DEBORAH N. VICKERY NPU O COUNCIL DISTRICT 5

Application File Date	8-6-13
Zoning Number	U-13-17
NPU / CD	O/5
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

Review List:

Office of Research and Policy Analysis	Completed	08/20/2013 10:27 AM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	

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

LEGISLATION HISTORY – BLUE BACK

**AN ORDINANCE
BY ZONING COMMITTEE**

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A PRESCHOOL PURSUANT TO SECTION 16-06A.005 (1) (B), PROPERTY LOCATED AT 1223 HARDEE STREET, N.E. FRONTING APPROXIMATELY 199 FEET ON THE SOUTH SIDE OF HARDEE STREET AND APPROXIMATELY 160 FEET EAST OF THE OF THE INTERSECTION OF HARDEE STREET AND SCREVEN AVENUE. DEPTH: VARIES. AREA: APPROXIMATELY 3.32 ACRES. LAND LOT 208, 15TH DISTRICT, DEKALB COUNTY, GEORGIA. OWNER: JAMES L. SMITH/ANTIOCH EAST BAPTIST CHURCH, INC. APPLICANT: NEW MORNING COMMUNITY PRESCHOOL AND DEBORAH N. VICKERY NPU O COUNCIL DISTRICT 5

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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 16-06A.005 (1) (b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a PRESCHOOL is hereby granted. Said use is granted to NEW MORNING COMMUNITY PRESCHOOL and DEBORAH N. VICKERY and is to be located at 1223 HARDEE STREET, N.E. , to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 208 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.



55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **U-13-017**

DATE ACCEPTED: **08/06/2013**

NOTICE TO APPLICANT

Address of Property:
1223 Hardee ST NE

City Council District:5 Neighborhood Planning Unit (NPU): O

Zoning Review Board (ZRB) Hearing Date:
Thursday, October 3 or 10, 2013 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU O is:

Earl Williamson
404-378-9599
Earline_aa@yahoo.com

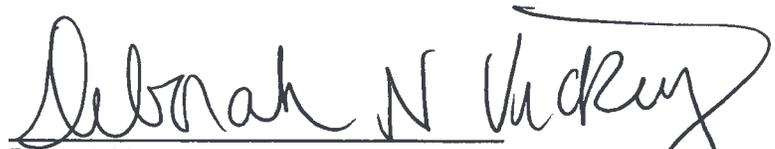
Additional Contacts:

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,



BC, for Director, Bureau of Planning



Deborah Vickery



APPLICATION FOR SPECIAL USE PERMIT

City of Atlanta

Date Filed 8/6/13 Application Number U-13-17

I Hereby Request That The Property Described in this Application be granted a Special Use Permit

Name of Applicant New Morning Community Preschool
Vickery Deborah N
Last Name First Name M.I.

Address 2949 Mount Olive Drive
Street Name

City Decatur **State** GA **Zip Code** 30033

Phone 404 769-2317 **Fax** _____

E-mail address nmcpreschool@gmail.com

Name of Property Owner Smith, James L.
Antioch East Baptist Church Inc.
Last Name First Name M.I.

Address 1223 **Street Name** Hardee

City Atlanta **State** GA **Zip Code** 30307

Daytime Phone 404 688 1298 **Fax** 404 523 1083

E-mail address smith7135@bellsouth.net

Description of Property

Street Address of Property 1223 Hardee St

City Atlanta **State** GA **Zip Code** 30307

Property is zoned: _____ **Council District:** 15th **Neighborhood Planning Unit:** 0

(optional) The subject property fronts _____ feet on the _____ side of _____, beginning _____ feet from the _____ corner of _____

Depth: _____ **Area:** 3.32 acres **and Lot:** 208 **Land District:** 15th

**B IMPACT ANALYSIS for New Morning Community Preschool at 1223 Hardee St,
Atlanta GA, 30307**



1. Ingress and Egress:

- a. When facing the building there are 2 driveways, one on each side of the church. Parents will be directed to drive in the driveway that is closest to the west side of the property. They will then park their vehicle in the closest spots to the entrance of the church on the west side of the building for drop off. When they are ready to leave, they will drive around the back of the building to exit on the east driveway.
- b. Emergency and service vehicles will follow this same procedure
- c. This should cause minimal traffic congestion as we currently have a total of 25 families enrolled in the school. Families come on alternating days (for example some are enrolled only Tuesday/Thursday and some are enrolled Monday/Wednesday/Friday). The drop off time is from 9:00-9:30 and pick up time is from 12:20-12:50 so there is a long range allowed for drop off and pick up time so there should never be a line up on the street or a problem with traffic congestion as parents stagger in. Our current estimated maximum daily enrollment would be approximately 40 families.

2. Off-Street Parking and Loading:

- a. Garbage is picked up weekly from a church owned dumpster by a private trash company.
- b. There is minimal delivery needed, but when it will be needed, it will be done during school hours or when the administrative assistant of the church would be available to receive items.
- c. There is plentiful parking available at the church. 114 spaces are marked and available. There is additional gravel overflow parking at the back of the property.
- d. Employees and clients will park their vehicles in spaces adjacent to the church building on the property of the church.

