

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

**AN ORDINANCE
BY ZONING COMMITTEE**

Z-13-12-AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-3 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE PDH (PLANNED DEVELOPMENT-HOUSING) DISTRICT, PROPERTY LOCATED AT 3002 LENOX ROAD, N.E. PROPERTY FRONTS APPROXIMATELY 144 FEET ON THE SOUTHWEST SIDE OF LENOX ROAD BEGINNING APPROXIMATELY 680 FEET FROM THE NORTHWEST CORNER OF BURKE ROAD. DEPTH: VARIES AREA: APPROXIMATELY 0.84 ACRES LAND LOTS: 7 AND 47, 17TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: LENOX CORNER, LLC APPLICANT: LINDA I. DUNLAVEY NPU B COUNCIL DISTRICT 7

Application File Date	April 4, 2013
Zoning Number	Z-13-12
NPU / CD	B/7
Staff Recommendation	Approval Conditional
NPU Recommendation	Approval Conditional
ZRB Recommendation	Approval Conditional

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 3002 LENOX ROAD, N.E.. be changed from the R-3 (Single Family Residential) District to the PDH (Planned Development-Housing) District to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 7 and 47, 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-13-12
Date Filed: 4-4-13

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2-13-012

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA IN LAND LOTS 7 AND 47 , OF THE 17TH DISTRICT, OF FULTON COUNTY, GEORGIA, BEING LOT 43 IN THE SUBDIVISION OF INDIAN CREKK ACRES, AS PER PLAT BY C.R. ROBERTS & CO., ENGINEERS, DATED MAY, 1936, RECORDED IN PLAT BOOK 20, PAGE 71, FULTON COUNTY, GEORGIA RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE SOUTHWESTERN SIDE OF LENOX ROAD 680 FEET NORTHWESTWARDLY AS MEASURED ALONG THE SOUTHWESTERN SIDE OF LENOX ROAD AND FOLLOWING THE CURVATURE THEREOF, FROM THE NORTHWEST CORNER OF LENOX ROAD AND BURKE ROAD WHICH IRON PIN IS AT THE NORTHEAST CORNER OF LOT 42 IN SAID SUBDIVISION; RUNNING THENCE IN A NORTHWESTERLY DIRECTION ALONG THE SOUTHWESTERN SIDE OF LENOX ROAD AND FOLLOWING THE CURVATURE THEREOF 150 FEET TO AN IRON PIN AT THE SOUTHEAST CORNER OF LOT 44 IN SAID SUBDIVISION; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 44 AND FORMING AN INTERIOR ANGLE OF 103 DEGREES 27 MINUTES WITH THE CHORD OF THE ARC FORMED BY THE CURVATURE OF LENOX ROAD A DISTANCE OF 493.4 FEET TO AN IRON PIN ON THE EASTERN LINE OF THE SOUTHERN RAILWAY RIGHT-OF-WAY; THENCE IN A SOUTHERLY DIRECTION ALONG THE EASTERN LINE OF SAID RIGHT-OF-WAY 150 FEET TO AN IRON PIN A THE NORTHWEST CORNER OF LOT 42, HEREINABOVE REFERRED TO; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 42, 516.6 FEET TO THE IRON PIN ON THE SOUTHWESTERN SIDE OF LENOX ROAD AT THE POINT OF BEGINNING SAID BEING IMPROVED PROPERTY KNOWN AS 3002 LENOX ROAD NE ACCORDING TO THE PRESENT NUMBERING OF HOUSES IN THE CITY OF ATLANTA AS MORE PARTICULARLY SHOWN ON PLAT OF SURVEY OF PROPERTY OF MISS MOLLIE E. STEPHENS AND MISS JANET M. BRANCH BY C.R. ROBERTS, REGISTERED ENGINEER, DATED MARCH 27, 1958, A COPY OF WHICH IS ON FILE IN THE OFFICE OF THE ATLANTA TITLE COMPANY:

