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## CITY COUNCIL AGENDA ITEM

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**TO:** Mayor & City Council

**DATE:** December 11, 2014

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** **201401682** - 6079 Boylston Road, *Applicant: Southtech Homes, LLC*, to rezone from R-4 (Single Family Dwelling District) to A (Medium Density Apartment District) for the development of a 17-lot townhome development, with concurrent variances

**MEETING DATE:** For Submission onto the December 16, 2014, City Council Regular Meeting Agenda

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**BACKGROUND INFORMATION:** *(Attach additional pages if necessary)*

See attached:

Memorandum  
Rezoning Petition

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CITY MANAGER APPROVAL: \_\_\_\_\_

PLACED ON AGENDA FOR: **12/16/2014**

CITY ATTORNEY APPROVAL REQUIRED: (  ) YES (  ) NO

CITY ATTORNEY APPROVAL: \_\_\_\_\_



To: John McDonough, City Manager  
From: Angela Parker, Director of Community Development   
Date: December 3, 2014 for submission onto the December 16, 2014 City Council meeting  
Agenda Item: 201401682 6079 Boylston Drive

**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

**APPROVAL CONDITIONAL** of a request to rezone the subject property from R-4 (Single Family Dwelling District) to A (Medium Density Apartment District) to allow for the development of 17 townhomes and concurrent variances 1-3,5 and 6. **Withdrawal** on concurrent variance number 4.

*The applicant submitted a revised site plan on Tuesday, December 2, 2014. The applicant has made the following changes to the site plan and application:*

- Moved the driveways to the rear of the units
- Reduced the number of units from 17 to 15
- Changed variances as shown below
- Withdrawal of variance number 4 (on-street parking)
- Added variance number 6 (side setback reduction)
- Reduced curb cuts from 3 to 2
- Worked out an agreement with the neighbors (except the percentage of cedar shake siding in the rear)

**Request:**

To rezone the subject property from R-4 (Single Family Dwelling District) to A (Medium Density Apartment District) to allow for the development of 15 townhomes, with concurrent variances.

Additionally, the applicant is requesting five (5) concurrent variances from the Zoning Ordinance and one (1) from the Development Regulations as follows:

1. Variance from Section 4.23.1 to reduce the required front yard landscape strip from 40 feet to 10 feet.
2. Variance from Section 4.23.1 to reduce the fifty (50) foot rear buffer and ten (10) foot improvement setback to allow the encroachment of the driveway, detention pond, grading and replanting as shown on the site plan.
3. Variance from Section 7.3.3.B to reduce the front yard setback from 40 feet to 10 feet.
4. Variance from Section 12B.4 to delete the on street parking requirement of the Main Street Overlay District regulations.
5. Variance from Section 103-72.e.3 to allow more than three (3) single family residences to share a common driveway.
6. Variance from Section 7.3.3.C to reduce the interior side setback from twenty- five (25) feet to ten (10) feet.

**COMMUNITY DEVELOPMENT**

**MAYOR AND CITY COUNCIL- November 18, 2014**

The Council deferred the application to the December 16, 2014 Mayor and City Council meeting to allow the applicant to continue working with the community and consider moving the driveways to the rear of the units.

**MAYOR AND CITY COUNCIL- October 21, 2014**

The Council deferred the application to the November 18, 2014 Mayor and City Council meeting to allow the applicant to continue working with the community.

**PLANNING COMMISSION RECOMMENDATION- September 18, 2014**

The petition was heard at the July 17, 2014 Planning Commission meeting. Tart moved to recommend deferral seconded by Maziar. The Commission recommended approval (5-1, Maziar, Tart, Porter, Nickles and Squire for; Frostbaum against; and Duncan not voting), with staff conditions amended with the approval of all variances and to allow a maximum 15 foot deck off the face of the rear veneer of the building as long as it doesn't affect any specimen trees.

**MAYOR AND CITY COUNCIL- August 19, 2014**

The petition was heard at the August 19, 2014 Mayor and City Council meeting. The Council deferred the application to the September 18, 2014 Planning Commission and the October 21, 2014 Mayor and City Council meeting to allow the applicant to revise the site plan for the staff and neighbors to review.

