

Municipal Clerk  
Atlanta, Georgia

**04-0 -1643**

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-04-98  
Date Filed: 8-26-04

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

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **879 T.P. Burruss Sr. Drive, N.W. (a.k.a. Ashby Place** be changed from the SPI-11 Sub-area 7 (Ashby Station Special Public Interest-Sub-area 7 Multi-Family Residential Sub-area) District to the SPI-11 Sub-area 2 (Ashby Station Special Public Interest-Sub-area 2 Martin Luther King, Jr. Drive-Ashby Street Commercial Sub-area) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 109, 14<sup>th</sup> District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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

DEC 06, 2004  
DEC 10, 2004

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in land lot 109, 14th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows;

Beginning at a 1/2"rod found along the northerly right-of-way of T.P. Burruss Sr. Dr. (formerly Ashby Place, said point being 307.2 feet from the intersection of said right-of-way with the easterly right-of-way of Joseph E. Lowery Boulevard (formerly Ashby Street) from thus established point and leaving said right-of-way;

THENCE North 04 degrees 39 minutes 14 seconds East for a distance of 100.00 feet to a; point;

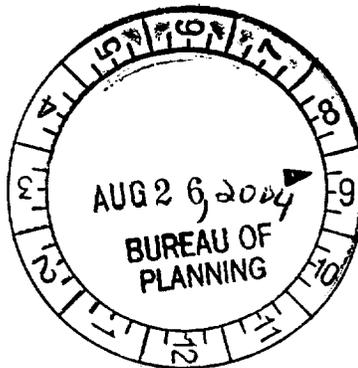
THENCE South 85 degrees 25 minutes 41 seconds East for a distance of 80.00 feet to a point;

THENCE South 04 degrees 39 minutes 14 seconds West for a distance of 100.00 feet to a point along the northerly right-of-way of T.P. Burruss Sr. Dr.;

THENCE North 85 degrees 25 minutes 41 seconds West for a distance of 80.00 feet to a 1/2"rod and The Point of Beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.184 acres more or less.



Z-04-98

RCS# 6324  
12/06/04  
5:45 PM

Atlanta City Council

Regular Session

04-O-1643

Z-04-98 REZONE FROM SPI-11 SUB A7 TO SPI  
-11 SUB A2 879 TP BURRUSS SR DRIVE  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

|            |             |           |             |
|------------|-------------|-----------|-------------|
| Y Smith    | Y Archibong | Y Moore   | NV Mitchell |
| Y Starnes  | Y Fauver    | Y Martin  | Y Norwood   |
| Y Young    | NV Shook    | Y Maddox  | Y Willis    |
| NV Winslow | Y Muller    | Y Sheperd | NV Borders  |

04-O-1643

(Do Not Write Above This Line)  
**04-0-1643**

AN ORDINANCE Z-04-98  
 BY: ZONING COMMITTEE

TO REZONE FROM THE SP1-11 SUB-AREA 7 (ASHBY STATION SPECIAL PUBLIC INTEREST, SUB-AREA 7 MULTI-FAMILY RESIDENTIAL SUBAREA) DISTRICT TO THE SP1-11 SUB-AREA 2 (ASHBY STATION SPECIAL PUBLIC INTEREST-SUB-AREA 2 MARTIN LUTHER KING, JR. DRIVE-ASHBY STREET COMMERCIAL SUBAREA) DISTRICT, PROPERTY LOCATED AT 879 T.P. BURRUSS SR. DRIVE, N.W. (A.K.A. ASHBY PLACE) FRONTING 80 FEET ON THE NORTH SIDE OF T.P. BURRUSS DRIVE BEGINNING 307.2 FEET EAST FROM THE NORTHEAST CORNER OF JOSEPH E. LOWERY BLVD.  
 DEPTH: 100 FEET; AREA: 0.184 ACRES LAND LOT 109, 14<sup>TH</sup> DISTRICT, FULTON COUNTY, GEORGIA.  
 OWNER: EVELYN J. FRAZIER  
 APPLICANT: EVELYN J. FRAZIER

NPU-T COUNCIL DISTRICT 3

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

Date Referred 9-20-2004  
 Referred To: ZAB & Zoning  
 Date Referred  
 Referred To: ADOPTED BY  
 Date Referred DEC 06 2004  
 Referred To:

First Reading  
 Committee Date 9-20-2004  
 Chair Date 9-27-2004  
 Referred To 12-6-2004

Committee  
 Date  
 Chair  
 Action (See rev. side)  
 Other  
 Members

Refer To

Committee

Date  
 Chair  
 Action (See rev. side)  
 Other  
 Members

Refer To

Committee

Date  
 Chair  
 Action (See rev. side)  
 Other  
 Members

Refer To

Committee Members  
 Date 9-20-2004  
 Chair  
 Action (See rev. side)  
 Other  
 Members

Refer To

- FINAL COUNCIL ACTION
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Vote
  - RC Vote

CERTIFIED

DEC 06 2004  
 CITY OF ATLANTA  
 CLERK OF THE CITY

MAYOR'S ACTION

APPROVED  
 MAYOR  
 DEC 06 2004

COUNCIL