Fulton County

Legislation Details (With Text)

File #:	21-0644	**Version:**	1	**Name:**	
Type:	Public Hearings			**Status:**	Agenda Ready
File created:	8/20/2021			**In control:**	Board of Commissioners
On agenda:	9/1/2021			**Final action:**	

Title: 2021Z -0003 SFC, 4090 Martin Luther King Jr. Drive (SR 139) (APPROVED CONDITIONAL)

Public Works Dept. Recommendation: Approval Conditional
CZB Recommendation: Approval Conditional
CLUP: Consistent

Application by Bhupendra M. Patel and Radha B. Patel seeking a rezoning from M-2 (Heavy Industrial) to C-1 (Commercial) to develop a 2,928 square foot restaurant with a drive-through window.

The subject 0.605-acre site has 124.94 feet of frontage along the southwest side of Martin Luther King Jr. Drive. The site is in Land Lot 23, District 14F, Fulton County, Georgia.

PUBLIC HEARING CONDUCTED
1 SPEAKER: Mr. Patel (Representative for the Applicant)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2021Z-003 SFC

Date	Ver.	Action By	Action	Result
9/1/2021	1	Board of Commissioners	approve with conditions	Pass

Department
Public Works

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*
2021Z -0003 SFC, 4090 Martin Luther King Jr. Drive (SR 139) **(APPROVED CONDITIONAL)**

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Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Article 28 of the Fulton County Zoning Resolution and the Georgia Zoning Procedures Law require the Board of Commissioners to hold a public hearing and take action on land use petitions before them for consideration.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Infrastructure and Economic Development

Commission Districts Affected

All Districts ☐
District 1 ☐
District 2 ☐
District 3 ☐
District 4 ☐
District 5 ☐
District 6 ☒

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: This action will rezone the property at 4090 Martin Luther King Jr. to accommodate a fast food restaurant.

The applicant plans on reusing and modifying the existing building to house a new unnamed restaurant. Although the site has served as a restaurant since 1969, the property is currently zoned for industrial use. Therefore, the property needs to be rezoned to a commercial use to allow for the rehabilitation of the current building to be permitted. The applicant plans on keeping the footprint of the existing structure, while modernizing the interior.

Community Impact: A vacant building will be occupied and additional landscaping will visually improve the area.

Department Recommendation: Approval with Conditions

Project Implications: None

Community Issues/Concerns: None have been presented to Public Works staff or were voiced during the Community Zoning Board meeting on August 17th.

Department Issues/Concerns: Public Works does not have any concerns with the rezoning as long as the conditions are met.

History of BOC Agenda Item: (Has this item previously been before the BOC?) This will be the first time

this item is before the Board of consideration.