

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

U-14-22- AN AMENDED ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR AN OUTDOOR DINING AT EATING AND DRINKING ESTABLISHMENTS WHEN ANY PART OF SUCH USE IS LOCATED WITHIN 1,000 FEET OF PROPERTY THAT IS ZONED AS AN R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, OR R-5 DISTRICT, OR THAT IS USED AS A RESIDENTIAL PROPERTY PURSUANT TO SECTION 16-11.005 (1) (L) OF THE ZONING ORDINANCE, PROPERTY LOCATED AT 3850 ROSWELL ROAD, N.W., FRONTING APPROXIMATELY 511 FEET ON THE WEST SIDE OF ROSWELL ROAD AT THE SOUTHERN INTERSECTION OF ROSWELL ROAD AND LEBRUN ROAD. DEPTH: VARIES. AREA: 6.1 ACRES. LAND LOT 97, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER:

REGENCY CENTERS, L.P APPLICANT: PATRICIA W. WILLIS FOR REGENCY CENTERS, L.P. NPU B COUNCIL DISTRICT 8

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| Application File Date | 8-28-14 |
| Zoning Number | U-14-22 |
| NPU / CD | B/8 |
| Staff Recommendation | Approval Conditional |
| NPU Recommendation | Approval |
| ZRB Recommendation | Approval Conditinal |

City Council
Atlanta, Georgia

14-O-1506

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

U-14-22

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

SECTION 1. Under the provisions of Section 16-11.005 (1) (l) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Outdoor dining at eating and drinking establishments when any part of such use is located within 1,000 feet of property that is zoned as an R-1, R-2, R-2A, R-2BA, R-3, R-3A, R-4, R-4A, R-4B, or R-5 district, is hereby approved. Said use is granted to REGENCY CENTERS, L.P. to be located at 3850 Roswell Road, N.W., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 97, 17th District, Fulton 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.