

RCS# 5201  
12/01/03  
6:41 PM

Atlanta City Council

Regular Session

MULTIPLE

02-O-1808, Z-02-71 3301-3315 ROSWELL RD  
03-O-1078, Z-03-40 1300-1308 MEMORIAL DR  
FILE

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

Y Smith	Y Archibong	NV Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

MULTIPLE

City Council  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-02-~~02~~-<sup>0</sup> -1808  
9-17-02

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 **3301-3315 Roswell Road, N.E.** be changed from the **RG-3 (Residential-General-Sector 3)** District, to the **PD-H (Planned Development-Housing)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots **98 and 99** of the **17<sup>th</sup>** District, **Fulton** County, Georgia, more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "PD Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

## LEGAL DESCRIPTION - TRACT A

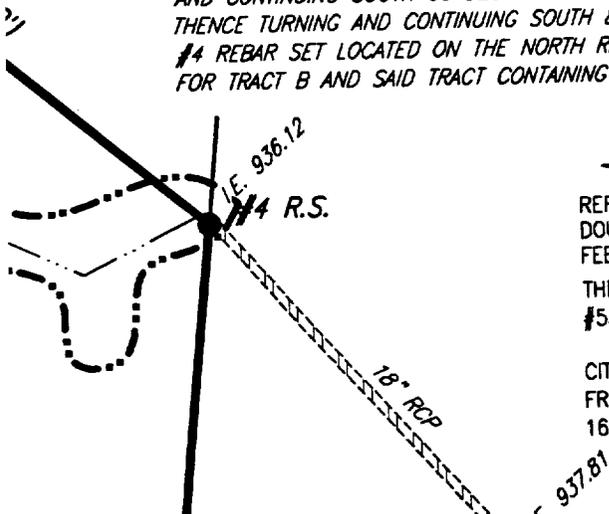
ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND, LYING AND BEING IN LAND LOTS 99 IN THE 17th DISTRICT, OF FULTON COUNTY, GEORGIA AND BEING MORE FULLY SHOWN AND DESIGNATED ON AN ALTA/ACSM LAND TITLE SURVEY FOR THE CHICAGO TITLE INSURANCE COMPANY AND TRUSTEES OF THE ARCHSTONE-SMITH OPERATING TRUST, DATED 02/20/02 AND LAST REVISED 04/10/02, PREPARED BY HIGHLAND ENGINEERING, INC., BEARING THE SEAL OF STEVEN M. HARDY R.L.S. #2662 AND HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

COMMENCING AT THE POINT OF INTERSECTION OF ROSWELL ROAD AND ANDREWS DRIVE AND BEING THE POINT OF COMMENCEMENT; THENCE TURNING NORTH 29 DEGREES 26 MINUTES 54 SECONDS WEST (N29°26'54"W) A DISTANCE OF 600.48' TO A 1/2" REBAR FOUND LOCATED ON THE NORTH SIDE OF ROSWELL ROAD (70' R/W) AND BEING THE TRUE POINT-OF-BEGINNING FOR TRACT A; THENCE TURNING AND FOLLOWING ALONG THE NORTH RIGHT-OF-WAY OF ROSWELL ROAD NORTH 41 DEGREES 59 MINUTES 53 SECONDS WEST (N41°59'53"W) A DISTANCE OF 119.35' TO A #4 REBAR SET; THENCE TURNING AND LEAVING SAID RIGHT-OF-WAY NORTH 89 DEGREES 29 MINUTES 26 SECONDS EAST (N89°29'26"E) A DISTANCE OF 280.07' TO AN #4 REBAR SET; THENCE TURNING AND CONTINUING NORTH 89 DEGREES 31 MINUTES 53 SECONDS EAST (N89°31'53"E) A DISTANCE OF 280.13' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING SOUTH 11 DEGREES 24 MINUTES 06 SECONDS EAST (S11°24'06"E) A DISTANCE OF 100.99' TO A #4 REBAR SET; THENCE CONTINUING SOUTH 11 DEGREES 27 MINUTES 43 SECONDS EAST (S11°27'43"E) A DISTANCE OF 102.19' TO A 3/4" OPEN TOP FOUND; THENCE TURNING AND CONTINUING SOUTH 89 DEGREES 05 MINUTES 01 SECONDS WEST (S89°05'01"E) A DISTANCE OF 245.67' TO A PK NAIL FOUND; THENCE TURNING AND CONTINUING NORTH 41 DEGREES 42 MINUTES 38 SECONDS WEST (N41°42'38"W) A DISTANCE OF 149.96' TO A PK NAIL FOUND; THENCE TURNING AND CONTINUING SOUTH 89 DEGREES 14 MINUTES 04 SECONDS WEST (S89°14'04"W) A DISTANCE OF 175.20' TO A 1/2" REBAR FOUND AND BEING THE POINT-OF-BEGINNING (P.O.B.) FOR TRACT A AND SAID TRACT CONTAINING 1.81 ACRES (78,845 Sq. Ft.).