**PLANNING COMMISSION RECOMMENDATION- July 17, 2014**

The petition was heard at the July 17, 2014 Planning Commission meeting. Tart moved to recommend deferral seconded by Maziar. The Commission deferral (5-0, Maziar, Porter, Frostbaum, Tart, and Squire for; Nickles absent and Duncan not voting), to September 18th Planning Commission and October 21st Mayor and City Council to allow the applicant to revise the site plan for the staff and neighbors to review.

**PROPERTY INFORMATION**

<b>Address, Land Lot, and District</b>	6079 Boylston Drive Land Lot 71, District 17 <sup>th</sup>
<b>Council District</b>	3 (Graham McDonald)
<b>Frontage</b>	550.43' along the east side of Boylston Drive
<b>Area</b>	2.14 acres
<b>Existing Zoning and Use</b>	R-4 (Single Family Dwelling District) currently developed with a single family home.
<b>Overlay District</b>	N/A
<b>2027 Comprehensive Future Land Use Map Designation</b>	R5-8 (5 to 8 units per acre)
<b>Proposed Zoning</b>	A (Medium Density Apartment District)

**APPLICANT/PETITIONER INFORMATION**

<b>Property Owner</b>	<b>Petitioner</b>	<b>Representative</b>
HDK Properties, LLLP	South Tech Homes, LLC	Mark Shaw

**HEARING & MEETING DATES**

<b>Community Zoning Information Meeting</b> May 27, 2014	<b>Community Developer Resolution Meeting</b> June 26, 2014	<b>Planning Commission Hearing</b> July 17, 2014 September 18, 2014	<b>Mayor and City Council Hearing</b> August 19, 2014 October 21, 2014 November 18, 2014 December 16, 2014
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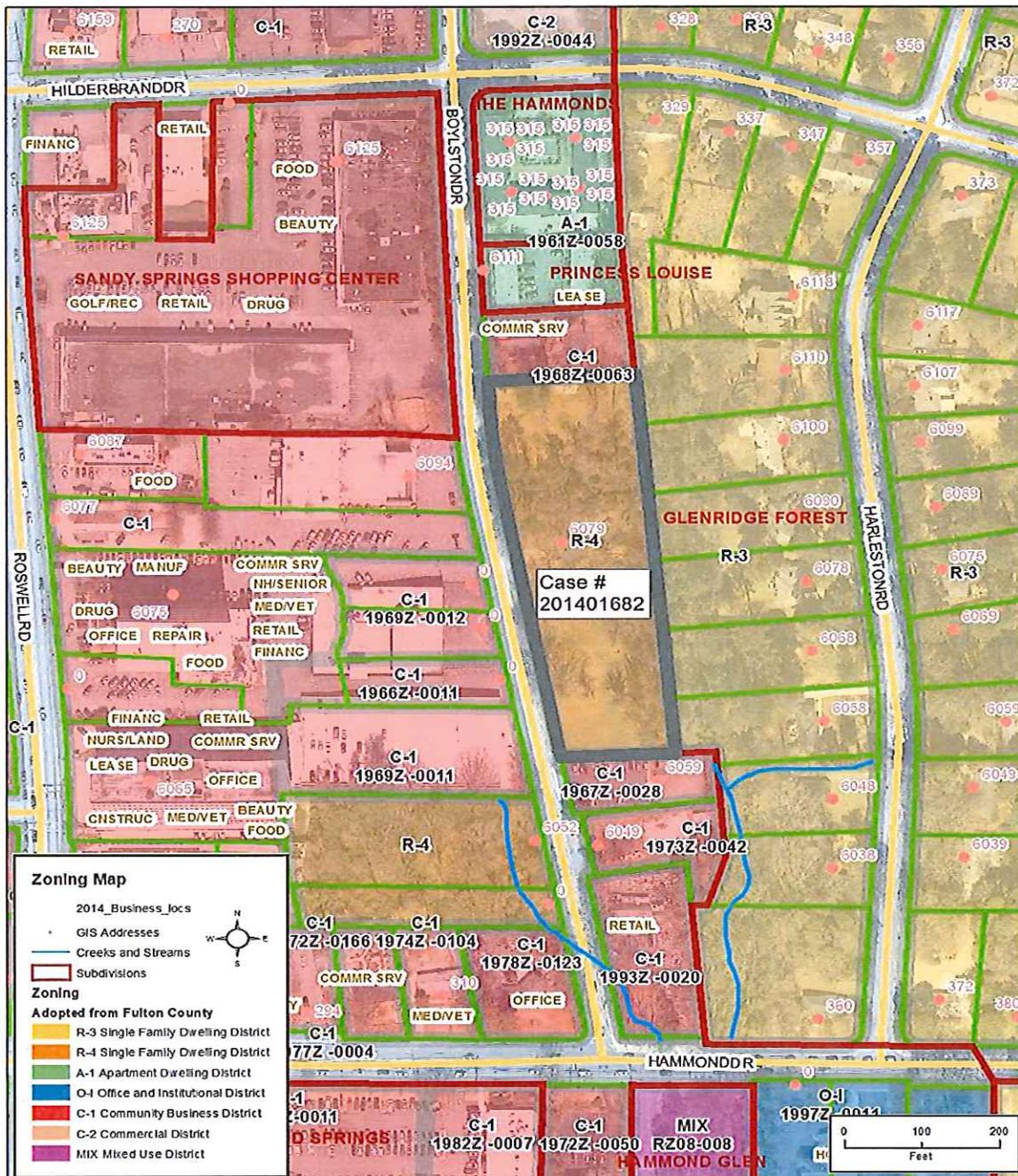
**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES**

