

00-0-1093

(Do Not Write Above This Line)

AN ORDINANCE Z-00-60
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE R-3A (SINGLE-FAMILY RESIDENTIAL) DISTRICT, PROPERTY LOCATED AT 1710 MERTON ROAD, N.E. (AKA 978 BERSHIRE ROAD, N.E.), FRONTING 150 FEET ON THE NORTHWESTERLY SIDE OF MERTON ROAD BEGINNING AT THE NORTHWEST CORNER OF BERSHIRE ROAD. DEPTH: 211.80 FEET; AREA: .72 ACRE APPROXIMATELY; LAND LOT 3, 17TH DISTRICT, FULTON COUNTY, GEORGIA.

OWNER: REX D. FRIEDLIN AND OSCAR L. EASON

APPLICANT: SAME
NPU-F COUNCIL DISTRICT 6

FILED BY SEP 18 2000
CITY COUNCIL

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

Date Referred 7/17/00

Referred To: ZRB & Zoning

First Reading

Committee: ZONING
Date: 7/17/00
Chair: John H. Starnes

Committee: _____ Date: _____

Chair: _____

Actions: _____

Fav, Adv, Held (see rev. side) _____

Other: _____

Members: _____

Refer To: _____

Committee: ZONING Date: 7/17/00

Chair: John H. Starnes

Actions: _____

Fav, Adv, Held (see rev. side) _____

Other: _____

Members: John H. Starnes
John H. Starnes
John H. Starnes

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

SEP 18 2000

ATLANTA CITY COUNCIL PRESIDENT

Robert A. Pitts

CERTIFIED

SEP 18 2000

Paula Douglas Johnson

MUNICIPAL CLERK

MAYOR'S ACTION

City Council
Atlanta, Georgia

00- 0 -1093

AN ORDINANCE
BY: ZONING COMMITTEE

Z-00-60
6-13-00

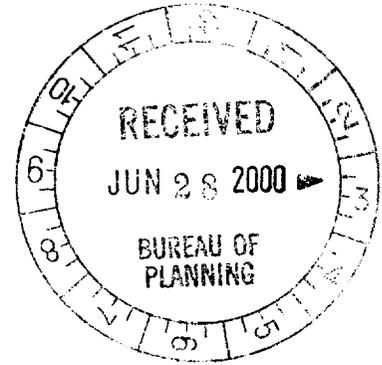
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

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 **1710 Merton Road, N.E. (aka 978 Berkshire Road, N.E.)** be changed from the **R-3 (Single-Family Residential)** District to the **R-3A (Single-Family Residential)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **3** of the **17th** 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 suffix "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 zoning 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.



Re: Zoning Application Z-00-60

1710 Merton Rd AKA 978 Berkshire Rd

Rex Friedlein

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA, IN LAND LOT 3 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING LOT 20, BLOCK 16, AND A PART OF LOT 19, BLOCK 16, LENOX PARK, AS PER PLAT RECORDED IN PLAT BOOK 39, PAGE 10, FULTON COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

