

Municipal Clerk  
Atlanta, Georgia

**04-0 -1641**

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-04-95  
Date Filed: 8-10-04

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 **3115 Browns Mill Road (a.k.a. 3115 Humphries Drive and 253 Susy Griffin Road 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 Lots 35 and 62, 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 Chapter 19A through Chapter 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.

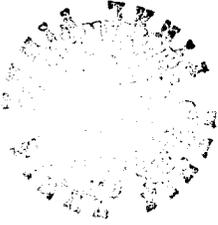
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

*Rhonda Doughtin Johnson*  
Municipal Clerk, CMC

ADOPTED as amended by the Council  
APPROVED by the Mayor

DEC 06, 2004  
DEC 10, 2004



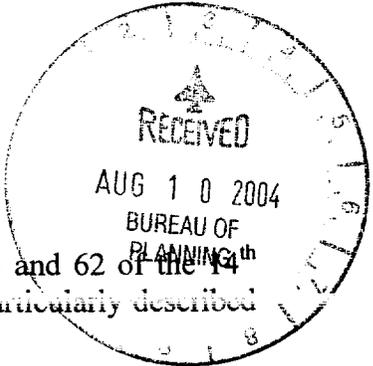
**Conditions for Z-04-95**

1. A site plan titled "A preliminary Subdivision Plat of Browns Mill Road for Brock Built, LLC" prepared by HDR Engineering, Inc., dated 07-13-04 last revised 09-21-04 and marked received by the Bureau of Planning September 29, 2004
2. Construction shall be all single-family detached homes;
3. There shall be no more than 112 homes;
4. There shall be a park/green space as shown on the site plan;
5. The project shall comply with the City of Atlanta Tree Ordinance and,
6. The developer shall protect any onsite streams with the required city/state buffers.





2-04-95



**Legal Description  
Browns Mill Road**

ALL That tract or parcel of land lying or being in Land Lots 35 and 62 of the 14<sup>th</sup> District, Fulton County, City of Atlanta, Georgia, and being more particularly described as follows:

Commencing at the intersection of the westerly right-of-way line of Humphrey's Drive (40-foot right-of-way)(a.k.a. Orchard Knob Avenue) and the southerly right-of-way line of School Drive, said point being the Point of Commencement;

THENCE in a southwesterly direction proceed along the said westerly right-of-way line of Humphrey's Drive for a distance of 586.76 feet to an iron pin found, a 5/8-inch rebar;

THENCE North 58 degrees 18 minutes 20 seconds West, a distance of 218.06 feet to the POINT OF BEGINNING;

THENCE from the point of beginning thus established proceed South 49 degrees 13 minutes 49 seconds West, a distance of 124.74 feet to a point;

THENCE southerly a distance of 28.80 feet along the arc of a curve to the right, having a radius of 100.00 feet and being subtended by a chord which bears South 08 degrees 17 minutes 45 seconds East, for a distance of 28.70 feet, to a point;

THENCE South 00 degrees 02 minutes 45 seconds East tangent to said curve, a distance of 143.12 feet to a point at the beginning of a curve tangent to said line;

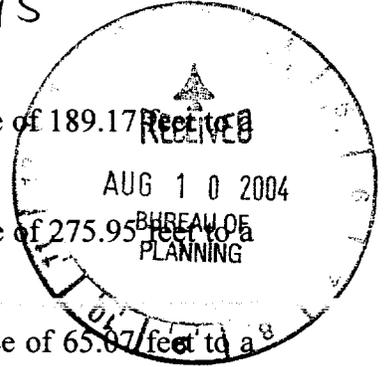
THENCE southerly and southeasterly a distance of 41.96 feet along the arc of a curve to the left, having a radius of 50.00 feet and being subtended by a chord which bears South 24 degrees 05 minutes 10 seconds East, for a distance of 40.74 feet, to a point;

THENCE South 48 degrees 07 minutes 35 seconds East tangent to said curve, a distance of 145.01 feet to a point on the westerly right-of-way line of Humphrey's Drive (40-foot right-of-way);

THENCE along the said westerly right-of-way line of Humphrey's Drive southwesterly a distance of 75.73 feet along the arc of a curve to the right, having a radius of 798.42 feet and being subtended by a chord which bears South 41 degrees 08 minutes 06 seconds West, for a distance of 75.71 feet, to the intersection of the northerly right-of-way line of Old rough & Ready Road (apparent 30-foot right-of-way);

THENCE leaving the said westerly right-of-way line of Humphrey's Drive and proceeding along the said northerly right-of-way line of Old Rough & Ready Road

2-04-95



THENCE North 74 degrees 35 minutes 54 seconds West, a distance of 189.17 feet to a point;

THENCE North 04 degrees 35 minutes 32 seconds West, a distance of 275.95 feet to a point;

THENCE North 47 degrees 46 minutes 56 seconds West, a distance of 65.87 feet to a point;

THENCE North 47 degrees 57 minutes 00 seconds West, a distance of 176.80 feet to a point;

THENCE South 03 degrees 43 minutes 20 seconds East, a distance of 213.50 feet to a point;

THENCE South 03 degrees 08 minutes 40 seconds East, a distance of 209.10 feet to a point;

THENCE North 78 degrees 55 minutes 10 seconds West, a distance of 198.90 feet to a point;

THENCE South 02 degrees 40 minutes 50 seconds West, a distance of 258.30 feet to a point;

THENCE South 81 degrees 24 minutes 20 seconds West, a distance of 167.20 feet to a point;

