



City Council
Atlanta, Georgia

03-0-1591

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-03-65
9-9-03

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
as follows:

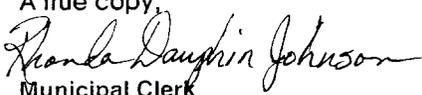
SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **2748 Donald Lee Hollowell Parkway, N.W. (fka 2748 Bankhead Highway, N.W.)** be changed from the **C-2 (Commercial Service) & R-4 (Single-Family Residential)** Districts, 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 **209** of the **14th** District of **DeKalb** 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 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 That all ordinance or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Municipal Clerk

ADOPTED by the Council
APPROVED by the Mayor

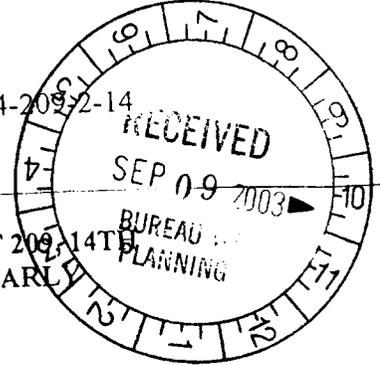
April 19, 2004
April 27, 2004

2-03-65

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

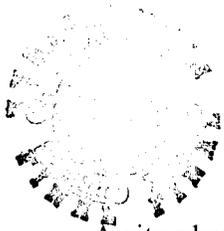
14-209-LL-47 ~ 14-209-2-18 ~ 14-209-2-17 ~ 14-209-2-16 ~ 14-209-2-15 ~ 14-209-2-14



ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 209, 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

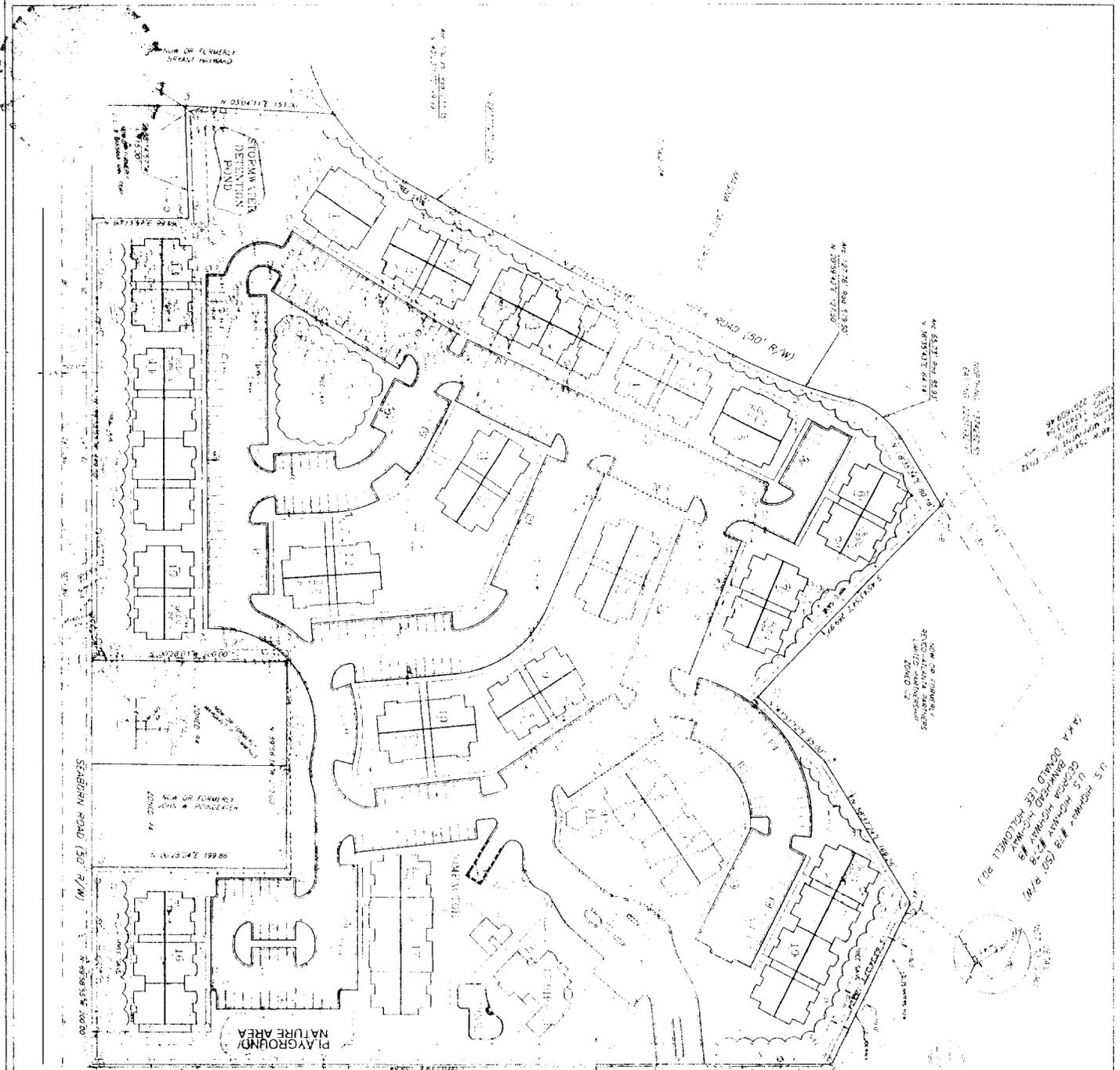
BEGINNING AT AN IRON PIN FOUND AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY OF BANKHEAD HIGHWAY AND THE WESTERN RIGHT OF WAY OF OZBURN ROAD; RUNNING THENCE SOUTH 01 DEGREE 00 MINUTES WEST 765.00 FEET TO AN IRON PIN FOUND AT THE CORNER FORMED BY THE INTERSECTION OF THE WESTERN RIGHT OF WAY OF OZBURN ROAD AND THE NORTHERN RIGHT OF WAY OF SEABORN ROAD; RUNNING THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS WEST 200.00 FEET TO AN IRON PIN FOUND; RUNNING THENCE NORTH 01 DEGREE 00 MINUTES EAST 200.00 FEET TO AN IRON PIN FOUND; RUNNING THENCE NORTH 89 DEGREES 28 MINUTES 30 SECONDS WEST 210.00 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 01 DEGREE 00 MINUTES WEST 200.00 FEET TO AN IRON PIN FOUND ON THE NORTHERN RIGHT OF WAY OF SEABORN ROAD; RUNNING THENCE NORTH 89 DEGREES 13 MINUTES WEST 449.50 FEET TO A POINT; RUNNING THENCE NORTH 02 DEGREES 56 MINUTES 12 SECONDS WEST 100.00 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 13 MINUTES WEST 115.00 FEET TO A POINT; RUNNING THENCE NORTH 02 DEGREES 56 MINUTES 12 SECONDS EAST 153.00 FEET TO AN IRON PIN FOUND ON THE SOUTHEASTERN RIGHT OF WAY OF PEEK ROAD; RUNNING THENCE NORTH 49

DEGREES 28 MINUTES EAST 60.00 FEET ALONG THE SOUTHEASTERN RIGHT OF WAY OF PEEK ROAD TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 33 DEGREES 13 MINUTES EAST 100.00 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 28 DEGREES 19 MINUTES EAST 300.00 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 25 DEGREES 35 MINUTES EAST 100.00 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 18 DEGREES 25 MINUTES EAST 60.00 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 39 DEGREES 02 MINUTES EAST 50.00 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 59 DEGREES 28 MINUTES EAST 90.00 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 44 DEGREES 53 MINUTES 18 SECONDS WEST 244.97 FEET TO AN IRON PIN FOUND; RUNNING THENCE NORTH 59 DEGREES 28 MINUTES EAST 267.32 FEET TO AN IRON PIN FOUND ON THE SOUTHERN RIGHT OF WAY OF BANKHEAD HIGHWAY; RUNNING THENCE SOUTH 62 DEGREES 12 MINUTES EAST 178.00 FEET ALONG THE SOUTHERN RIGHT OF WAY OF BANKHEAD HIGHWAY TO THE POINT OF BEGINNING; BEING A PORTION OF THE SAME PROPERTY CONVEYED IN DEED RECORDED AT DEED BOOK 18981, PAGE 82, FULTON COUNTY, GEORGIA RECORDS; BEING PRIMARILY KNOWN AS 2748 BANKHEAD HIGHWAY, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN FULTON COUNTY, GEORGIA.



Conditions for Z-03-65

A site plan entitled "Big Oak Apartments" by Eberly & Associates dated January 12, 2004 and marked received by the Bureau of Planning January 23, 2004.



14-44
 DONALD LEE
 GEORGIA REGISTERED PROFESSIONAL SURVEYOR
 04/27/88
 U.S. HOUSE OF REPRESENTATIVES
 507 R/W
 14-44 DONALD LEE HOLDING CO.



