

**U-14-10- AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A DAY CARE CENTER PURSUANT TO SECTION 16.06A. 005(1) (B) FOR PROPERTY LOCATED AT 7 ANNISTON AVENUE, S.E., FRONTING APPROXIMATELY 50 FEET ON THE SOUTH SIDE OF ANNISTON AVENUE AT THE SOUTHWEST CORNER OF ANNISTON AVENUE AND HOSEA L. WILLIAMS AND APPROXIMATELY 150 FEET ON THE SOUTH SIDE OF HOSEA L. WILLIAMS. DEPTH: APPROXIMATELY 150 FEET. AREA: APPROXIMATELY 0.173ACRES. LAND LOT 207, 115TH DISTRICT, DEKALB COUNTY, GEORGIA. OWNER: YUSUF MUWWAKKL  
APPLICANT: WILLIAM L. STEPHENSON NPU O COUNCIL DISTRICT 5**

Application File Date	4-1-2014
Zoning Number	U-14-10
NPU / CD	O/5
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

**Workflow List:**

Office of Research and Policy Analysis	Completed	04/17/2014 10:12 AM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

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

LEGISLATION HISTORY – BLUE BACK

**U-14-10- AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A DAY CARE CENTER PURSUANT TO SECTION 16.06A. 005(1) (B) FOR PROPERTY LOCATED AT 7 ANNISTON AVENUE, S.E., FRONTING APPROXIMATELY 50 FEET ON THE SOUTH SIDE OF ANNISTON AVENUE AT THE SOUTHWEST CORNER OF ANNISTON AVENUE AND HOSEA L. WILLIAMS AND APPROXIMATELY 150 FEET ON THE SOUTH SIDE OF HOSEA L. WILLIAMS. DEPTH: APPROXIMATELY 150 FEET. AREA: APPROXIMATELY 0.173ACRES. LAND LOT 207, 115TH DISTRICT, DEKALB COUNTY, GEORGIA. OWNER: YUSUF MUWWAKKL APPLICANT: WILLIAM L. STEPHENSON NPU O COUNCIL DISTRICT 5**

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Municipal Clerk  
Atlanta, Georgia

AN ORDINANCE

U-14-10

BY: ZONING COMMITTEE

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

SECTION 1. Under the provisions of Section 16-18K.004 (1) (3) (a), 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 YUSUF MUWWAKKL and is to be located at 7 ANNISTON AVENUE, S.E., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 207, 15<sup>th</sup> District, DeKalb County, Georgia being more particularly described by the attached legal description and/or survey.

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-14-010**

DATE ACCEPTED: **04/01/2014**

NOTICE TO APPLICANT

Address of Property:  
**7 Anniston AVE SE**

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

Zoning Review Board (ZRB) Hearing Date:

**Sunday, June 15 or 22, 2014 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**



Contact info for adjacent NPUs is provided below if necessary:

**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,

\_\_\_\_\_  
LC, for Director, Bureau of Planning

\_\_\_\_\_  
William Stephenson



# APPLICATION FOR SPECIAL USE PERMIT

City of Atlanta

Date Filed APRIL 1, 2014 Application Number 4-14-010

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

Name of Applicant STEPHENSON WILLIAM L.  
 Last Name First Name M.I.

Address 1145 ~~WILSON~~ Street Name ALTA AVE NE

City ATLANTA State GA Zip Code 30307

Phone 404-533-1351 Fax \_\_\_\_\_

E-mail address WSepe@hotmail.com

Name of Property Owner MUKWAKIL YUSUF  
 Last Name First Name M.I.

