

12-0386

(Do Not Write Above This Line)

AN ORDINANCE Z-12-06  
BY: ZONING COMMITTEE

An Ordinance to rezone from, property located at, N.E., fronting approximately 303 feet on the north side of Roxboro Road beginning 145 feet from the southeast corner of Kingsboro Road. Depth: approximately 313 feet. Area: 1.13 acres. Land Lot 9, 17<sup>th</sup> District, Fulton County, Georgia.  
OWNER: JOHN AGAN  
APPLICANT: REX K. BRAY  
NPU B  
COUNCIL DISTRICT 7

As Amended  
ADOPTED BY

SEP 17 2012

COUNCIL

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

Date Referred: 4/18/12  
 Referred To: ZRB + zoning  
 Date Referred:  
 Referred To:  
 Date Referred:  
 Referred To:

First Reading

Committee: Zoning  
 Date: August 28, 2012  
 Chair: [Signature]  
 Referred To: ZRB + zoning

Committee: Zoning  
 Date: August 29, 2012  
 Chair: [Signature]

Action: Fav, Adv, Hold (see rev. side)  
 Other: As Amended  
 Members: [Signature]

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

Refer To

Refer To

Zoning  
Date: 9/17/2012  
Chair: [Signature]

Committee

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

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

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

Members: [Signature]  
 Date: [Signature]  
 Chair: [Signature]  
 Refer To: [Signature]

Refer To

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

CERTIFIED

CERTIFIED  
 SEP 17 2012  
 [Signature]  
 COUNCIL PRESIDENT PROTREM

CERTIFIED  
 SEP 17 2012  
 [Signature]  
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

SEP 26 2012

WITHOUT SIGNATURE  
BY OPERATION OF LAW



City Council  
Atlanta, Georgia

**12-O-0386**

**Z-12-06**

Date Filed: 3-8-12

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 **3491 ROXBORO ROAD, N.E.**, be changed from the R-3 (Single family Residential) District to the MR-3-C (Multi-family Residential-Conditional) District, to wit:

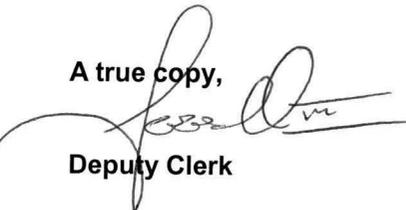
ALL THAT TRACT or parcel of land lying and Land Lot 9, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

