

U-19-24 AN ORDINANCE BY ZONING COMMITTEE FOR A SPECIAL USE PERMIT FOR AN OUTDOOR SALES AREA PURSUANT TO 16-16.005(1)(C) FOR PROPERTY LOCATED AT 850 NORTHSIDE DRIVE, N.E. FRONTING APPROXIMATELY 167 FEET ON THE WEST SIDE OF NORTHSIDE DRIVE, N.E. BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY OF HAMPTON STREET AND THE NORTHEASTERLY RIGHT-OF-WAY OF 3RD STREET. DEPTH: 100 FEET; AREA: .324 ACRES; LAND LOT 112, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: JOHN FORD; APPLICANT: ARTHUR GARDNER; NPU E COUNCIL DISTRICT 3

Application File Date	08/06/2019
Zoning Number	U-19-24
NPU / CD	E-3
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

City Council
 Atlanta, Georgia

AN ORDINANCE

U-19-24

BY: ZONING COMMITTEE

AN ORDINANCE FOR A SPECIAL USE PERMIT FOR AN OUTDOOR SALES AREA PURSUANT TO 16-16.005(1)(C) FOR PROPERTY LOCATED AT 850 NORTHSIDE DRIVE, N.E. FRONTING APPROXIMATELY 167 FEET ON THE WEST SIDE OF NORTHSIDE DRIVE, N.E. BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHWESTERLY RIGHT-OF-WAY OF HAMPTON STREET AND THE NORTHEASTERLY RIGHT-OF-WAY OF 3RD STREET DEPTH: 100 FEET AREA: .324 ACRES, LAND LOT 112, 14TH DISTRICT, FULTON COUNTY, GEORGIA OWNER: JOHN FORD APPLICANT: ARTHUR WRIGHT GARDNER NPU E COUNCIL DISTRICT 3

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

SECTION 1. Under the provisions of Section 16-16.005(1)(c) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for an outdoor sales area is hereby granted. Said use is granted to Arthur Wright Gardner, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 112, 14th 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.

CITY COUNCIL
ATLANTA, GEORGIA

19-O-1533

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Workflow List:

Office of Research and Policy Analysis	Completed	09/04/2019 4:05 PM
Zoning Committee	Completed	09/11/2019 9:30 AM
Atlanta City Council	Completed	09/16/2019 1:00 PM
Zoning Review Board Staff	Pending	
Zoning Review Board Staff	Pending	
Mayor's Office	Pending	

HISTORY:

09/11/19 Zoning Committee ACCEPTED

RESULT:	ACCEPTED [UNANIMOUS]
AYES:	Smith, Bond, Boone, Ide, Farokhi, Winslow, Overstreet

RESULT:	REFERRED TO ZRB AND ZC [14 TO 0]
MOVER:	Carla Smith, Councilmember, District 1
SECONDER:	Marci Collier Overstreet, Councilmember, District 11
AYES:	Westmoreland, Dickens, Smith, Farokhi, Brown, Winslow, Archibong, Ide, Shook, Matzigkeit, Hillis, Boone, Overstreet, Sheperd
AWAY:	Michael Julian Bond

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VOTE RECORD - ORDINANCE 19-O-1533						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> FIRST READING <input type="checkbox"/> SECOND READING <input type="checkbox"/> THIRD READING <input type="checkbox"/> FOURTH READING <input type="checkbox"/> FIFTH READING <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> AMENDED <input type="checkbox"/> ACCEPTED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> FILED BY COMMITTEE <input checked="" type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED ON SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE ON SUBSTITUTE <input type="checkbox"/> FAVORABLE/SUB/AMENDED						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND	VOTER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	AWAY
	MATT WESTMORELAND	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDRE DICKENS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CARLA SMITH	MOVER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	AMIR R FAROKHI	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANTONIO BROWN	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLETA WINSLOW	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	NATALYN MOSBY ARCHIBONG	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JENNIFER N IDE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JP MATZIGKEIT	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DUSTIN HILLIS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDREA L BOONE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARCI COLLIER OVERSTREET	SECONDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JOYCE M SHEPERD	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"><input type="checkbox"/> FAVORABLE/SUB/AMND/COND<input type="checkbox"/> FAVORABLE/AMND/COND<input type="checkbox"/> FAVORABLE AS AMENDED<input type="checkbox"/> RETURNED AS HELD<input type="checkbox"/> FAVORABLE ON CONDITION<input type="checkbox"/> FAVORABLE/SUB/CONDITION<input type="checkbox"/> QUADRENNIALY TERMINATED<input type="checkbox"/> QUESTION CALLED<input type="checkbox"/> ROUTED TO COW<input type="checkbox"/> SUSTAINED<input type="checkbox"/> OVERRIDEN<input type="checkbox"/> NOT ACCEPTED BY COMMITTEE<input type="checkbox"/> SUSTAINED W/O OBJECTION<input type="checkbox"/> TABLED W/O OBJECTION<input type="checkbox"/> HELD IN COW	
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[Unanimous]

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