

CITY COUNCIL
ATLANTA, GEORGIA

03-0-0425

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-03-08
DATE FILED: 8-14-03

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 **3637-3667 Roxboro Circle, N.E./3443-3449-3453 Roxboro Road, N.E.** be changed from the **R-3 (Single-Family Residential)** District, to the **RG-3-C (Residential General-Sector 3-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 9 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 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.

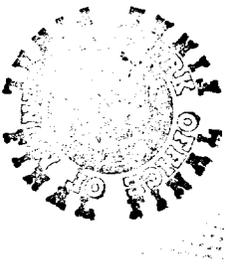
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Daughtrix Johnson
Municipal Clerk, CMC

ADOPTED as amended by Council
APPROVED by the Mayor

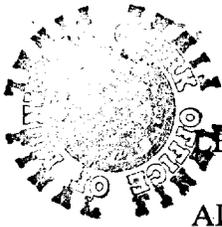
September 2, 2003
September 10, 2003



CONDITIONS FOR Z-03-08

(1) SITE PLAN ENTITLED "SITE AND ZONING PLAN, PARKSIDE AT EAST PACES, LAND LOT 9, DISTRICT, 17, ATLANTA, GEORGIA" PREPARED BY HIGHLAND ENGINEERING, INC., DATED DECEMBER 13, 2002 AND MARKED RECEIVED BY THE BUREAU OF PLANNING AUGUST 1, 2003.

(2) CONSTRUCTION- RELATED TRAFFIC SHALL NOT USE THE INTERIOR STREETS OF RIDGEDALE PARK.

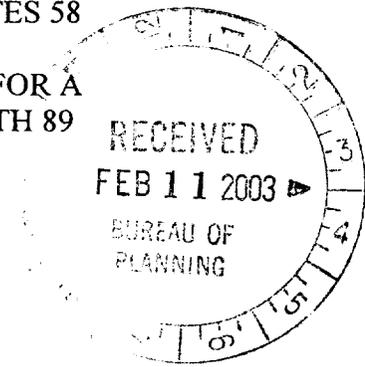


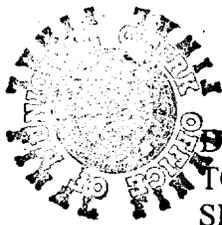
LEGAL DESCRIPTION: ROXBORO ROAD

ALL THAT PIECE, PARCEL OR LOT OF LAND LYING IN LAND LOT 9 OF THE 17th DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE FULLY SHOWN AND DESIGNATED ON A REZONING PLAT FOR ROXBORO CR. L.L.C. DATED 2/10/03 AND HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

BEGINNING AT A #4 REBAR SET AT THE INTERSECTION OF THE NORTHERN RIGHT-OF-WAY OF ROXBORO ROAD (VARIABLE RIGHT-OF-WAY) AND THE EASTERN RIGHT-OF-WAY OF THE MARTA RAIL LINE, SAID POINT BEING THE TRUE POINT OF BEGINNING. THENCE ALONG THE NORTHERN RIGHT-OF-WAY OF ROXBORO ROAD THE FOLLOWING COURSES AND DISTANCES: NORTH 80 DEGREES 45 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 35.99 FEET TO A POINT; THENCE NORTH 75 DEGREES 28 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 3.49 FEET TO A POINT; THENCE NORTH 75 DEGREES 28 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 178.75 FEET TO A POINT; THENCE NORTH 78 DEGREES 52 MINUTES 17 SECONDS WEST FOR A DISTANCE OF 83.88 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4274.37 FEET AND AN ARC LENGTH OF 155.68 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF NORTH 78 DEGREES 44 MINUTES 01 SECONDS WEST FOR A DISTANCE OF 155.67 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4806.25 FEET AND AN ARC LENGTH OF 43.63 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF NORTH 80 DEGREES 02 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 43.63 FEET TO A POINT; THENCE NORTH 80 DEGREES 19 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 34.91 FEET TO A POINT; THENCE NORTH 80 DEGREES 19 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 41.95 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 443.24 FEET AND AN ARC LENGTH OF 107.44 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF NORTH 73 DEGREES 24 MINUTES 18 SECONDS WEST FOR A DISTANCE OF 107.18 FEET TO A #4 REBAR SET; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING NORTH 24 DEGREES 54 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 325.47 FEET TO A #4 REBAR SET; THENCE NORTH 75 DEGREES 19 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 45.99 FEET TO A CRIMP TOP PIPE FOUND; THENCE NORTH 75 DEGREES 22 MINUTES 45 SECONDS WEST FOR A DISTANCE OF 46.10 FEET TO AN OPEN TOP PIPE FOUND; THENCE NORTH 36 DEGREES 29 MINUTES 37 SECONDS EAST FOR A DISTANCE OF 174.12 FEET TO A #4 REBAR FOUND; THENCE SOUTH 89 DEGREES 59 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 83.79 FEET TO A #4 REBAR FOUND; THENCE SOUTH 89 DEGREES 55 MINUTES 19 SECONDS EAST FOR A DISTANCE OF 175.99 FEET TO AN OPEN TOP PIPE FOUND; THENCE NORTH 89 DEGREES 50 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 89.31 FEET TO A CRIMP TOP PIPE FOUND; THENCE SOUTH 89 DEGREES 51 MINUTES 12 SECONDS EAST FOR A DISTANCE OF 70.49 FEET TO AN OPEN TOP PIPE FOUND; THENCE SOUTH 89