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

SEP 17, 2012  
SEP 26, 2012



### Conditions for Z-12-06 for 3491 Roxboro Road, N.E.

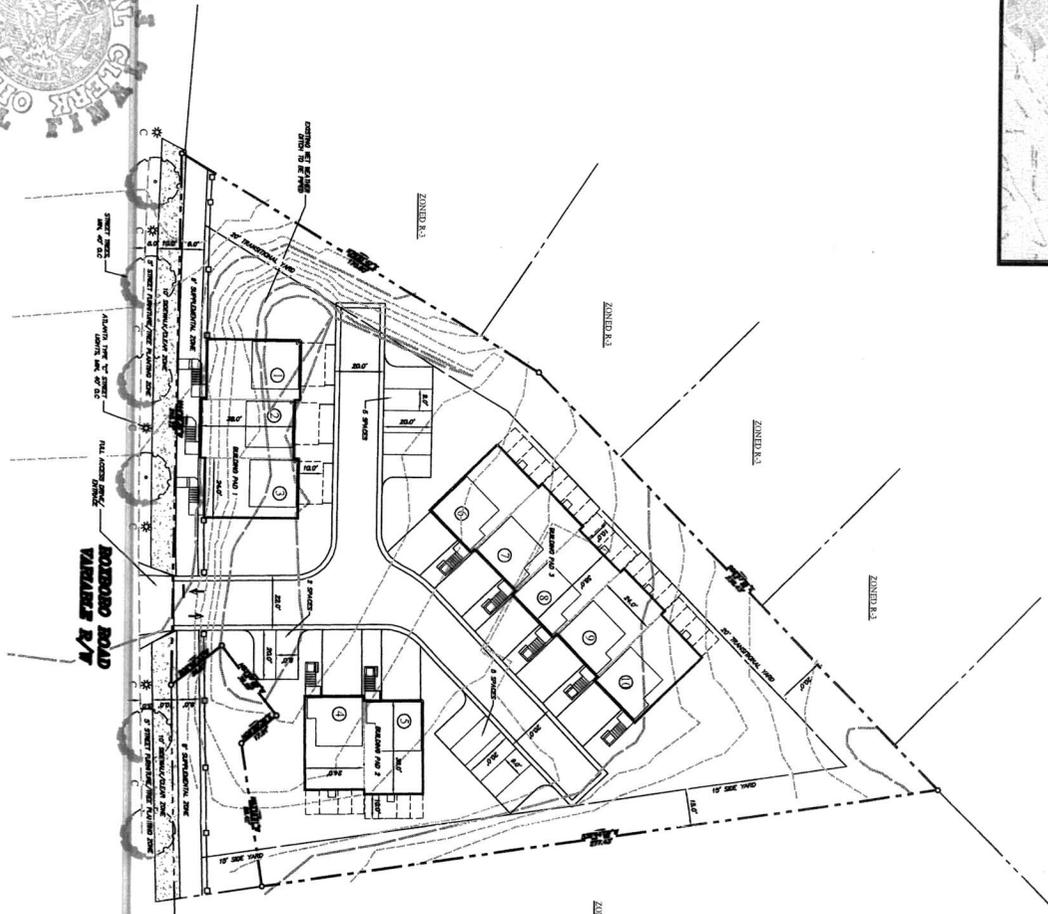
1. The building footprints, open space and parking locations shown on the site plan entitled "3491-Roxboro Road Townhomes" dated May 14, 2012, last revised 6/21/12 by Planners and Engineers Collaborative and marked received by the Bureau of Planning June 22, 2012 are conceptual and for illustrative purposes only. The project shall be developed in accordance with the building setback lines, and useable open space requirements contained in the MR-3 district regulations.
2. Non-residential uses shall not be permitted as part of the development.
3. The maximum number of units shall be 10.
4. No central or community dumpster shall be permitted and dwelling units shall be served by a commercial trash collector.
5. Any deck constructed on the rear of a dwelling unit shall not be higher than one story above ground.
6. Back-up power generator (if any) and heating and air conditioning units servicing each dwelling unit shall be shielded from view with sound absorbent screening.
7. The development shall not contain a community swimming pool or hot tub.
8. Retaining walls shall be comprised of brick and or landscape grade stone.
9. All sidewalks, ramps and driveway aprons shall be built to current Americans with Disabilities Act and City of Atlanta standards. Driveway apron as shown encroaches onto sidewalk clear zone. Property driveway shall be at the same grade as the sidewalk along Roxboro Rd NE.
10. Standard "No Left Turn" sign (MUTCD R3-2) and "Stop" sign shall be installed at exit from driveway onto Roxboro Rd NE.
11. Provide direct ADA-compliant sidewalk connection from Roxboro Rd NE into property along driveway. The Department of Public Works shall have final approval.
12. Transitions between the existing sidewalk along Roxboro Rd NE north and south of property lines need to provide a clear and level walkway that meets current Americans with Disabilities Act and City of Atlanta standards. As currently proposed, pedestrian circulation along Roxboro Rd NE would be interrupted. Applicant may need to complete additional sidewalk work within the Roxboro Rd NE right-of-way north and south of the property lines in order to improve the transitions.
13. Retain existing bicycle lane on Roxboro Rd NE at a minimum of five-feet-wide, not including gutter pan.



SITE LOCATION MAP (NTS)

SITE ADDRESS:  
3491 ROXBORO ROAD, ATLANTA, GEORGIA

FLOOD NOTE:  
FIRM HAZARD FLOOD MAP HAS BEEN EXAMINED  
AND THE PROPERTY IS NOT LOCATED IN A AREA OF  
SPECIAL FLOOD HAZARDS BEING MAP ID:  
13121C0251, EFFECTIVE DATE: JUNE 22, 1998.



