COMMITTEE AMENDMENT FORM

DATE: 11/01/ 06

COMMITTEE ZONING

PAGE NUM. (S) _

ORDINANCE I. D. #06-O-0952

SECTION (S)

RESOLUTION I. D. #06-R-

PARA.

AMENDS THE LEGISLATION BY ADDING THREE (3) CONDITIONS ONE OF WHICH IS A SITE PLAN RECEIVED BY THE BUREAU OF PLANNING 05/15/06.

AMENDMENT DONE BY COUNCIL STAFF 11/01/06.

City Council
Atlanta, Georgia

06-O-0952

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-39
Date Filed: 4-06-06

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 **788, 846 and 856 Canterbury Road, N.E.** be changed from the R-3 (Single-family Residential) District to the RG-2-C (Residential General-Sector 2-Conditional) District to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 7 and 47 of the 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

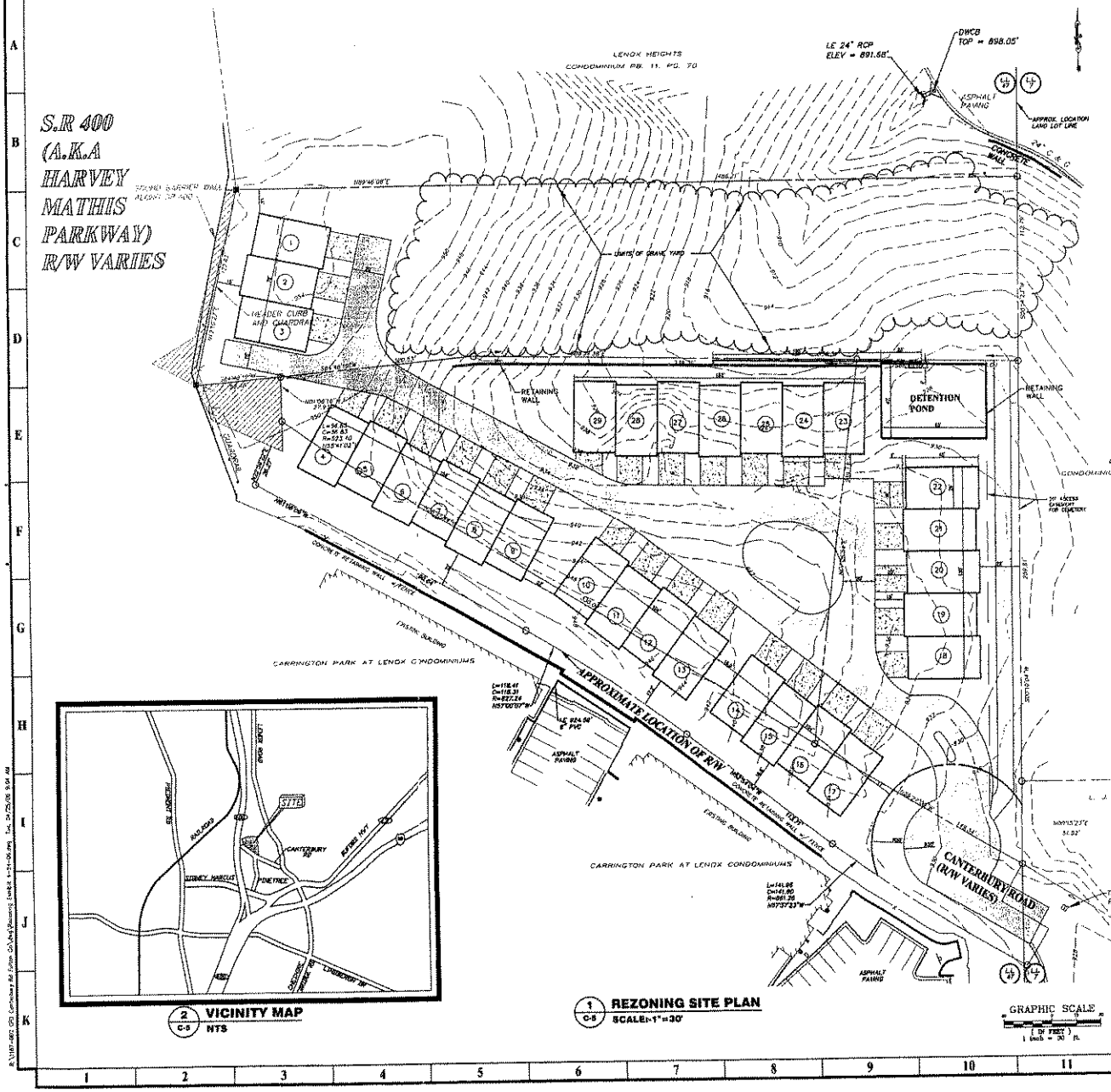
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall 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 That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR Z-06-39 for 788, 846, and 856 Canterbury Road, N.E.

