

City Council  
Atlanta, Georgia

AN ORDINANCE

Z-02-15/Z-81-41

BY: ~~ZONING COMMITTEE~~

02-0 -0829

*John Starns*

AN ORDINANCE TO AMEND ORDINANCE Z-81-41,  
AS AMENDED, ADOPTED BY CITY COUNCIL  
DECEMBER 7, 1981 AND APPROVED BY OPERATION  
OF LAW DECEMBER 15, 1981 REZONING FROM THE  
R-6 (RESIDENTIAL) DISTRICT TO THE A-1-C  
(APARTMENT-CONDITIONAL) (NOW RG-3-C  
(RESIDENTIAL GENERAL-SECTOR 3-CONDITIONAL)  
DISTRICT, PROPERTY LOCATED AT **1126-1128-1130-1136  
1146-1156-1166 PONCE DE LEON AVENUE, N.E.**, FOR THE  
PURPOSE OF APPROVING A REVISED SITE PLAN FOR A  
PORTION OF SAID PROPERTY, SPECIFICALLY **1136-1146 PONCE  
DE LEON AVENUE, N.E.**  
OWNER: GLEN CHOUINARD  
APPLICANT: DAVID GREEN  
NPU-F COUNCIL DISTRICT 6

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

SECTION 1. That Ordinance Z-81-41, as amended, adopted by City Council December 7, 1981 and approved by Operation of Law December 15, 1981 rezoning from the R-6 (Residential) District to the A-1-C (Apartment-Conditional) District (now RG-3-C) (Residential General-Sector 3-Conditional) District, property located at **1126-1128-1130-1136-1146-1156-1166 Ponce De Leon Avenue, N.E.** is hereby amended by deleting all currently governing conditions applicable to that portion of the above referenced property known as 1136-1146 Ponce de Leon Avenue, N.E. and substituting in lieu thereof the following conditional site plan:

“Site Plan entitled Atkins Park Lofts II, 1136-1146 Ponce de Leon Avenue, Atlanta, Georgia prepared by Brock Green Architects, dated February 5, 2002, last revised February 11, 2002 and marked received by the Bureau of Planning February 14, 2002.”

Said property is more particularly described by the attached legal description identified as Exhibit A.

SECTION 2. That all applicable conditions governing those portions of the property rezoned by Ordinance Z-81-41 not included in the legal description referenced in Section

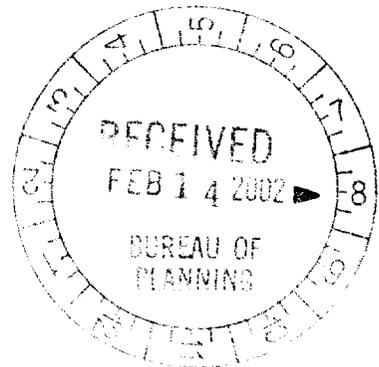
1 above shall remain in full force and effect except as they may have previously been amended.

SECTION 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**EXHIBIT "A"  
LEGAL DESCRIPTION**

All that tract or parcel of land lying and being in Land Lot 16 of the 16<sup>th</sup> District of Fulton County, Georgia, and being more particularly described as follows:

**BEGINS** at a point on the north side of Ponce de Leon Ave. a distance of 289 feet west of Briarcliff Rd.; running thence west along the north side of Ponce de Leon Ave. a distance of 96 feet to a point; running thence north a distance of 71 feet 5 inches to a point; running thence east a distance of 85.8 feet to a point; running thence south a distance of 4.92 feet to a point; running thence east a distance of 10.2 feet to a point; running thence south 67 feet 2 inches to the point of beginning, said property being unimproved property known as 1136 Ponce de Leon Avenue, Atlanta, Fulton County, GA., according to the present numbering system in effect in the City of Atlanta, Fulton County, Georgia.



