

14-0-1026
(Do Not Write Above This Line)

AN ORDINANCE
BY: ZONING COMMITTEE
Z-12-36

An Ordinance to rezone from the R-3 (Single Family Residential) District to the MR-3 (Multifamily Residential) District, property located at 3519 Roxboro Road, N.E. fronting approximately 46 feet on the east side of Roxboro Road beginning 24 feet from the northeast corner of Kingsboro Road. Depth: approximately 187 feet Area: approximately 0.50 acres. Land Lot 9, 17th District, Fulton County, Georgia.
OWNER: MARK G. MILLSAPS
APPLICANT: REX K. BRAY
NPU B
COUNCIL DISTRICT 7

ADOPTED BY *Substitute*
MAY 0 5 2014
COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: 1/21/14
Referred To: ZBRZ on 1/29 +
Date Referred:
Referred To:
Date Referred:
Referred To:
Referred To:

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*First Reading
Committee: *Zoning*
Date: *4/15/14*
Chair: *Milburn*
Referred To: _____

Committee: _____
Date: *4/15/14*
Chair: *Milburn*
Action: *ON SUBSTITUTION*
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
Readings

CERTIFIED
MAY 0 5 2014
ATLANTA CITY COUNCIL PRESIDENT

Mark G. Millsaps
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 1 4 2014

WITHOUT SIGNATURE
BY OPERATION OF LAW

3442



City Council
Atlanta, Georgia

14-O-1026

AN ORDINANCE
AS SUBSTITUTED
BY ZONING COMMITTEE

Z-12-36

Date Filed: 10-9-12

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

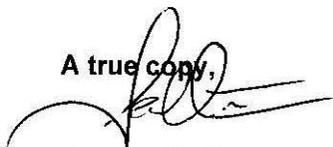
SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **3519 ROXBORO ROAD, N.E.**, be changed from the R-3 (Single Family Residential) District to the RG-3-C (Residential General-Sector 3-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 9, 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 by the Atlanta City Council
APPROVED as per City Charter Section 2-403

MAY 05, 2014
MAY 14, 2014



CONDITIONS FOR Z-12-36 FOR 3519 ROXBORO ROAD

1. The developer shall submit to the Office of Planning for review, before applying for a building permit, a streetscaping / landscaping plan to identify, at least, the following elements: sidewalks along the entire property street frontage, street trees, street lighting, landscaped buffer along the southern property line.

2-12-036

LEGAL DESCRIPTION

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

BEGINNING at a concrete monument found at the northerly end of the mitered intersection of the northeasterly right-of-way line of Roxboro Road (Variable R/W) with the southeasterly right-of-way line of Kingsboro Road (50' R/W); thence along said right-of-way line of Kingsboro Road the following courses and distances: North 56 degrees 35 minutes 04 seconds East a distance of 155.61 feet to a point; thence 96.55 feet along an arc of a curve to the right, said curve having a radius of 273.35 feet and a chord bearing and distance of North 70 degrees 40 minutes 37 seconds East 96.05 feet to an iron pin found; thence leaving said right-of-way line South 06 degrees 55 minutes 51 seconds East a distance of 100.26 feet to an iron pin found (PK nail); thence South 69 degrees 14 minutes 40 seconds West a distance of 220.93 feet to a point on said right-of-way line of Roxboro Road; thence along said right-of-way line North 38 degrees 41 minutes 39 seconds West a distance of 46.07 feet to a concrete monument found at said mitered intersection; thence along said miter North 06 degrees 28 minutes 48 seconds East a distance of 24.54 feet to a concrete monument and the POINT OF BEGINNING.

Said tract containing 0.492 acres (21,431 square feet).

City Council
Atlanta, Georgia

12-0-1433

Z-12-36

Date Filed: 10-9-12

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BY: ZONING COMMITTEE

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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 suffix "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.

C-1

RCS# 273
5/05/14
2:42 PM

Atlanta City Council

MULTIPLE

14-O-1026 AND 14-O-1016

ADOPT ON SUB

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

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

MULTIPLE