

03-0-0421

(Do Not Write Above This Line)

AN ORDINANCE 2-03-04  
 BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-5 (TWO-FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 1849 MARIETTA ROAD, N.W., FRONTING APPROXIMATELY 303.50 FEET ON THE NORTHEASTERLY SIDE OF MARIETTA ROAD BEGINNING APPROXIMATELY 200 FEET NORTHWESTERLY FROM THE LAND LOT LINE COMMON TO LAND LOTS 229 AND 222 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA. DEPTH: VARIES; AREA: 3.70 ACRES; LAND LOT 229, 17TH DISTRICT, FULTON COUNTY, GEORGIA AND AN ORDINANCE TO AMEND ORDINANCE 2-00-97, ADOPTED BY CITY COUNCIL MAY 21, 2001 AND APPROVED BY OPERATION OF LAW MAY 30, 2001, REZONING FROM THE I-1 (LIGHT INDUSTRIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 2001 MARIETTA ROAD, N.W. FOR THE PURPOSE OF APPROVING AN AMENDED SITE PLAN.

OWNER & APPLICANT: MARIETTA STREET INVESTMENTS, LLC  
 NPU-D COUNCIL DISTRICT: **ADOPTED BY**

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

Date Referred 3/11/03

Referred To: ZRB & Zoning

MAY 05 2003

**First Reading**  
 Committee: Zoning  
 Date: 3/11/03  
 Chair: [Signature]  
 Action: [Signature]  
 Fav, Adv, Held (see rev. side)  
 Other:

Members: [Signatures]  
 Refer To: [Signature]

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Refer To

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

**CERTIFIED**

**CERTIFIED**  
 MAY 05 2003  
 ATLANTA CITY COUNCIL PRESIDENT  
 Catherine W. Norwood

**CERTIFIED**  
 MAY 05 2003  
 Paul Campbell Johnson  
 MUNICIPAL CLERK

**MAYOR'S ACTION**

[Signature]  
 MAY 13 2003  
 MAYOR

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



CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-03-04  
2-11-03

**03-0-0421**

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 **1849 Marietta Road, N.W.** be changed from the **R-5 (Two-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 **229** of the **17<sup>th</sup>** District, **Fulton** County, Georgia, being more particularly described by the attached legal description.

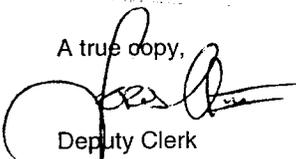
SECTION 2. That this amendment is approved under the provisions of Chapter 19, entitled, "PD Planned Development District," and Chapters 19A through 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development 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 the attached Ordinance Z-00-97, adopted by City Council May 21, 2001 and approved by Operation of Law May 30, 2001, rezoning from the I-1 (Light Industrial) District to the PD-H (Planned Development-Housing) District, property located at 2001 Marietta Road, N.W., is hereby amended by incorporating in addition to the existing conditions, the conditional site plan referenced in Section 2 above for the purpose of permitting the interconnectivity shown between property zoned PD-H by Z-00-97 and that zoned PD-H by this ordinance (Z-03-04).

SECTION 5. 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 City Council  
APPROVED by the Mayor

May 5, 2003  
May 13, 2003

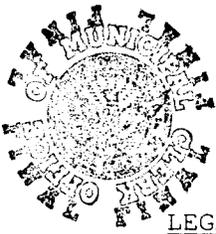


EXHIBIT "A"