1. A site plan that is similar to the site plan titled, "Rezoning Site Plan – Canterbury Ridge Residential Development", prepared for Capital Partners Development, prepared by Prime Engineering, Inc, dated 04/24/06 and stamped as received by the Bureau of Planning on 5/15/06.
2. Clear access must be provided to the cemetery.
3. The cemetery will be maintained by the homeowners association.



2 VICINITY MAP
C-S NTS

1 REZONING SITE PLAN
C-S SCALE=1"=30'

CANTERBURY RIDGE RESIDENTIAL DEVELOPMENT

DEVELOPER:

CAPITAL PARTNERS DEVELOPMENT, INC.
255 EAST PACES FERRY RD.
SUTTE 440
ATLANTA, GA 30305
CONTACT: RON HELLER, 404-217-8796

LAND LOT 47, 17TH DISTRICT, CITY OF ATLANTA, GEORGIA

SITE AREA: 3.6253 ACRES

CURRENT ZONING: R3
PROPOSED ZONING: R-G3

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Z-06-39

FRONT, REAR, AND SIDE SETBACKS ARE PER R-G3 ZONING REQUIREMENTS
(D=4+s+L/10)
WHERE:
s=HEIGHT IN STORIES
D=DEPTH IN FEET
L=LENGTH IN FEET

PROPOSED UNITS = 29
DENSITY=8.1 UNITS/ACRE

TOTAL OPEN SPACE = 2.85 ACRES (79%)
REQUIRED = 2.61 ACRES (72%)

USABLE OPEN SPACE = 2.02 ACRES (55%)
REQUIRED = 1.56 ACRES (43%)

PARKING PROVIDED = 58 SPACES
REQUIRED = 35 SPACES

BUILDING SIZE = 45' X 26'

BUILDING HEIGHT = 35' MAXIMUM

Z 06-39

FAR:
15 UNITS X 2,160 SF/UNIT = 32,400 SF
14 UNITS X 1,760 SF/UNIT = 24,640 SF
SITE AREA = 3.6253 AC + 0.2268 AC(R/W)
= 167,797 SF
57,040 SF / 167,797 SF = 0.34
THEREFORE FAR = 0.34
THIS FAR FALLS IN SECTOR 3 OF THE R-G (RESIDENTIAL GENERAL) DISTRICT REGULATIONS

PRIME ENGINEERING INCORPORATED
1555 PEACHTREE STREET, N.E., SUITE 300
ATLANTA, GEORGIA 30309
404-885-7180

PROJECT: CANTERBURY RIDGE RESIDENTIAL DEVELOPMENT
PREPARED FOR: CAPITAL PARTNERS DEVELOPMENT

REVISIONS

NO.	DATE	DESCRIPTION

SEAL
DATE: 4/13/06

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DRAWING TITLE: REZONING SITE PLAN

DRAWN BY: MCM	DRAWING DATE: 04/24/06
DESIGNED BY: MCM	DRAWING SCALE: 1"=30'
CHECKED BY: RBM	PROJECT NUMBER: 1187-1023
DRAWING NUMBER: Z-1	NOT ISSUED FOR CONSTRUCTION

06- O -0952

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-06-39
Date Filed: 4-06-06

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 **788, 846 and 856 Canterbury Road, N.E.,** be changed from the R-3 (Single-family residential) District to the RG-3 (Residential General-Sector 3) District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lots 7 and 47 of the 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.