THENCE North 15 degrees 19 minutes 10 seconds West, a distance of 271.10 feet to a point;

THENCE South 76 degrees 25 minutes 40 seconds West, a distance of 253.24 feet to a point on the northeasterly right-of-way line of Browns Mill Road (right-of-way varies);

THENCE along the said northeasterly right-of-way line of Browns Mill Road North 39 degrees 14 minutes 07 seconds West, a distance of 242.32 feet to a point;

THENCE continuing along the said northeasterly right-of-way line northwesterly a distance of 92.25 feet along the arc of a curve to the left, having a radius of 887.69 feet and being subtended by a chord which bears North 44 degrees 57 minutes 21 seconds West, for a distance of 92.21 feet, to a point;

THENCE leaving the said northeasterly right-of-way line of Browns Mill Road proceed North 46 degrees 43 minutes 23 seconds East, a distance of 199.98 feet to a point;

THENCE North 44 degrees 04 minutes 37 seconds West, a distance of 100.00 feet to a point;

THENCE South 46 degrees 43 minutes 23 seconds West, a distance of 120.00 feet to a point;

THENCE North 23 degrees 05 minutes 30 seconds West, a distance of 537.60 feet to a point;

THENCE South 86 degrees 29 minutes 10 seconds East, a distance of 362.57 feet to a point;

THENCE North 01 degrees 36 minutes 16 seconds East, a distance of 478.08 feet to a point on the southerly right-of-way line of Susy Griffin Road (right-of-way varies);

THENCE along the said southerly right-of-way line of Susy Griffin Road South 88 degrees 48 minutes 06 seconds East, a distance of 201.00 feet to a point;

THENCE leaving the said southerly right-of-way line of Susy Griffin Road South 01 degrees 40 minutes 57 seconds West, a distance of 482.94 feet to a point;

THENCE South 88 degrees 06 minutes 41 seconds East, a distance of 563.94 feet to a point;

THENCE South 02 degrees 29 minutes 30 seconds West, a distance of 182.10 feet to a point;

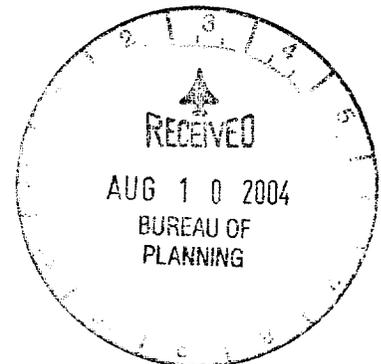
THENCE South 86 degrees 37 minutes 10 seconds East, a distance of 242.40 feet to a point;

THENCE South 23 degrees 32 minutes 10 seconds West, a distance of 100.79 feet to a point;

THENCE South 58 degrees 18 minutes 20 seconds East, a distance of 218.06 feet to the POINT OF BEGINNING.

Containing 1,008,762 Square Feet or 23.15799 Acres, more or less.

2-04-95



RCS# 6314  
12/06/04  
5:30 PM

Atlanta City Council

Regular Session

MULTIPLE

04-O-1830 04-O-1840 04-O-1132 04-O-1406  
04-O-1641 04-O-1849 04-O-1301, 1410 1839  
ADOPT AS AMEND

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

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

MULTIPLE

04-1641

(Do Not Write Above This Line)

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-04-95

TO REZONE FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 3115 BROWNS MILL ROAD (A.K.A. 3115 HUMPHRIES DRIVE AND 253 SUSY GRIFFIN ROAD S.E.) FRONTING APPROXIMATELY 90 FEET ON THE WEST SIDE OF HUMPHRIES DRIVE BEGINNING APPROXIMATELY 1,005 FEET NORTHEAST FROM THE NORTHEAST CORNER OF BROWNS MILL ROAD. PROPERTY ALSO FRONTS APPROXIMATELY 292 FEET ON THE NORTHEASTERLY SIDE OF BROWNS MILL ROAD AND APPROXIMATELY 200 FEET ON THE SOUTH SIDE OF SUSY GRIFFIN ROAD. DEPTH: VARIES; AREA: APPROXIMATELY 23.15 ACRES; LAND LOTS 35 AND 62, 14<sup>TH</sup> DISTRICT, FULTON COUNTY, GEORGIA.  
OWNER: BROWNS MILL PROPERTIES, LLC AND VICTORY LDC PROPERTIES, INC.  
APPLICANT: BROWNS MILL PROPERTIES, LLC  
NPU-2 *As Amended* COUNCIL DISTRICT 12

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

Date Referred 9-20-2004  
 Referred To: ZB & zoning  
 Date Referred \_\_\_\_\_  
 Referred To: **ADOPTED BY**  
 Date Referred \_\_\_\_\_  
 Referred To: DEC 06 2004

First Reading  
 Committee Zoning  
 Date SEP 15, 2004  
 Chair [Signature]  
 Referred To [Signature]

Committee \_\_\_\_\_  
 Date 9-20-2004  
 Chair [Signature]  
 Action [Signature]  
 Fav, Adv, Hold (see rev. side) [Signature]  
 Other [Signature]  
 Members [Signature]  
 Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_  
 Refer To \_\_\_\_\_

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

CERTIFIED

**CERTIFIED**  
 DEC 06 2004  
 AT-LARGE REPRESENTATIVE  
*[Signature]*

**CERTIFIED**  
 MAYOR'S ACTION

**APPROVED**  
*[Signature]*  
 MAYOR

COUNCIL