203-04

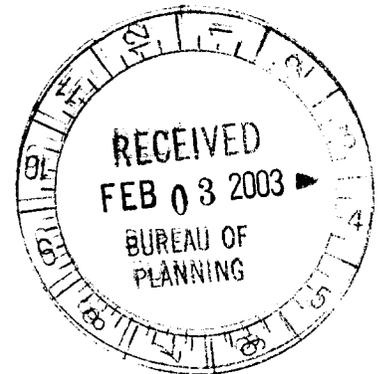
LEGAL DESCRIPTION  
Area = 3.70 acres

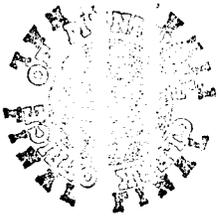
All that tract or parcel of land lying in and being a part of Land Lot 229 of the 17<sup>th</sup> District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence a 1/2-inch rebar iron pin set at the intersection of the northerly right-of-way line of Marietta Road (40-foot Right-of-Way) with the Land Lot Line common to Land Lots 229 and 222 of said 17<sup>th</sup> District; THENCE, leaving said right-of-way line of Marietta Road, proceed along said Land Lot Line North 00 degrees 55 minutes 44 seconds East for a distance of 97.53 feet to a 1/2-inch rebar iron pin set, said 1/2-inch rebar iron pin set being the TRUE POINT OF BEGINNING.

From the TRUE POINT OF BEGINNING, as thus established and leaving said Land Lot Line, proceed North 81 degrees 10 minutes 48 seconds West for a distance of 196.76 feet to an 1/2-inch rebar iron pin set on the northerly Right-of-Way line of Marietta Road; THENCE proceed along said right-of-way line along a curve to the right having a radius of 568.30 feet, a chord bearing of North 39 degrees 35 minutes 30 seconds West and a chord distance of 127.42 feet, for an arc distance of 127.68 feet to an 1/2-inch rebar iron pin set; THENCE, continuing along said right-of-way line, proceed North 33 degrees 09 minutes 19 seconds West for a distance of 130.69 feet to an 1/2-inch rebar iron pin set; THENCE, continuing along said right-of-way line, proceed along a curve to the left having a radius of 1048.45 feet, a chord bearing of North 34 degrees 23 minutes 18 seconds West and a chord distance of 45.12 feet, for an arc distance of 45.13 feet to an 1/2-inch rebar iron pin set; THENCE, leaving said northerly right-of-way line of Marietta Road, proceed North 07 degrees 53 minutes 40 seconds East for a distance of 242.47 feet to an 1/2-inch rebar iron pin found; THENCE proceed South 89 degrees 42 minutes 56 seconds East for a distance of 347.63 feet to a bent 1/2-inch rebar iron pin found and replaced with an 1/2-inch rebar iron pin set on the Land Lot Line common to said Land Lots 229 and 222 of the 17<sup>th</sup> District; THENCE proceed along said Land Lot Line South 00 degrees 55 minutes 44 seconds West for a distance of 513.52 feet to a 1/2-inch rebar iron pin set, said 1/2-inch rebar iron pin set being the TRUE POINT OF BEGINNING.

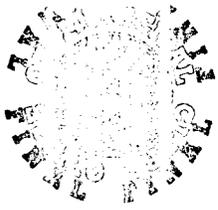
Said tract of land contains 3.70 acres more or less.



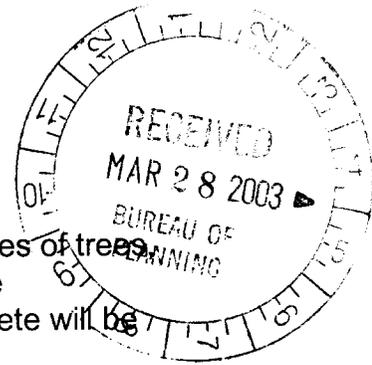


### Conditions for Z-03-04

1. Site plan entitled "Marietta Street Investments, LLC, 2001 Marietta Road, Master Plan" prepared by Keyfer Architecture, dated December 12, 2000, last revised April 1, 2003, and marked received by the Bureau of Planning April 3, 2003.
2. The attached list of conditions, identified as Exhibit B, consisting of one (1) page hereby considered conditions of this rezoning and their provisions shall be enforced as such.
3. The developer shall construct sidewalks along Marietta Street that meet City Standards for such facilities. The Bureau of Planning, in consultation with the Department of Public Works, may waive this requirement if it is determined that such construction is economically impractical.



Z-03-04



1) Brock Built will utilize porous concrete in areas that impact root zones of trees as defined by the City of Atlanta Arborist, so as to minimize work zone disturbance (i.e., driveways) on existing mature trees. Standard concrete will be used in other areas.