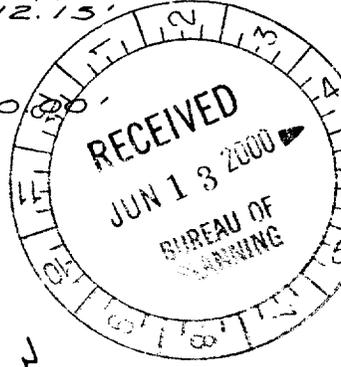
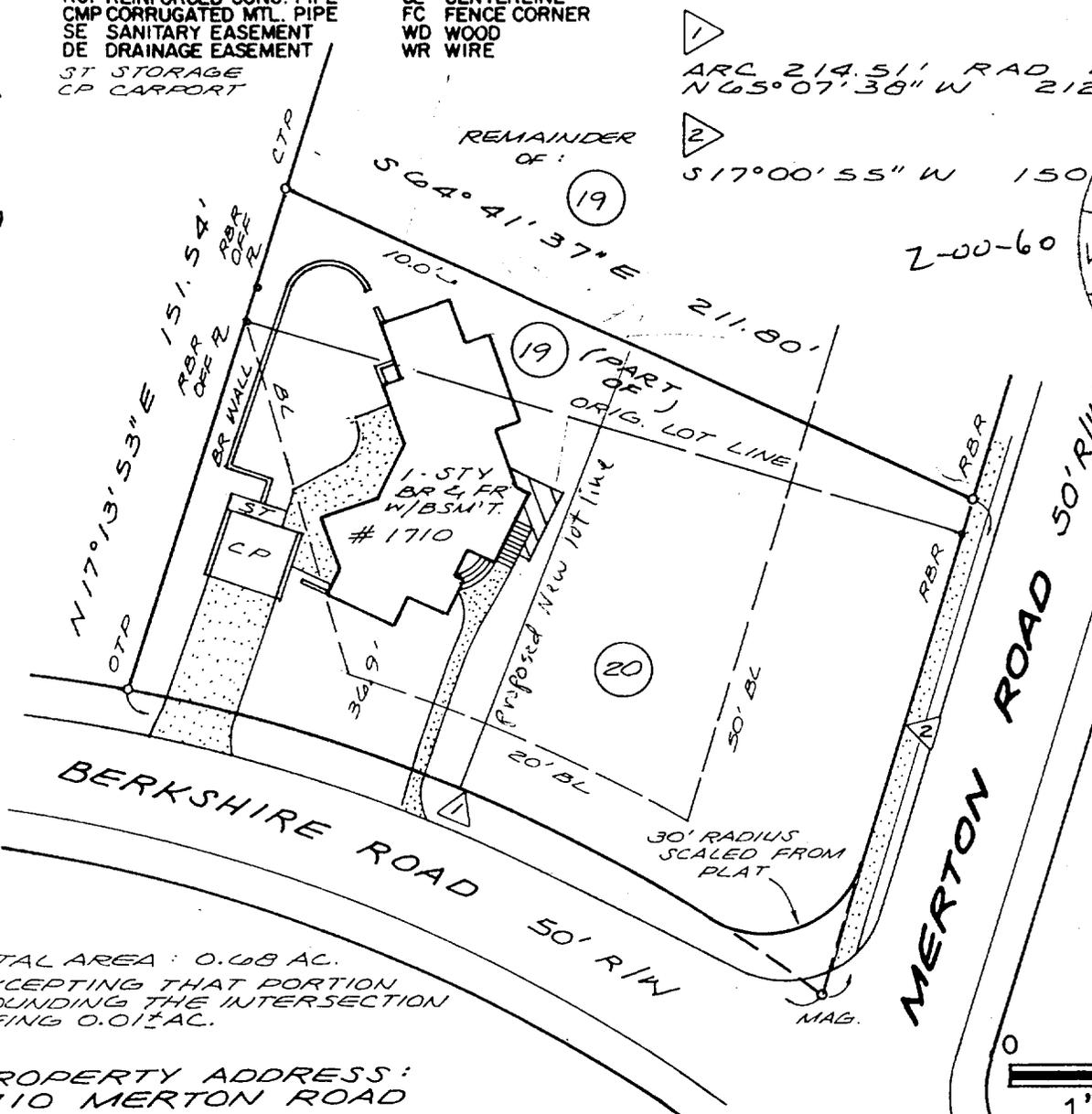
BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE WESTERN SIDE OF MERTON ROAD WITH THE NORTHERN SIDE OF BERKSHIRE ROAD, IF SAID STREET LINES WERE EXTENDED TO FORM AN ANGLE INSTEAD OF A CURVE; THENCE NORTHERLY ALONG THE WESTERN SIDE OF MERTON ROAD 150 FEET TO A POINT, WHICH POINT IS 10 FEET NORTHERLY FROM THE SOUTHEAST CORNER OF LOT 19, SAID BLOCK AND SUBDIVISION; THENCE NORTHWESTERLY 211.8 FEET TO A POINT, WHICH POINT IS 40 FEET NORTHERLY FROM THE ORIGINAL SOUTHWEST CORNER OF LOT 19, SAID LOT AND SUBDIVISION; THENCE SOUTHWESTERLY 151.54 FEET TO THE NORTHERN SIDE OF BERKSHIRE ROAD; THENCE EASTERLY ALONG THE NORTHERN SIDE OF BERKSHIRE ROAD 214.51 FEET TO THE WESTERN SIDE OF MERTON ROAD AT THE POINT OF BEGINNING; EXCEPTING, HOWEVER, THAT PORTION OF THE ABOVE DESCRIBED PROPERTY USED IN ROUNDING THE CORNER OF THE INTERSECTION OF THE WESTERN SIDE OF MERTON ROAD WITH THE NORTHERN SIDE OF BERKSHIRE ROAD, BEING IMPROVED PROPERTY KNOWN AS 1710 MERTON ROAD, N.E. ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN THE CITY OF ATLANTA. BEING THE SAME PROPERTY FOUND IN DEED BOOK 4642, PAGE 460, FULTON COUNTY RECORDS.

