

12-0-0611
 (Do Not Write Above This Line)

AN ORDINANCE Z-12-09
 BY: ZONING COMMITTEE

An Ordinance to amend Ordinance 99-O-0886 (Z-99-21) that rezoned property located at 2862 Lenox Road, N.E. from the R-3 (Single family Residential) District to the PDH (Planned Development Housing) District for property located at **2862 Lenox Road, N.E.** fronting approximately 141 feet on the westerly side of Lenox Road beginning 274. 86 feet southeasterly from the southwesterly corner of West Road. Depth: approximately 813 feet. Area: approximately 2.57 acres. Land Lots 7 and 47, 17th District, Fulton County, Georgia.
 OWNER: POWER CONTROL SYSTEMS
 APPLICANT: SHARON L. TSEPAS NPU B
 COUNCIL DISTRICT 7

As Amended
ADOPTED BY
 JUL 0 2 2012
COUNCIL

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

Date Referred 5/7/12
 Referred To: ZR31 Zoning
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading
 Committee Zoning
 Date 6/27/2012
 Chair AS A Other
 Referred To ZR31 Zoning

Committee	Date	Chair	Action	Fav, Adv, Hold (see rev. side)	Members
Zoning	6/27/2012	AS A Other			
Refer To					

Committee	Date	Chair	Action	Fav, Adv, Hold (see rev. side)	Members
Refer To					

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

CERTIFIED
 JUL 0 2 2012
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
 JUL 0 2 2012
 Municipal Clerk

MAYOR'S ACTION
APPROVED
 JUL 1 1 2012
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



City Council
Atlanta, Georgia

12-O-0611

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-12-09
Date Filed: 3-13-2012

AN ORDINANCE TO AMEND ORDINANCE 99-O-0886 WHICH REZONED PROPERTY LOCATED AT **2862 LENOX ROAD, N.E.** FROM THE FROM R3 (RESIDENTIAL) DISTRICT TO PDH (PLANNED DEVELOPMENT HOUSING) DISTRICT, FOR THE PURPOSE OF A SITE PLAN AMENDMENT.

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

SECTION 1. That the currently adopted site plan governing the development approved by 99-O-0886 is hereby deleted and a revised site plan is hereby adopted in lieu thereof.

ALL THAT TRACT or parcel of land lying and being Land Lot 47 and 7, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

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 Dauphin Johnson
Municipal Clerk

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

JUL 02, 2012
JUL 11, 2012



Conditions for Z-12-09 for 2862 Lenox Road, N.E.

1. Developer shall obtain Final Plat approval from the Director of the Office of Planning before issuance of building permits.
2. Developer shall provide to the Director of the Office of Planning a recorded private covenants as a condition of the approval of the final plat. The document must contain details about ownership and maintenance program for all common areas and amenities.
3. Developer shall remove the existing 30" CMP pipe, restore the stream bank and buffer in that area according to Office of Site Development procedures.
4. Developer shall make application to the Office of Site Development to obtain a stream buffer Authorized Encroachment.
5. Property frontage along Lenox Road shall be improved with new sidewalks according to Americans with Disabilities Act (ADA) and City of Atlanta standards, before final plat approval.
6. Developer shall provide ADA-compliant pedestrian access to and from nearby bus stops.
7. All work to be undertaken by the applicant within the City of Atlanta right-of-way shall be permitted by the Department of Public Works prior to construction.
8. Development of the property shall be subject to all City of Atlanta development regulations including but not limited to, the Site Development Department, Fire Safety Engineer, Public Works Department as well as the Tree Ordinance.
9. Subject to revised site plan titled "2862 Lenox Road Townhomes – Zoning Site Plan" by Urban Studio Landscape dated June 5, 2012 and stamped received by the Office of Planning on June 6, 2012.



EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lots 7 and 47 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

TO ARRIVE AT THE TRUE POINT OF BEGINNING, commence at an iron pin found at the intersection of the southwesterly right of way line of Lenox Road and the southerly right of way line of West Road; thence South 17 degrees 19 minutes 32 seconds east, 274.86 feet to an iron pin found and THE TRUE POINT OF BEGINNING; thence South 17 degrees 38 minutes 23 seconds east, 141.18 feet to an iron pin found; thence South 86 degrees 36 minutes 23 seconds west, 185.00 feet to a point; thence South 00 degrees 06 minutes 52 seconds west, 4.00 feet to a point; thence South 89 degrees 00 minutes 58 seconds west, 161.01 feet to a point; thence North 00 degrees 29 minutes 40 seconds east, 8.82 feet to a point; thence South 89 degrees 59 minutes 58 seconds west, 100.00 feet to a point; thence South 00 degrees 27 minutes 48 seconds east, 3.12 feet to a point; thence South 89 degrees 32 minutes 12 seconds west, 366.78 feet to an iron pin found on the easterly right of way line of Georgia 400 Extension; thence North 00 degrees 15 minutes 18 seconds west, 131.38 feet to a point; thence South 49 degrees 11 minutes 15 seconds east, 22.39 feet to an iron pin found; thence North 84 degrees 05 minutes 26 seconds east, 397.60 feet to an iron pin found; thence South 88 degrees 41 minutes 45 seconds east, 357.80 feet to an iron pin found on the southwesterly right of way line of Lenox Road and THE TRUE POINT OF BEGINNING; being 2.573 acres, more or less, as shown on a plat of survey for Lenox Road Development, LLC by Charles S. Crisp, Registered Land Surveyor, dated February 5, 2007.

