



CITY COUNCIL  
ATLANTA, GEORGIA

02-0 -1988

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-02-78  
DATE FILED: 10-15-02

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 **1100-1122 Custer Avenue, S.E.**, be changed from the **R-4 (Single-Family Residential)** District to the **PD-H (Planned Development-Housing)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **9** of the **14<sup>th</sup>** District, **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

FEB 03, 2003  
FEB 11, 2003



### Conditions for Z-02-78

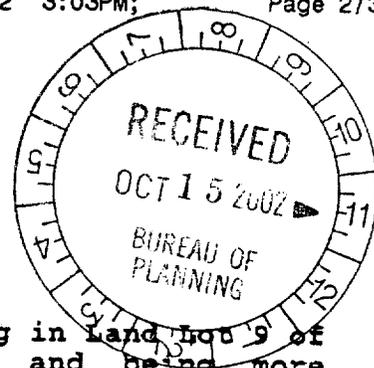
1. Site plan entitled "Custer Avenue Subdivision Layout" prepared by Franklin D. Ramsey, P.E., dated 16 November 2002 and marked received by the Bureau of Planning January 7, 2003.





2-02-78

## EXHIBIT "A"

TRACT ONE:

All that tract or parcel of land lying and being in Land Lot 9 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the North Side of Custer Avenue, 665.8 feet east of Woodland Avenue, running thence easterly along the curvature of Custer Avenue 165 feet; running thence northerly approximately 738 feet to Entrenchment Creek and to an iron pin which divides lots 3 and 4; running thence along Entrenchment Creek westerly 100 feet; running thence southerly approximately 710 feet, to Custer Avenue and the point of beginning. This lot being part of Lot 5 and all of Lot 4, according to plat now on record in the office of the Title Company, and, according to survey made for Ward Wight & Company by L. H. Fitzpatrick, C. E., June, 1930.

TRACT TWO:

All that tract or parcel of land lying and being in Land Lot 9 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

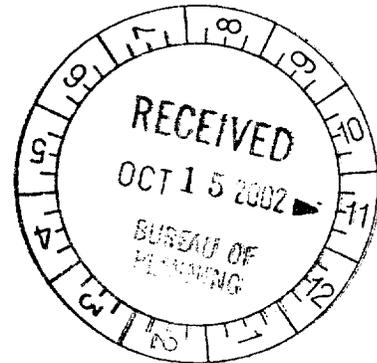
BEGINNING at an iron pin on the northerly side of Custer Avenue at the center line of a branch 795 feet westerly along said street from Moreland Avenue (allowing for an 80 foot right of way on Moreland Avenue), and running thence in a westerly direction along the northern side of Custer Avenue 89 feet to an iron pin; thence in a northerly direction along a line forming an interior angle of 98 degrees 23 minutes with the line last run 365.9 feet to an iron pin; thence in a westerly direction along a line forming an interior angle of 272 degrees 31 minutes with the line last run 46 feet to an iron pin at a fence line; thence in a northerly direction along said fence line and forming an interior angle of 82 degrees 31 minutes with the line last run 348.2 feet to an iron pin on the southerly side of Entrenchment Creek; thence continuing on the same course to the center line of said Entrenchment Creek; thence easterly along the center line of said Entrenchment Creek 233 feet to the center line of the above mentioned branch; thence in a southerly direction along the center line of said branch and following the meanderings thereof 711 feet, more or less, to the northerly side of Custer Avenue and the point of beginning, as shown by plat of survey for F. A. Shue, made by Ernest L. Boggus, Public Engineer and Surveyor, dated May, 1959.

TRACT THREE:

All that tract or parcel of land lying and being in Land Lot 9 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:



BEGINNING on the north side of Custer Avenue 565.8 feet easterly from the northeast corner of Custer and Woodland Avenues; running thence 100 feet easterly along the north side of Custer Avenue; thence northerly 710 feet more or less to the south side of Entrenchment Creek and an iron pin that marks the north boundary point of Lot 5 and the west side of Lot 4 as shown of plat referred to below; thence running southerly along the center of an unnamed Branch a distance of 710 feet more or less to the north side of Custer Avenue and the point of beginning; being a part of Lot 5 of Subdivision according to a plat on record at the Atlanta Title and Trust Company dated July 1935 revised from survey made by L/H Fitzpatrick C.E.



2-02-78



02- 0-1988

(Do Not Write Above This Line)

AN ORDINANCE Z-02-78  
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE  
FROM THE R-4 (SINGLE-  
FAMILY RESIDENTIAL)  
DISTRICT TO THE PD-H  
(PLANNED DEVELOPMENT-  
HOUSING) DISTRICT, PROPERTY  
LOCATED AT 1100-1122 CUSTER  
AVENUE, S.E., FRONTING  
APPROXIMATELY 350 FEET  
ON THE NORTH SIDE OF CUSTER  
AVENUE BEGINNING APPROXIMATELY  
466 FEET EAST FROM THE NORTHEAST  
CORNER OF WOODLAND AVENUE.  
DEPTH: APPROXIMATELY 750 FEET;  
AREA: APPROXIMATELY 6 ACRES;  
LAND LOT 9, 14<sup>TH</sup> DISTRICT, FULTON  
COUNTY, GEORGIA.  
OWNER: APD CUSTOM HOMES, INC.  
APPLICANT: SAME  
BY: MS. CAROLYN PARKS  
NPU-W COUNCIL DISTRICT 1

ADOPTED BY

FEB 0 3 2003

COUNCIL

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

Date Referred 1/18/03

Referred To: ZRB + Zoning

First Reading

Committee ZONING  
Date Nov. 13, 2002  
Chair Beth N. Stone

Committee ZONING	Committee
Date Jan. 29, 2003	Date
Chair Ray Dawood	Chair
Actions Fav, Adv, Held (see rev. side)	Actions Fav, Adv, Held (see rev. side)
Other	Other
Members Beth N. Stone John J. ... Helen ... Helen ...	Members
Refer To	Refer To

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

COUNCIL ACTION

2nd  1st & 2nd  3rd  
Readings

Consent  V Vote  RC Vote

CERTIFIED

CERTIFIED  
FEB 3 2003

Richard A. Moore  
COUNCIL PRESIDENT PROTEM

CERTIFIED  
FEB 0 3 2003

Randy Daughlin Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED  
FEB 11 2003  
MAYOR