LESS AND EXCEPT:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA, IN LAND LOT 47, OF THE 17TH DISTRICT, OF FULTON COUNTY, GEORGIA, BEING PART OF LOT 43, IN THE SUBDIVISION OF INDIAN CREEK ACRES, AS PER PLAT BY C. R. ROBERTS & COMPANY, ENGINEERS, DATED MAY, 1936, RECORDED IN PLAT BOOK 20, PAGE 71, FULTON COUNTY, GEORGIA RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT AND RUNNING THENCE NORTHERLY ALONG THE EASTERN LINE OF THE RIGHT-OF-WAY OF SOUTHERN RAILWAY COMPANY 152 FEET TO LOT 44; THENCE EAST ALONG SAID LOT 146 FEET; THENCE SOUTH 151 FEET TO LOT 42, THENCE WEST ALONG SAID LOT 147 FEET TO THE POINT OF BEGINNING; BEING PARCEL NO. 13 OF THE PLAT OF PEACHTREE CONNECTOR DATED MARCH 2, 1959, A COPY OF WHICH IS ON FILE IN THE OFFICE OF THE PUBLIC WORKS DEPARTMENT, FULTON COUNTY, GEORGIA, AND

LESS AND EXCEPT:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 47, OF THE 17TH LAND DISTRICT, OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

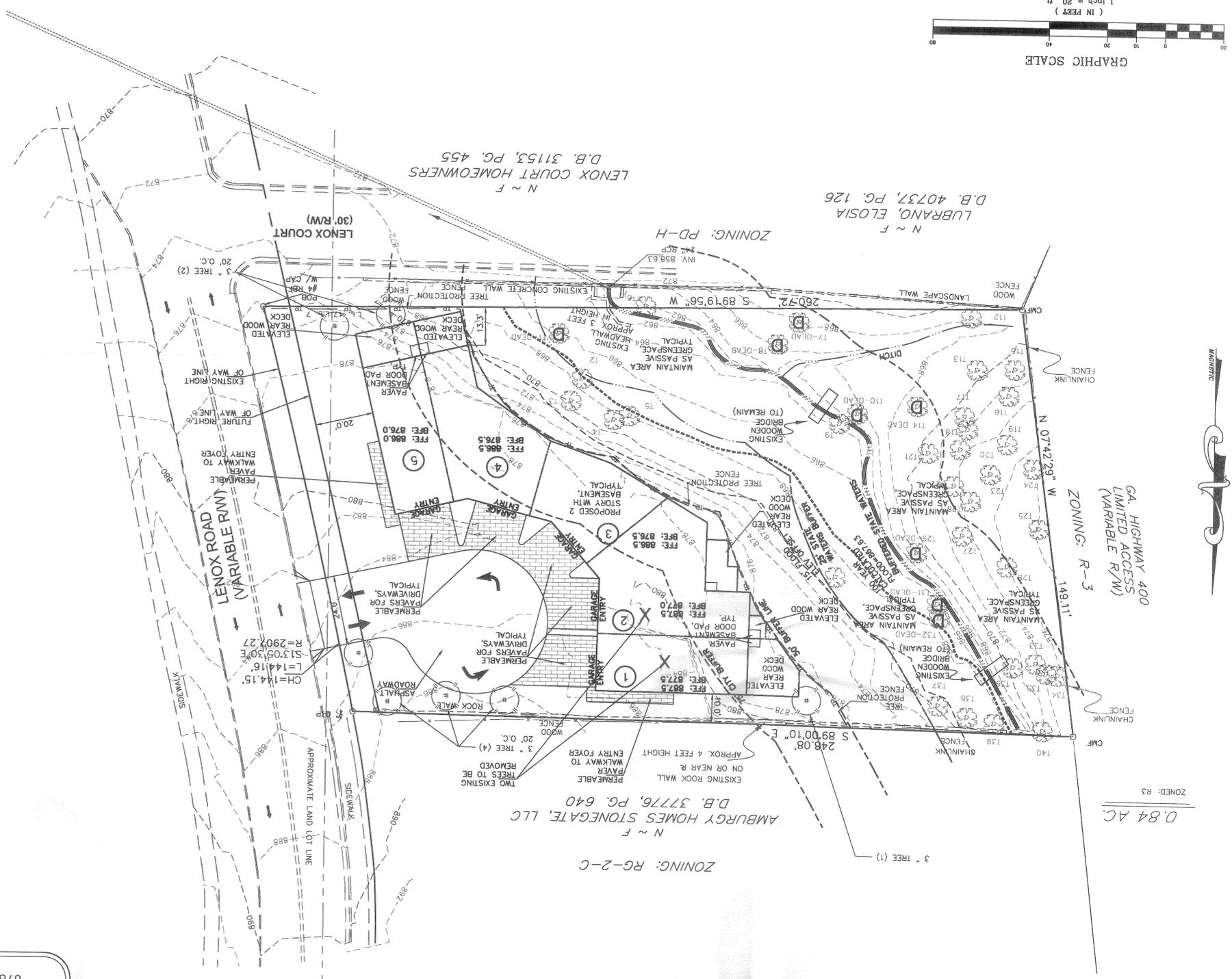
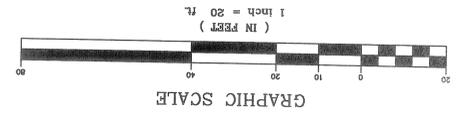
BEGINNING AT A POINT 42.58 FEET RIGHT OF AND OPPOSITE STATION 77+36.72 ON THE CONSTRUCTION CENTERLINE OF GEORGIA 400 ON GEORGIA HIGHWAY PROJECT MLP-400(28); RUNNING THENCE NORTH 04 DEGREES 07 MINUTES 24.3 SECONDS WEST A DISTANCE OF 149.05 FEET TO A POINT; THENCE SOUTH 89 DEGREES 05 MINUTES 31.1 SECONDS EAST A DISTANCE OF 98.17 FEET TO A POINT; THENCWE SOUTH 07 DEGREES 42 MINUTES 55.3 SECONDS EAST A DISTANCE OF 149.40 FEET TO A POINT; THENCE NORTH 09 DEGREES 29 MINUTES 49.9 SECONDS WEST A DISTANCE OF 107.50 FEET BACK TO THE POINT OF BEGINNING.