842, 846 & 856 Canterbury Rd

Z-06-39

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WRITTEN DESCRIPTION
OVERALL BOUNDARY

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 47 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, CONTAINING 3.6253 ACRES OR 157,918 SQ. FT. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF CANTERBURY ROAD (50' R/W) AND THE EAST LINE OF LAND LOT 47; RUN THENCE SOUTH 29 DEGREES 48 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 26.77 FEET TO A POINT; RUN THENCE SOUTH 59 DEGREES 20 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 33.66 FEET TO A POINT; RUN THENCE SOUTH 32 DEGREES 27 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 25.69 FEET TO A POINT ON THE EAST LINE OF SAID LAND LOT 47; RUN THENCE FOLLOWING A CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 141.96 FEET (HAVING A RADIUS OF 861.25' SUBTENDED BY A BEARING OF NORTH 57 DEGREES 37 MINUTES 23 SECONDS WEST AND A CHORD LENGTH OF 141.80 FEET) TO A POINT; RUN THENCE NORTH 52 DEGREES 54 MINUTES OF SECONDS WEST FOR A DISTANCE OF 113.71 FEET TO A POINT; RUN THENCE FOLLOWING A CURVE TO THE LEFT FOR AN ARC DISTANCE OF 118.41 FEET (HAVING A RADIUS OF 827.24' SUBTENDED BY A BEARING OF NORTH 57 DEGREES 00 MINUTES 07 SECONDS WEST AND A CHORD LENGTH OF 118.31 FEET) TO A POINT; RUN THENCE NORTH 61 DEGREES 06 MINUTES 09 SECONDS WEST FOR A DISTANCE OF 190.64 FEET TO A POINT; RUN THENCE NORTH 22 DEGREES 59 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 26.27 FEET TO A POINT; RUN THENCE SOUTH 64 DEGREES 53 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 7.77 FEET TO A POINT; RUN THENCE NORTH 01 DEGREES 06 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 19.02 FEET TO AN IRON PIN SET ON THE EASTERLY RIGHT-OF-WAY OF S.R 400 (VARIABLE R/W); THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF S.R 400 THE FOLLOWING (3) THREE CALLS; NORTH 01 DEGREES 06 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 27.93 FEET TO AN IRON PIN SET; THENCE SOUTH 84 DEGREES 48 MINUTES 19 SECONDS WEST FOR A DISTANCE OF 52.48 FEET TO A 1/2" REBAR SET AT THE FACE OF A SOUND BARRIER WALL; THENCE NORTH 12 DEGREES 10 MINUTES 22 SECONDS EAST FOR A DISTANCE OF 122.63 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 89 DEGREES 46 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 486.21 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 00 DEGREES 14 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 112.79 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 00 DEGREES 10 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 259.61 FEET TO A 3/4" CRIMP TOP PIPE FOUND; THENCE SOUTH 00 DEGREES 15 MINUTES 23 SECONDS WEST FOR A DISTANCE OF 51.52 FEET TO A 1/2" OPEN TOP PIPE AND THE TRUE POINT OF BEGINNING.

Exhibit "A"

ALL THAT TRACT OR PARCEL of land lying and being in Land Lot 47 of the 17th District of Fulton County, Georgia, being 0.085 acres and being more particularly described as follows:

BEGINNING at an iron pin found at the intersection of the northerly right of way of Canterbury Road and the easterly Land Lot Line of Land Lot 47; running thence North 00 degrees 13 minutes 13 seconds West along the easterly Land Lot Line of Land Lot 47 a distance of 311.38 feet to an iron pin found; running thence North 88 degrees 50 minutes 13 seconds West a distance of 100.10 feet to an iron pin found; running thence North 89 degrees 05 minutes 04 seconds West a distance of 239.34 feet to an iron pin found; running thence South 84 degrees 53 minutes 32 seconds West a distance of 73.44 feet to a point and the TRUE POINT OF BEGINNING; running thence South 84 degrees 53 minutes 32 seconds West a distance of 99.54 feet to a concrete monument; running thence North 12 degrees 37 minutes 01 Seconds East a distance of 43.25 feet to a point; running thence North 89 degrees 58 minutes 22 seconds East a distance of 99.94 feet to a point; running thence South 17 degrees 02 minutes 34 seconds West a distance of 34.92 feet to a point and the TRUE POINT OF BEGINNING; being known as Tract 3 as shown on a plat of survey for Piney Grove Baptist Church, dated 04/15/01, prepared by W.E. Clonts, RLS #2166, Tru-Line Surveying, Inc.

~~84 Canterbury Rd~~

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Z-06-39

RCS# 231
5/01/06
3:04 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-0952, 0953, 0954, 0955, 0956, 0957, 06-O-0958, 0959, 0960, 0961, 0962 & 0967
REFER

YEAS:	11
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	4
EXCUSED:	0
ABSENT	1

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
NV Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE