

14-0-1093
(Do Not Write Above This Line)

U-13-18/U-05-31

AN ORDINANCE
BY: ZONING COMMITTEE

An Ordinance to amend Ordinance 05-0-1941 (U-05-31) which granted a Special Use Permit for a **DAY CARE CENTER** pursuant to Section 16-05.005 (1) (b), property located at **2700 BUTNER ROAD, S.W.**, fronting approximately 282 feet on the southeasterly side of Butner Road. Depth: varies; Area: .37 acres; Land Lot 66, 14th FF District, Fulton County, Georgia.

OWNER: SHIWILA M. WILLIS
APPLICANT: SHIWILA M. WILLIS
NPUP
COUNCIL DISTRICT 11

MAR 17 2014

COUNCIL
As Amended

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: 2/3/2014
Referred To: ZONING
Date Referred: _____
Referred To: _____
Date Referred: _____
Referred To: _____

First Reading
Committee: _____
Date: _____
Chair: _____
Referred To: _____

Committee: ZONING
Date: 3/19/14
Chair: J. Adams
Action: Fav Adv, Hold (See rev. side)
Other: _____
Members: _____

Henry Williams
Walter Smith

Committee: _____
Date: _____
Chair: _____
Action: _____
Other: _____
Members: _____

Refer To: _____
Committee: _____
Date: _____
Chair: _____
Action: _____
Other: _____
Members: _____

Refer To: _____
Committee: _____
Date: _____
Chair: _____
Action: _____
Other: _____
Members: _____

FINAL COUNCIL ACTION
Readings
 2ND 1ST & 2ND 3RD
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
MAR 17 2014
ATLANTA CITY COUNCIL PRESIDENT
CSB

CERTIFIED
MAR 17 2014
R. L. Dunbar
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAR 26 2014

WITHOUT SIGNATURE
BY OPERATION OF LAW

Municipal Clerk
Atlanta, Georgia

14-O-1093

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-13-18/U-05-31

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

SECTION 1. Under the provisions of 16-05.005 (1) (b), of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **DAY CARE CENTER** is hereby amended. Said amended use is granted to **SHIWILA M. WILLIS** and is to be located at **2700 BUTNER ROAD, S.W.**, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 66 of the 14th FF 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.

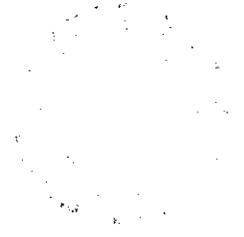
SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,


Deputy Clerk

ADOPTED as amended by the Atlanta City Council
APPROVED as per City Charter Section 2-403

MAR 17, 2014
MAR 26, 2014



Conditions for U-13-18/U-05-31 for 2700 Butner Road, S.W.

1. A site plan similar to one entitled "Proposed Site Plan for Butner Learning Center" by Lawrence A. Martin, P.E. dated 8/6/13 last revised 11/1/13 and stamped received by the Office of Planning November 4, 2013.
2. The 3 off street parking spaces located in the west area of the site shall be signed to direct ingress from Butner Road and egress to Tell Road only.
3. The play area shall be fenced.
4. The special use permit for a day care facility shall be valid only as long as Shiwila M. Willis is the operator of the facility. The special use permit is not transferable.
5. Hours of operation shall not exceed 6:00 a.m. to 7:00 p.m. daily.
6. The pre-engineered building shall be placed on a fixed foundation.
7. No further expansion of the facility shall be permitted.

PROPERTY LINE DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 66 OF THE 24TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:



TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF TELL ROAD (APPARENT 50'R/W) AND THE SOUTHEASTERLY RIGHT OF WAY OF BUTNER ROAD (APPARENT 40'R/W) IF SAID RIGHT OF WAY LINES WERE PROJECTED TO INTERSECTION; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY OF TELL ROAD AND FOLLOWING THE SOUTHEASTERLY RIGHT OF WAY OF BUTNER ROAD NORTH 50 DEGREES 54 MINUTES 28 SECONDS EAST, 18.83 FEET TO A POINT AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTHEASTERLY RIGHT OF WAY OF BUTNER ROAD NORTH 50 DEGREES 54 MINUTES 28 SECONDS EAST, 255.32 FEET TO A #4 REBAR FOUND;

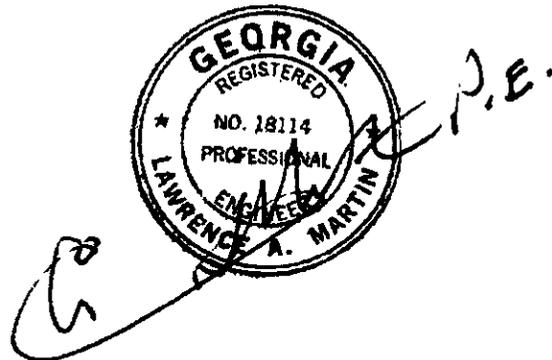
THENCE NORTH 70 DEGREES 01 MINUTES 48 SECONDS EAST, 14.00 FEET TO A 1" OPEN TOP PIPE FOUND;

THENCE LEAVING SAID SOUTHEASTERLY RIGHT OF WAY OF BUTNER ROAD SOUTH 13 DEGREES 54 MINUTES 32 SECONDS WEST, 189.10 FEET TO A #4 REBAR FOUND ON THE NORTHERLY RIGHT OF WAY OF TELL ROAD;

THENCE FOLLOWING ALONG THE NORTHERLY RIGHT OF WAY OF TELL ROAD NORTH 88 DEGREES 07 MINUTES 37 SECONDS WEST, 161.74 FEET TO A POINT;