3. Buffering and Screening:

- a. The outdoor play spaces marked off for the children are 10 ft or more away from any neighboring residential property, in most cases much further. Most of the church property has a natural brush buffer in addition to the fence the surrounds the property.
- b. A maximum of 35 vehicles will travel to and from the building on days of operation. Currently a maximum of 25 vehicles travel to and from the building on days of operation.
- c. There are no plans for road improvements.

4. Hours and Manner of Operations:

- a. The site will be used for a preschool that has been granted an exemption from licensing from DECAL. The preschool will provide appropriate play and learning experiences for enrolled children. Children ages 3 months to 5 years will participate in age appropriate service projects that will benefit the community. Children will engage in activities such as music, yoga, art, language, math, science, sensory, fine and gross motor and social development.
- b. The school will operate Monday through Friday from 9:00 a.m. until 1:00 p.m. during a normal school schedule. The school schedule will be similar to the APS and DeKalb school year calendar.

- c There will be 6 to 8 employees at the facility. Some employees will work 3 days each week and some will work 5 days each week. Additionally some classes will be held for 2, 3 or 5 days each week.
- d. A maximum of 40 children will be at the facility on one day. Children who are age 2 will attend the program on Tuesdays and Thursdays and children who are age 3 and above will attend either M/W/F or M-F. Additionally we will have a Parent's Morning Out program that will have a maximum of 4 children who are age 3 months to 23 months. The Parent's Morning Out program will operate 5 days each week, but children are only allowed to be enrolled for 8 hours each week to meet our exemption regulations.
- e. No food preparation will be done at the facility and parents will provide all food to be consumed by the children.
- f. New Morning Community Preschool will be offering summer camps for children during the months of June and July. Summer camps are one week long (Monday through Friday) from 9:00 a.m. until 1:00 p.m. There will be a minimum of 2 week long sessions and a maximum of 8 sessions.

5. Duration of Special Use Permit

We would like our special use permit to be granted for 5 years.

6. Tree Preservation and Replacement

No trees will be damaged or cut down to accommodate our space use.

7. Required Yard and Open Spaces

There will be no addition to the existing facility structure.

AUTHORIZATION BY PROPERTY OWNER

(Required only if applicant is not the owner of property subject to the proposed Special Use Permit)

I, James L. Smith (OWNER'S NAME)

SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1223 Hardee Street Atlanta, GA 30307 (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF Dekalb COUNTY, GEORGIA, WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

NAME OF APPLICANT

LAST NAME Vickery FIRST NAME Deborah

ADDRESS 2949 STREET NAME Mt. Olive Dr. SUITE _____

CITY Decatur STATE GA ZIP CODE 30033

TELEPHONE NUMBER

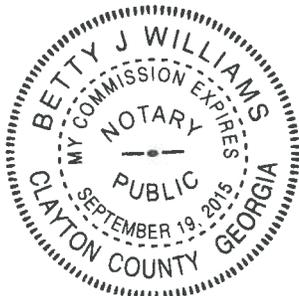
AREA CODE (770) NUMBER 847-0357

James L. Smith
Signature of Owner

James L. Smith
Print name of owner

Personally Appeared Before Me this 30 day of July, 2013.

Betty Williams
Notary Public



AUTHORIZATION TO INSPECT PREMISES

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

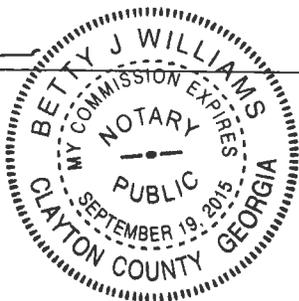
I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

James L. Smith
James L. Smith

Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 30 day of July, 2013.

Betty Williams (Notary Public)



Antioch East Baptist Church

Land Lot 208, 15th district, DeKalb County Georgia

Legal Description (Tract One)

All that tract or parcel of land lying and being in land lot 208 of the 15th district of DeKalb County Georgia, Being Lots 2, 3, 4, 5, 6, 7 and a certain lot marked "reserved for future subdivision", block b, of the Moreland heights subdivision, and being more particularly described as follows:

To find the true point of beginning, commence at a point formed by the intersection of the westerly right of way line of Sanderson street with the southerly right of way line of along the southerly right of way line of Hardee street 310.0 Feet (per the plat book 9 page 11), 310.68 feet (per deed Book 5907 page 375) to the true point of beginning.