Z-12-009



EXHIBIT "B"

Right-of-way Easement in favor of Georgia Power Company, dated 05/01/61, recorded in Deed Book 3716, page 572, Fulton County Records.

Boundary Line Agreement in favor of Glenn D. Robertson, dated 07/05/67, recorded in Deed Book 4763, page 114, Fulton County Records.

Right-of-way Easement in favor of Department of Transportation, dated 02/03/88, recorded in Deed Book 11325, page 498, Fulton County Records.

All matters disclosed on that certain subdivision plat recorded in Plat Book 20, pages 71 and 72, Fulton County records.



99-0 -0886

Municipal Clerk
Atlanta, Georgia

An Ordinance
By: Zoning Committee

Z-99-21
DATE FILED: 4/19/99

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, 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 2862 Lenox Road, N.E. be changed from R-3 (Single-Family Residential) District to PD-H (Planned Development-Housing) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 7 & 47 of the 17th District, Fulton County, Georgia being more particularly described by the attached legal description and shown on the attached map.

SECTION 2. That this amendment is approved under the provisions of Chapter 19, entitled "PD Planned Development District," and Chapters 19A through 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 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,

Ronda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council August 02, 1999
RETURNED WITHOUT SIGNATURE BY THE MAYOR
APPROVED as per Section 2-403 of the 1996 Charter



CONDITIONS FOR Z-99-21

1. Site plan entitled "Landscape Plan, 2862 Lenox Road, Ashwood Development" prepared by Reece, Hoopes, and Fincher, dated June 29, 1999 and marked received by the Bureau of Planning June 29, 1999.

