3435

14-O-1032

(Do Not Write Above This Line)

An Ordinance
By Zoning Committee Z-13-32

An Ordinance to rezone from the R-3 (Single Family Residential) District to the PD-H (Planned Development-Housing) District for property located at **4382 Wieuca Road, N.E,** fronting approximately 214 feet on the south side of Wieuca Road beginning approximately 318 feet from the south corner of land Lot 65. Depth: varies. Area: approximately 2.88 acres. Land Lot 65, 17th District, Fulton County, Georgia.
OWNER: JOHNSTON FAMILY TRUST
APPLICANT: MICAHELE. CLEMENTS
NPU B
COUNCIL DISTRICT 7

As Amended

ADVERSED BY CITY COUNCIL

MAY 05 2014

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

Date Referred 1/21/14
Referred To: ZRB + Zoning
Date Referred
Referred To:
Date Referred
Referred To:

First Reading
Committee Zoning
Date 1/15/14
Chair Yadrean
Referred To

Committee Zoning
Date 4/30/14
Chair Yadrean
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

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
Readings
☐ Consent ☐ V Vote ☑ RC Vote

CERTIFIED
MAY 05 2014
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
MAY 05 2014
MUNICIPAL CLERK

MAYOR'S ACTION

RCS# 274
5/05/14
2:44 PM

Atlanta City Council

MULTIPLE 14-O-1032 AND 14-O-1038

ADVERSE

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

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

MULTIPLE

City Council
Atlanta, Georgia

14-O-1032

AN AMENDED ORDINANCE Z-13-32
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 **4382 WIEUCA ROAD, N.E,** be changed from the R-3 (Single Family Residential) District to the PDH- (Planned Development-Housing), to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 65, 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.

CONDITIONS FOR Z-13-32 FOR 4362 WIEUCA ROAD

1. Subject to the revised site plan titled "Rezoning Site Plan – Wieuca Road Subdivision" by B. C. Engineering. Inc, dated March 4, 2014 and stamped received by the Office of Planning on March 6, 2014.

2. Developer shall obtain Final Plat approval from Office of Planning before making application for building permits.

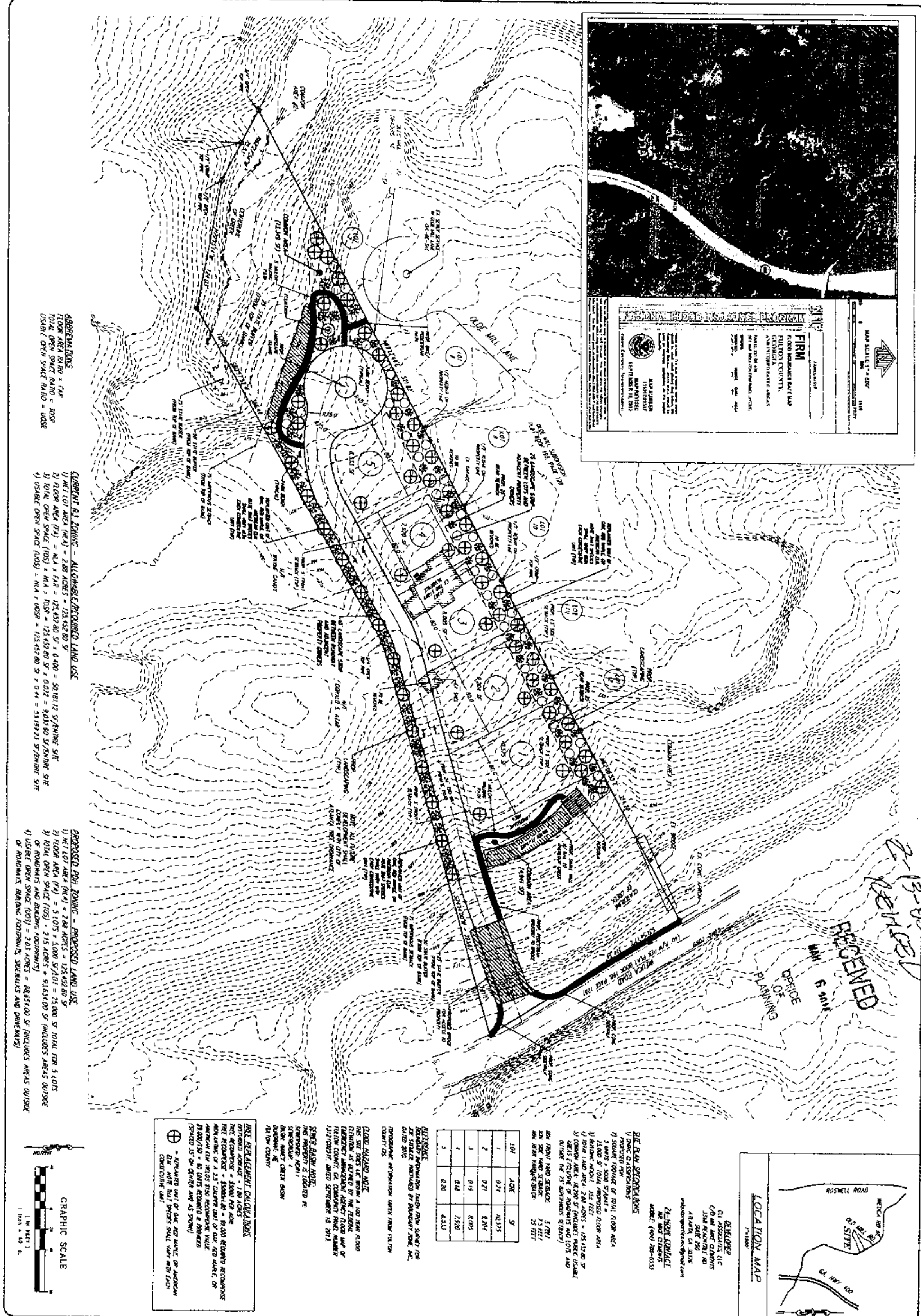
3. Developer shall provide the Office of Planning with recorded private covenants as a condition of the approval of the final plat. The document must contain details about ownership and maintenance program for the private street and the two common areas.