Thence from the point of beginning, run south 01 degrees 13 minutes 15 seconds west a distance of 159.70 feet to a point; thence south 89 degrees 37 minutes 13 seconds East a distance of 149.81 feet to an iron pin found; thence south 01 degrees 24 minutes 24 seconds West a distance of 150.29 feet to a point; Thence north 55 degrees 00 minutes 18 seconds west a distance of 14.00 feet to a point; thence north 05degrees 04 minutes 29 seconds west a distance of 39.77 feet to a point; thence north 24 degrees 10 minutes 19 seconds west a distance of 60.15 feet to a point; thence north 40 degrees 53 minutes 20 seconds west a distance of 44.34 feet to a point; thence north 00 degrees 43 minutes 55 seconds east a distance of 122.18 feet to a point; thence north 89 degrees 17 minutes 10 seconds west a distance of 10.00 feet to a point; thence north 17 degrees 49 minutes 032 seconds west a distance of 158.89 feet to a point; fence north 89 degrees 34 minutes 29 seconds west a distance of 108.87 feet to a point; fence north 11 degrees 25 minutes 19 seconds west a distance of 153.2 feet to an open top found on the southerly right of way line of Hardee street; fence running along said southerly right of way line of Hardee street South 89 degrees 36 minutes 49 seconds East a distance of 102.38 feet to an iron pin found; fence south 89 degrees 33 minutes 11 second East a distance of 199.93 feet to the point of beginning.

Said tract of land contains 139,919 square feet as shown on the plat of survey prepared by solar land surveying company. Dated July 10, 2003, signed and sealed by John W. Stanzalis, Jr. G.R.L.S. No 2109.



Legal Description Tract 2 (1/2 alley)

All that tract or parcel of land lying and being in land lot 208 of the 15th district of DeKalb County Georgia, Being one half the alley and being more particularly described as follows:

To find the true point of beginning, commence at a point formed by the intersection of the westerly right of way line of sanderson street with the southerly right of way line of Hardee St (40'R/W);thence run in a westerly direction along the southerly right of way line of hardee street 310.0 ft (per platt book 9 page 11), 310.68 feet to an open top found (per deed book 5907 page 375); thence south 01 degrees 13 minutes 15 seconds west a distance of 154.70 feet to a point and the true point of beginning.

Thence from the point of beginning, run south 01 degrees 13 minutes 15 seconds west a distance of 5.00 feet to a point; thence south 89 degrees 37 minutes 13 seconds east a distance of 149.81 feet to an iron pin found; thence south 01 degrees 20 minutes 09 seconds west a distance of 199.71 feet to a point; thence south 01 degrees 24 minutes 24 seconds west a distance of 150.29 feet to a point; thence a long the arc of a curve having a radius of 54.15 feet (said arc being subtended by a chord having a radius of 54.15 feet) A distance of 57.67 feet to a point; thence south 83 degrees 35 minutes 58 seconds west a distance of 132. 33 feet to a point; thence north 55 degrees 00 minutes 18 seconds west a distance of 14.00 feet to a point; thence north 05 degrees 04 minutes 29 seconds west a distance of 39.77 feet to a point; thence north 24 degrees 10 minutes 19 seconds west a distance of 60.15 feet to a point; thence north 40 degrees 53 minutes 20 seconds west a distance of 44.34 feet to a point; thence north 00 degrees 43 minutes 55 seconds east a distance of 122.18 feet to a point; thence north 89 degrees 17 minutes 10 seconds west a distance of 5.00 feet to a point located in the center of a 10 foot alley; thence along the center line of said 10 foot alley 00 degrees 43 minutes 55 seconds west a distance of 124. 08 feet to a point; thence south 40 degrees 53 minutes 20 seconds east a distance of 45.5 feet to a point; thence south 24 degrees 10 minutes 19 seconds east a distance of 58.58 feet to a point; thence south 05 degrees 04 minutes 29 seconds east a distance of 41.29 feet to a point; thence south 55 degrees 00 minutes 18 seconds east a distance of 18.22 feet to a point; thence north 83 degrees 35 minutes 58 seconds east a distance of 134.22 feet to a point; thence along the arc of a curve having a radius of 59.15 feet (said arc being subtended by a chord having a bearing of north 52 degrees 37 minutes 46 seconds east and a chord length of 60.88 feet) A distance of 63.95 feet to a point; thence north 01 degrees 24 minutes 24 seconds east a distance of 151.21 feet to a point; thence north 01 degrees 20 minutes 09 seconds east a distance of 204. 80 feet to a point; thence north 89 degrees 37 minutes 13 seconds west a distance of 154.82 to a point located at the centerline of alley and the true point of the beginning.

Said tract or parcel of land to contain 4,917 square feet (0.11 acres) and being one half the alley as shown on survey prepared for Antioch East Baptist Church, prepared by solar land surveying company dated July 10, 2003. Last revised December 9, 2003, signed and sealed by John W. Stanzilis, Jr. G.R.L.S. NO. 2109

LEGAL DESCRIPTION TRACT TWO (1/2 ALLEY)