2) Brock Built, and any other builder within this PDH development, will do a house placement master plan of all lots on this 3.7 acre development. Trees over 6" in diameter at breast height will be located on this site plan and will be clearly marked as to whether they are to be removed or preserved. Trees marked for preservation will be protected in accordance with all due care and under the guidelines of the Tree Ordinance.

3) Brock Built will hire a landscape architect to prepare a landscaping plan for the dirt embankment, which faces Marietta Road. The plan will be presented to Hills Park Neighborhood representatives for approval. The purpose of this landscaping plan is to stabilize the dirt embankment as well as to beautify this area. However, any work in this area, which would also be within the "undisturbed buffer", area, must minimize any disturbance of the buffer area. No trees shall be removed within the buffer area as part of a landscaping plan. Hills Park Neighborhood representatives will not unreasonably withhold approval of the presented landscaping proposal for this area. Hills Park also recognizes that the City of Atlanta must approve any plan for this area.

4) The area designated as "Undisturbed Buffer" shall remain as such and shall be noted on the master site plan as well as on any and all engineering drawings and site plans.

During construction, the natural undisturbed buffers along Marietta Road and along the cemetery boundary will be protected by the installation of tree protection fences and silt fences at the interior boundaries of the buffers.

The covenants for the homeowner's association to be created for the development will provide that the association will maintain the natural undisturbed buffer described above.

In the event of a conflict between any written condition herein and any matter set forth on the site plan, the written condition shall control.

The written conditions set forth herein and incorporated into the zoning ordinance also shall be recorded on any site plan, including all engineering plans, submitted for legislative or administrative approval and on any site plan recorded in the deed records of Fulton County, Georgia.

5) Developer agrees to notify both the Hills Park Neighborhood and the NPU-D Executive Committee shall any changes in site plan occur before building permit is issued.

Exhibit B



City Council  
Atlanta, Georgia

01-0-0058

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-00-97  
12/12/00

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 **2001 Marietta Road, N.W. and the rear of 2003 Marietta Road, N.W.** be changed from the **I-1 (Light Industrial)** District, to the **PD-H (Planned Development-Housing)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 229 of the 17<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, "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.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

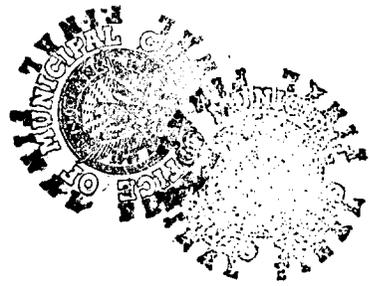
ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

MAY 21, 2001

MAY 30, 2001

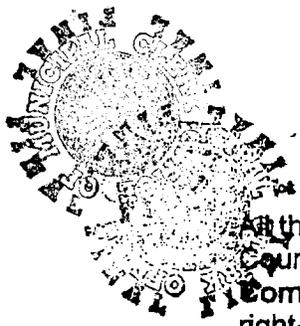
Z-03-04

Page 1 of 6



### CONDITIONS FOR Z-00-97

1. Site plan entitled "2001 Marietta Road Master Plan, Marietta Street Investments, LLC" prepared by Keyfer Architecture, dated February 12, 2001 and marked received by the Bureau of Planning April 24, 2001.
2. The residential community shall not be gated.
3. Right-of-way shall be reserved unobstructed at the northeast corner of the property for the possible future provision of a secondary roadway access into the property.



All that parcel of land lying or being in Land Lot 229, 17<sup>th</sup> District, City of Atlanta, Fulton County, Georgia and more particularly described as follows:

