

CITY COUNCIL  
ATLANTA, GEORGIA

Municipal Clerk  
Atlanta, Georgia

**04-O-2078**

A SUBSTITUTE ORDINANCE  
BY: ZONING COMMITTEE

**Z-04-129**  
Date Filed: 10/12/04

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 **349-359 Decatur Street** be changed from the **I-2 (Heavy Industrial) District** to the **MRC-3 C (Mixed Residential Commercial) Conditional District**, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lots 45 and 52, 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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

ADOPTED by the City Council  
APPROVED by the Mayor

March 21, 2005  
March 25, 2005



**CONDITIONS FOR Z-04-129  
349-359 DECATUR STREET**

1. APPROVAL, conditioned upon that not variances or special exceptions shall be allowed. The proposed building shall comply with all requirements of the MRC-3 District.



**Exhibit "A"**

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 45 & 52 of the 14<sup>th</sup> District, of Fulton County, Georgia and being more particularly described as follows:

Beginning at a point at the North East corner, at the intersection of Decatur Street (RW varies) and Grant Street (RW varies); running thence South forty nine degrees eleven minutes zero seconds East, a distance of forty and sixty five tenths (40.65) feet; thence South three degrees twenty five minutes ten seconds East, a distance of one hundred three and fifty tenths (103.50) feet; thence South sixty three degrees thirty minutes seven seconds West, a distance of two hundred twenty five and sixty six tenths (225.66) feet, with a radius of one thousand nine hundred seventy five (1975.00) feet and a chord length of two hundred twenty five and fifty four tenths (225.54) feet; thence South sixty nine degrees forty nine minutes eight seconds West, a distance of two hundred nine and eighty three tenths (209.83) feet, with a radius of one thousand nine hundred seventy five (1975.00) feet and a chord length of two hundred nine and seventy three tenths (209.73) feet; thence South five degrees four minutes seven seconds West, a distance of five and seventy seven tenths (5.77) feet; thence South seventy five degrees forty eight minutes thirty nine seconds West, a distance of one hundred fifty five and thirty two tenths (155.32) feet, with a radius of three thousand two hundred ninety (3290.00) feet and a chord length of one hundred fifty five and thirty tenths (155.30) feet; thence South seventy nine degrees twenty eight minutes forty seconds West, a distance of two hundred sixty five and seventy nine tenths (265.79) feet, with a radius of three thousand two hundred ninety (3290.00) feet, and a chord length of two hundred sixty five and seventy two tenths (265.72) feet; thence North zero degrees forty eight minutes twenty seven seconds West, a distance of one hundred sixty three and eighty eight tenths (163.88) feet; thence South eighty six degrees fifty minutes eight seconds East, a distance of fifty (50.00) feet; thence North one degree twenty two minutes twenty six seconds West, a distance of eighty eight (88.00) feet; thence North seventy nine degrees nineteen minutes fifty one seconds East, a distance of two hundred twenty (220.00) feet; thence North seventy nine degrees nineteen minutes fifty one seconds East, a distance of two hundred one and nine hundredths (201.09) feet; thence North seventy eight degrees twenty seven minutes twenty two seconds East, a distance of one hundred twenty four and seventy five tenths (124.75) feet, with a radius of three thousand six hundred fifteen and ninety five tenths (3615.95) feet and a chord length of one hundred twenty four and seventy five tenths (124.75) feet; thence North seventy seven degrees twenty one minutes fifteen seconds East, a distance of one hundred ninety seven and thirty six tenths (197.36) tenths and the point of beginning

Z-04-129



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

# 04-0-2078

(Do Not Write Above This Line)

AN ORDINANCE Z-04-129  
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE PROPERTY FROM THE I-2 (HEAVY INDUSTRIAL) DISTRICT TO THE MRC-3 (MIXED RESIDENTIAL COMMERCIAL) DISTRICT, PROPERTY LOCATED AT 349-359 DECATUR STREET, FRONTING APPROXIMATELY 618.45 ON THE SOUTH SIDE OF DECATUR STREET AND FRONTING APPROXIMATELY 163 FEET ON THE EAST SIDE OF HILL STREET AND FRONTING APPROXIMATELY 103 FEET ON THE WEST SIDE OF GRANT STREET, BEGINNING AT THE INTERSECTION OF DECATUR STREET AND GRANT STREET DEPTH: VARIES; AREA 3.9 ACRES, LAND LOTS 45 AND 52, 14<sup>TH</sup> DISTRICT, FULTON COUNTY, GEORGIA.

OWNER: JANELLE COREY AND WILLIAM COREY  
APPLICANT: DAVID GREEN  
NPU-M COUNCIL DISTRICT 2

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

Date Referred 11/15/2004  
Referred To: ZRB & Zoning  
Date Referred  
Referred To: ADOPTED BY  
Date Referred MAR 2 1 2005  
Referred To:

First Reading  
Committee Zoning  
Date 11/16/04  
Chair  
Referred To

Committee Zoning  
Date Jan. 12, 2005  
Chair  
Action Fav, Adv, Hold (see rev. side)  
Other  
Members  
Refer To

Committee Zoning  
Date 11/16/04  
Chair  
Action Fav, Adv, Hold (see rev. side)  
Other  
Members  
Refer To

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

CERTIFIED

MAR 2 1 2005



MAYOR'S ACTION

*Handwritten signature of Mayor's Action*

COUNCIL