<b>SITE DATA: MR-3</b>	
OVERALL TOTAL SITE AREA	1.13 ACRES
ZONING	MR-3
EXISTING ZONING	R-3
PROPOSED ZONING	MR-3
ZONING JURISDICTION	City of Atlanta
<b>UNIT SUMMARY:</b>	
GROSS LOT AREA	1.34 ACRES
TOTAL UNITS	10 UNITS
TOTAL DENSITY	7.46 UNITS/ACRE
UNITS 1-10	24'X38'

**L. U. I. CALCULATIONS**

3491 Roxboro Road	11 May 12
<b>MR-3 Zoning, City of Atlanta</b>	
Assume Section 2, Max FAR 0.886	
Net Lot Area (General)	1.130 ac
Net Lot Area (Reserve Area)	40,223 sq ft
Gross Lot Area Provided	40,223 sq ft
Net Lot Area	0.000 sq ft
Roxboro Road (1/2 R.O.W. at X.St. = 30')	58,263 sq ft
Total Gross Lot Area Provided	1.34 Acres



RECEIVED  
JUN 2 2012  
Bureau of Planning

Z-12-a



**3491 - ROXBORO ROAD TOWNHOMES**  
A PLANNED TOWNHOME DEVELOPMENT  
FOR  
Rochhaven Homes  
11 Lemay Street  
Suite 200  
Lawrenceville, Georgia 30046  
PHONE: 770-515-1668

CITY OF ATLANTA  
PLANNING DEPARTMENT

**"WE PROVIDE SOLUTIONS"**  
**PLANNERS AND ENGINEERS COLLABORATIVE**  
SITE PLANNING ■ LANDSCAPE ARCHITECTURE ■ CIVIL ENGINEERING ■ LAND SURVEYING  
390 RESEARCH COURT ■ NORCROSS, GEORGIA 30092 ■ 770-451-2741 ■ FAX: 770-451-3183 ■ WWW.PEACATL.COM

**REVISIONS:**

NO.	DATE	BY	DESCRIPTION
1	05/14/12	CE	REVISION #1
2	05/14/12	CE	REVISION #2
3	05/14/12	CE	REVISION #3
4	05/14/12	CE	REVISION #4
5	05/14/12	CE	REVISION #5
6	05/14/12	CE	REVISION #6

**CONCEPTUAL SITE PLAN #7**

SCALE: 1" = 50'  
DATE: MAY 14, 2012  
PROJECT: 1109000A

THIS SCALE IS ONLY VALID IF CORRECTLY PRINTED  
AND Scaled WITH ANY DIMENSION SHOWN HERE.



2-12-006

REZONING  
LEGAL DESCRIPTION  
3491 Roxboro Road – Atlanta, Georgia

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 9 of the 17<sup>TH</sup> District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point on the northwest side of Roxboro Road, Variable Right of Way at the intersection of Kingsboro Road, starting at a point 145.00 feet from said intersection to a ½” rebar found being the TRUE POINT OF BEGINNING; thence turning away from said Right of Way a bearing of North 76 degrees, 21 minutes 47 seconds East a distance of 170.60 feet to a ½” rebar found; thence turning South 88 degrees, 57 minutes 51 seconds East a distance of 235.43 feet to a ½” rebar found; thence turning South 36 degrees 44 minutes 09 seconds West a distance of 277.43 feet to a point; thence turning North 53 degrees 15 minutes 51 seconds West a distance of 59.42 feet to a point; thence turning North 06 degrees 41 minutes 30 seconds East a distance of 17.91 feet to a point; thence turning North 83 degrees 09 minutes 25 seconds West a distance of 36.25 feet to a point; thence turning South 06 degrees 45 minutes 33 seconds West a distance of 25.87 feet to a ½” iron pin found; thence turning along said Right of Way of Roxboro Road a bearing of North 44 degrees, 18 minutes 33 seconds West a distance of 215.72 feet to a 1/2” rebar and the TRUE POINT OF BEGINNING.

Said tract containing 1.13 acres ( 49,282.32 sf).



RCS# 2291  
9/17/12  
2:45 PM

Atlanta City Council

12-O-0386

REZONE 3492 ROXBORO RD FROM R-3 TO MR-3  
Z-12-06; NPU-B; CD-7  
ADOPT AS AMNDED

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

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

12-O-0386