**Commence** at the intersection of the northerly right-of-way of Marietta Road (40-foot right-of-way) and the southeasterly right-of-way of Atlanta Water Works Railroad (40-foot right-of-way); **Thence** along the northerly right-of-way of Marietta Road a curve to the left having a radius of 580.47 feet, an arc length of 389.57 feet and subtended by chord bearing South 66 degrees 02 minutes 13 seconds East a distance of 382.30 feet to a point; **Thence** continuing along Marietta Road a curve to the left having a radius of 1903.21 feet, an arc length of 278.14 feet and subtended by a chord bearing of North 86 degrees 32 minutes 59 seconds East a distance of 277.89 feet to a point; **Thence** continuing along Marietta Road a curve to the right having a radius of 281.06 feet, an arc length of 58.87 feet and subtended by a chord bearing of South 89 degrees 32 minutes 04 seconds East a distance of 58.76 feet to an iron pin set he **Point of Beginning**. **Thence** leaving the right-of-way of Marietta Road North 13 degrees 58 minutes 03 seconds East a distance of 136.68 feet to an iron pin set; **Thence** along a curve to the right having a radius of 200.00 feet, an arc length of 140.69 feet subtended by a chord bearing of North 34 degrees 07 minutes 10 seconds East a distance of 137.80 feet to an iron pin set; **Thence** North 54 degrees 16 minutes 16 seconds East a distance of 41.63 feet to a power pole; **Thence** North 48 degrees 59 minutes 40 seconds East a distance of 71.62 feet to an iron pin set; **Thence** North 38 degrees 00 minutes 33 seconds West a distance of 421.08 feet to an iron pin set; **Thence** North 45 degrees 53 minutes 41 seconds East a distance of 227.53 feet to an iron pin found; **Thence** North 47 degrees 12 minutes 32 seconds East a distance of 771.26 feet to an iron pin found; **Thence** South 64 degrees 03 minutes 54 seconds East a distance of 99.95 feet to an iron pin found; **Thence** South 64 degrees 06 minutes 02 seconds East a distance 429.96 feet to an iron pin found; **Thence** South 00 degrees 56 minutes 02 seconds West a distance of 478.84 feet to an iron pin found; **Thence** South 89 degrees 44 minutes 34 seconds West a distance of 216.43 feet to a fence post; **Thence** South 01 degrees 36 minutes 06 seconds East a distance of 216.64 feet to a fence post; **Thence** South 89 degrees 08 minutes 46 seconds East a distance of 206.77 feet to an iron pin found; **Thence** South 01 degrees 00 minutes 38 seconds West a distance of 315.44 feet to iron pin found; **Thence** South 00 degrees 53 minutes 38 seconds West a distance of 465.60 feet to an iron pin found; **Thence** North 89 degrees 42 minutes 56 seconds West a distance of 347.63 feet to an iron pin found; **Thence** South 11 degrees 06 minutes 37 seconds West a distance of 229.51 feet to an iron pin found on the northeasterly right-of-way of Marietta Road (40-foot-right-of-way); **Thence** along the northerly right-of-way of Marietta Road along a curve to the left having a radius of 919.88 feet, an arc length of 119.81 feet subtended by a chord bearing of North 41 degrees 47 minutes 28 seconds West a distance of 119.73 feet to a point; **Thence** continuing along Marietta Road a curve to the left having a radius of 2147.88 feet, an arc length of 214.09 feet subtended by a chord bearing of North 47 degrees 04 minutes 29 seconds West a distance of 214.00 feet to a point; **Thence** continuing along Marietta Road North 49 degrees 07 minutes 26 seconds West a distance of 473.27 feet to a point; **Thence** continuing along Marietta Road a curve to the left having a radius of 245.50 feet, an arc length of 115.12 feet subtended by a chord bearing North 62 degrees 29 minutes 19 seconds West a distance of 114.07 feet to an iron pin found; **Thence** continuing along Marietta Road a curve to the left having a radius of 281.06 feet, an arc length of 33.78 feet subtended by a chord bearing North 80 degrees 05 minutes 28 seconds West a distance of 33.76 feet to the **Point of Beginning**.

Said parcel of land containing 1,512,609.2 square feet or 34.719 Acres of land more or less.