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Exhibit A  
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**EXHIBIT "A"  
LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 18,  
14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND ON THE NORTHERLY SIDE OF PONCE  
DE LEON AVENUE NORTHEAST A DISTANCE OF 123 FEET (100 FEET AS PER  
DEED RECORDED AT DEED BOOK 10927 PAGE 125) AS MEASURED ALONG  
THE NORTHERLY SIDE OF PONCE DE LEON AVENUE FROM THE CORNER  
FORMED BY THE INTERSECTION OF THE NORTHERLY SIDE OF PONCE DE  
LEON AVENUE WITH THE WESTERLY SIDE OF BRIARCLIFF ROAD; RUN  
THENCE WESTERLY SOUTH 89 DEGREES 30 MINUTES 50 SECONDS WEST  
ALONG THE NORTHERLY SIDE OF PONCE DE LEON AVENUE A DISTANCE OF  
86.0 FEET TO AN IRON PIN FOUND; RUN THENCE NORTHERLY FORMING AN  
INTERIOR ANGLE OF 88 DEGREES 12 MINUTES WITH THE NORTHERLY SIDE  
OF PONCE DE LEON AVENUE A DISTANCE OF 87.17 FEET TO AN IRON PIN  
FOUND; RUN THENCE EASTERLY A DISTANCE OF 18.33 FEET TO AN IRON  
PIN FOUND; RUN THENCE NORTHERLY A DISTANCE OF 4.93 FEET TO AN  
IRON PIN FOUND; RUN THENCE EASTERLY A DISTANCE OF 86.17 FEET TO  
AN IRON PIN FOUND; RUN THENCE SOUTHERLY SOUTH 17 DEGREES 17  
MINUTES 50 SECONDS WEST A DISTANCE OF 71.42 FEET TO THE  
NORTHERLY SIDE OF PONCE DE LEON AVENUE AT THE POINT OF  
BEGINNING; BEING IMPROVED PROPERTY KNOWN AS 1146 PONCE DE LEON  
AVENUE, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN  
THE CITY OF ATLANTA, FULTON COUNTY, GEORGIA, AND BEING MORE  
PARTICULARLY SHOWN ON SURVEY PREPARED BY GEORGIA LAND  
SURVEYING CO., INC., DATED JANUARY 24, 1999.

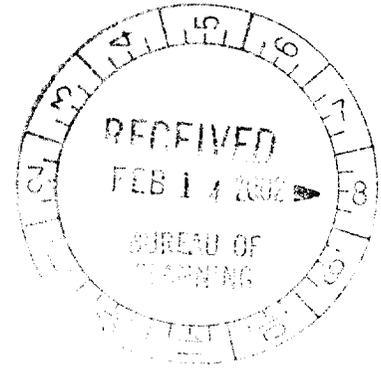


Exhibit A

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RCS# 4005  
9/16/02  
3:32 PM

Atlanta City Council

Regular Session

MULTIPLE

02-O-0829/Z-02-15/Z-81-41; 02-O-1266/  
Z-02-38; 02-O-0113/U-01-56  
FILE

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

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

MULTIPLE

02-0-0829

(Do Not Write Above This Line)

AN ORDINANCE Z-02-15/Z-81-41

BY: ~~ZONING COMMITTEE~~ *John Stamps*

AN ORDINANCE TO AMEND ORDINANCE Z-81-41, AS AMENDED, ADOPTED BY CITY COUNCIL DECEMBER 7, 1981 AND APPROVED BY OPERATION OF LAW DECEMBER 15, 1981 REZONING FROM THE R-6 (RESIDENTIAL) DISTRICT TO THE A-1-C (APARTMENT-CONDITIONAL) (NOW RG-3-C (RESIDENTIAL GENERAL-SECTOR 3-CONDITIONAL) DISTRICT, PROPERTY LOCATED AT 1126-1128-1130-1136-1146-1156-1166 PONCE DE LEON AVENUE, N.E. FOR THE PURPOSE OF APPROVING A REVISED SITE PLAN FOR A PORTION OF SAID PROPERTY, SPECIFICALLY 1136-1146 PONCE DE LEON AVENUE, N.E.  
OWNER: GLEN CHOUINARD  
APPLICANT: DAVID GREEN  
NPÜ-F COUNCIL DISTRICT 6

FILED BY  
CITY COUNCIL

SEP 16 2002

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

Date Referred 5/6/02

Referred To: ZRB + Zoning

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_

Committee *Zoning*  
Date *Sept 11 2002*  
Chair *John Stamps*  
Actions:  
Fav, Adv, Held (see rev. side) *SEE*  
Other:  
Members *John Stamps, David Green, Carla Lewis, P.D. Self*

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

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_

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

SEP 16 2002

MAYOR'S ACTION