<b>SUBJECT PETITION 201401601</b>	<b>Requested Zoning</b>	<b>Proposed Use</b>	<b>Land Area (Acres)</b>	<b>Units</b>	<b>Density (Units per Acre)</b>
	TR	Townhomes	2.14	15	7.01 units/ac

<b>Location in relation to subject property</b>	<b>Zoning</b>	<b>Use</b>	<b>Land Area (Acres)</b>	<b>Square Footage or Number of Units</b>	<b>Density (Square Feet or Units Per Acre)</b>
North	A-1 Z61-0058	6111 Boylston Drive Princess Louise Apartment	±0.4331	8 units	±18.47 units/ac
North	C-1 Z68-0063	6105 Boylston Drive	±0.394	±1,108 sf	±3.57 units/ac
East	R-3	Glenridge Forrest Subdivision	±3.7	6 units	±1.62 units/ac
South	C-1 Z67-0028	6059 Boylston Drive	±0.3557	±10,188 sf	±6,708.60 sf/ac
South	C-1 Z73-0042	6049 Boylston Drive	±0.76	±2,382 sf	±28642.11 sf/ac
West	C-1	6125 Roswell Road Sandy Springs Shopping Center	±4.399	±67,248 sf	±15,287.11 sf/ac
West	C-1	6094 Roswell Road	±0.8	±13,998 sf	±17,497.5 sf/ac
West	C-1 Z68-0012 Z66-0011	6675 Roswell Road	±3.0	±127,427	±31,723.66 sf/ac
West	C-1 Z69-0011	6065 Roswell Road	±2.0218	±289,068 sf	±142,975.56