Z-00-17

Z-03-04

Page 3 of 6

# PLAN SPECIFICATIONS



City of Marietta, Georgia  
 Department of Public Works  
 Planning and Design Division

**PROPOSED MEASUREMENTS**

LOT AREA	28,774 S.F.	130 ALNYS
NET G.C. AREA	24,122 S.F.	128 ALNYS
MINIMUM DISTANCE FROM ADJACENT PROPERTY	40' (SEE PLAN)	128 ALNYS
TOTAL	208' (SEE PLAN)	128 ALNYS

**PERCENTAGE COVERED**

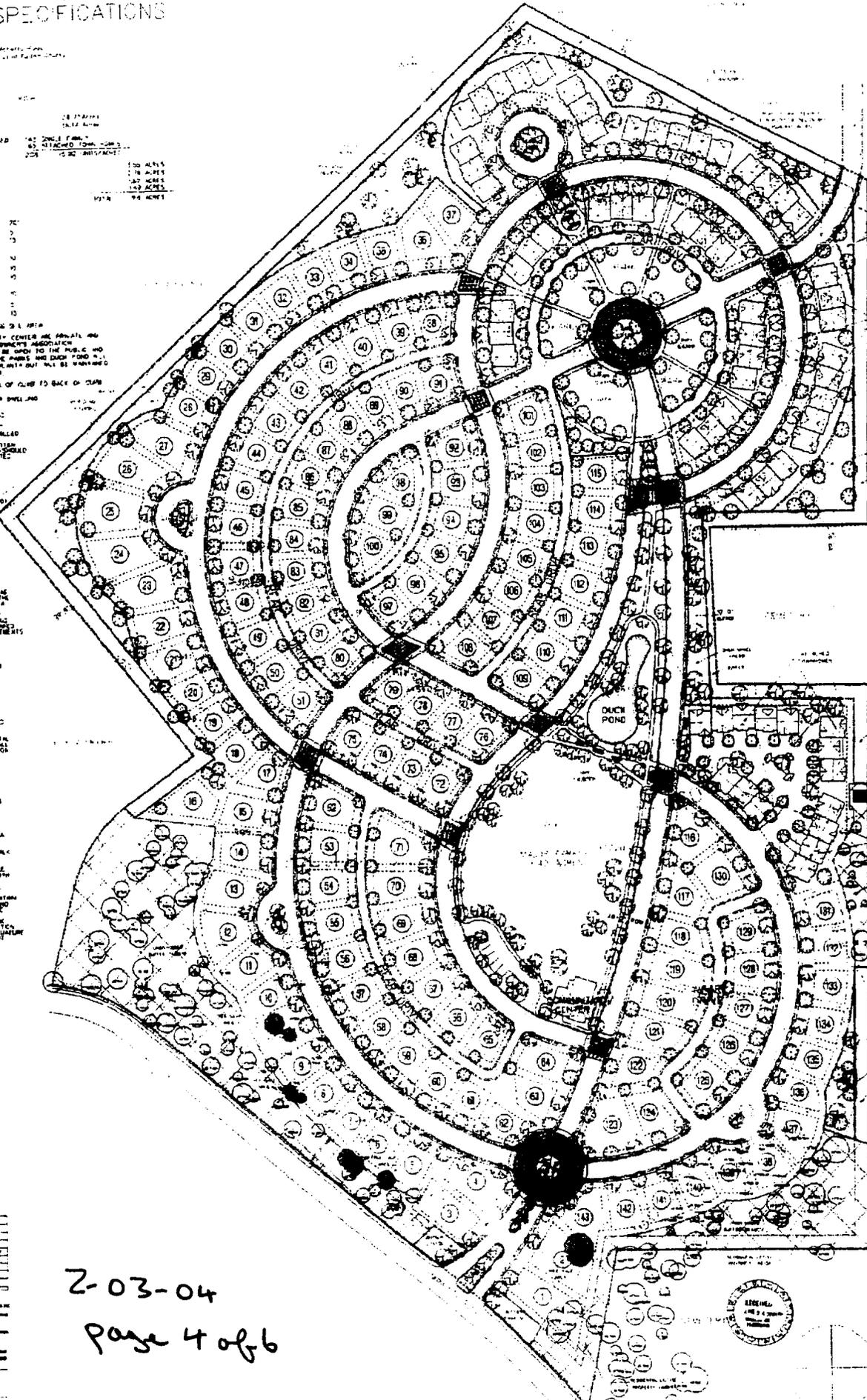
IMPROVED COVERED	100%
OPEN SPACE	0%

**SETBACKS**

Front Yard	75'
Side Yard	5'
Back Yard	5'
Corner Yard	5'
From Road	5'
Street Set Back	5'
From Road	5'
Street Set Back	5'
From Road	5'