BEING THE SAME PROPERTY AS THAT CONVEYED BY DEED UNDER POWER OF SALE DATED MAY 3, 2011, FROM BANK OF NORTH GEORGIA, AS ATTORNEY-IN-FACT FOR LSN HOLDING, LP, TO INTERVENTIONAL MANAGEMENT SERVICES, LLC, AS RECORDED MAY 5, 2011, AT DEED BOOK 50035, PAGE 673, FULTON COUNTY, GEORGIA RECORDS.

MAP #17-47-LL-56-2

Conditions for Z-13-12 for 3002 Lenox Road, N.E.

1. A site plan entitled “3002 Lenox Road” by Eberly & Associates dated 4/3/13 last revised 5/30/13 and marked received by the Office of Planning May 31, 2013.
2. The applicant shall construct sidewalks to connect to existing sidewalks on either side of subject property. The sidewalks shall be similar in construction and design.
3. Prior to the recording of a final plat with Fulton County, the final plat shall be reviewed and approved by the appropriate City Departments.
4. A copy of recorded covenants pertaining to the maintenance of all common areas shall be provided to the Office of Planning prior to recording of the final plat.



811
 CALL 811
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 THREE WORKING DAYS BEFORE YOU DIG.
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2-13-12

PROPOSED SITE DATA FOR PD-H REZONING

SITE DATA
 EXISTING ZONING USE: R3
 SITE ACREAGE: 0.84 ACRES
 PROPOSED ZONING USE: PD-H DISTRICT
 PLANNED DEVELOPMENT - HOUSING
 TOTAL PROPOSED UNITS: 5 UNITS
 CITY OF ATLANTA, FULTON COUNTY, GA

BUILDING DATA
 TOTAL # OF UNITS = 5 UNITS (PROPOSED 2 STORY WITH BASEMENT, EACH)
 EACH GARAGE = 420 SF (NOT INCLUDED IN TOTAL HEATED SQUARE FOOT)
 BUILDING #1: 2,280 THSF
 BUILDING #2: 4,367 THSF
 BUILDING #3: 2,331 THSF
 BUILDING #4: 3,530 THSF
 BUILDING #5: 2,365 THSF