## LEGAL DESCRIPTION - TRACT B

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND, LYING AND BEING IN LAND LOTS 98 IN THE 17th DISTRICT, OF FULTON COUNTY, GEORGIA AND BEING MORE FULLY SHOWN AND DESIGNATED ON AN ALTA/ACSM LAND TITLE SURVEY FOR THE CHICAGO TITLE INSURANCE COMPANY AND TRUSTEES OF THE ARCHSTONE-SMITH OPERATING TRUST, DATED 02/20/02 AND LAST REVISED 04/10/02, PREPARED BY HIGHLAND ENGINEERING, INC., BEARING THE SEAL OF STEVEN M. HARDY R.L.S. #2662 AND HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

COMMENCING AT THE POINT OF INTERSECTION OF ROSWELL ROAD AND ANDREWS DRIVE AND BEING THE POINT OF COMMENCEMENT; THENCE TURNING NORTH 29 DEGREES 26 MINUTES 54 SECONDS WEST (N29°26'54"W) A DISTANCE OF 600.48' TO A 1/2" REBAR FOUND LOCATED ON THE NORTH SIDE OF ROSWELL ROAD (70' R/W) AND BEING THE POINT-OF-BEGINNING FOR TRACT A; THENCE FOLLOWING THE NORTH RIGHT-OF-WAY OF SAID ROAD NORTH 41 DEGREES 59 MINUTES 53 SECONDS WEST (N41°59'53"W) A DISTANCE OF 119.35' TO A #4 REBAR SET AND BEING THE TRUE POINT-OF-BEGINNING FOR TRACT B; THENCE CONTINUING ALONG THE NORTH RIGHT-OF-WAY OF SAID ROAD NORTH 40 DEGREES 57 MINUTES 04 SECONDS WEST (N40°57'04"W) A DISTANCE OF 70.00' TO AN #4 REBAR SET; THENCE FOLLOWING ALONG THE NORTH RIGHT-OF-WAY OF SAID ROAD NORTH 36 DEGREES 09 MINUTES 27 SECONDS WEST (N36°09'27"W) A DISTANCE OF 165.00' TO A #4 REBAR SET LOCATED ON THE NORTH RIGHT-OF-WAY OF ROSWELL ROAD (70' R/W); THENCE FOLLOWING THE NORTH RIGHT-OF-WAY OF SAID ROAD NORTH 37 DEGREES 10 MINUTES 07 SECONDS WEST (N37°10'07"W) A DISTANCE OF 70.00' TO A #4 REBAR SET LOCATED ON NORTH RIGHT-OF-WAY OF ROSWELL ROAD (70' R/W); THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 37 DEGREES 10 MINUTES 10 SECONDS WEST (N37°10'10"W) A DISTANCE OF 70.00' TO A 1/2" REBAR FOUND LOCATED ON THE NORTH RIGHT-OF-WAY OF ROSWELL ROAD (70' R/W); THENCE TURNING AND LEAVING SAID RIGHT-OF-WAY NORTH 57 DEGREES 43 MINUTES 08 SECONDS EAST (N57°43'08"E) A DISTANCE OF 210.60' TO A 1" OPEN TOP FOUND; THENCE TURNING AND CONTINUING SOUTH 34 DEGREES 57 MINUTES 45 SECONDS EAST (S34°57'45"E) A DISTANCE OF 139.70' TO A 3/4" OPEN TOP FOUND; THENCE TURNING AND CONTINUING NORTH 57 DEGREES 34 MINUTES 00 SECONDS EAST (N57°34'00"E) A DISTANCE OF 94.32' TO A 5/8" REBAR FOUND; THENCE TURNING AND CONTINUING SOUTH 50 DEGREES 18 MINUTES 35 SECONDS EAST (S50°18'35"E) A DISTANCE OF 253.00' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING SOUTH 06 DEGREES 21 MINUTES 51 SECONDS WEST (S06°21'51"W) A DISTANCE OF 179.79' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING SOUTH 89 DEGREES 29 MINUTES 26 SECONDS WEST (S89°29'26"W) A DISTANCE OF 280.07' TO #4 REBAR SET LOCATED ON THE NORTH RIGHT-OF-WAY OF ROSWELL ROAD (70' R/W) AND BEING THE TRUE POINT-OF-BEGINNING FOR TRACT B AND SAID TRACT CONTAINING 3.01 ACRES (131,075 Sq. Ft.).



