

City Council
Atlanta, Georgia

04- 0 -0267

AN ORDINANCE
BY: ZONING COMMITTEE

Z-04-03
1-13-04

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, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **3933-3955 Tell Road, S.W.** be changed from the **R-4 (Single-Family Residential)** District, to the **RG-3 (Residential General-Sector 3)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **33** of the **14thFF** District of **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 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.

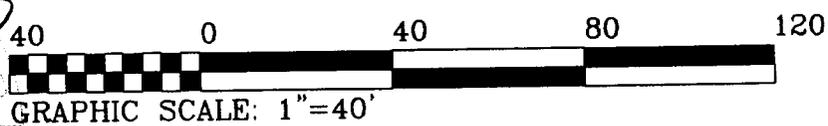
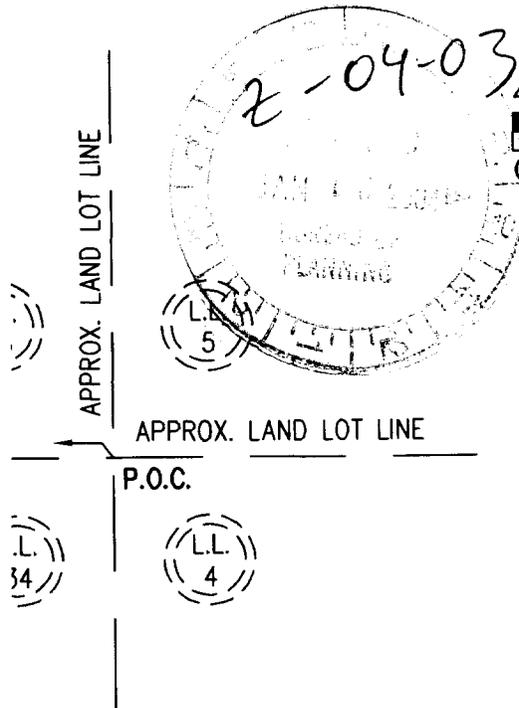
SECTION 4. That all ordinance or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

LEGAL DESCRIPTION
 OVERALL TRACT
 (9.040 ACRES OR 393,782 SQ.FT.)

ALL THAT TRACT OR PARCEL OF LAND LYING IN LAND LOT 33, 14FF DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT A POINT AT THE SOUTHEAST CORNER OF LAND LOT 33 AND RUN THENCE WESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF TELL ROAD HAVING A 50' RIGHT-OF-WAY (ALSO BEING THE SOUTH LINE OF SAID LAND LOT) FOR A DISTANCE OF 279.59 FEET TO A 3/4" OPEN TOP PIPE FOUND, SAID POINT BEING THE TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, CONTINUE THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF TELL ROAD N89° 54' 06"W FOR A DISTANCE OF 274.99 FEET TO A 1/2" OPEN TOP PIPE FOUND; THENCE CONTINUE N89° 54' 06"W FOR A DISTANCE OF 42.13 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 700.00 FEET AND AN ARC LENGTH OF 215.61 FEET, BEING SUBTENDED BY A CHORD OF N81° 04' 39"W FOR A DISTANCE OF 214.76 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1360.08 FEET AND AN ARC LENGTH OF 23.28 FEET, BEING SUBTENDED BY A CHORD OF N72° 44' 38"W FOR A DISTANCE OF 23.28 FEET TO A 1-1/2" CRIMPED TOP PIPE FOUND; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE OF TELL ROAD N00° 07' 57"E FOR A DISTANCE OF 676.68 FEET TO A POINT; THENCE N89° 40' 06"E FOR A DISTANCE OF 277.60 FEET TO A 3/4" OPEN TOP PIPE FOUND; THENCE N89° 38' 40"E FOR A DISTANCE OF 275.46 FEET TO A 3/4" OPEN TOP PIPE FOUND; THENCE S00° 14' 48"W FOR A DISTANCE OF 720.76 FEET TO A 3/4" OPEN TOP PIPE FOUND ON THE NORTHERLY RIGHT-OF-WAY LINE OF TELL ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING.

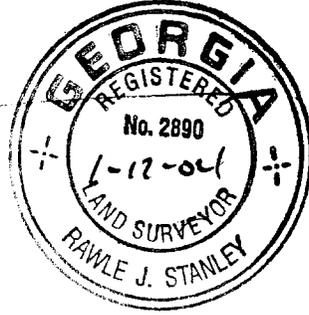


SURVEYOR'S CERTIFICATION

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

Rawle J. Stanley

RAWLE J. STANLEY
 REGISTRATION NUMBER 2890



	PROJECT MANAGER	DATE	DRAWN BY	CHECKED BY
	D. DASENT	01-12-04	R. STANLEY	R. STANLEY
	LOCATION		FIELD BOOK/PAGE	SCALE
LAND LOT 33		FB 505, PG 1	1" = 40'	
14TH-FF DISTRICT		PROJECT NUMBER	SHEET NO.	
FULTON COUNTY		01051.001.1	1 OF 1	
GEORGIA				

RCS# 5599
4/19/04
4:50 PM

Atlanta City Council

Regular Session

04-O-0267

Z-04-03 3933-3955 TELL ROAD
R-4 TO RG-3
ADVERSE

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

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

04-O-0267

04-0-0267
(Do Not Write Above This Line)

AN ORDINANCE 2-04-03
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE RG-3 (RESIDENTIAL GENERAL-SECTOR 3) DISTRICT, PROPERTY LOCATED AT 3933-3955 TELL ROAD, S.W., FRONTING 556.01 FEET ON THE NORTH SIDE OF TELL ROAD BEGINNING 290 FEET WEST FROM THE NORTHWEST CORNER OF FAIRBURN ROAD. DEPTH: 720.76 FEET; AREA: 9.04 ACRES; LAND LOT 33, 14THFF DISTRICT, FULTON COUNTY, GEORGIA.
OWNER: TELL ROAD, LP/RICHARD C. WINFREY
APPLICANT: TELL ROAD, LP/RICHARD C. WINFREY
NPU-P COUNCIL DISTRICT 11

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

Date Referred 2/16/04

Referred To: ZRB + Zoning

		First Reading	
Committee	<i>Zoning</i>	Committee	<i>Zoning</i>
Date	<i>April 31 2004</i>	Date	<i>April 15 2004</i>
Chair	<i>[Signature]</i>	Chair	<i>[Signature]</i>
Members	<i>[Signatures]</i>	Members	
Action:		Action:	
Fav, Adv, Held (see rev. side)		Fav, Adv, Held (see rev. side)	
Other:		Other:	
Refer To		Refer To	

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

CERTIFIED

APR 19 2004

[Signature]
Acting COUNCIL PRESIDENT PROTEM

CERTIFIED

APR 19 2004

[Signature]
MUNICIPAL CLERK

MAYOR'S ACTION