LIU CALCULATIONS:
 TOTAL BLDG & GARAGE FOOTPRINT AREA = 6,358 S.F.
 LOT AREA = 36,547.5 S.F. = 0.84 ACRES

FLOOR AREA RATIO
 GROSS LAND AREA (GLA) = 40,859.8 S.F. (includes half R.O.W. Lenox Road)
 GROSS FLOOR AREA (GFA) = 14,873 S.F. (TOTAL HEATED SQUARE FOOTAGE)
 FLOOR AREA RATIO (FAR) = 14,873 / 40,859.8 = 0.364
 (SEE FAR FOR RG, SECTOR 3 - USE 0.373)

TOTAL OPEN SPACE
 TOTAL OPEN SPACE REQUIRED (TOSR) = 0.72
 TOTAL PROVIDED = (GLA - TOTAL BUILDING FOOTPRINT AREA)

TOSP = $(40,859.8 - 6,358) / 0.84 = 40,859.8$
GLA = 40,859.8

USABLE OPEN SPACE
 USABLE OPEN SPACE REQUIRED (UOPR) = 0.45
 TOTAL PROVIDED = (GLA - TOTAL FOOTPRINT AREA - PARKING AND DRIVE AREA)

PARKING DATA
 PARKING REQUIRED
 1.3 SPACE PER DWELLING UNIT X 5 UNITS = 6.5 SPACES
 2 CAR GARAGE FOR EACH UNIT (5 UNITS) = 10 SPACES
 BUILDING HEIGHT = 35 FEET

PD1.0
 PROJECT NO. 12-060
 CALL 811

PD-H SITE PLAN

SCALE: 1" = 20'
 DATE: 4/9/13
 DRAWN BY: MAW
 PROJECT MANAGER: KSR
 9A/QC CHECK: KSR

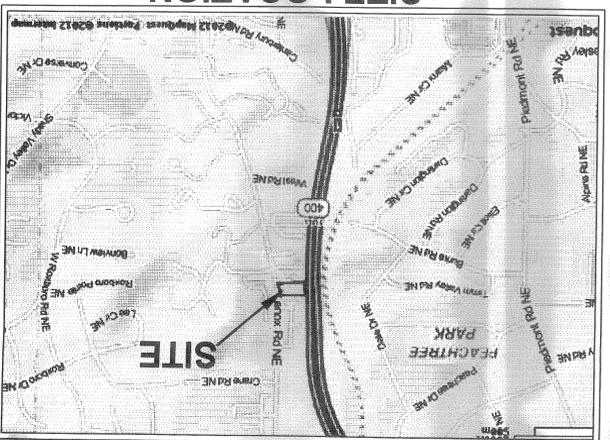
5-24-13	BUILDING REVISION
5-30-13	BUILDING REVISION

PROJECT:
3002 LENOX RD.
MULTI-FAMILY
 LAND LOTS 7 & 47
 DISTRICT 17
 CITY OF ATLANTA
 FULTON COUNTY, GA.



EBERTY & ASSOCIATES
 TEL: 770.452.7849 FAX: 770.452.0086
 ATLANTA, GEORGIA 30345
 WWW.EBERTY.NET

LAND PLANNING
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE



OWNER/DEVELOPER
 TREVOR SHONKWILER
 WATERS EDGE GROUP
 227 SANDY SPRINGS PLACE
 SUITE D51
 ATLANTA, GA. 30328
 678-776-7687

ENGINEER
 MIKE WRIGHT
 EBERTY & ASSOCIATES, INC.
 1852 CENTURY PLACE, SUITE 202
 ATLANTA, GEORGIA 30345
 (770) 452-7849
 KEVIN EDWARDS, P.E.
 678-776-7687

24 HOUR CONTACT
 TREVOR SHONKWILER
 678-776-7687

SHEET NO.	SHEET TITLE
PDH 1.0	PD-H SITE PLAN
C0.0	EXISTING SITE CONDITIONS
C1.0	BUILD-BACK PLAN
C2.0	GRADING & DRAINAGE PLAN
C3.0	FOUNDATION PLAN
C4.0	MITIGATION PLAN
TP1.0	TREE PROTECTION & REPLACEMENT PLAN