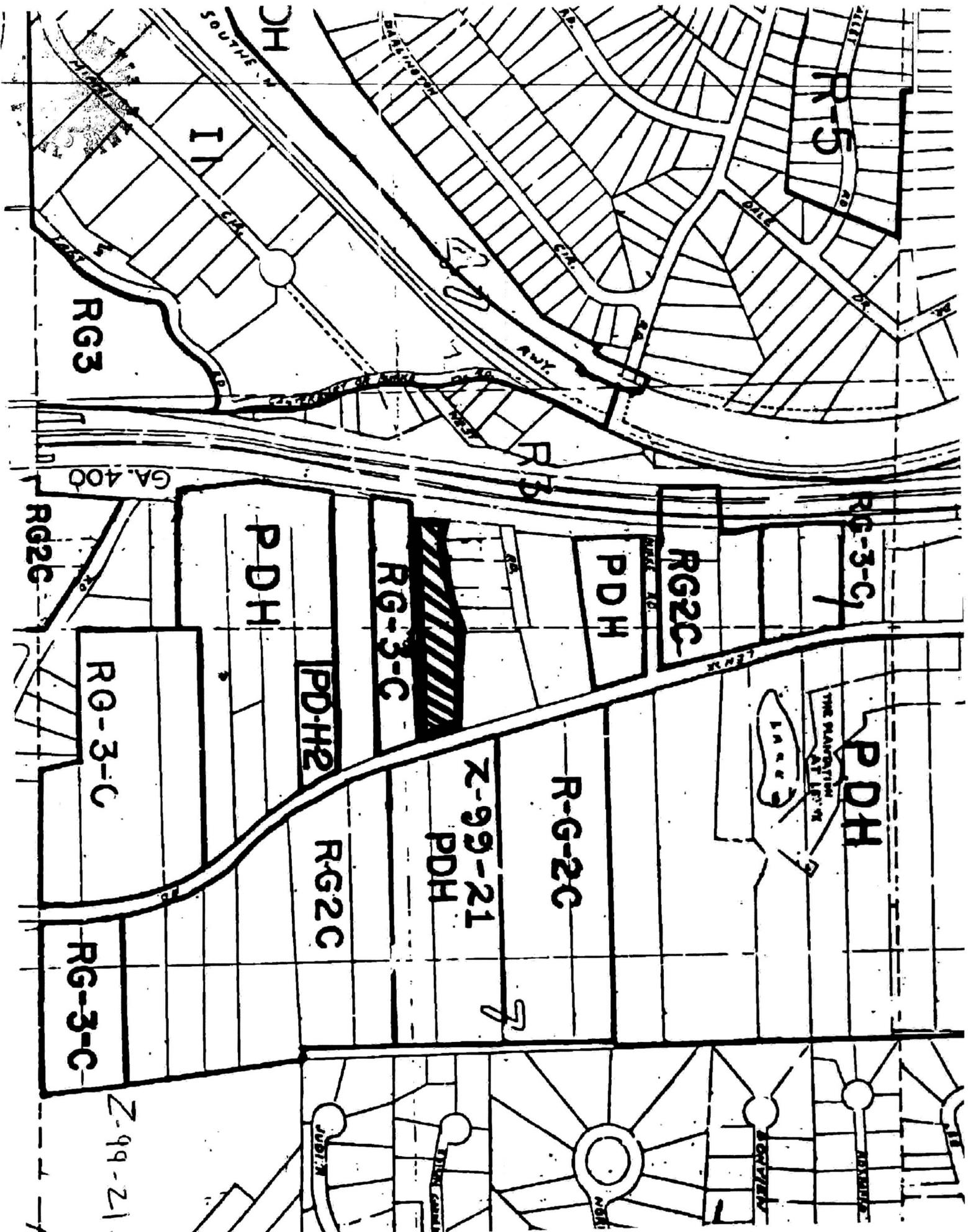


Legal Description of Property

Tract 1. All that tract or parcel of land lying and being in Land Lots 7 and 47 of the 17th District, Fulton County, Georgia, and being more particularly described as follows:

Beginning at a point on the westerly side of Lenox Road, 275 feet south from the southwesterly corner of Lenox Road and West Road; running thence southeasterly along the westerly side of Lenox Road a distance of 141.1 feet to a point; thence running west a distance of 844.6 feet to the right-of-way of Georgia 400; running thence north along the east side of Georgia 400 a distance of 139.45 feet to a point; thence southwest a distance of 42 feet to a point; thence northeast 398 feet to a point; thence southeast a distance of 357 feet to the west side of Lenox Road and the point of beginning, being known as Number 2862 Lenox Road, Northeast, according to the present system of numbering properties in the City of Atlanta, Georgia.

