



03-0-1214

City Council  
Atlanta, Georgia

SUBSTITUTE ORDINANCE  
BY: ZONING COMMITTEE

Z-03-46  
9-11-03

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 **4183 Roswell Road, N.E.** be changed from the **R-LC (Residential-Limited Commercial)** District, to the **C-1-C (Community Business-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **96** 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 suffix "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 zoning 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 the Municipal Clerk, be changed to conform with the terms of this ordinance.

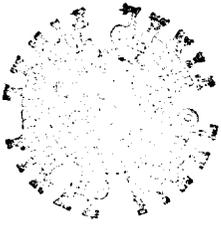
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

*Phonda Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

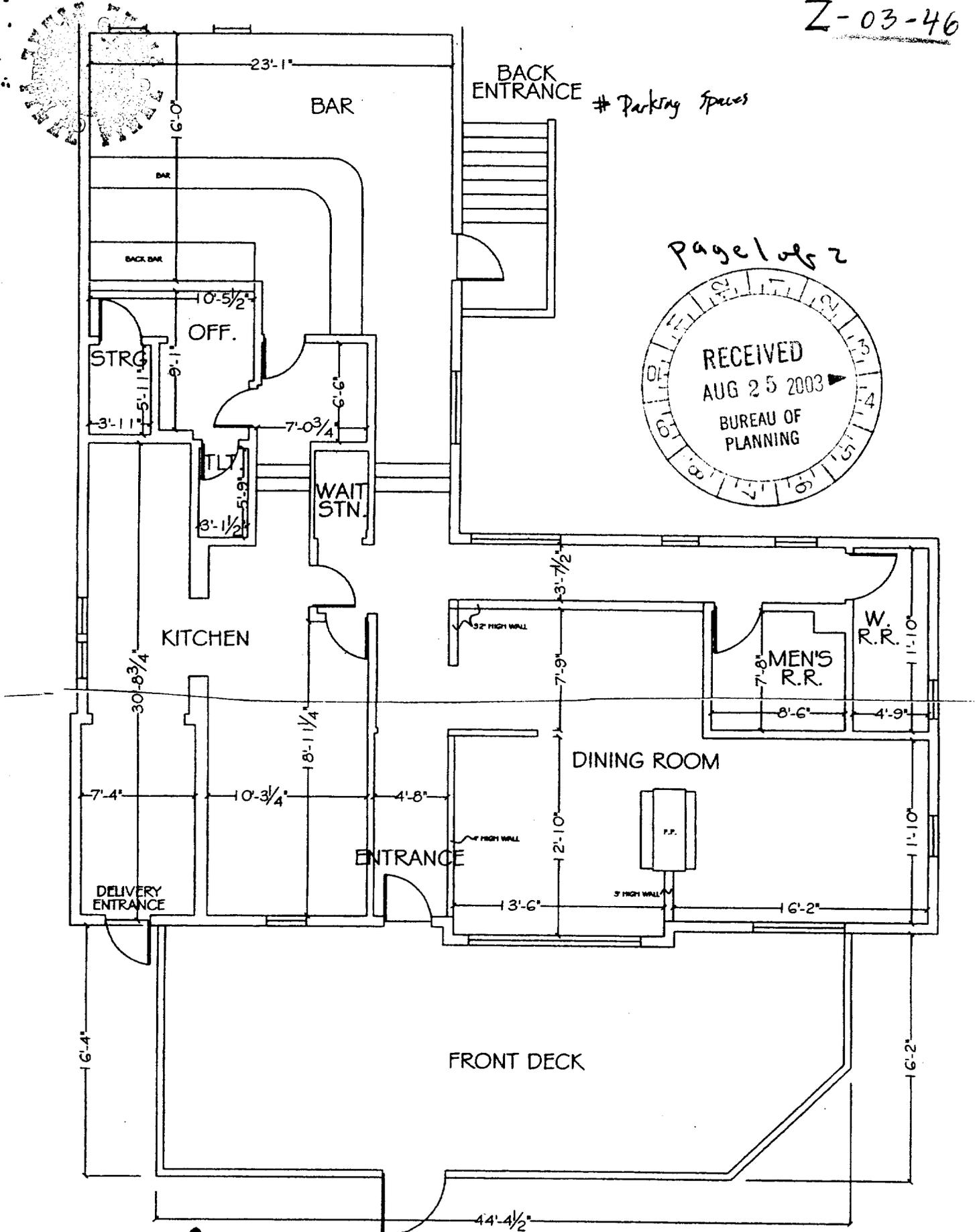
OCT 06, 2003  
OCT 14, 2003



### Conditions for Z-03-46

1. Building height maximum to remain at 35 feet.
2. All setbacks will remain in line with R-LC zoning; front 30 feet, side 7 feet, rear 20 feet.
3. Bulk limitations will conform to the square footage represented in the attached two-page site plan, approximately 3,000 square feet; this is a more detailed dimensional representation of the survey by Tolar Land Surveying Co., dated 6/17/03.