REFERENCE PLAT  
MAGNETIC

## NOTES

REFERENCE TAKEN FROM A BOUNDARY SURVEY OF ROSWELL ROAD AT ALBERTA DRIVE FOR R.L. DOUGHERTY & ASSOCIATES PREPARED BY PLANNERS AND ENGINEERS COLLABORATIVE, DATED FEBRUARY 4, 2000.

THE SUBJECT SITE IS THE SAME AS STATED IN THE LEGAL DESCRIPTION FOR TITLE COMMITMENT #53553 DATED 12/3/01, LAST REVISED 3/8/02

CITY OF ATLANTA ZONING ORDINANCE SEC. 16-08.008 STATES MINIMUM YARD REQUIREMENT "(1) FRONT YARD: 40 FEET (2) SIDE OR REAR YARD: AS DETERMINED UNDER SECTION 16-28.0011(5)(e) AND b."

Z-02-71

02-0-1808

(Do Not Write Above This Line)

AN ORDINANCE Z-02-71  
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE  
RG-3 (RESIDENTIAL GENERAL-SECTOR 3)  
DISTRICT TO THE PD-H (PLANNED-  
DEVELOPMENT-HOUSING) DISTRICT,  
PROPERTY LOCATED AT 3301-3315  
ROSWELL ROAD, N.E., FRONTING  
494.35 FEET ON THE NORTHEASTERLY  
SIDE OF ROSWELL ROAD BEGINNING  
APPROXIMATELY 210 FEET  
SOUTHEASTERLY FROM THE SOUTHEAST  
CORNER OF ALBERTA DRIVE. DEPTH:  
VARIES; AREA: 4.82 ACRES; LAND LOTS 98  
& 99, 17<sup>TH</sup> DISTRICT, FULTON COUNTY,  
GEORGIA.

OWNER: MARTY STORCH  
APPLICANT: ARCHSTONE COMMUNITIES  
NPC-B COUNCIL DISTRICT 7

FILED BY  
CITY COUNCIL  
DEC 01 2003

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

Date Referred 10/21/02

Referred To: ZRB & Zoning

First Reading

Committee  
Date  
Chair

*Planning*  
*11/25/03*  
*Debra M. Starns*

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

COUNCIL ACTION

2nd  1st & 2nd  3rd

Readings

Consent  V Vote  RC Vote

CERTIFIED

**CERTIFIED**  
DEC 1 2003  
*Debra M. Starns*  
ACTING COUNCIL PRESIDENT PRO TEM

**CERTIFIED**  
DEC 01 2003

*Renee Douglas Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION