

2386

13-0-1161

(Do Not Write Above This Line)

AN ORDINANCE Z-13-21
BY: ZONING COMMITTEE

An Ordinance to rezone from the RG-3 (Residential General) District to the PD-H (Planned Development-Housing) District for property located at 1830 JOHNSON ROAD, N.W., fronting approximately 199 feet on the southern side of Johnson Road beginning 348 feet from the southwest corner of Habershal Drive. Depth: approximately 631 feet. Area: approximately 2.9 acres. Land Lots 225 and 226, 17th District, Fulton County, Georgia.

OWNER: R AND M CONSTRUCTION AND REMODELING, INC.

APPLICANT: BROCK BUILT HOMES, LLC C/O ADAM BROCK NPU G COUNCIL DISTRICT 9

As Amended

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

Date Referred 7/15/13
 Referred To: ZBZ Zoning
 Date Referred
 Referred To:
 Date Referred
 Referred To:

Committee Zoning
 Date 10/2/13
 Chair [Signature]
 Referred To ZBZ and Zoning

Committee Zoning
 Date 10/2/13
 Chair [Signature]
 Action Fav, Adv, Hold (see rev. side) as amended
 Other
 Members Carla Smith, Jeremy [Signature], [Signature], [Signature]
 Refer To [Signature]

Committee
 Date
 Chair
 Action Fav, Adv, Hold (see rev. side) Other
 Members
 ADOPTED BY
 OCT 07 2013
 COUNCIL
 Refer To

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
 OCT 07 2013
 ATLANTA CITY COUNCIL PRESIDENT
 [Signature]

CERTIFIED
 OCT 07 2013
 Rhonda Daughin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION
 APPROVED
 OCT 16 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



City Council
Atlanta, Georgia

13-O-1161

Z-13-21

Date Filed: 6-11-13

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 **1830 JOHNSON ROAD, N.W.**, be changed from the RG-3 (Residential General) District to the PDH- (Planned Development-Housing), to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 225 and 226, 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,

Deputy Clerk

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

OCT 07, 2013
OCT 16, 2013



Conditions for Z-13-21 for 1830 Johnson Road, N.W.

1. A site plan similar to one entitled "1830 Johnson Road for Brock Built Homes, LLC" by EcoWise Civil Design and Consulting, Inc. dated June 7, 2013 and marked received by the Office of Planning June 11, 2013. LUI calculations based on document stamped received by Office of Planning August 1, 2013.
2. The curb cut on Johnson Road for the development shall align with the curb cut on the north side of Johnson Road for Boyd Elementary School. Final approval of the curb cut shall be made by the Department of Public Works.
3. Property frontage along Johnson Road as well as both sides of the new internal private street shall be improved with new sidewalks according American with Disabilities Act (ADA) and City of Atlanta Standards, before final plat approval. Final approval of the sidewalks shall be made by the Department of Public Works.
4. Developer shall follow the City of Atlanta Street Intersection Curb Cut Design for private streets. Final approval of the design shall be made by the Department of Public Works.
5. Developer shall provide for a vehicular access easement from end of pavement of the private street to the west property line, in order to allow for a possible future extension and/or connection. Final approval of the easement location shall be made by the Department of Public Works.
6. Developer shall obtain Final Plat approval from Office of Planning before making application for building permits.
7. Developer shall provide the Office of Planning with recorded private covenants as a condition of the approval of the final plat. The document must contain details about ownership and maintenance program for the Private Street and common areas.
8. Maximum height of each single family home shall be 35 feet.
9. The development shall not be gated.



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING LOCATED IN LAND LOTS 225 & 226 OF THE 17TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF JOHNSON ROAD (APPARENT 80' R/W) AND THE WESTERLY RIGHT-OF-WAY OF HABERSHAL DRIVE (APPARENT 60' R/W), THENCE S69°13'51"W, A DISTANCE OF 347.61 FEET TO A 1/2 INCH REBAR FOUND AND THE POINT OF BEGINNING; THENCE LEAVING JOHNSON ROAD RIGHT-OF-WAY S25°34'28"E, A DISTANCE OF 559.07 FEET TO A 3/4 INCH REBAR FOUND, THENCE CONTINUING ALONG SAID LINE S25°34'28"E, A DISTANCE OF 71.28 FEET TO THE CENTERLINE OF PROCTOR CREEK, THENCE FOLLOWING THE CENTERLINE OF PROCTOR CREEK S70°20'53"W, A DISTANCE OF 72.43 FEET, THENCE S56°40'37"W, A DISTANCE OF 64.51 FEET, THENCE S69°55'52"W, A DISTANCE OF 34.95 FEET, THENCE N86°07'39"W, A DISTANCE OF 32.67 FEET TO A POINT, THENCE LEAVING PROCTOR CREEK N25°34'28"W, A DISTANCE OF 622.94 FEET TO A 1/2 INCH REBAR FOUND AND JOHNSON ROAD RIGHT-OF-WAY, THENCE FOLLOWING A NON TANGENT CURVE TO THE RIGHT, WITH AN ARC DISTANCE OF 199.76 FEET, A RADIUS OF 1,056.79 FEET, N67°22'05"E, WITH A DISTANCE OF 199.47 FEET BACK TO THE 1/2 INCH REBAR FOUND AND POINT OF BEGINNING.

SAID TRACT CONTAINING 126,549 SQUARE FEET OR 2.905 ACRES.

2-13-021

RCS# 3050
10/07/13
4:24 PM

Atlanta City Council

MULTIPLE 13-O-1042, 13-O-1160 AND 13-O-1161

ADOPT AS AMNDED

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 1

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

MULTIPLE