



Municipal Clerk  
Atlanta, Georgia

04-0 -1839

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-04-113  
Date Filed: 9-14-04

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 **1365 Pasadena Avenue, N.E. (rear) (a.k.a. 1538 Markan Drive, N.E.)** be changed from the R-4 (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 56, 15<sup>th</sup> District, Dekalb 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.

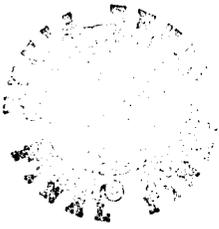
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

*Rhonda Doughtin Johnson*  
Municipal Clerk, CMC

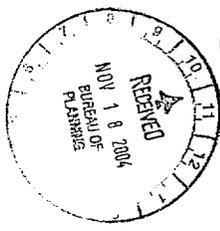
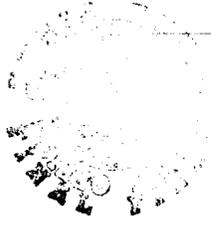
ADOPTED as amended by the Council  
APPROVED by the Mayor

DEC 06, 2004  
DEC 10, 2004



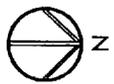
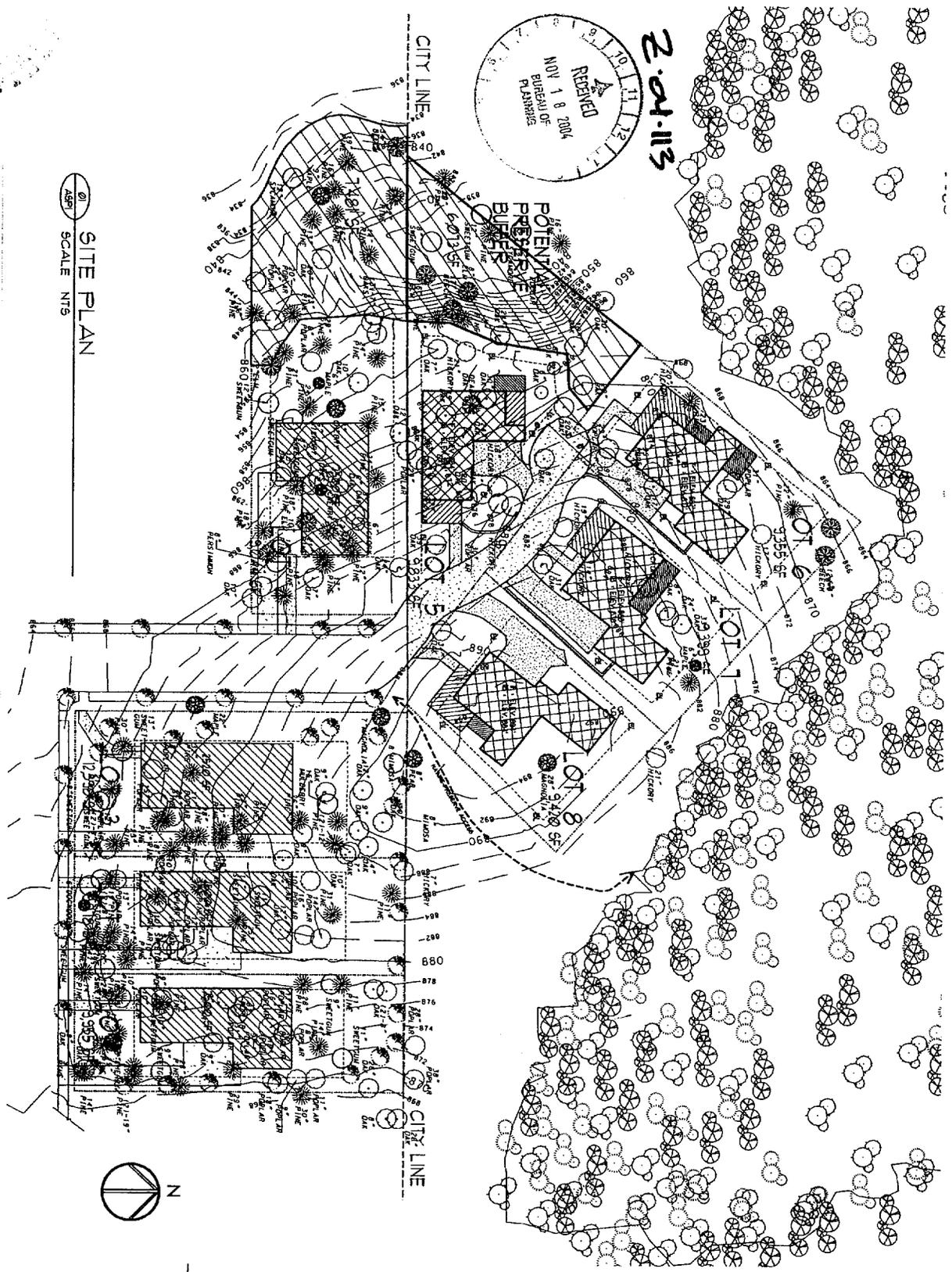
**Conditions for PD-H Application Z-04-113  
1365 Pasadena Avenue, NE (rear)  
1538 Markan Drive**

1. Conditioned upon the site plan submitted by the applicant dated 11-17-04 prepared by David C. Fowler Architecture for 1365 Pasadena Avenue (rear) and marked received by the Bureau of Planning on 11-18-04.
2. The applicant shall not adhere strictly to setbacks of the R-4 zoning; instead use best environmental practice site design standards.
3. Reduce the building footprint to the minimum size possible. This includes driveway. Limit lot coverage to 35% or keep it as close to this as possible.
4. Reduce the buildable area of the lot to create maximum undisturbed area to protect trees and existing topography.
5. No fences shall be permitted along or adjacent to property lines or in rear and side yards.
6. On Lot #5, no site disturbance or improvements of any kind shall be allowed beyond the line shown on the final site plan as *buffer setback line*, except to maintain existing public access in the Daniel Johnson Nature Preserve. Such line shall be field located approximately 7 feet from the existing trail at the ridge edge on cliff. A split rail fence shall be located on the City of Atlanta side of the property line to separate the trail from Lot 5. These conditions listed in item #5 are contingent on the sale of the buffer area for inclusion in the Daniel Johnson Nature Preserve.



2-04-113

ASPI SITE PLAN SCALE NTS



ASPI

REVISION	DATE	BY	CHKD
REVISION	10/27/2004		
REVISION	11/08/2004		
REVISION	11/18/2004		
REVISION	11/17/2004		

1365 Pasadena Ave. Rear

DAVID C. FOWLER  
 ARCHITECTURE  
 4112 W. 10TH STREET  
 LOS ANGELES, CA 90024  
 TEL: (213) 475-1111  
 FAX: (213) 475-1112  
 WWW: WWW.DCFOWLER.COM

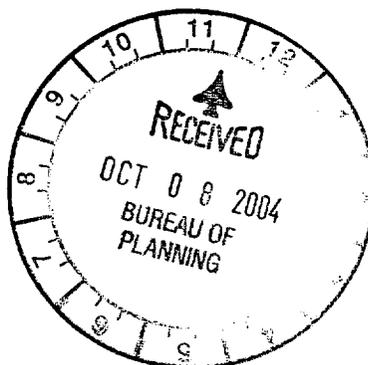
**Exhibit "A"**

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 56 of the 18<sup>th</sup> District, of Dekalb County, Georgia and being more particularly described as follows:

Land Lot 56

Beginning at a point at the East corner at a rebar set; running thence South forty four degrees forty two minutes fifty five seconds West, a distance of one hundred six and sixty nine-tenths (106.69) feet; thence North eighty nine degrees forty four minutes thirteen seconds East, a distance of two hundred eighty and eight-hundredths (280.08) feet to a rebar found; thence North thirty eight degrees forty six minutes thirty five seconds East, a distance of two hundred ninety four and fifty three-tenths (294.53) feet to a rebar found; thence South forty eight degrees three minutes eight seconds East, a distance of two hundred twenty eight and seventeen-tenths (228.17) feet to a rebar set and the point of beginning.

2-04-113



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

**04-0-1839**  
 (Do Not Write Above This Line)

AN ORDINANCE Z-04-113  
 BY: ZONING COMMITTEE

An Ordinance to rezone from the R-4 (Two-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at 1365 Pasadena Avenue, N.E. (rear) (a.k.a. 1538 Markan Drive, N.E.) fronting 60 feet at the north terminus of Markan Drive, unimproved right-of-way in unincorporated DeKalb County beginning 156.95 feet north of the northeast corner of Rocksprings Circle in unincorporated DeKalb County. Depth: Varies: Area: Approximately 1.02 acres; Land Lot 56, 15<sup>th</sup> District, DeKalb County, Georgia.

OWNER: PERRIN TAYLOR  
 APPLICANT: MICHAEL MCLAUGHLIN  
 NPU-F COUNCIL DISTRICT 6

*As Amended*  
 ADOPTED BY COUNCIL  
 DEC 06 2004

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

Date Referred *10-18-2004*  
 Referred To: *ZRB & Zoning*  
 Date Referred  
 Referred To:  
 Date Referred  
 Referred To:

First Reading  
 Committee Date *10-18-2004*  
 Chair *[Signature]*  
 Referred to *Zoning*

*Zoning*  
 Date *2004*  
 Chair *[Signature]*  
 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  
 ATTEST: *[Signature]*

MAYOR'S ACTION

*[Signature]*  
 DEC 10 2004  
 MAYOR