

COMMITTEE AMENDMENT FORM

DATE: 07/29/09

COMMITTEE ZONING

PAGE NUM(S)

ORDINANCE I. D. #07-O-2224

SECTION (S) 1

RESOLUTION I. D. #09-R-

PARA.

AMENDS THE LEGISLATION BY ADDING TEN (10) CONDITIONS.

AMENDMENT DONE BY COUNCIL STAFF 07/29/09

City Council
Atlanta, Georgia

07-O-2224

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-07-106
Date Filed: 10-9-07

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 **1463 LaFrance Street, N.E.**, be changed from the R-5 (Two-Family Residential) District to the MR-3-C (Multifamily Residenti-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 210, 15th District, Dekalb County, Georgia, being more particularly described by the attached legal description and/or survey.

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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-07-106 for 1463 La France Street, N.E.

1. Maximum permitted number of residential units permitted shall be eighteen. No commercial uses are permitted.
2. Maximum building heights to be no more than 24'-0" at midpoint of roof for any structure within 30'-0" of any side or rear yard as measured from grade at the nearest point at the adjacent property line.

Maximum building height for the remainder of the site shall be 35'-0". No more than 60% of the length of any street facing building façade shall be 35'-0" high as measured to midpoint of roof.

3. Maximum building facade length shall be no more than 60'-0" at any building façade facing any side or rear yard.
4. Each building façade must have a break in roof plane and/or parapet spaced no more than 40'-0" apart.
5. Fenestration shall be provided for a minimum of 25 percent of the length of rear and side yard facing building façades at the first and second floors.
6. A minimum of two street lights are required along the La France street frontage.
7. All public street level residential units shall have an exterior porch. Minimum porch width and depth is to be 5'-0" as measured by clear area within any rails or walls. All porches are required to have rails with vertical pickets.
8. Solid fencing or walled enclosures shall obstruct any dumpsters from public view from the street or adjacent property.
9. The use of vinyl siding is prohibited.

The use of false divided lites at windows are prohibited. False divided lites are also described as lite divisions located between two panes of glass at a window, door, or sidelite without an accompanying exterior lite division grill also known as between the glass lite divisions.

No exposed concrete will be permitted at foundations or retaining walls. Any such concrete must be covered by masonry.

All pressure treated lumber used in exterior construction must be painted if located at a building façade that faces a street.

10. All lighting including lit canopies shall reduce light spillage onto adjacent residentially used properties by providing cutoff luminaires which have a maximum 90 degree illumination.

All lighting that up-lights trees, buildings or other elements, shall be located a minimum height of eight feet above the sidewalk, driveway or pedestrian area when not located within completely landscaped areas.

RCS# 2727
2/02/09
2:38 PM

Atlanta City Council

REGULAR SESSION

07-O-2224

CHANGE FR.R-5 TO MR-3 PROPERTY AT 1463
LAFRANCE STREET NE
REFER ZRB/ZONE

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

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

07-O-2224

RCS# 1523
11/05/07
3:47 PM

Atlanta City Council

SPECIAL SESSION

MULTIPLE

07-O-2221, 07-O-2222, 07-O-2223, ~~07-O-2224~~
07-O-2225, 07-O-2226, 07-O-2228, 07-O-2229
REFER ZRB/ZONE

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

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

MULTIPLE

City Council
Atlanta, Georgia

07-0 -2224

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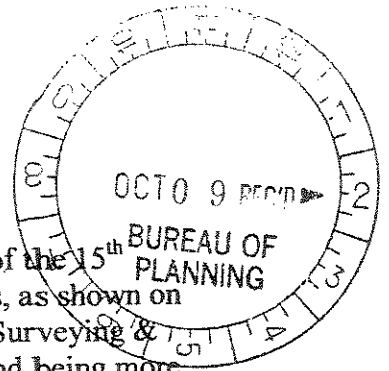
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LEGAL DESCRIPTION



All that tract or parcel of land lying and being in Land Lots 209 and 210 of the 15th District of DeKalb County, Georgia containing 1.227 acres, plus or minus, as shown on Boundary Survey prepared for Converge Real Estate, LLC by Perimeter Surveying & Development Company, certified to by Kenneth L. Nutt, GRLS #2104, and being more particularly described as follows:

Beginning at a point on the South right-of-way line of La France Avenue (50' R/W), 144.58' West from the West right-of-way line of Mayson Avenue (40' R/W), as measured along said southerly right of way line of La France Avenue, from said Point of Beginning run thence South 00 degrees 33 minutes 55 seconds East a distance of 143.95 feet to a point; thence south 00 degrees 02 minutes 47 seconds East a distance of 49.50 feet to a point; thence south 03 degrees 31 minutes 01 seconds East a distance of 49.23 feet to a point; thence south 00 degrees 26 minutes 35 seconds east a distance of 78.89 feet to a point; thence south 00 degrees 09 minutes 12 seconds East a distance of 90.00 feet to an iron pin found; thence south 87 degrees 56 minutes 10 seconds West a distance of 132.18 feet to an iron pin found; thence north 00 degree 07 minutes 44 seconds East a distance of 414.95 feet to an iron pin found; thence north 89 degrees 24 minutes 35 seconds East a distance of 125.90 feet to the Point of Beginning.

7-09-106