



01-0-1263

City Council  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-01-49  
DATE FILED: 7-17-01

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 **3016-3030-3042-3060-3072 Lenox Road, N.E.** be changed from the **R-3 (Single-Family Residential)** District to the **RG-2-C (Residential General-Sector 2-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots **46 and 47** of the **17<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 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.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,  
  
Deputy Clerk

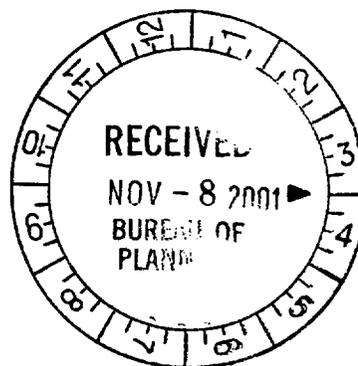
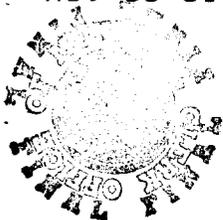
ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

DEC 03, 2001  
DEC 12, 2001



Conditions for Z-01-49

1. Site Plan entitled "Site Plan, Lenox Townhomes" prepared by Clark Design Group P.C., dated August 14, 2001, and marked received by the Bureau of Planning September 20, 2001.
2. The attached document identified as Exhibit A, consisting of one (1) page, referencing "Conditions Z-01-49" and marked received by the Bureau of Planning November 8, 2001 is hereby considered a condition of this rezoning and its provisions shall be enforced as such.



To: John Bell, Zoning Administrator

Re: CONDITIONS Z-01-49

Recommendation: APPROVAL of Z-01-49 based upon an RG-2-C site plan dated September 26, 2001

Conditions:

1. There shall be no accessory retail or other business use of the Property or any part thereof.
2. There shall be <sup>continuous</sup> ~~no~~ solid walls and no chain-link or wooden fencing placed along the frontage of Lenox Road.
3. The following signs and/or lighting shall not be used:  
neon, flashing, strobe, rotating, fluorescent (if outdoors), sound-emitting, banners, and/or temporary or permanent window signs.
4. If the present owner(s) [or any future owner(s)] of the property seek any modification of the site plan dated September 26, 2001, they shall file a new application with the City of Atlanta which will be referred to NPU-B, the ZRB, and the Zoning Committee of City Council.

Exhibit A

Z-01-49

page 1 of 1

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL of land lying and being in Land Lots 46 & 47 of the 17th District of Fulton County, City of Atlanta, Georgia and being more particularly described as follows:

Commencing at the point of intersection of the northerly right-of-way of Burke Road (50' RAW) and the westerly right-of-way of Lenox Road (50' RAW at this point); thence in a northwesterly direction following the westerly right-of-way of Lenox Road 830 feet to an iron pin found and the TRUE POINT OF BEGINNING; thence leaving said right-of-way North 87 degrees 36 minutes 06 seconds West a distance of 248.20 feet to a concrete right-of-way monument on the easterly right-of-way of Georgia 400; thence along said right-of-way North 05 degrees 59 minutes 29 seconds East a distance of 122.23 feet to a concrete right-of-way monument; thence continuing along said right-of-way North 12 degrees 44 minutes 13 seconds West a distance of 185.78 feet to a concrete right-of-way monument; thence North 14 degrees 35 minutes 21 seconds East a distance of 383.31 feet to a point; thence continuing along said right-of-way North 12 degrees 19 minutes 59 seconds West a distance of 74.84 feet to an iron pin found; thence leaving said right-of-way South 87 degrees 49 minutes 19 seconds East a distance of 213.50 feet to an iron pin found on the westerly right-of-way of Lenox Road; thence along said right-of-way South 02 degrees 24 minutes 55 seconds West a distance of 149.96 feet to an iron pin found; thence continuing along said right-of-way South 02 degrees 10 minutes 11 seconds West a distance of 301.68 feet to an iron pin found; thence continuing along said right-of-way South 01 degrees 53 minutes 57 seconds West a distance of 216.78 feet to a point; thence along a curve to the left an arc distance of 81.68 feet to an iron pin found, said arc having a radius of 335.67 feet and a chord which bears South 05 degrees 04 minutes 16 seconds East a distance of 81.48 feet and the POINT OF BEGINNING.

Said Tract or Parcel containing 177,225 square feet or 4.068 acres, more or less.

Z-01-49

RCS# 3352  
12/03/01  
8:59 PM

Atlanta City Council

Regular Session

MULTIPLE

01-O-1263/Z-01-49  
01-O-1357/Z-01-75  
ADOPT ON SUB

YEAS: 10  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 0

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

MULTIPLE

01-0 -1263

(Do Not Write Above This Line)

AN ORDINANCE Z-01-49  
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE RG-3-C (RESIDENTIAL-GENERAL-SECTOR 3-CONDITIONAL) DISTRICT, PROPERTY LOCATED AT 3016-3030-3042-3060 3072 LENOX ROAD, N.E., FRONTING 750 FEET ON THE WEST SIDE OF LENOX ROAD BEGINNING 830 FEET NORTHERLY FROM THE NORTHWEST CORNER OF BURKE ROAD. DEPTH: 248.20 FEET; AREA: 4.068 ACRES; LAND LOTS 46 & 47, 17TH DISTRICT, FULTON COUNTY, GEORGIA.  
OWNER: ANN Y. VINING ET AL  
APPLICANT: COLUMBIA DEVELOPMENT SERVICES, LLC  
BY: WILLIAM WOODSON GALLOWAY, ESQ. ATTORNEY  
NPU-B COUNCIL DISTRICT 7

ADOPTED BY  
DEC 03 2001

COUNCIL

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

Date Referred 8/6/01  
Referred To: ZRB & zoning

Committee of the whole  
Date 8-6-01  
Chair Deborah Spang

First Reading

Committee of the whole  
Date 8-03-01  
Chair Deborah Spang  
Action: Fav, Adv, Held (see rev. side)  
Other: DW-substitute  
Members

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

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

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

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

CERTIFIED

CERTIFIED  
DEC 3 2001  
ATLANTA CITY COUNCIL PRESIDENT  
[Signature]

CERTIFIED  
DEC 03 2001

[Signature]  
DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

DEC 12 2001

WITHOUT SIGNATURE  
BY OPERATION OF LAW