Address PO 318 Street Name \_\_\_\_\_

City PALMETTO State GA Zip Code 30268-0318

Daytime Phone 770-~~661-1369~~ Fax \_\_\_\_\_

E-mail address 770-661-1369

**Description of Property**

Street Address of Property 7 ANNISTON AVENUE SE

City ATLANTA State GA Zip Code 30317

Property is zoned: R-4A Council District: 5 Neighborhood Planning Unit: 0

The subject property fronts 50 feet on the SOUTH side of  
ANNISTON AVE, beginning 0 feet from the SW  
 corner of HOSEA L WILLIAMS

Depth: 150 Area: 7500 SF. Land Lot: 207 Land District: 15

0.172/ACRE

**SPECIAL USE APPLICATION**  
**7 ANNISTON AVENUE SE 30317**  
 Land Lot 107 15th District  
 City of Atlanta, Dekalb County, Georgia

*NPU-O Council District 5*  
*Zoning R-4A*

Subject property meets minimum lot width and area requirements per Section 16.06A.007.  
*Minimum lot requirements.*

Special use permit required per Section 16-06A.005  
*Special permits (1) (b).*

See also *Rules and Regulations for Day Care Centers 290-2-2.*

April 1, 2014

**A. SUMMARY OF PROPOSED PROJECT: Day Care Center**  
**I Care Child Development Center**

A limited number of children (<6) are currently served in an existing single family property. We are seeking to expand above the current number of children in order to serve more clients. No new construction.

**B. IMPACT ANALYSIS**

1. Ingress and Egress

a. The subject property and proposed facility are on the corner of Anniston Avenue and Hosea L. Williams Drive, across from Coan Park (to the east), and Coan Middle School (temporary Maynard Jackson High School) to the north. Clients can drop off at the front and side property frontages. There is limited use of the shared driveway.

b. Emergency vehicles have public right of way access on the east and north sides, as well as by the shared driveway. There is a fire hydrant in the front right of way.

c. Because of the corner location, ample right of way frontage, and park frontage across street, traffic congestion will be avoided. Anniston Avenue is a two way through street. Existing no parking signs at the corner and east side of Anniston will keep area clear of unoccupied vehicles.

2. Off-Street Parking and Loading

a. The facility utilizes small separate rolling containers for trash and recyclable materials, stored under the rear deck.

b Deliveries will be made at the front entry, or at the rear doorway.

c. Service and emergency personnel will have access on three sides.



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d. There are a small number of employee spaces, in the rear of the property, accessed from a shared drive.

The drive, subject property and adjacent property have the same owner.

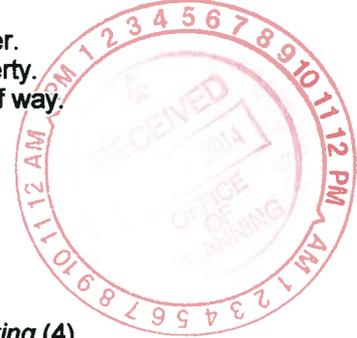
An on street drop-off will be at the street side front of the subject property.

There is also a drop off area on the north side (Hosea Williams) right of way.

There is an existing but unutilized curb cut and drive way off of Hosea L. Williams.

The corner location and park frontage allow ample staging for the limited vehicular traffic created by a small scale facility. Drop off and pick up is usually staggered.

Parking (staff) shall be per Section 16-06A.010 *Minimum offstreet parking (4)*. 2-3 spaces depending on staff count.



### 3. Buffering and Screening

a. Subject property has existing fencing. Adjacent property has same owner as subject property.

b. Total vehicle trips will be 12-16 per day, twice a day. No road improvements are planned.

Existing signs "Caution: Children At Play" signs are in place, as are clearly designated cross walks.

### 4. Hours and Manner of Operation

a. The proposed expanded facility will offer day care services for children aged six months to three years.

There will be outdoor play activity but most of the services will be inside the building.

b. The expanded day care will operate from 7:00 am to 6:00 pm, Monday through Friday, year-round.

c. There are currently two employees in a single shift. Staff count varies with enrollment and regulations.

d. There will be approximately 12-16 children aged six months to three years.

e. Lunch and two snacks will be provided.

f. The facility also offers a Spanish immersion program.

### 5. Duration of Special Use Permit

a. Indefinitely.

### 6. Tree Preservation and Replacement

a. No new construction is proposed as part of this application. Any future exterior features (e.g. play equipment, ramps) would be constructed in such a way to avoid removal of trees.

Current caliper tree requirements for property area and zoning are met.

There is a mature oak in the front yard.