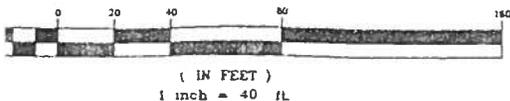
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 208 OF THE 15TH DISTRICT OF DEKALB COUNTY GEORGIA, BEING ONE HALF THE ALLEY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT A POINT FORMED BY THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF SANDERSON STREET WITH THE SOUTHERLY RIGHT OF WAY LINE OF HARDEE STREET (40' R/W). THENCE RUN IN A WESTERLY DIRECTION ALONG THE SOUTHERLY RIGHT OF WAY LINE OF HARDEE STREET 310.0 FEET (PER PLAT BOOK 9 PAGE 11), 310.68 FEET TO AN OPEN TOP FOUND (PER DEED BOOK 5907 PAGE 375); THENCE SOUTH 01 DEGREES 13 MINUTES 15 SECONDS WEST A DISTANCE OF 154.70 FEET TO A POINT AND THE TRUE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, RUN SOUTH 01 DEGREES 13 MINUTES 15 SECONDS WEST A DISTANCE OF 5.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 37 MINUTES 13 SECONDS EAST A DISTANCE OF 149.81 FEET TO AN IRON PIN FOUND; THENCE SOUTH 01 DEGREES 20 MINUTES 09 SECONDS WEST A DISTANCE OF 199.71 FEET TO A POINT; THENCE SOUTH 01 DEGREES 24 MINUTES 24 SECONDS WEST A DISTANCE OF 150.29 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE HAVING A RADIUS OF 54.15 FEET (SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING OF SOUTH 53 DEGREES 05 MINUTES 30 SECONDS WEST AND A CHORD LENGTH OF 54.98 FEET) A DISTANCE OF 57.67 FEET TO A POINT; THENCE SOUTH 83 DEGREES 35 MINUTES 58 SECONDS WEST A DISTANCE OF 132.33 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 18 SECONDS WEST A DISTANCE OF 14.00 FEET TO A POINT; THENCE NORTH 05 DEGREES 04 MINUTES 29 SECONDS WEST A DISTANCE OF 39.77 FEET TO A POINT; THENCE NORTH 24 DEGREES 10 MINUTES 19 SECONDS WEST A DISTANCE OF 60.15 FEET TO A POINT; THENCE NORTH 40 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 44.34 FEET TO A POINT; THENCE NORTH 00 DEGREES 43 MINUTES 55 SECONDS EAST A DISTANCE OF 122.18 FEET TO A POINT; THENCE NORTH 89 DEGREES 37 MINUTES 13 SECONDS WEST A DISTANCE OF 5.00 FEET TO A POINT LOCATED IN THE CENTER OF A 10' ALLEY; THENCE ALONG THE CENTERLINE OF SAID 10' ALLEY SOUTH 00 DEGREES 43 MINUTES 55 SECONDS WEST A DISTANCE OF 124.08 FEET TO A POINT; THENCE SOUTH 40 DEGREES 53 MINUTES 20 SECONDS EAST A DISTANCE OF 45.50 FEET TO A POINT; THENCE SOUTH 24 DEGREES 10 MINUTES 19 SECONDS EAST A DISTANCE OF 58.58 FEET TO A POINT; THENCE SOUTH 05 DEGREES 04 MINUTES 29 SECONDS EAST A DISTANCE OF 41.29 FEET TO A POINT; THENCE SOUTH 55 DEGREES 00 MINUTES 18 SECONDS EAST A DISTANCE OF 18.22 FEET TO A POINT; THENCE NORTH 83 DEGREES 35 MINUTES 58 SECONDS EAST A DISTANCE OF 134.22 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE HAVING A RADIUS OF 59.15 FEET (SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING OF NORTH 52 DEGREES 37 MINUTES 46 SECONDS EAST AND A CHORD LENGTH OF 60.88 FEET) A DISTANCE OF 63.95 FEET TO A POINT; THENCE NORTH 01 DEGREES 24 MINUTES 24 SECONDS EAST A DISTANCE OF 151.21 FEET TO A POINT; THENCE NORTH 01 DEGREES 20 MINUTES 09 SECONDS EAST A DISTANCE OF 204.80 FEET TO A POINT; THENCE NORTH 89 DEGREES 37 MINUTES 13 SECONDS WEST A DISTANCE OF 154.82 TO A POINT LOCATED AT THE CENTERLINE OF ALLEY AND THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND TO CONTAIN 4,917 SQ.FT. (0.11 ACRES) AND BEING ONE HALF THE ALLEY AS SHOWN ON SURVEY PREPARED FOR ANTIOCH EAST BAPTIST CHURCH PREPARED BY SOLAR LAND SURVEYING COMPANY DATED JULY 10, 2003, LAST REVISED DECEMBER 9, 2003, SIGNED AND SEALED BY JOHN W. STANZILIS, JR. C.P.L.S. NO. 2109.

GRAPHIC SCALE



Packet Pg. 50

LEGAL DESCRIPTION TRACT TWO (1/2 ALLEY) ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 208 OF THE 15TH DISTRICT OF DEKALB COUNTY GEORGIA, BEING ONE HALF THE ALLEY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT A POINT FORMED BY THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF SANDERSON STREET WITH THE SOUTHERLY RIGHT OF WAY LINE OF HARDEE STREET (40' R/W). THENCE RUN IN A WESTERLY DIRECTION ALONG THE SOUTHERLY RIGHT OF WAY LINE OF HARDEE STREET 310.0 FEET (PER PLAT BOOK 9 PAGE 11), 310.68 FEET TO AN OPEN TOP FOUND (PER DEED BOOK 5907 PAGE 375); THENCE SOUTH 01 DEGREES 13 MINUTES 15 SECONDS WEST A DISTANCE OF 154.70 FEET TO A POINT AND THE TRUE POINT OF BEGINNING. THENCE FROM THE POINT OF BEGINNING, RUN SOUTH 01 DEGREES 13 MINUTES 15 SECONDS WEST A DISTANCE OF 5.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 37 MINUTES 13 SECONDS EAST A DISTANCE OF 149.81 FEET TO AN IRON PIN FOUND; THENCE SOUTH 01 DEGREES 20 MINUTES 09 SECONDS WEST A DISTANCE OF 199.71 FEET TO A POINT; THENCE SOUTH 01 DEGREES 24 MINUTES 24 SECONDS WEST A DISTANCE OF 150.29 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE HAVING A RADIUS OF 54.15 FEET (SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING OF SOUTH 53 DEGREES 05 MINUTES 30 SECONDS WEST AND A CHORD LENGTH OF 54.98 FEET) A DISTANCE OF 57.67 FEET TO A POINT; THENCE SOUTH 83 DEGREES 35 MINUTES 58 SECONDS WEST A DISTANCE OF 132.33 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 18 SECONDS WEST A DISTANCE OF 14.00 FEET TO A POINT; THENCE NORTH 05 DEGREES 04 MINUTES 29 SECONDS WEST A DISTANCE OF 39.77 FEET TO A POINT; THENCE NORTH 24 DEGREES 10 MINUTES 19 SECONDS WEST A DISTANCE OF 60.15 FEET TO A POINT; THENCE NORTH 40 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 44.34 FEET TO A POINT; THENCE NORTH 00 DEGREES 43 MINUTES 55 SECONDS EAST A DISTANCE OF 122.18 FEET TO A POINT; THENCE NORTH 89 DEGREES 37 MINUTES 13 SECONDS WEST A DISTANCE OF 5.00 FEET TO A POINT LOCATED IN THE CENTER OF A 10' ALLEY; THENCE ALONG THE CENTERLINE OF SAID 10' ALLEY SOUTH 00 DEGREES 43 MINUTES 55 SECONDS WEST A DISTANCE OF 124.08 FEET TO A POINT; THENCE SOUTH 40 DEGREES 53 MINUTES 20 SECONDS EAST A DISTANCE OF 45.50 FEET TO A POINT; THENCE SOUTH 24 DEGREES 10 MINUTES 19 SECONDS EAST A DISTANCE OF 58.58 FEET TO A POINT; THENCE SOUTH 05 DEGREES 04 MINUTES 29 SECONDS EAST A DISTANCE OF 41.29 FEET TO A POINT; THENCE SOUTH 55 DEGREES 00 MINUTES 18 SECONDS EAST A DISTANCE OF 18.22 FEET TO A POINT; THENCE NORTH 83 DEGREES 35 MINUTES 58 SECONDS EAST A DISTANCE OF 134.22 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE HAVING A RADIUS OF 59.15 FEET (SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING OF NORTH 52 DEGREES 37 MINUTES 46 SECONDS EAST AND A CHORD LENGTH OF 60.88 FEET) A DISTANCE OF 63.95 FEET TO A POINT; THENCE NORTH 01 DEGREES 24 MINUTES 24 SECONDS EAST A DISTANCE OF 151.21 FEET TO A POINT; THENCE NORTH 01 DEGREES 20 MINUTES 09 SECONDS EAST A DISTANCE OF 204.80 FEET TO A POINT; THENCE NORTH 89 DEGREES 37 MINUTES 13 SECONDS WEST A DISTANCE OF 154.82 TO A POINT LOCATED AT THE CENTERLINE OF ALLEY AND THE TRUE POINT OF BEGINNING. SAID TRACT OR PARCEL OF LAND TO CONTAIN 4,917 SQ.FT. (0.11 ACRES) AND BEING ONE HALF THE ALLEY AS SHOWN ON SURVEY PREPARED FOR ANTIOCH EAST BAPTIST CHURCH PREPARED BY SOLAR LAND SURVEYING COMPANY DATED JULY 10, 2003, LAST REVISED DECEMBER 9, 2003, SIGNED AND SEALED BY JOHN W. STANZILIS, JR. C.P.L.S. NO. 2109.