THENCE CONTINUING ALONG A CURVE TO THE RIGHT, AN ARC DISTANCE OF 17.07 FEET, SAID CURVE HAVING A RADIUS OF 7.03 FEET AND BEING SUBTENDED BY A CHORD OF 13.18 FEET, AT NORTH 18 DEGREES 36 MINUTES 34 SECONDS WEST, TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.40 ACRES (17,254 S.F.) AS SHOWN ON SURVEY FOR SHIWLA WILLIS FELTON, BUTNER LEARNING CENTER, INCORPORATED, CIT SMALL BUSINESS LENDING CORPORATION, FIDELITY NATIONAL TITLE INSURANCE COMPANY AND FOUNDATION TITLE & ESCROW, LLC., PREPARED BY GASKINS, BEARING THE SEAL OF CHRISTOPHER A. EVANS, GEORGIA REGISTERED LAND SURVEYOR #2784, DATED JUNE 24, 2010, LAST REVISED JUNE 28, 2010.





CITY COUNCIL
ATLANTA, GEORGIA

05-0-1941

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-05--31

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

SECTION 1. Under the provisions of (Section 16-05.005 (1) (b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Day Care Center, is hereby approved. Said use is granted to TAWANA BLAKE and is to be located at 2700 Butner Road, S.W., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 66, 14ffth District, Fulton County, Georgia, being more particularly described by the attached legal description.

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.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk, CMC

ADOPTED as amended by Council
APPROVED by the Mayor

December 5, 2005
December 13, 2005

J-05-31

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 66 OF DISTRICT 14F OF FULTON COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL SET AT THE INTERSECTION OF THE NORTHERN RIGHT OF WAY OF TELL ROAD(50' RIGHT OF WAY)AND THE SOUTHEASTERN RIGHT OF WAY OF BUTNER ROAD(50' RIGHT OF WAY).

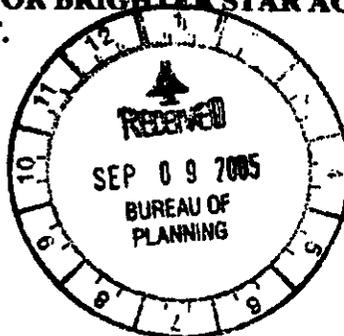
THENCE N 49°00' 44" E ALONG THE SOUTHEASTERN RIGHT OF WAY OF BUTNER ROAD A DISTANCE OF 282.10 FEET TO A 1" PIPE FOUND,

THENCE S 11°50' 16" W A DISTANCE OF 189.17 FEET TO A 1/2" REBAR FOUND AT THE NORTHERN RIGHT OF WAY OF TELL ROAD,

THENCE N 89°57' 40" W A DISTANCE OF 174.14 FEET TO A NAIL AND THE POINT OF BEGINNING.

DESCRIBED PARCEL OF LAND CONTAINS 0.37 ACRES / 16,123 SQUARE FEET AS SHOWN ON A PLAT OF SURVEY BY STEVE B. HENNINGS R.L.S. #2742 , DATED SEPTEMBER 9, 2005 FOR BRIGHTER STAR ACADEMY AND MADE PART OF THIS INSTRUMENT.

KNOWN AS 2700 BUTNER ROAD.



CONDITIONS FOR U-05-31 for 2700 Butner Road. S.W.

1. Site plan submitted titled "Boundary Survey for Brighter Star Academy" submitted by the applicant to the Bureau of Planning on 11/14/05.
2. Designated drop off located off of Tell Road for 1 year olds and infants.
3. Separate one way designated drop off location for 2 year olds to 4 year olds giving access off of Tell Road.
4. One way parking in same direction of drop off for 2 to 4 year olds.
5. Fencing for playground areas.
6. Parking across the street designated for staff only.
7. Adequate signage to distinguish between drop off areas.

(Do Not Write Above This Line)

AN ORDINANCE U-05-31
BY: ZONING COMMITTEE

An Ordinance granting (Section 16-05.005 (1) (b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Day Care Center, property located at 2700 Butler Road, S.W. fronting approximately 282 feet on the southeasterly side of Butler Road. Depth: varies. Area: .37 acres. Land Lot 66, 14th St District, Fulton County, Georgia
OWNER: SECOND CHANCE INVESTMENT GROUP
APPLICANT: TAWANA BLAKE
NPUP COUNCIL DISTRICT 11 AND 57

COUNCIL

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

Date Referred 10-17-2005
 Referred To: ZRB & Zoning
 Date Referred
 Referred To:
 Date Referred
 Referred To:

First Reading
 Committee Date 10-17-2005
 Chair
 Referred to

Committee Date 10-17-2005
 Chair
 Action Fav, Adv, Hold (see rev. side)
 Other

Members
 Refer To

Committee Date
 Chair
 Action Fav, Adv, Hold (see rev. side)
 Other
 Members
 Refer To

Second Reading
 Committee Date
 Chair
 Action Fav, Adv, Hold (see rev. side)
 Other

Members
 Refer To

Committee Date
 Chair
 Action Fav, Adv, Hold (see rev. side)
 Other
 Members
 Refer To

FINAL COUNCIL ACTION
 2nd
 1st & 2nd
 3rd
 Consent
 V Vote
 RC Vote

CERTIFIED
DEC 05 2005

MAYOR'S ACTION

Handwritten signature

RCS# 184
3/17/14
4:41 PM

Atlanta City Council

MULTIPLE

ADOPT AS AMENDED: 14-0-1029; 14-0-1093

ADOPT AS AMNDED

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

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

MULTIPLE