4. Property frontage along Wieuca Road as well as both sides of the new internal street shall be improved with new sidewalks according to Americans with Disabilities Act (ADA) and City of Atlanta standards, before approval of the final plat.

5. Any street lighting system for the private roadway shall be designed to allow no light spillage onto any adjoining property.

6. 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.

7. Development of the property shall be subject to all City of Atlanta development regulations including but not limited to, Office of Site Development, Fire Safety Engineer, Public Works Department as well as City of Atlanta Tree Ordinance.



DRAWN BY: BLM	REVISION	DATE	DESCRIPTION
CHECKED BY: BWC	3 & 4	7/22 & 7/29	PER CLIENT COMMENTS
DATE: 06/27/13	5	08/01/13	ADD TREE REPLACEMENT PER CLIENT COMMENTS
SCALE: 1" = 40'	6 & 7	9/20 & 10/3	PER CLIENT COMMENTS
LAND LOT: 65	8	10/22/13	ADDED DETENTION AREAS
DISTRICT: 17	9 & 10	12/5 & 12/6	REMOVED 1 LOT, REVISED PER CLIENT
SECTION:	11 & 12	1/21 - 2/14	REVISED PER CITY AND CLIENT COMMENTS
	13	3/3/14	REVISED PER CITY COMMENTS

SHEET NO. 1 OF 1

JOB NO. 2013-054

3/4/14

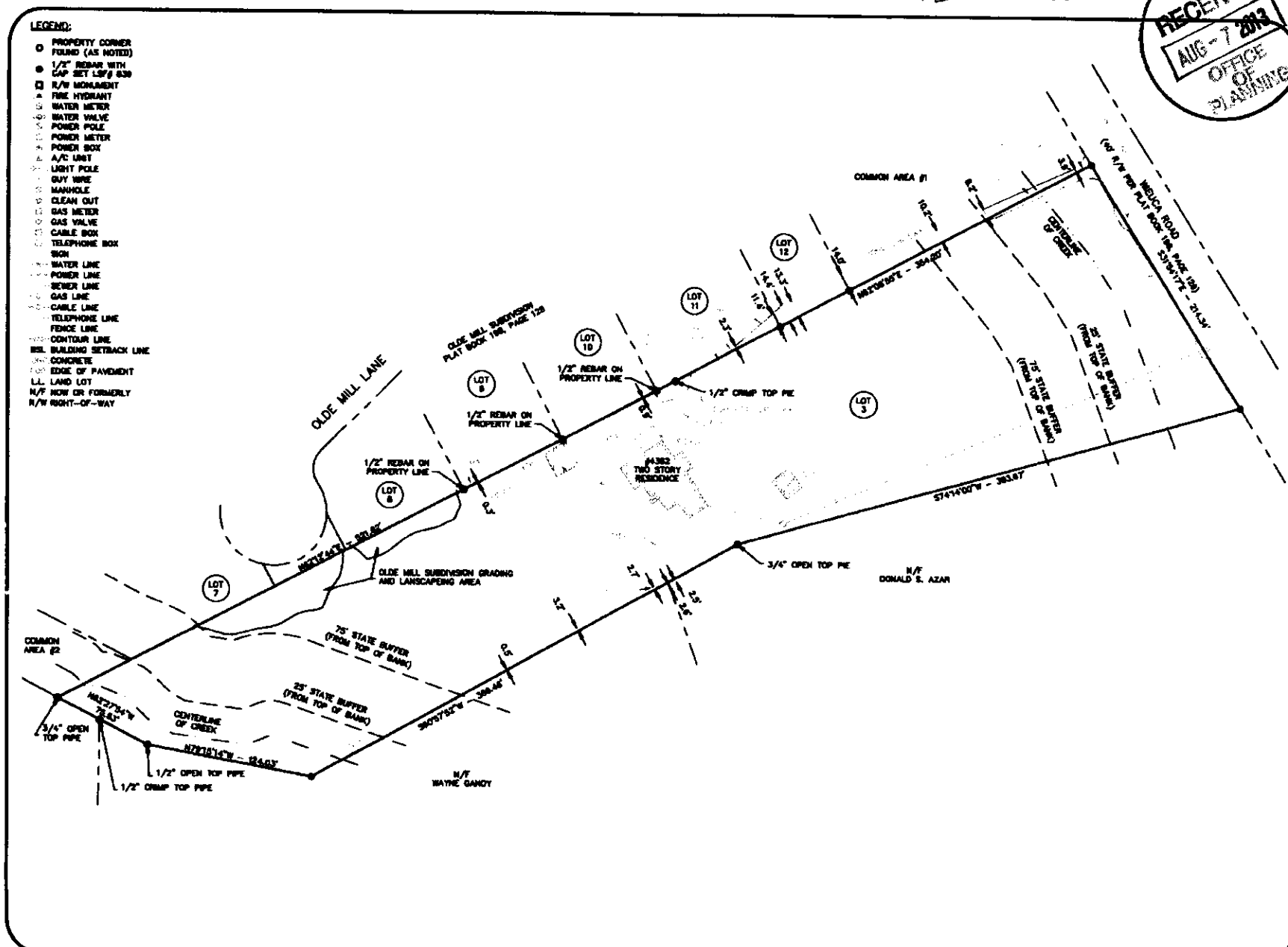
REZONING SITE PLAN
WIEUCA ROAD SUBDIVISION
LAND LOT 65
17th DISTRICT
CITY OF ATLANTA, FULTON COUNTY GEORGIA
PREPARED FOR
MR. MIKE CLEMENTS