LEGAL DESCRI

ALL THAT TRACT OR PARCEL OF THE 45TH DISTRICT OF DEKALB COUNTY GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT A POINT FORMED BY THE INTERSECTION OF SANDERSON STREET AND HARDEE STREET (40' R/W) ALONG THE SOUTHERLY RIGHT OF WAY LINE OF HARDEE STREET 310.0 FEET (PER PLAT BOOK 9 PAGE 375) TO A POINT AND THE TRUE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, RUN SOUTH 01 DEGREES 13 MINUTES 15 SECONDS WEST A DISTANCE OF 5.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 37 MINUTES 13 SECONDS EAST A DISTANCE OF 149.81 FEET TO AN IRON PIN FOUND; THENCE SOUTH 01 DEGREES 20 MINUTES 09 SECONDS WEST A DISTANCE OF 199.71 FEET TO A POINT; THENCE SOUTH 01 DEGREES 24 MINUTES 24 SECONDS WEST A DISTANCE OF 150.29 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE HAVING A RADIUS OF 54.15 FEET (SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING OF SOUTH 53 DEGREES 05 MINUTES 30 SECONDS WEST AND A CHORD LENGTH OF 54.98 FEET) A DISTANCE OF 57.67 FEET TO A POINT; THENCE SOUTH 83 DEGREES 35 MINUTES 58 SECONDS WEST A DISTANCE OF 132.33 FEET TO A POINT; THENCE NORTH 55 DEGREES 00 MINUTES 18 SECONDS WEST A DISTANCE OF 14.00 FEET TO A POINT; THENCE NORTH 05 DEGREES 04 MINUTES 29 SECONDS WEST A DISTANCE OF 39.77 FEET TO A POINT; THENCE NORTH 24 DEGREES 10 MINUTES 19 SECONDS WEST A DISTANCE OF 60.15 FEET TO A POINT; THENCE NORTH 40 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 44.34 FEET TO A POINT; THENCE NORTH 00 DEGREES 43 MINUTES 55 SECONDS EAST A DISTANCE OF 122.18 FEET TO A POINT; THENCE NORTH 89 DEGREES 37 MINUTES 13 SECONDS WEST A DISTANCE OF 5.00 FEET TO A POINT LOCATED IN THE CENTER OF A 10' ALLEY; THENCE ALONG THE CENTERLINE OF SAID 10' ALLEY SOUTH 00 DEGREES 43 MINUTES 55 SECONDS WEST A DISTANCE OF 124.08 FEET TO A POINT; THENCE SOUTH 40 DEGREES 53 MINUTES 20 SECONDS EAST A DISTANCE OF 45.50 FEET TO A POINT; THENCE SOUTH 24 DEGREES 10 MINUTES 19 SECONDS EAST A DISTANCE OF 58.58 FEET TO A POINT; THENCE SOUTH 05 DEGREES 04 MINUTES 29 SECONDS EAST A DISTANCE OF 41.29 FEET TO A POINT; THENCE SOUTH 55 DEGREES 00 MINUTES 18 SECONDS EAST A DISTANCE OF 18.22 FEET TO A POINT; THENCE NORTH 83 DEGREES 35 MINUTES 58 SECONDS EAST A DISTANCE OF 134.22 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE HAVING A RADIUS OF 59.15 FEET (SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING OF NORTH 52 DEGREES 37 MINUTES 46 SECONDS EAST AND A CHORD LENGTH OF 60.88 FEET) A DISTANCE OF 63.95 FEET TO A POINT; THENCE NORTH 01 DEGREES 24 MINUTES 24 SECONDS EAST A DISTANCE OF 151.21 FEET TO A POINT; THENCE NORTH 01 DEGREES 20 MINUTES 09 SECONDS EAST A DISTANCE OF 204.80 FEET TO A POINT; THENCE NORTH 89 DEGREES 37 MINUTES 13 SECONDS WEST A DISTANCE OF 154.82 TO A POINT LOCATED AT THE CENTERLINE OF ALLEY AND THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND TO CONTAIN 4,917 SQ.FT. (0.11 ACRES) AND BEING ONE HALF THE ALLEY AS SHOWN ON SURVEY PREPARED FOR ANTIOCH EAST BAPTIST CHURCH PREPARED BY SOLAR LAND SURVEYING COMPANY DATED JULY 10, 2003, LAST REVISED DECEMBER 9, 2003, SIGNED AND SEALED BY JOHN W. STANZILIS, JR. C.P.L.S. NO. 2109.

SAID TRACT OF LAND TO CONTAIN 4,917 SQ.FT. (0.11 ACRES) AND BEING ONE HALF THE ALLEY AS SHOWN ON SURVEY PREPARED FOR ANTIOCH EAST BAPTIST CHURCH PREPARED BY SOLAR LAND SURVEYING COMPANY DATED JULY 10, 2003, LAST REVISED DECEMBER 9, 2003, SIGNED AND SEALED BY JOHN W. STANZILIS, JR. C.P.L.S. NO. 2109.

