

City Council
Atlanta, Georgia

02-0-0355

AN ORDINANCE
BY: ZONING COMMITTEE

U-02-02
1-15-02

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

SECTION 1. Under the provisions of Section 16-17.005(1)(p) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **Truck Terminal** is hereby approved. Said use is granted to **Benton Express, Inc.** and is to be located at **1045 South River Industrial Boulevard, S.E.** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **5** 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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,


Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

APR 01, 2002
APR 05, 2002

Conditions for U-02-02

1. Site plan entitled "Benton Express, Dock Expansion, 1045 S. River Industrial Boulevard, S.E." prepared by PT & B Engineering, Inc., dated 12/11/01, last revised 1/8/02 and marked received by the Bureau of Planning January 15, 2002.
2. The attached memorandum, identified as Exhibit A, undated and marked received by the Bureau of Planning March 14, 2002, signed by Jack Germany and Paulette Scott, is hereby adopted as a condition of this Special Use Permit and its conditions shall be enforced as such.

TO: MS. Paulette Scott
MS. Rosal Fenn
MS. Nyna Gentry

Exhibit A
U-02-02

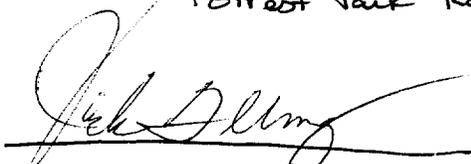
From: Benton Express, Inc.
c/o MR. Jack Germany

RE: U-02-02



As part of our application for a special use permit to expand the existing truck terminal at 1045 South River Industrial Blvd, Benton Express, Inc., is willing to assume the following conditions:

- 1) Benton Express will plant a minimum of 34 trees along the perimeter of the site as part of their continuing efforts to improve the beauty of the site;
- 2) Benton Express will re-habitish the parking area of the site; and
- 3) Benton Express will install some new fencing along Forrest Park Road.


Jack Germany


Paulette Scott



U-02-02

LEGAL DESCRIPTION

ALL THAT TRACT or parcel of land lying in and being in Land Lot 5, 14th District, in City of Atlanta, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at the intersection of the southerly right-of-way line of South River Industrial Boulevard (60' right-of way) and the easterly right-of-way of Forest Park Road (60' right-of-way);

Thence running along coincident with the southerly right-of-way line of South River Industrial Boulevard bearing south 78°40'11" east a distance of 362.82 feet to a point on the southerly right-of-way line of said South River Industrial Boulevard;

Thence along the arc of a curve to the left a distance of 83.43 feet, said curve having a radius of 549.88 feet and being subtended by a chord of 83.35 feet with the chord bearing of south 84°40'32" east;

Thence continuing to run along and coincident with the right-of-way line of South River Industrial Road bearing south 87°18'00" east a distance of 418.61 feet to a ½" rebar found;

Thence leaving said southerly right-of-way and running south 02°40'44" west a distance of 500.00 feet to a point;

Thence running north 87°19'16" west a distance of 860.51 feet to a point located on the easterly right-of-way line of Forest Park Road;

Thence running along the coincident with said easterly right-of-way line north 02°40'44" east a distance of 558.59 feet to a point at the intersection of the southerly right-of-way line of South River Industrial Boulevard (60' right-of-way) and the easterly right-of-way of Forest Park Road (60' right-of-way); said point being the POINT OF BEGINNING. Said tract contains 10.138 acres.

As shown on survey by P.T.&B. Engineering, dated 9-17-01, for Benton Express.
RE: PT & B job #01178

RCS# 3673
4/01/02
5:48 PM

Atlanta City Council

Regular Session

MULTIPLE

02-O-0357; 02-O-0180; 02-O-0112
02-O-0355; 02-O-0354
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	NV Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	B Woolard

MULTIPLE

02-0-0355

(Do Not Write Above This Line)

AN ORDINANCE U-02-02
BY: ZONING COMMITTEE

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A TRUCK TERMINAL (SECTION 16-17.005(1)(p), PROPERTY LOCATED AT 1045 SOUTH RIVER INDUSTRIAL BOULEVARD, S.E., FRONTING 558.59 FEET ON THE EAST SIDE OF FOREST PARK ROAD BEGINNING AT THE SOUTHEAST CORNER OF SOUTH RIVER INDUSTRIAL BOULEVARD. DEPTH: 864.86 FEET; AREA: 10.138 ACRES; LAND LOT 5, 14TH DISTRICT, FULTON COUNTY, GEORGIA.

OWNER: THE 4-M OPERATING CORP.
APPLICANT: BENTON EXPRESS, INC.
BY: STEPHEN F. FUSCO ESQ., ATTORNEY
NPU-Z COUNCIL DISTRICT 1

ADOPTED BY
APR 01 2002
COUNCIL

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

Date Referred 3/4/02

Referred To: ZRB & ZONING

First Reading

Committee
Date
Chair

Zoning
March 27, 2002
Devin Sparks

Committee

Date

Chair

Actions
Fav, Adv, Held (see rev. side)
Other

Members
Stephen F. Fusco
Devin Sparks
John J. ...
...
Refer To

Committee

Date

Chair

Actions
Fav, Adv, Held (see rev. side)
Other

Members
Refer To

Committee

Date

Chair

Actions
Fav, Adv, Held (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Actions
Fav, Adv, Held (see rev. side)
Other

Members

Refer To

COUNCIL ACTION

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

CERTIFIED

CERTIFIED
APR 1 2002
Devin Sparks

COUNCIL PRESIDENT PRO TEM

CERTIFIED
APR 01 2002

Devin Sparks

DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION

Devin Sparks
APR 05 2002