Z-99-21



R-5

RG3

GA. 400

RG2C

PDH

RG-3-C

PDH

RG2C

RG-3-C

PDH

THE PLANNING AT 11:00 AM



R-G-2C

Z-99-21
PDH

RG2C

PD-H2

RG-3-C

RG-3-C

Z-99-21



WELL

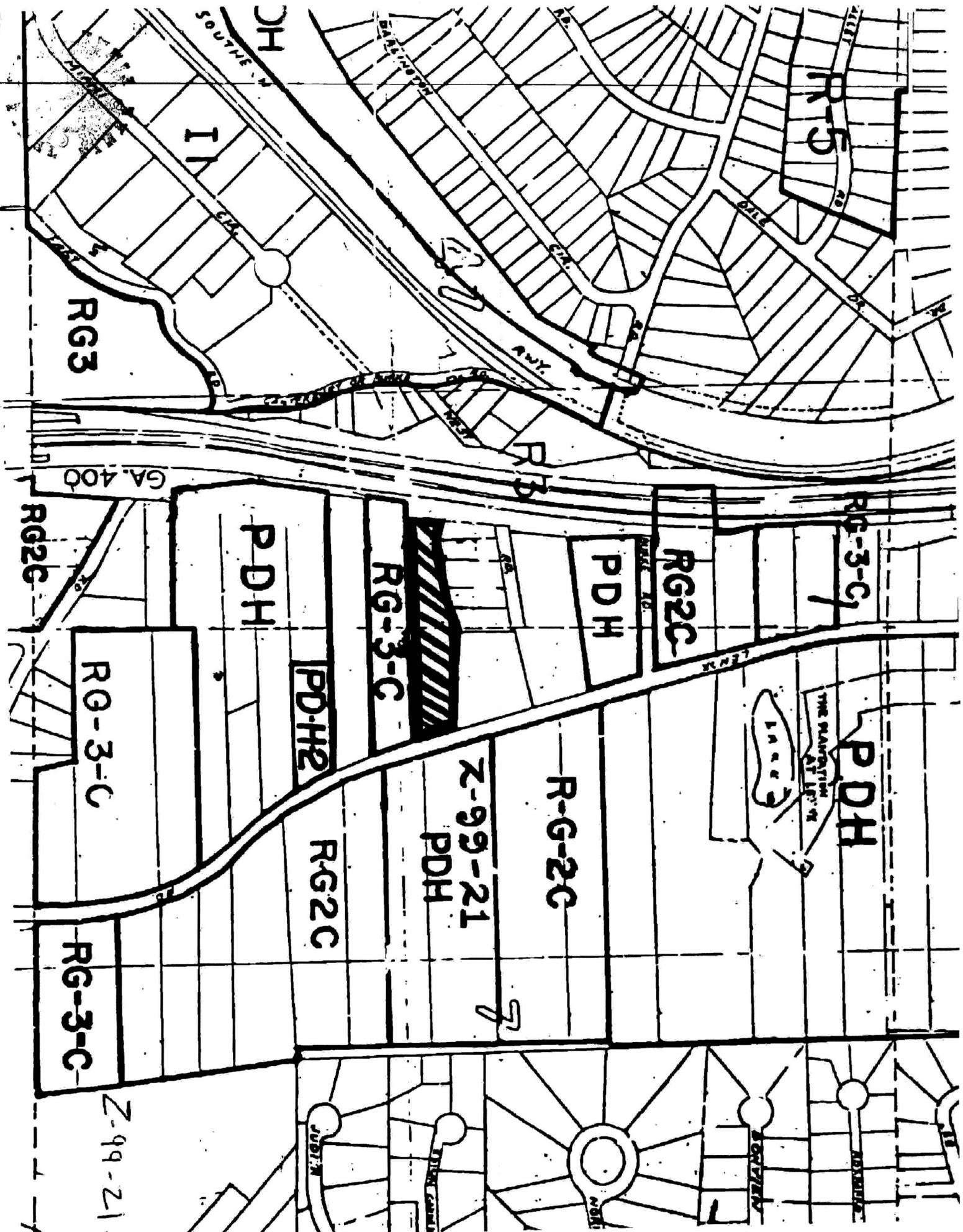
WELL

WELL

WELL

WELL

WELL



RCS# 1359
8/02/99
4:15 PM

Atlanta City Council

Regular Session

98-O-0886 Z-99-21; 2862 LENOX RD.; CHANGE R-3 TO
 PD-H
 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y McCarty	NV Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
NV Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

99-0-0886

(Do Not Write Above This Line)

25

AN ORDINANCE 2-99-21
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-3 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED-DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 2862 LENOX ROAD, N.E., FRONTING 141.18 FEET ON THE WESTERLY SIDE OF LENOX ROAD BEGINNING 274.86 FEET SOUTHEASTERLY FROM THE SOUTHWESTERLY CORNER OF WEST ROAD. DEPTH: APPROXIMATELY 812.79 FEET; AREA: 2.57 ACRES; LAND LOTS 7 & 47, 17TH DISTRICT, FULTON COUNTY, GEORGIA.
OWNER: TAD MOLLENKAMP
APPLICANT: ASHWOOD DEVELOPMENT COMPANY
BY: COLE FORSYTH
NPU-B COUNCIL DISTRICT 7

ADOPTED BY
AUG 02 1999
COUNCIL

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

Date Referred: REFERRED BY MAY 19 1999
CITY COUNCIL

Referred To: ZRB & Zoning

First Reading
 Committee: Planning
 Date: 5-13-99
 Chair: James H. ...
 Action: Adopted

Committee: _____
 Date: _____
 Chair: _____
 Action: _____
 Fav, Adv, Held (see rev. side): _____
 Other: _____
 Member: James H. ...
 Refer To: _____

Committee: _____
 Date: _____
 Chair: _____
 Action: _____
 Fav, Adv, Held (see rev. side): _____
 Other: _____
 Members: _____
 Refer To: _____

Committee: _____
 Date: _____
 Chair: _____
 Action: _____
 Fav, Adv, Held (see rev. side): _____
 Other: _____
 Members: _____
 Refer To: _____

Committee: _____
 Date: _____
 Chair: _____
 Action: _____
 Fav, Adv, Held (see rev. side): _____
 Other: _____
 Members: _____
 Refer To: _____

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

CERTIFIED
 AUG 2 1999
 ATLANTA CITY COUNCIL PRESIDENT
James H. ...

CERTIFIED
 AUG 02 1999
Robert ...
 MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
 AUG 11 1999
 WITHOUT SIGNATURE
 BY OPERATION OF LAW

RCS# 2132
7/02/12
2:26 PM

Atlanta City Council

MULTIPLE

12-O-0614 AND 12-O-0611
U-12-10 AND Z-12-09
ADOPT AS AMNDED

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

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

MULTIPLE