NOTES
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

PAYMENT LEGEND	
	AS SURVEYED
	PROPOSED
	EXISTING
	EASEMENT
	RIGHT OF WAY

DETAILS
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.



1 OF 1	PROJECT NO. PE3-230	LAYOUT & STAKING PLAN	SCALE 1" = 40'	DATE 01/12/04	DRAWN BY TERRY GREEN	PROJECT MANAGER AS-TO CONTRACT	CHECKED _____	REVISIONS _____	PROJECT BIG OAK APARTMENTS 1400 50th St FULTON COUNTY, GEORGIA 30050 BASHFIELD HWY. N.W.		RICHARD P. ASSOCIATES 67-11 30th St Long Beach, CA 90801 (562) 591-1111	JAMES W. WILSON CHARTERED SURVEYOR 01-11-04
	PROJECT NO. PE3-230	LAYOUT & STAKING PLAN	SCALE 1" = 40'	DATE 01/12/04	DRAWN BY TERRY GREEN	PROJECT MANAGER AS-TO CONTRACT	CHECKED _____	REVISIONS _____	PROJECT BIG OAK APARTMENTS 1400 50th St FULTON COUNTY, GEORGIA 30050 BASHFIELD HWY. N.W.		RICHARD P. ASSOCIATES 67-11 30th St Long Beach, CA 90801 (562) 591-1111	JAMES W. WILSON CHARTERED SURVEYOR 01-11-04

RCS# 5601
4/19/04
4:53 PM

Atlanta City Council

Regular Session

03-O-1591

Z-03-65 REZONE C-2 & R-4 TO RG-3-C
2748 DONALD LEE HOLLOWELL PKWY
ADOPT ON SUB

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 6
EXCUSED: 0
ABSENT 0

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

RCS# 5537
3/15/04
2:38 PM

Atlanta City Council

Regular Session

03-O-1591 Z-03-65; REZONE FROM C-2 AND R-4 TO RG-3
 2748 DONALD L. HOLLOWELL PKWY
 REFER

YEAS: 9
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 2

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

03-0-1591

(Do Not Write Above This Line)

AN ORDINANCE Z-03-65
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE C-2 (COMMERCIAL SERVICE) DISTRICT AND THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE RG-3 (RESIDENTIAL GENERAL-SECTOR 3) DISTRICT, PROPERTY LOCATED AT 2748 DONALD LEE HOLLOWELL PARKWAY, N.W. (FKA 2748 BANKHEAD HIGHWAY, N.W.), FRONTING 178 FEET ON THE SOUTHWESTERLY SIDE OF DONALD LEE HOLLOWELL PARKWAY BEGINNING AT THE SOUTHWEST CORNER OF OZBURN ROAD. DEPTH: VARIES; AREA: 15.84 ACRES; LAND LOT 209, 14TH DISTRICT, FULLTON COUNTY, GEORGIA.
OWNER: GEIGER OSCPI, LLC
APPLICANT: STEVEN J. DE FRANCIS (dba CAPITOL DEVELOPMENT GROUP)
NP11-1 COUNCIL DISTRICT 9

ADOPTED BY

APR 19 2004

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER

Date Referred 10-6-03

Referred To: ZRB & Zoning

Date: 3/15/04

Referred to: ZDING

First Reading
Committee: ZONING
Date: Feb. 25, 2004
Chair: [Signature]

Committee: ZONING
Date: Feb. 25, 2004
Chair: [Signature]

Action: [Signature]
Fav, Adv, Held (see rev. side)
Other: ON SUBSISTUTE
Members: [Signature]

Refer To: [Blank]

Second Reading
Committee: ZONING
Date: March 31, 2004
Chair: [Signature]

Committee: ZONING
Date: March 31, 2004
Chair: [Signature]

Action: [Signature]
Fav, Adv, Held (see rev. side)
Other: ON SUBSISTUTE
Members: [Signature]

Refer To: [Blank]

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

CERTIFIED

CERTIFIED
APR 10 2004

Acting COUNCIL PRESIDENT PROTREM

CERTIFIED
APR 19 2004
Renee L. Davidson, Assistant Municipal Clerk

MAYOR'S ACTION

APPROVED
MAYOR

Committee: ZONING
Date: 3/10/04
Chair: [Signature]
Action: [Signature]
Fav, Adv, Held (see rev. side)
Other: [Blank]

Committee: [Blank]
Date: [Blank]
Chair: [Blank]
Action: [Blank]
Fav, Adv, Held (see rev. side)
Other: [Blank]

Members: [Signatures]
Refer To: [Blank]