4. The residential character of the existing building shall remain intact to be compatible with the residential uses to the west and east of the property, and the other commercial uses housed in buildings with residential character to the north and south.

Z-03-46



Page 1 of 2



4183 ROSWELL ROAD, ATLANTA, GEORGIA 30342

L-05-46

N00°52'34"E

74.97

(P=75.0)

P.O.B. 385.0' ALONG THE R/W  
TO THE R/W OF RICKENBACHER  
DRIVE A 50' R/W IF EXTENDED  
AS PER PLAT  
(NO MONUMENT FOUND)

S88°02'10"E

75' BSL (PER PLAT)

LOT 9

N/F  
RICK A. KUHLMAN  
DB 30080 PG. 400

CONC. FLUME  
2.2' WIDE @ 5' PL

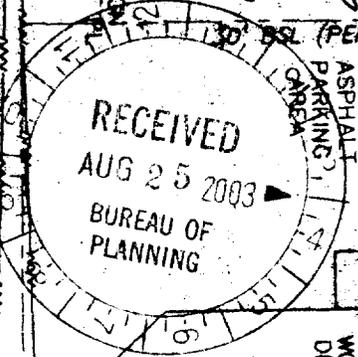
CONCRETE FLUME

200.00 (P=200.0')

CONC. FLUME  
2.0' WIDE @ 5' PL

DUMPSTER  
PAD

Page 2 of 2



EDGE OF SIGN  
1.1' WEST OF PL

CORNER ASPHALT  
0' NORTH OF PL

END FENCE  
0.5' SOUTH OF PL

EDGE ASPHALT  
AT SOUTH OF PL

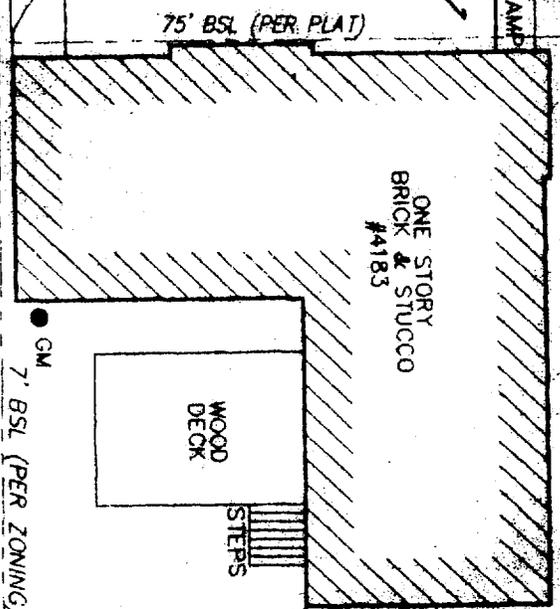
N89°01'40"W

FENCE  
0.1' SOUTH OF PL

EDGE ASPHALT  
AT OR NEAR PL

LOT 7

N/F  
THOMAS D. WORTHINGTON



ONE STORY  
BRICK & STUCCO  
#4183

WOOD  
DECK

STEPS

7' BSL (PER ZONING)

