

18-O-1101

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**AN ORDINANCE BY
ZONING COMMITTEE**

Z-17-103 An Ordinance by Zoning Committee to rezone from R-3 (Single Family Residential) to RG-2 (Residential General Sector 2) for property located at **2621 Shady Valley Drive, N.E.** fronting 232 feet on the east side of Shady Valley Drive, N.E. and beginning at the intersection of Shady Valley Drive, N.E. and Buford Highway, N.E. Depth: varies. Acres: 1.593 acres Land Lot 6, 17th District Fulton County, Georgia.

OWNER: NELSON FAERBER

APPLICANT: CHERYL FAERBER

NPU B COUNCIL DISTRICT 7

ADOPTED BY
Adopt AS Amended 6/18/2018
JUN 18 2018

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

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ADOPTED BY
Adopt AS Amended 6/18/2018
JUN 18 2018

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2/17/18

ZB3+Zoning

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CITY COUNCIL
ATLANTA, GEORGIA

**AN AMENDED ORDINANCE
BY ZONING COMMITTEE**

AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM R-3 (SINGLE FAMILY RESIDENTIAL) TO RG-2-C (RESIDENTIAL GENERAL SECTOR 2 CONDITIONAL) FOR PROPERTY LOCATED AT 2621 SHADY VALLEY DRIVE, N.E. FRONTING 232 FEET ON THE EAST SIDE OF SHADY VALLEY DRIVE, N.E. AND BEGINNING AT THE INTERSECTION OF SHADY VALLEY DRIVE, N.E. AND BUFORD HIGHWAY, N.E. DEPTH: VARIES. ACRES: 1.593 ACRES LAND LOT 6, 17TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: NELSON FAERBER APPLICANT: CHERYL FAERBER NPU B COUNCIL DISTRICT 7

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 2621 Shady Valley Drive, N.E. be changed from R-3 (Single Family Residential) to RG-2-C (Residential General Sector 2 Conditional); and for other purposes:

ALL THAT TRACT or parcel of land lying in Land Lot 6, 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 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.

A true copy,

Deputy Clerk

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

JUN 18, 2018
JUN 27, 2018



Conditions for Z-17-103
2621 Shady Valley Drive, N.E.

1. Pursuant to Sec. 16-28.007(4)(b) (regular corner lots), the lot front shall be along Shady Valley Drive (being the shortest boundary adjacent to a street). Pursuant to Sec. 16-08.008(1), the required front yard depth (aka setback) along Shady Valley Drive shall be forty (40) feet from the property line. Pursuant to Sec. 16-28.007(5)(b) (measurements of yards adjacent to public streets other than lot front), there shall be a half-depth front yard parallel to Buford Highway of twenty (20) feet from the property line. These two yards shall be measured in the manner set forth in Sec. 16-28.007(5)(g). This condition of rezoning setting forth the required yards pursuant to the above-reference code provisions (or in the alternative establishing such lines pursuant to Sec. 16-28.007(5)(h) entitled "setback lines established by council") is adopted to ameliorate adverse effects of the rezoning on surrounding properties articulated at the public hearing. However, this condition shall not preclude variance application to the Board of Zoning Adjustment to reduce the required yard(s) set forth herein.

CONROY & ASSOCIATES, P.C.

END LO# 004	S/PATTU 7-23-07	1000 ANTI-COUNT
SHEET 12	DRAWN 7-27-07 BY: BF	BLVD CA 9018
SAFT PILLON	SCALE 1"=20'	BLVD CA 9018
		(100) 101.8172
		ALP 27

SCALE: 1" = 20'



TOTAL AREA=
69,377 SQ.FT.
1.593 ACRES

STREAM BUFFERS

7. 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

SITE IS ZONED: R3

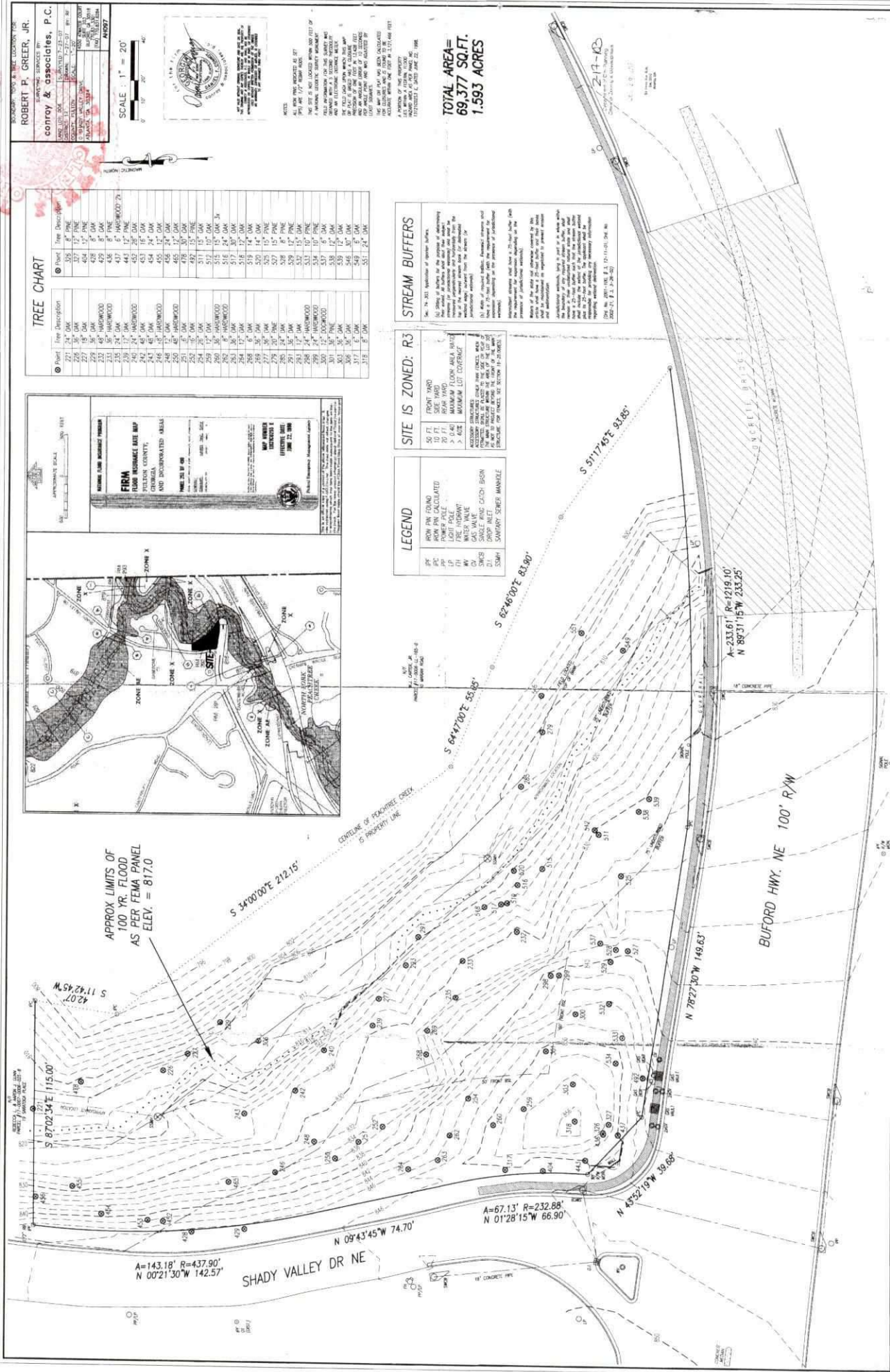
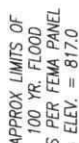
50 FT.	FRONT YARD		
10 FT.	SIDE YARD		
20 FT.	REAR YARD		
> 0.40	MAXIMUM FLOOR AREA RATIO		
> 40%	MINIMUM LOT COVERAGE		

SEMI-DETACHED STRUCTURES

SEMI-DETACHED STRUCTURES COME WITH TUNNELS. WHEN THE TUNNELS ARE PLACED TO THE SIDE OF THE LOT, THE MINIMUM SIDE YARD SETBACK SHALL BE PLACED TO THE SIDE OF THE LOT. IF THE MAIN STRUCTURE WITHIN THE AREA OF THE LOT IS NOT TO PROJECT BEYOND THE FRONT OF THE MAIN STRUCTURE, THE MINIMUM FRONT SETBACK SHALL BE 10 FEET.

LEGEND

IF	IRON PIN FOLD
IPC	IRON PIN CALCULATED
PP	POWER POLE
LP	LIGHT POLE
TH	THIR HYDRANT
WV	WATER VALVE
GV	GAS VALVE
SNGB	SINGLE KING CATCH BASIN
D1	DROP INLET
SSMH	SANITARY SENDER MANHOLE





LAND DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 6 of the 17th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a the northwesterly end of the mitered intersection of the northerly R/W line of Buford Highway (100' R/W) with the easterly R/W line of Shady Valley Drive; thence running along said R/W line of Shady Valley Drive the following courses and distances: along a curve to the left with a radius of 232.88 feet and an arc length of 67.13 feet, said curve having a chord bearing of North 01 degrees 28 minutes 15 seconds West and a chord distance of 66.90 feet to a point; THENCE North 09 degrees 43 minutes 45 seconds West a distance of 74.70 feet to a point; THENCE along a curve to the right with a radius of 437.90 feet and an arc length of 143.18 feet, said curve having a chord bearing of North 00 degrees 21 minutes 30 seconds West and a chord distance of 142.57 feet to a point; THENCE leaving said R/W line South 87 degrees 02 minutes 34 seconds East a distance of 115.00 feet to a point; THENCE South 11 degrees 42 minutes 45 seconds West a distance of 42.07 feet to a point; THENCE South 34 degrees 00 minutes 00 seconds East a distance of 212.15 feet to a point; THENCE South 64 degrees 47 minutes 00 seconds East a distance of 55.05 feet to a point; THENCE South 62 degrees 46 minutes 00 seconds East a distance of 83.90 feet to a point; THENCE South 51 degrees 17 minutes 45 seconds East a distance of 93.85 feet to a point on the northerly R/W line of Buford Highway; THENCE running along a said R/W line the following courses and distances: along a curve to the right with a radius of 1219.10 feet and an arc length of 233.61 feet, said curve having a chord bearing of North 89 degrees 31 minutes 15 seconds West and a chord distance of 233.25 feet to a point; THENCE North 78 degrees 27 minutes 30 seconds West a distance of 149.63 feet to a point at the southeasterly end of the mitered intersection of the northerly R/W line of Buford Highway with the easterly R/W line of Shady Valley Drive; THENCE running along said mitered intersection North 43 degrees 52 minutes 39 seconds West a distance of 39.68 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 1.593 acres and is described hereon per a Boundary, Topo & Tree Location for Robert P. Greer, Jr, prepared by Conroy and Associates, P.C., dated 7-27-07.

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VOTE RECORD - ORDINANCE 18-O-1101																																																																																																						
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18-O-1101

**Adopted by the Atlanta City Council
June 18, 2018**

APPROVED

JUN 27 2018

**WITHOUT SIGNATURE
BY OPERATION OF LAW**

MAYOR'S ACTION