

00-0-1450

(Do Not Write Above This Line)

AN ORDINANCE U-00-31
BY: ZONING COMMITTEE

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A TELECOMMUNICATIONS TOWER (CO-LOCATION) (SECTION 16-11.005 (1) (E)), PROPERTY LOCATED AT 2374 FAIRBURN ROAD, S.W., PROPERTY HAS NO FRONTAGE ON A PUBLIC STREET, BUT IS ACCESSED BY A 20-FOOT EASEMENT FROM THE EAST SIDE OF FAIRBURN ROAD BEGINNING 100 FEET NORTH FROM THE SOUTH LINE OF LAND LOT 6 OF THE 14THFF DISTRICT. DEPTH: 81.19 FEET; AREA: APPROXIMATELY 12,000 SQUARE FEET; LAND LOT 6, 14THFF DISTRICT, FULTON COUNTY, GEORGIA.
OWNER: AMERICAN TOWER LP
APPLICANT: SAME
NPU-P COUNCIL DISTRICT 11

ADOPTED BY
NOV 0 6 2000

COUNCIL

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

Date Referred 9/18/00
Referred To: ZBB & Zoning

First Reading

Committee: Zoning
Date: 10-31-00
Chair: Dennis Stovens

Committee: Zoning
Date: 10-31-00
Chair: Dennis Stovens
Actions: Fav, Adv, Held (see rev. side)
Other:
Members: [Signatures]
Refer To: [Signature]

Committee: _____
Date: _____
Chair: _____
Actions: Fav, Adv, Held (see rev. side)
Other: _____
Members: _____
Refer To: _____

COUNCIL ACTION

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

CERTIFIED

CERTIFIED
NOV 6 2000
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
NOV 0 6 2000

[Signature]
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

NOV 15 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW



City Council
Atlanta, Georgia

00-0-1450

AN ORDINANCE
BY: ZONING COMMITTEE

U-00-31
8-15-00

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)(f) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **Telecommunications Tower (Co-Location)** is hereby approved. Said use is granted to **American Tower, LP** and is to be located at **2374 Fairburn Road, S.W.**

ALL THAT TRACT or parcel of land lying and being in Land Lot **6** of the **14th FF** 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 ordinances are hereby repealed.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

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

NOV 06, 2000

NOV 15, 2000



Conditions for U-00-31

1. Site plan entitled "Pactel Cellular, Ben Hill Site, Staking Plan" prepared by LRE Engineering, Inc., dated April 27, 1988 and marked received by the Bureau of Planning August 15, 2000.



000-31

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 6 of the 14th F.F. District of formerly Fayette, now Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin located on the Southerly line of Land Lot 6, said iron pin being North 88 degrees 18 minutes 14 seconds East a distance of 175.00 feet from the intersection of the Southerly line of Land Lot 6 with the Easterly right of way of Fairburn Road (40 foot right of way); running thence North 00 degrees 46 minutes 11 seconds East a distance of 151.47 feet to an iron pin; running thence North 89 degrees 14 minutes 09 seconds East a distance of 81.19 feet to an iron pin; running thence South 02 degrees 20 minutes 20 seconds West a distance of 150.39 feet to an iron pin located on the Southerly line of Land Lot 6; running thence South 88 degrees 18 minutes 14 seconds West, along said Southerly line, a distance of 77.11 feet to an iron pin, said iron pin being the point of beginning.

As shown in a plat of survey for PAC TEL, prepared by Metro Engineering and Surveying Co., Inc., Chester M. Smith, Jr., Georgia Registered Land Surveyor No. 1445, dated November 10, 1987, revised November 16, 1987.

700.38



Sheet 1 of 3

U-00-31



EXHIBIT "B"

EASEMENT

All that tract or parcel of land lying and being in Land Lot 6 of the 14th F.F. District of formerly Fayette, now Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin located on the Easterly right of way of Fairburn Road (40 foot right of way), said iron pin being North 00 degrees 46 minutes 11 seconds East a distance of 100.00 feet from the intersection of the Easterly right of way of Fairburn Road with the Southerly line of Land Lot 6; running thence along the Easterly right of way of Fairburn Road, North 00 degrees 46 minutes 11 seconds East a distance of 20.02 feet to an iron pin; leaving said right of way, run thence North 88 degrees 18 minutes 14 seconds East a distance of 175.00 feet to an iron pin; running thence South 00 degrees 46 minutes 11 seconds West a distance of 20.02 feet to an iron pin; running thence South 88 degrees 18 minutes 14 seconds West a distance of 175.00 feet to an iron pin, said iron pin being the point of beginning.

As shown in a plat of survey for PAC TEL, prepared by Metro Engineering and Surveying Co., Inc., Chester M. Smith, Jr., Georgia Registered Land Surveyor No. 1445, dated November 10, 1987, revised November 16, 1987.

Together with a slope easement upon such areas of Owner's Other Property as may be needed for lateral support of the easement described hereinabove.



RCS# 2374
11/06/00
4:46 PM

Atlanta City Council

Regular Session

MULTIPLE

0875; 0869; 1445; & 1450

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

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

MULTIPLE