7' BSL (PER ZONING)

75' BSL (PER PLAT)

30' BSL (PER ZONING)

ASPHALT  
PARKING  
AREA

RAMP

WOOD  
DECK

LOT 8

14,997 sq. ft.  
0.34 acres

ASPHALT  
PARKING  
AREA

20' BSL (PER ZONING)

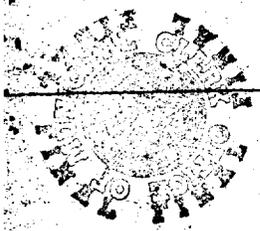
END FENCE  
0.8' NORTH OF PL  
AT OR NEAR PL

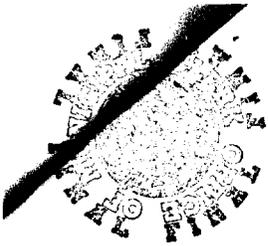
200.00 (P=200.0')

END FENCE  
AT

Rick Kuhlman  
His phone #  
404-250-1414

Arthur Glorfy  
4-658-6979

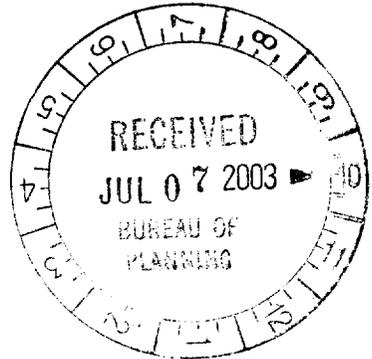




**EXHIBIT A**

**LEGAL DESCRIPTION**

All that tract or parcel of land lying and being in Land Lot 96 of the 17th District of Fulton County, Georgia, being Lot 8, in Block C, Subdivision of Part of Lakemoore Hills, as per plat recorded at Plat Book 30, Page 40, Fulton County, Georgia Records, which plat is hereby referred to and made a part of this description, being improved property known as 4183 Roswell Road according to the present system of numbering in the City of Atlanta, Georgia.



Z-03-46

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RCS# 5048  
10/06/03  
2:25 PM

Atlanta City Council

Regular Session

MULTIPLE

03-O-0937, 03-O-1214, 03-O-1101

ADOPT ON SUB

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

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

MULTIPLE

03-0-1214

(Do Not Write Above This Line)

AN ORDINANCE Z-03-46  
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-LC (RESIDENTIAL-LIMITED COMMERCIAL) DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT, PROPERTY LOCATED AT 4183 ROSWELL ROAD, N.E., FRONTING 74.97 FEET ON THE EAST SIDE OF ROSWELL ROAD BEGINNING 385 FEET SOUTH FROM THE SOUTHEAST CORNER OF RICKENBACKER DRIVE. DEPTH: 200 FEET; AREA: 14,994 SQUARE FEET; LAND LOT 96, 17TH, DISTRICT, FULTON COUNTY, GEORGIA.

OWNER: RICK KUHLMAN  
APPLICANT: SAME  
NPG-B COUNCIL DISTRICT 7

ADOPTED BY

OCT 06 2003

COUNCIL

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

Date Referred 8/18/03  
Referred To: ZRB & Zoning

First Reading

Committee Zoning  
Date 8/30/2003  
Chair [Signature]

Committee ZONING  
Date 08.30.2003  
Chair [Signature]  
Actions [Signature]  
Fav, Adv, Held (see rev. side) ON SUBSTITUTE  
Other [Signature]  
Members [Signature]  
Refer To [Signature]

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

COUNCIL ACTION

- 2nd Reading
- 1st & 2nd Reading
- 3rd Reading
- Consent V Vote
- RC Vote

CERTIFIED

CERTIFIED  
OCT 06 2003  
MAYOR'S COUNCIL PRESIDENT  
[Signature]

CERTIFIED  
OCT 06 2003

[Signature]  
MUNICIPAL CLERK

MAYOR'S ACTION

[Signature]  
MAYOR