

00-0-0578

(Do Not Write Above This Line)

U-00-07

An Ordinance
by: Zoning Committee

An Ordinance Granting a Special Use Permit for a Telecommunications Tower (Section 16-11.005(1)(f)), Property located at 3346 Martin Luther King, Jr. Dr., S.W., fronting approximately 150 feet on the southwesterly side of Martin Luther King, Jr. Dr. beginning 464.60 feet northwesterly from the southwest corner of Treadwell Circle.

Depth: 351.44 feet Area: 1.2 acres
Land Lot 244, 14th District, Fulton County, Georgia

Owner: Pinkye Thornton

Applicant: TLC Communications for Nextel Communications

NPU-H Council District 10

REFERRED BY MAY 0 1 2000
CITY COUNCIL

ADOPTED BY
JUN 05
COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER

Date Referred 5/1/00
Referred To: ZRB & Zoning

First Reading

Committee _____
Date _____
Chair _____

Committee

Date _____
Chair Dem M. Starnes
Action: _____
Fav, Adv, Held (see rev. side) _____
Other: _____

Members
Dem M. Starnes
Dem M. Starnes
Dem M. Starnes
Dem M. Starnes
Refer To _____

Committee

Date _____
Chair _____
Action: _____
Fav, Adv, Held (see rev. side) _____
Other: _____

Members
Refer To _____

Committee _____
Date _____
Chair _____

Committee

Date _____
Chair _____
Action: _____
Fav, Adv, Held (see rev. side) _____
Other: _____

Members
Refer To _____

Committee

Date _____
Chair _____
Action: _____
Fav, Adv, Held (see rev. side) _____
Other: _____

Members
Refer To _____

COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED
JUN 5 2000
ATLANTA CITY COUNCIL PRESIDENT
Richard A. Parker

CERTIFIED
JUN 05 2000

Debra Spivey
DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 14 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

City Council
Atlanta, Georgia

00-0-0578

AN ORDINANCE
BY: ZONING COMMITTEE

U-00-07
DATE FILED: 3/13/00

Be it ordained by the Council of the City of Atlanta as follows:

SECTION 1. Under the provisions of Section 16-11.005(l)(f) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **Telecommunications Tower** is hereby approved. Said use is granted to **TLC Communications for Nextel Communications** and is to be located at **3346 Martin Luther King, Jr. Dr., S.W.** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 244 of the 14th District, Fulton County, Georgia, being more particularly described by the attached legal description.

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.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JUNE 05, 2000

JUNE 14, 2000



REC'D APR 18 2000

APP 13541-102

Fulton County, Georgia
Real Estate Transfer Tax
Paid \$118.00
Date 4/15/2000
BARBARA J. BRICE
Clerk, Superior Court
Deputy Clerk

2587441 WARRANTY DEED

STATE OF GEORGIA COUNTY OF FULTON

THIS INDENTURE, Made the 28th day of June, in the year one thousand nine hundred Seventy-Seven, between

HORIZONS REALTY, INC.

of the County of FULTON and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

HERSCHEL E. THORNTON

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" 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 FORTY THOUSAND AND NO/100 (\$40,000.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

ALL THAT TRACT or parcel of land lying and being in Land Lot 244 of the 14th District of Fulton County, Georgia, being known as Lots 10, 11, 12, 41, 42 and 43, Block A, Gordon Park Subdivision, as per plat recorded at Plat Book 14, page 19, Fulton County records, and being more particularly described as follows:

BEGINNING at a point located on the southwesterly right of way line of Gordon Road, six hundred forty (640) feet northwesterly, as measured along the southwesterly right of way line of Gordon Road from the point of intersection of the southwesterly right of way line of Gordon Road with the dividing line of Land Lot 244 and 237, said District and County; thence running northwesterly along the southwesterly right of way line of Gordon Road, one hundred fifty (150) feet to a point; thence southwesterly three hundred fifty (350) feet to the northeasterly right of way line of Silver Tooth Drive; thence running southeasterly along the northeasterly right of way line of Silver Tooth Drive, one hundred fifty (150) feet to a point; thence northeasterly three hundred fifty (350) feet to the southwesterly right of way line of Gordon Road at the point of beginning.

LESS AND EXCEPT that portion of the above described property conveyed to City of Atlanta by Right of Way deed, dated 2/20/75 from Horizons Realty, Inc., recorded at DB 6223 page 23, Fulton County records for the widening of Gordon Road.

GEORGIA, Fulton County, Clerk's Office Superior Court

Filed & Recorded JUL 25 1977 3:39 P.M. Barbara J. Brice CLERK

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed, sealed and delivered in presence of:

[Signature]
Witness



NOTARY PUBLIC, Commission Expires Aug. 20, 1977

HORIZONS REALTY, INC.

BY: *[Signature]*



TITLE

U-00-07

BOOK 6751 PAGE 238



CONDITIONS FOR U-00-07

Site plan entitled "Site Development Plan for Nextel Communications" prepared by Site Design Services, Inc., dated 20 December 1999 and marked received by the Bureau of Planning March 13, 2000. Said plan consisting of six (6) sheets.

RCS# 2004
6/05/00
6:36 PM

Atlanta City Council

Regular Session

MULTIPLE

00-0-0389; 0581; 0500; 99-0-1715; 0386;
0578; 0577; 0576
ADOPT

YEAS: 12 11
NAYS: 0 1
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 0

00-0-0576
and
00-0-0578
m. Bond
Vote NAY

Y McCarty	NV Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	E Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	NV Boazman	NV Pitts

MULTIPLE