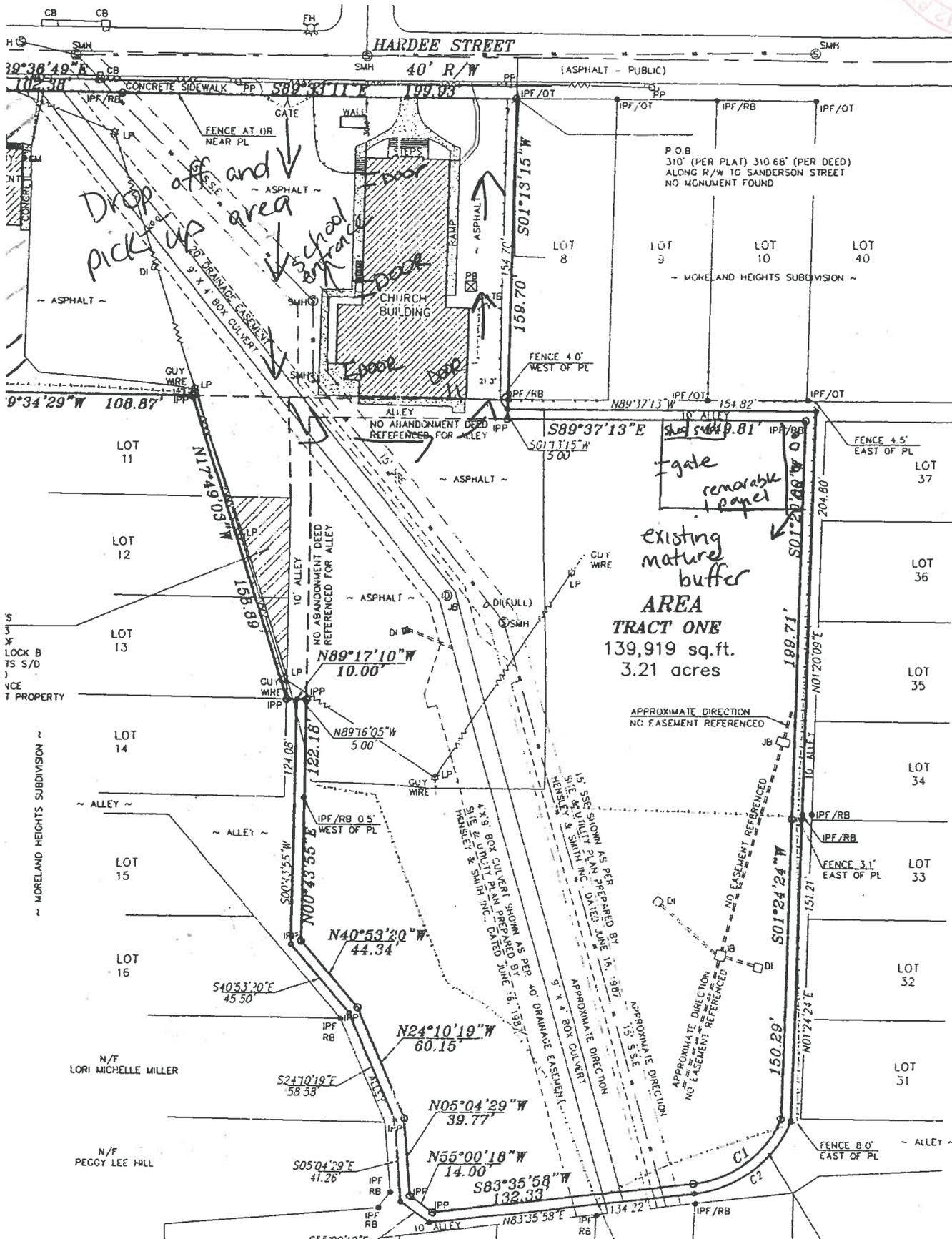
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the State of Georgia, this 10th day of July, 2003.



PLAT BOOK 9 PAGE 375



CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	57.67	54.15	54.98	S53°05'30"W
C2	63.95	59.15	60.88	N52°37'46"E



existing mature buffer
AREA
TRACT ONE
139,919 sq.ft.
3.21 acres

TOTAL A1
TRACT ONE A
144,836 sq
3.32 acre

LOT 11
LOT 12
LOT 13
LOT 14
LOT 15
LOT 16
N/F LORI MICHELLE MILLER
N/F PEGGY LEE HILL

MOPELAND HEIGHTS SUBDIVISION

RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: U-13-017
Application Type: Planning/ZRB/Special use/NA
Address: 1223 HARDEE ST NE, ATLANTA, GA 00000
Owner Name: ANTIOCH EAST BAPTIST CHURCH INCORPORATED THE
Owner Address:
Application Name:

Receipt No.	338047				
Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Received Comments
Check	1057	\$400.00	08/06/2013	JADEGBOYE	

Owner Info.: ANTIOCH EAST BAPTIST CHURCH INCORPORATED THE

Work Description: SUp for a daycare/preschool.

PAID
CITY OF ATLANTA
AUG 06 2013
Th
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

Antioch East Baptist Church

Land Lot 208, 15th district, DeKalb County Georgia

Legal Description (Tract One)



All that tract or parcel of land lying and being in land lot 208 of the 15th district of DeKalb County Georgia, Being Lots 2, 3, 4, 5, 6, 7 and a certain lot marked "reserved for future subdivision", block b, of the Moreland heights subdivision, and being more particularly described as follows:

To find the true point of beginning, commence at a point formed by the intersection of the westerly right of way line of Sanderson street with the southerly right of way line of along the southerly right of way line of Hardee street 310.0 Feet (per the plat book 9 page 11), 310.68 feet (per deed Book 5907 page 375) to the true point of beginning.