MAP NOT TO EXCEED 3.0% GROSS S.I. AREA  
 ALL STREETS AND THE COMMUNITY CENTER ARE PRIVATE AND WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION. STREETS, THOUGH PRIVATE, SHALL BE OPEN TO THE PUBLIC AND FUNCTION AS PUBLIC STREETS. THE PAVED AND DITCH POND SHALL BE LOCATED TO THE CITY OF MARIETTA BUT WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.  
 ROADWAYS ARE 24'-0" FROM BACK OF CURB TO BACK OF CURB. DRIVEWAYS SHALL NOT BE GATED.  
 CONCERNING FINISHED 2" SPACES FOR SWELLING

1. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 2. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 3. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 4. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 5. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 6. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 7. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 8. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 9. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 10. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 11. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 12. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 13. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 14. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 15. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 16. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 17. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 18. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 19. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 20. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 21. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 22. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 23. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 24. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 25. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 26. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 27. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 28. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 29. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 30. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 31. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 32. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 33. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 34. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 35. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 36. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 37. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 38. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 39. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 40. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 41. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 42. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 43. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 44. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 45. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 46. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 47. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 48. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 49. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 50. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 51. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 52. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 53. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 54. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 55. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 56. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 57. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 58. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 59. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 60. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 61. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 62. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 63. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 64. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 65. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 66. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 67. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 68. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 69. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 70. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 71. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 72. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 73. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 74. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 75. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 76. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 77. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 78. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 79. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 80. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 81. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 82. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 83. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 84. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 85. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 86. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 87. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 88. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 89. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 90. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 91. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 92. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 93. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 94. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 95. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 96. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 97. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 98. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 99. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.  
 100. ALL UTILITIES SHALL BE DEEPER THAN THE FOUNDATION OF ANY BUILDING.



NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAN	12/15/03
2	FINAL PLAN	1/10/04
3	AS BUILT	1/10/04

2-03-04  
 page 4 of 6





RCS# 2866  
5/21/01  
1:52 PM

Atlanta City Council

Regular Session

MULTIPLE

01-O-0058; 01-O-0230; 01-O-0471;  
01-O-0472 & 01-O-0473  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

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

2-03-04

page 5 of 6

MULTIPLE

01-0-0058  
 (Do Not Write Above This Line)

AN ORDINANCE  
 BY: ZONING COMMITTEE  
 Z-00-97

AN ORDINANCE TO REZONE FROM THE I-1 (LIGHT INDUSTRIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 2001 MARIETTA ROAD, N.W. AND THE REAR OF 2003 MARIETTA ROAD, N.W. FRONTING 954.83 FEET ON THE NORTHEASTERLY SIDE OF MARIETTA ROAD BEGINNING APPROXIMATELY 718.95 FEET SOUTHEASTERLY FROM THE SOUTHEASTERLY CORNER OF MARIETTA ROAD AND THE ATLANTA WATER WORKS RAILROAD. DEPTH: VARIES; AREA: 34.719 ACRES; LAND LOT 729, 17TH DISTRICT, FULTON COUNTY, GEORGIA.  
 OWNER: KENNETH COX  
 APPLICANT: MARIETTA STREET INVESTMENTS, LLC  
 WPU-D COUNCIL DISTRICT 9

REFERRED BY  
 CITY COUNCIL  
 JAN 16 2001  
 ADOPTED BY  
 MAY 21 2001

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

Date Referred 1/16/01  
 Referred To Zoning



First Reading  
 Committee Date 2/20/01  
 Chair 1st & 2nd  
 Referred to Zoning

Committee Date 5-15-01  
 Chair John W. Starnes  
 Action Rev. Adv. Held (see rev. side)  
 Others  
 Members  
 Refer To