LEGEND:
 IPF IRON PIN FOUND
 IP% IRON PIN SET
 CTP CRIMP TOP PIPE
 OTP OPEN TOP PIPE
 RBR REBAR
 RCP REINFORCED CONC. PIPE
 CMP CORRUGATED MTL. PIPE
 SE SANITARY EASEMENT
 DE DRAINAGE EASEMENT
 ST STORAGE
 CP CARPORT

MAG. MAGNETIC READING
 CLF CHAIN LINK FENCE
 LLL LAND LOT LINE
 BL BUILDING LINE
 R/W RIGHT-OF-WAY
 PL PROPERTY LINE
 CL CENTERLINE
 FC FENCE CORNER
 WD WOOD
 WR WIRE

THIS PROPERTY DOES NOT LIE IN A
 F.I.A. FLOOD HAZARD AREA ACCORDING TO THE
 "FIA OFFICIAL FLOOD HAZARD MAP"
 COMMUNITY-PANEL NO. 1351570019C
 EFFECTIVE DATE 3-4-87 ZONE C

MAGNETIC

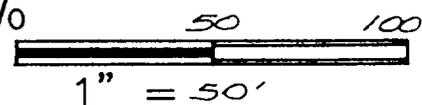


Page 2 of 2

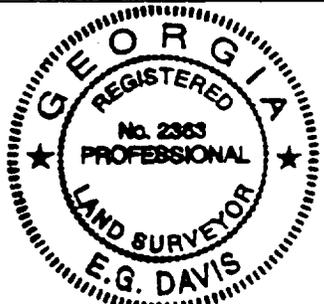
DEED REF.:
 DB 6439
 PG 134

TOTAL AREA : 0.68 AC.
 EXCEPTING THAT PORTION
 ROUNDING THE INTERSECTION
 BEING 0.01 AC.

PROPERTY ADDRESS :
 1710 MERTON ROAD



PLAT PREPARED FOR : REX FRIEDLEIN & OSCAR L. EASON	
LOT 20 AND PART OF LOT 19 BLOCK 16	
SUBDIVISION MERTON ROAD SECTION OF LENOX PARK	
LAND LOT- 3 17TH DISTRICT (CITY OF ATLANTA)	
FULTON COUNTY, GEORGIA	DATE JULY 18, 1997
PLAT BOOK 39, PAGE 10	ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION
 OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY
 WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

E. G. Davis

The field data upon which this plat is based has a closure of 1 foot in 10,000 feet, an angular error of 0.5 seconds per angle point and was adjusted using the Least Squares Method. This plat has been calculated for closure and found to be accurate to 1 foot in 20,000 feet. An electronic total station and a 100' chain were used to gather the information used in the preparation of this plat. No State Plane Coordinate Monument found within 500' of this property.

RCS# 2221
9/18/00
2:25 PM

Atlanta City Council

Regular Session

00-O-1093

Z-00-60; 1710 Merton Rd. (aka 978
Berkshire Rd., NE) (F-6) R-3 to R-3A
File

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	NV Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

00-O-1093