

11-0-1584
 (Do Not Write Above This Line)

Z-11-29

AN ORDINANCE
 BY: ZONING COMMITTEE

An Ordinance to rezone from the C-1 (Community Business) District to the C-2 (Commercial Service) District for property located at **4410 ROSWELL ROAD, N.E.** fronting approximately 202 feet on the west side of Roswell Road beginning approximately 85 feet from the southwest intersection of Wieuca Road Extension and Roswell Road. Depth: varies. Area: 1.73 acres. Land Lot 95. 17th District, Fulton County, Georgia.

OWNER: CLOVERLEAF PROPERTIES I LIMITED
 PARTNERSHIP
 APPLICANT: MERRIFIELD PATRICK VERMILLION, LLC.
 NPU-B
 COUNCIL DISTRICT **8**

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

Date Referred: 11/7/11
 Referred To: ZRB + Zoning
 Date Referred: _____
 Referred To: _____
 Date Referred: _____
 Referred To: _____

First Reading
 Committee Date: 11/21/11
 Chair: [Signature]
 Referred To: ZRB + Zoning

Committee Date: 11/21/11
 Chair: [Signature]

Action Fav, Adv, Hold (see rev. side) 4-5 Other

Members

ADOPTED BY [Signature]

7 2012 Refer To

Committee Date

Chair

Action Fav, Adv, Hold (see rev. side) Other

Members

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
 JAN 17 2012
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 JAN 17 2012
[Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JAN 26 2012
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



City Council
Atlanta, Georgia

11-O-1584
Z-11-29

Date Filed: 10-11-11

AN AMENDED ORDINANCE
BY ZONING COMMITTEE

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 **4410 ROSWELL ROAD, N. E.**, be changed from the C-1 (Community Business) District to the C-2-C (Commercial Service-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 95. 17th District, Fulton 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.

A true copy,



Deputy Clerk

ADOPTED as amended by the Council
APPROVED as per City Charter Section 2-403

JAN 17, 2012
JAN 26, 2012



Conditions for Z-11-29 for 4410 Roswell Road, N. E.

1. Applicant to arrange a meeting with the homeowner and the applicant's engineering firm to address drainage issues affecting the adjacent property at 164 Lake Forrest Lane.
2. Applicant shall install a six foot privacy fence around the perimeter of the commercial district property adjacent to property zoned for residential use.
3. Site plan dated 11-22-11 and stamped received by the Office of Planning on November 29, 2011. This site plan shall not prohibit the application of GDOT and the City of Atlanta's traffic and transportation regulations.
4. The applicant shall install new curb along the entire Roswell Road frontage meeting GDOT standards.
5. Applicant shall provide a landscape plan to be reviewed and approved by the Office of Planning in consultation with the City Arborist.



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND Lying and being in Land Lot 95 of the 17th District, Fulton County, Georgia and being more particularly described as follows:

TO FIND THE TRUE POINT AND PLACE OF BEGINNING commence at a point formed by the intersection of the southerly right-of-line of Wieuca Road Extension (said Wieuca Road Extension having a 50 foot right-of-way) with the westerly right-of-line of Roswell Road (said Roswell Road having a 65 foot right-of-way); thence southwesterly, as measured along the westerly right-of-way line of Roswell Road, an arc distance of 84.69 feet (the chord sustaining said arc bearing South 20 degrees 10 minutes 30 seconds West a distance of 84.69 feet) to a point AND BEING THE TRUE POINT AND PLACE OF BEGINNING: Thence North 87 degrees 19 minutes 50 seconds West, a distance of 262.41 feet to a point; thence South 10 degrees 23 minutes 19 seconds West, a distance of 203.70 feet to a point; thence South 88 degrees 44 minutes 42 seconds East, a distance of 242.63 feet to a point located on the westerly right-of-line of Roswell Road; thence northeasterly, as measured along the westerly right-of-way line of Roswell Road, an arc distance of 201.56 feet (the chord sustaining said arc bearing North 16 degrees 13 minutes 16 seconds East a distance of 201.47 feet to a point AND BEING THE TRUE POINT AND PLACE OF BEGINNING.



Z-11-029

RCS# 1702
1/17/12
4:53 PM

Atlanta City Council

MULTIPLE

11-O-1281/11-O-1585/11-O-1586/11-O-1587
11-O-1590/11-O-1583 AND 11-O-1584
ADOPT AS AMNDED

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 1

B Smith	Y Archibong	Y Moore	NV Bond
NV Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	NV Willis
Y Winslow	Y Adrean	NV Sheperd	NV Mitchell

MULTIPLE