B.C. ENGINEERING, INC.
116 NORTH MAIN ST.
CUMMING, GA 30040
PHONE: (770) 205-6181
FAX: (770) 205-6162
EMAIL: office@bcengineering-ga.com

Z-13-032

RECEIVED
AUG - 7 2013
OFFICE OF PLANNING

E.8.a



BOUNDARY SURVEY

PREPARED FOR JOE STEMLER
LOT 3, H. J. BRUCE PROPERTY SUBDIVISION
LAND LOT 65, 17TH DISTRICT,
CITY OF ATLANTA, FULTON COUNTY, GEORGIA - 07/20/10

PLAT BOOK 198, PAGE 128 NORTH

SCALE 1"=50'

NOT VALID WITHOUT ORIGINAL SIGNATURE

PROJECT 1055201

SHEET 1 OF 1

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH CURRENT AND BURDEN THIS PROPERTY.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON AND DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

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THIS DRAWING AND ITS REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.

TOTAL AREA: 126,024 SQUARE FEET / 2.892 ACRES.

BOUNDARY REFERENCE SURVEY FOR HERITAGE HOMES INC., PREPARED BY SOUTHERN & MARTINO COMPANY, INC. DATED 12/04/06; PLAT BOOK 198, PAGE 128. FIELDWORK PERFORMED ON 09/19/10; DEED BOOK 40201, PAGE 208; PLAT BOOK 12, PAGE 44; PLAT BOOK 198, PAGE 128.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN +10,000 FEET.

THIS PLAT HAS BEEN PREPARED USING A TRIMBLE 5600 ROBOTIC TOTAL STATION. THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET, AND ANGULAR ERROR OF 10 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

BOUNDARY zone, inc. LAND SURVEYING SERVICES
WWW.BOUNDARYZONE.COM
(770) 271-5772 / (919) 363-9226

GRAPHIC SCALE - IN FEET
25 0 50 100 150

Attachment: Z-13-32 (13-O-1226 : Z-13-32 An Ordinance to rezone 4382 Wieuca Road from R-3 to PDH)

All that tract or parcel of land lying and being in Land Lot 65 of the 17th District of Fulton County, Georgia, being Lot 3 of the Subdivision of M.J. Bruce Property, according to plat which is recorded in Plat Book 12, page 44, Fulton County records, and being more particularly described as follows:

BEGINNING at a point on the southwesterly side of Wieuca Road, three hundred eighteen (318) feet northerly and northwesterly, as measured along the westerly and southwesterly sides of Wieuca Road, from the point of intersection of the westerly side of Wieuca Road and the south line of Land Lot 65; thence running northwesterly along the southwesterly sides of Wieuca Road, two–hundred fourteen and five-tenths (214.5) feet; thence south 59 degrees 45 minutes west, three hundred sixty-seven (367) feet; thence continuing south 60 degrees 15 minutes west, five hundred twenty-three (523) feet; thence south 68 degrees 30 minutes east, seventy-seven (77) feet; thence continuing south 81 degrees east one hundred twenty-five (125) feet; thence north 60 degrees 15 minutes east, three hundred sixty-seven (367) feet; thence continuing north 73 degrees east, three hundred ninety-four (394) feet is the southwesterly side of Wieuca Road and the point of beginning.