Thence from the point of beginning, run south 01 degrees 13 minutes 15 seconds west a distance of 159.70 feet to a point; thence south 89 degrees 37 minutes 13 seconds East a distance of 149.81 feet to an iron pin found; thence south 01 degrees 24 minutes 24 seconds West a distance of 150.29 feet to a point; Thence north 55 degrees 00 minutes 18 seconds west a distance of 14.00 feet to a point; thence north 05degrees 04 minutes 29 seconds west a distance of 39.77 feet to a point; thence north 24 degrees 10 minutes 19 seconds west a distance of 60.15 feet to a point; thence north 40 degrees 53 minutes 20 seconds west a distance of 44.34 feet to a point; thence north 00 degrees 43 minutes 55 seconds east a distance of 122.18 feet to a point; thence north 89 degrees 17 minutes 10 seconds west a distance of 10.00 feet to a point; thence north 17 degrees 49 minutes 032 seconds west a distance of 158.89 feet to a point; fence north 89 degrees 34 minutes 29 seconds west a distance of 108.87 feet to a point; fence north 11 degrees 25 minutes 19 seconds west a distance of 153.2 feet to an open top found on the southerly right of way line of Hardee street; fence running along said southerly right of way line of Hardee street South 89 degrees 36 minutes 49 seconds East a distance of 102.38 feet to an iron pin found; fence south 89 degrees 33 minutes 11 second East a distance of 199.93 feet to the point of beginning.

Said tract of land contains 139,919 square feet as shown on the plat of survey prepared by solar land surveying company. Dated July 10, 2003, signed and sealed by John W. Stanzalis, Jr. G.R.L.S. No 2109.

Legal Description Tract 2 (1/2 alley)

All that tract or parcel of land lying and being in land lot 208 of the 15th district of DeKalb County Georgia, Being one half the alley and being more particularly described as follows:

To find the true point of beginning, commence at a point formed by the intersection of the westerly right of way line of sanderson street with the southerly right of way line of Hardee St (40'R/W);thence run in a westerly direction along the southerly right of way line of hardee street 310.0 ft (per platt book 9 page 11), 310.68 feet to an open top found (per deed book 5907 page 375); thence south 01 degrees 13 minutes 15 seconds west a distance of 154.70 feet to a point and the true point of beginning.

Thence from the point of beginning, run south 01 degrees 13 minutes 15 seconds west a distance of 5.00 feet to a point; thence south 89 degrees 37 minutes 13 seconds east a distance of 149.81 feet to an iron pin found; thence south 01 degrees 20 minutes 09 seconds west a distance of 199.71 feet to a point; thence south 01 degrees 24 minutes 24 seconds west a distance of 150.29 feet to a point; thence a long the arc of a curve having a radius of 54.15 feet (said arc being subtended by a chord having a radius of 54.15 feet) A distance of 57.67 feet to a point; thence south 83 degrees 35 minutes 58 seconds west a distance of 132. 33 feet to a point; thence north 55 degrees 00 minutes 18 seconds west a distance of 14.00 feet to a point; thence north 05 degrees 04 minutes 29 seconds west a distance of 39.77 feet to a point; thence north 24 degrees 10 minutes 19 seconds west a distance of 60.15 feet to a point; thence north 40 degrees 53 minutes 20 seconds west a distance of 44.34 feet to a point; thence north 00 degrees 43 minutes 55 seconds east a distance of 122.18 feet to a point; thence north 89 degrees 17 minutes 10 seconds west a distance of 5.00 feet to a point located in the center of a 10 foot alley; thence along the center line of said 10 foot alley 00 degrees 43 minutes 55 seconds west a distance of 124. 08 feet to a point; thence south 40 degrees 53 minutes 20 seconds east a distance of 45.5 feet to a point; thence south 24 degrees 10 minutes 19 seconds east a distance of 58.58 feet to a point; thence south 05 degrees 04 minutes 29 seconds east a distance of 41.29 feet to a point; thence south 55 degrees 00 minutes 18 seconds east a distance of 18.22 feet to a point; thence north 83 degrees 35 minutes 58 seconds east a distance of 134.22 feet to a point; thence along the arc of a curve having a radius of 59.15 feet (said arc being subtended by a chord having a bearing of north 52 degrees 37 minutes 46 seconds east and a chord length of 60.88 feet) A distance of 63.95 feet to a point; thence north 01 degrees 24 minutes 24 seconds east a distance of 151.21 feet to a point; thence north 01 degrees 20 minutes 09 seconds east a distance of 204. 80 feet to a point; thence north 89 degrees 37 minutes 13 seconds west a distance of 154.82 to a point located at the centerline of alley and the true point of the beginning.

Said tract or parcel of land to contain 4,917 square feet (0.11 acres) and being one half the alley as shown on survey prepared for Antioch East Baptist Church, prepared by solar land surveying company dated July 10, 2003. Last revised December 9, 2003, signed and sealed by John W. Stanzilis, Jr. G.R.L.S. NO. 2109