2-03-08

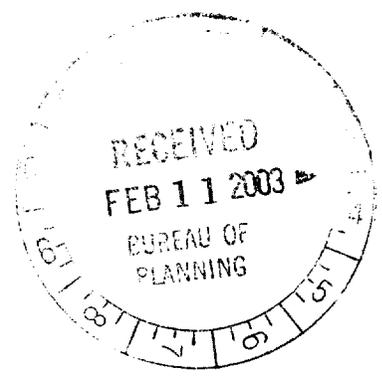




DEGREES 47 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 144.74 FEET TO A CRIMP TOP PIPE FOUND; THENCE SOUTH 89 DEGREES 47 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 134.52 FEET TO AN OPEN TOP PIPE FOUND; THENCE SOUTH 89 DEGREES 45 MINUTES 11 SECONDS EAST FOR A DISTANCE OF 130.08 FEET TO AN OPEN TOP PIPE FOUND; THENCE NORTH 88 DEGREES 55 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 37.10 FEET TO A #4 REBAR SET ON THE WESTERN RIGHT-OF-WAY OF THE MARTA RAIL LINE; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES

: SOUTH 19 DEGREES 08 MINUTES 59 SECONDS WEST FOR A DISTANCE OF 54.74 FEET TO A #4REBAR SET; THENCE SOUTH 39 DEGREES 36 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 109.12 FEET TO A #4REBAR SET; THENCE SOUTH 19 DEGREES 03 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 94.18 FEET TO A #4 REBAR SET; THENCE SOUTH 16 DEGREES 11 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 43.00 FEET TO A #4 REBAR SET; THENCE SOUTH 17 DEGREES 14 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 50.42 FEET TO A #4 REBAR SET; THENCE SOUTH 30 DEGREES 50 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 105.49 FEET TO A #4 REBAR SET; THENCE SOUTH 31 DEGREES 36 MINUTES 06 SECONDS WEST FOR A DISTANCE OF 30.43 FEET TO A #4 REBAR SET; THENCE SOUTH 35 DEGREES 16 MINUTES 33 SECONDS WEST FOR A DISTANCE OF 63.24 FEET TO A #4 REBAR SET; THENCE SOUTH 36 DEGREES 21 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 105.44 FEET TO A #4 REBAR SET; THENCE SOUTH 41 DEGREES 35 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 52.51 FEET BACK TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 10.02 ACRES = 436,320.99 Sq. Ft..



2-03-08

03-0-0425

(Do Not Write Above This Line)

AN ORDINANCE Z-03-08
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE RG-3 (RESIDENTIAL GENERAL-SECTOR 3) DISTRICT, PROPERTY LOCATED AT 3637-3667 ROXBORO CIRCLE, N.E./3443-3449-3453 ROXBORO ROAD, N.E. FRONTING 685.72 FEET ON THE NORTHERLY SIDE OF ROXBORO ROAD BEGINNING AT THE WESTERLY RIGHT-OF-WAY OF THE MARTA RAIL LINE. DEPTH: VARIES; AREA: 10.02 ACRES; LAND LOT 9, 17TH DISTRICT, FULTON COUNTY, GEORGIA.

OWNER: TECHNOLOGY PARK/ATLANTA INC. ET AL

APPLICANT: ROXBORO CIRCLE, LLC

BY: NATHAN V. HENDRICKS, III, ATTORNEY

NPU-B COUNCIL DISTRICT 7
ADOPTED BY

SEP 02 2003

COUNCIL

As Amended

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

Date Referred 3/17/03

Referred To: ZRB & Zoning

First Reading

Committee
Date
Chair

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other

By Substitute As

Members

Walter S. ...

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Refer To

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee
Date
Chair

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
SEP 02 2003

ATLANTA CITY COUNCIL PRESIDENT

Catherine W. Worland

CERTIFIED
SEP 02 2003

MUNICIPAL CLERK

MAYOR'S ACTION

Shirley Franklin
SEP 10 2003

DATE