Committee Date  
 Chair  
 Action Rev. Adv. Held (see rev. side)  
 Others  
 Members  
 Refer To

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

CERTIFIED  
 MAY 21 2001  
 ATLANTA CITY COUNCIL PRESIDENT  
 [Signature]

CERTIFIED  
 MAY 22 2001  
 [Signature]  
 MUNICIPAL CLERK

MAYOR'S ACTION  
 APPROVED  
 MAY 30 2001  
 WITHOUT SIGNATURE  
 BY OPERATION OF LAW



PROPOSED PDH ZONING  
 OLD SITE 144 HOMES  
 NEW SITE 17 HOMES  
 161 TOTAL

1) Brock Built will utilize porous concrete in areas that impact root zones of trees, as defined by the City of Atlanta Manual, so as to minimize work zone disturbance (i.e., driveways) on existing mature trees. Standard concrete will be used in other areas.

2) Brock Built, and any other bidder within this PDH development, will do a house placement master plan of blocks on this 217 acre development. Trees over 6" in diameter at breast height will be located on this site plan and will be clearly marked as to whether they are to be removed or preserved. Trees marked for preservation will be protected in accordance with all due care and under the guidance of the Tree Care Director.

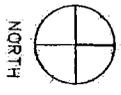
3) Brock Built will hire a landscape architect to prepare a landscaping plan for the dirt embankment, which faces Marietta Road. The Neighborhood representatives for approval. The purpose of this landscaping plan is to stabilize the dirt embankment as well as to beautify this area. However, any work in this area, which would also be within the 77.32 undisturbed buffer 9/22 area, must minimize any disturbance of the buffer area. No trees shall be removed within the buffer area as part of a landscaping plan. Hills Park Neighborhood representatives will not unilaterally remove any trees from the presented landscaping proposal for this area. Hills Park also recognizes that the City of Atlanta must approve any plan for this area.

4) The area designated as "Undisturbed Buffer" shall remain as such and shall be noted on the master site plan as well as on any site engineering drawings and site plans. During construction, the natural undisturbed buffers along Marietta Road and along the cemetery boundary will be protected by the installation of tree protection fences and soil fences of the interior boundaries of the buffers. The covenants for the homeowner's association to be created for the development will provide that the association will monitor the natural undisturbed buffer described above. In the event of a conflict between any written condition herein and any matter set forth on this site plan, the written condition shall control. The written conditions set forth herein and incorporated into this plan, including all engineering plans, submitted for legislative or administrative approval and on any site plan recorded in the deed records of Fulton County, Georgia.

