

**FULTON COUNTY, GEORGIA**

**CITY of EAST POINT**

**AN ORDINANCE**

**GRANTING A SPECIAL USE PERMIT FOR A HABITABLE ACCESSORY STRUCTURE  
LOCATED AT 2533 JEFERSON TERRACE IN  
THE R-1A (URBAN RESIDENTIAL DWELLING) ZONING DISTRICT.**

**CASE NO: 2021U-001-05**

**ASSOCIATED CASE NO: N/A**

**WHEREAS**, Part 10, Chapter 2, Section 10-2130 requires that a Special Use Permit be obtained for the use of a habitable accessory structure; and

**WHEREAS**, Part 10, Chapter 2, Sections 10-2085 and 10-2086 of the East Point Code of Ordinances require approval of the Special Use Permit by the East Point City Council; and

**WHEREAS**, Richard Winfrey has requested a Special Use Permit for a habitable accessory structure located at 2533 Jefferson Terrace, East Point, GA in the Urban Residential (R-1A) zoning district as described in Exhibit A (Security Deed) and Exhibit B (Site Plan); and

**WHEREAS**, all use permits shall expire within three (3) years from the date of approval by the City Council or as otherwise conditioned, unless a land disturbance permit, building permit, business license or certificate of occupancy has been issued.

**NOW BE IT ORDAINED BY THE CITY COUNCIL OF EAST POINT, GEORGIA AS FOLLOWS:**

Section 1. The Special Use Permit is **APPROVED** for Rashida Oliver for a habitable accessory structure located at 2533 Jefferson Terrace in the Urban Residential (R-1A) zoning district with the following conditions:

1. Site plan must be submitted showing location of third unobstructed parking space.
2. Follow all criteria as set forth in Sec. 10-2130 of Zoning Ordinance.

1           3. In the event the property owner desires to use the structure as a short-term rental, the applicant must  
2 follow all short-term rental guidelines as adopted by City Council including registering home as such and  
3 applying for business license(s).

4 Section 2. This ORDINANCE shall be codified in a manner consistent with the laws of the State of Georgia and the  
5 City of East Point.

6  
7 Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all Sections, paragraphs,  
8 sentences, clauses and phrases of this ORDINANCE are upon, their enactment, believed by the Mayor and Council  
9 to be fully valid, enforceable and constitutional.

10           (b) It is hereby declared to be the intention of the Mayor and council that, to the greatest extent allowed by  
11 law, each and every section, paragraph, sentence, clause or phrase of this ORDINANCE, is severable from every  
12 other section, paragraph, sentence, clause or phrase of the ORDINANCE. It is hereby further declared to be the  
13 intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence,  
14 clause or phrase of this ORDINANCE is mutually dependent upon any other section, paragraph, sentence, clause  
15 or phrase of this ORDINANCE.

16           (c) In the event that any phrase, clause, sentence, paragraph, or section of this ORDINANCE shall, for any  
17 reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree  
18 of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity,  
19 unconstitutionally or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional  
20 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the  
21 ORDINANCE and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs  
22 and sections of the ORDINANCE shall remain valid, constitutional, enforceable, and of full force and effect.

23 Section 4. ALL ORDINANCES and parts of ORDINANCES in conflict herewith are hereby expressly repealed.

24 Section 5. Penalties in effect for violations of Part 1 of the Code of Ordinances, City of East Point, Georgia at the  
25 time of the effective date of this ORDINANCE shall be and are hereby made applicable to this ORDINANCE and  
26 shall remain in full force and effect.

27 Section 6. The effective date of this ORDINANCE shall be the date of adoption unless otherwise specified herein.  
28

Public Hearing: July 19, 2021

First Reading: Waived

SO PASSED AND APPROVED this 19<sup>th</sup> day of July, 2021.

SPONSORED BY:



Deana Holiday Ingraham, Mayor

APPROVED AS TO FORM:

ATTEST:

Brad Bowman

Brad Bowman (Jul 19, 2021 22:00 EDT)

Brad Bowman, City Attorney

Keshia McCullough

Keshia McCullough, City Clerk

## EXHIBIT A

Return Recorded Document to:  
 The Andrews Law Firm, LLC  
 P. O. Box 312233  
 Atlanta, GA 31131  
 File No: 187051432  
 File Name: Carolyn K. Oliver  
 Akil D. As-Salaam

Deed Book 59422 Ps 568  
 Filed and Recorded Nov-08-2018 05:00pm  
 2018-0275942  
 Real Estate Transfer Tax \$0.00  
**CATHELENE ROBINSON**  
 Clerk of Superior Court  
 Fulton County, Georgia

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**QUITCLAIM DEED**


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STATE OF GEORGIA  
 COUNTY OF FULTON

**THIS INDENTURE**, made the 1st day of October, 2018, between Sandra H. Deis of the State of Georgia, as party of the first part, hereinafter called Grantor, and Carolyn K. Oliver and Akil D. As-Salaam of the County of Fulton, and State of Georgia, as party of the second part, hereinafter called Grantee (the words "Grantor(s)" and "Grantee(s)" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH** that: Grantor, for and in consideration of the sum of ONE AND 00/100 DOLLARS (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said grantee.

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 124 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, BEING LOT 5, BLOCK A OF JEFFERSON HEIGHTS SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 14, PAGE 4, FULTON COUNTY, GEORGIA RECORDS, WHICH PLAT IS HEREBY INCORPORATED HEREIN BY REFERENCE.**

**PARCEL ID#:** 14-0124-0004-005-7  
**ADDRESS:** 2533 JEFFERSON TERRACE, EAST POINT, GA 30344

**TO HAVE AND TO HOLD** the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

**IN WITNESS WHEREOF**, Grantor has signed and sealed this deed, the day and year first above written.

# EXHIBIT B

