



CITY COUNCIL  
ATLANTA, GEORGIA

Municipal Clerk  
Atlanta, Georgia

**04-0 -1838**

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-04-104  
Date Filed: 9-10-04

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 **140 Milton Avenue, S.E.** be changed from the I-1-C (Light Industrial-Conditional) District to the MR-4A (Multi-Family Residential-Eight story multi-family dwellings) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 55 & 56, 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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,

*Phonda Dauphin Johnson*  
Municipal Clerk

ADOPTED by the City Council  
APPROVED by the Mayor

March 21, 2005  
March 25, 2005

## LEGAL DESCRIPTION

ALL that tract or parcel of land lying and being in Land Lots 55 and 56 of the 14th Land District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at 'PK' nail located by the intersection of the northern Right-of-Way of Milton Avenue, a 50' R/W and the western Right-of-Way of Martin Street, 30' at this point;

THENCE running along the northern Right-of-Way of Milton Avenue, N 62° 49' 33" W for 28.14' to a point in the sidewalk;

THENCE continuing along the Right-of-Way, N 61° 46' 27" W for 75.55' to a point;

THENCE continuing along the Right-of-Way following the curvature to the right an arc distance of 253.45', said arc having a radius of 478.04', and subtending a chord bearing N 46° 35' 41" W for 250.49'

THENCE continuing along the Right-of-Way, N 31° 45' 25" W for 162.86' to an iron pin set;

THENCE departing the Right-of-Way and running, N 55° 45' 44" E for 427.48' to a point;

THENCE S 00° 30' 00" W for 432.48' to a f\*\*\*\*\*or corner;

THENCE S 03° 18' 46" E for 167.52' to a 'PK' nail on the northern Right-of-Way of Milton Avenue and the POINT OF BEGINNING.

SAID tract containing and containing 120,035 square feet or 2.7556 acres.

DEED

RCS# 6573  
3/21/05  
2:54 PM

Atlanta City Council

Regular Session

MULTIPLE

04-O-1838, 2078, 1847 & 05-O-0324, 0325,  
0319, 0097, 0111  
ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 1  
ABSENT 2

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

MULTIPLE

(Do Not Write Above This Line) **04-1838**

AN ORDINANCE Z-04-104  
 BY: ZONING COMMITTEE

An Ordinance to rezone from the I-1-C (Light Industrial-Conditional) District to the MR-4A (Multi-Family Residential-Eight story multi-family dwellings) District, property located at **140 Milton Avenue, S.E.**, fronting 517.04 feet on the northeasterly side of Milton Avenue beginning at the southwest corner of Martin Street. Depth: Varies; Area: 2.7556 acres; Land Lots 55 & 56, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: MOHAMED M. MALAK  
 APPLICANT: MITCHEL C. JAFFE  
 NP-U-Y COUNCIL DISTRICT 1

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

Date Referred 10-18-2004  
 Referred To: ZR13 & Zoning  
 Date Referred \_\_\_\_\_  
 Referred To: **ADOPTED BY**  
 Date Referred MAR 21 2005  
 Referred To: \_\_\_\_\_

First Reading  
 Committee Date 10-18-2004  
 Chair [Signature]  
 Referred To: ZR13 & Zoning

Committee ZONING  
 Date 2004  
 Chair [Signature]  
 Action Fav, Adv, Hold (see rev. side) Other  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action Fav, Adv, Hold (see rev. side) Other  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

Committee ZONING  
 Date 10-18-2004  
 Chair [Signature]  
 Action Fav, Adv, Hold (see rev. side) Other  
 Members \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action Fav, Adv, Hold (see rev. side) Other  
 Members \_\_\_\_\_

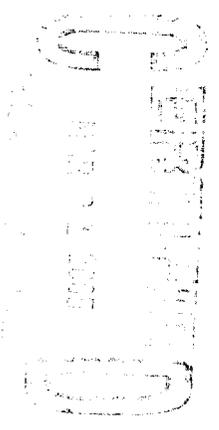
Refer To [Signature]  
 Refer To \_\_\_\_\_

Refer To \_\_\_\_\_

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

CERTIFIED

MAR 21 2005



MAYOR'S ACTION

[Signature]

**COUNCIL**