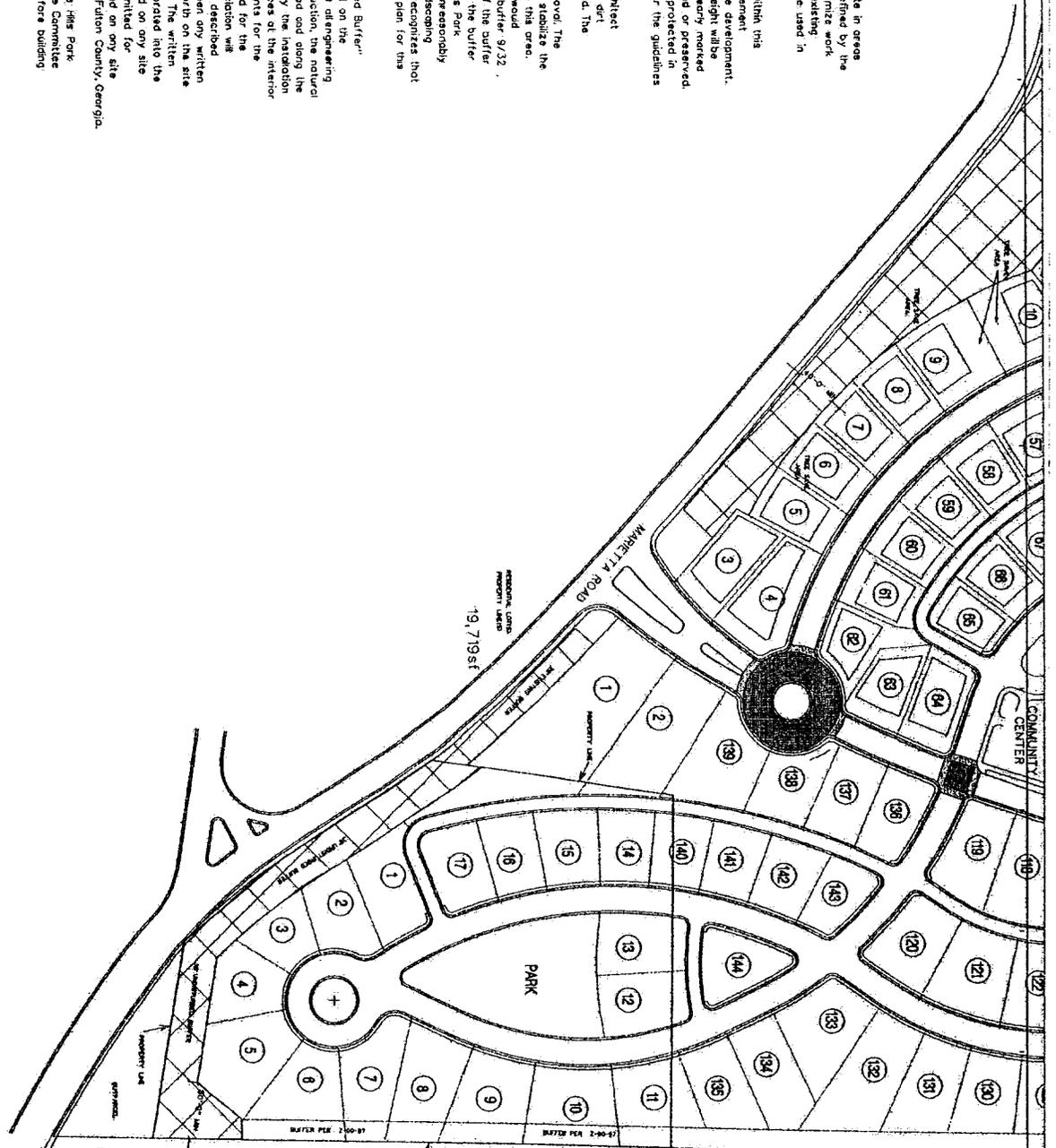
5) Developer agrees to notify both the Hills Park Neighborhood and the NPU-D Executive Committee of any changes in site plan occur before building permit is issued.

PROPOSED 3.059 ACRE EXPANSION PLAN  
 TO 2001 MARIETTA STREET INVESTMENTS, LLC

MARIETTA STREET INVESTMENTS, LLC



SCALE 1 INCH = 40'-0"



**KEYPER**  
 ARCHITECTURE, INC.  
 1000 N. MARIETTA ROAD  
 ATLANTA, GA 30328  
 (404) 525-1100

MASTER PLAN

**BLOTTIN**  
 CORPORATION

RCS# 4695  
5/05/03  
5:59 PM

Atlanta City Council

Regular Session

MULTIPLE

03-O-0421/Z-03-04; 03-O-0426/Z-03-09  
03-O-0429/U-03-05; 03-O-0430/U-03-06  
ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 5  
EXCUSED: 0  
ABSENT 0

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

MULTIPLE



CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-03-04  
2-11-03

**03-0-0421**

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 **1849 Marietta Road, N.W.** be changed from the **R-5 (Two-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 **229** of the **17<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, "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 the attached Ordinance Z-00-97, adopted by City Council May 21, 2001 and approved by Operation of Law May 30, 2001, rezoning from the I-1 (Light Industrial) District to the PD-H (Planned Development-Housing) District, property located at 2001 Marietta Road, N.W., is hereby amended by incorporating in addition to the existing conditions, the conditional site plan referenced in Section 2 above for the purpose of permitting the interconnectivity shown between property zoned PD-H by Z-00-97 and that zoned PD-H by this ordinance (Z-03-04).

SECTION 5. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.