### 7. Required Yards and Open Space

a. The existing fenced rear yard will be used for outdoor activities, as will the smaller front yard and covered front porch. The front porch is 288 SF, and the rear deck is approximately 90 SF.

## **7 Anniston Avenue SE- Application for Special Use Permit**

*Prepared by William Stephenson Associates PC*

**AUTHORIZATION BY PROPERTY OWNER**

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

I, Yusuf S. Muwakkil (OWNER'S NAME)

**SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT** 7 ANN  
7 ANNISTON AVENUE, 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 STEPHENSON FIRST NAME WILLIAM

ADDRESS 1145 STREET NAME ALTA AVE SUITE \_\_\_\_\_

CITY ATLANTA STATE GA ZIP CODE 30307

**TELEPHONE NUMBER**

AREA CODE (404) NUMBER 583-1851

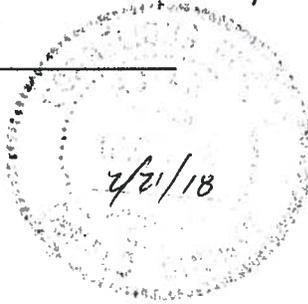
[Signature] GA DL Exp 12/3/18  
Signature of Owner

YUSUF S. MUWAKKIL  
Print name of owner

Personally Appeared Before Me this 1<sup>st</sup> day of April, 2014.

[Signature]

Notary Public



U-14-010

7 ANNISTON AVE.

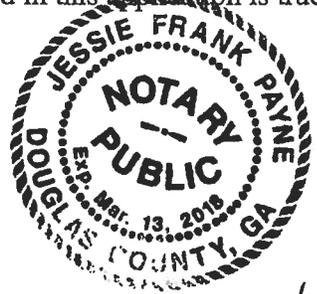
**AUTHORIZATION TO INSPECT PREMISES**

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.

*[Handwritten Signature]*  
\_\_\_\_\_

Owner or Agent of Owner (Applicant)



Sworn to and subscribed before me this 1 day of April, 2014

*[Handwritten Signature]*  
\_\_\_\_\_ (Notary Public)



U-14-010

**LEGAL DESCRIPTION OF 7 ANNISTON AVENUE**

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA, AND BEING A PART OF LAND LOT 107 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA, AND MORE PARTICULARLY DEDESCRIBED AS FOLLOWS;**

**BEGIN AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF HOSEA L WILLIAMS DRIVE (FKA BOULEVARD) AND THE WESTERLY RIGHT OF WAY OF ANNISTON AVENUE THENCE SOUTH 08°10'56" WEST, A DISTANCE OF 50.00 FEET TO A 1/2 INCH IRON PIN; THENCE NORTH 81°20'14" WEST, A DISTANCE OF 150.00 FEET TO A 1/2 INCH IRON PIN; THENCE NORTH 08°11'16" EAST, A DISTANCE OF 50.00 FEET TO A 1/2 INCH IRON PIN; THENCE SOUTH 81°20'20" EAST, A DISTANCE OF 150.00 FEET TO A POINT, THE POINT OF BEGINNING.**

**SAID TRACT CONTAINS 0.172 ACRES OR 7500 SQUARE FEET.**



U-14-010

RECEIPT

CITY OF ATLANTA  
ATLANTATEST  
55 TRINITY AVE SW

**Application:** U-14-010  
**Application Type:** Planning/ZRB/Special use/NA  
**Address:** 7 ANNISTON AVE SE, ATLANTA, GA 30317  
**Owner Name:** MUWWAKKIL YUSUF  
**Owner Address:**  
**Application Name:**

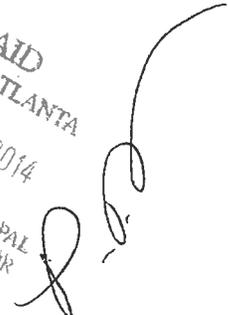
**Receipt No.** 364917

Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
Check	14-826480273	\$400.00	04/01/2014	PLUKE		

**Owner Info.:** MUWWAKKIL YUSUF

**Work Description:** special use permit

PAID  
CITY OF ATLANTA  
APR 01 2014  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR



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