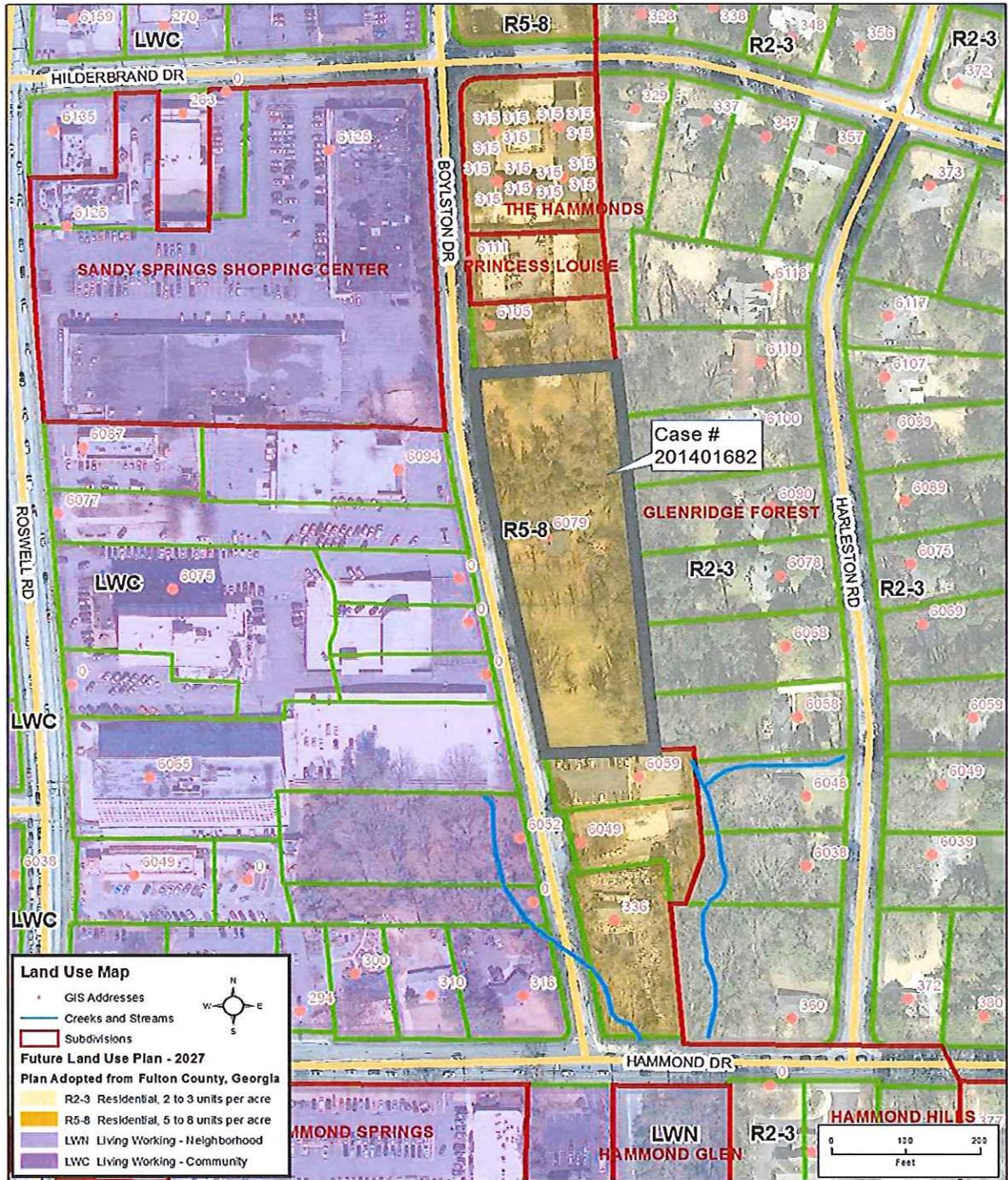
Zoning Map

6079 Boylston Drive



Future Land Use Map

6079 Boylston Drive



## ZONING IMPACT ANALYSIS

Per Article 28.4.1, *Zoning Impact Analysis by the Planning Commission and the Department*, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors:

*A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*

Findings: The staff is of the opinion that the proposed use is suitable in view of the use and development of adjacent and nearby property. The surrounding area consists of C-1 (Community Business District) to the north, south, west; R-3(Single Family Dwelling District) to the east.

*B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*

Findings: The staff is of the opinion that the proposal if approved would have an adverse impact on the use or usability of adjacent or nearby properties during construction because of the grading and re-planting of the fifty (50) buffer. However, the use would be consistent with adjacent properties. The Future Land Use map recommends R5-8 (Residential 5-8 units per acre) The proposed density of 7.01 units per acre is consistent with the Comprehensive Plan density of residential 5-8 units per acre. The surrounding properties consist of a variety of housing and commercial uses. Additionally, the proposal provides a transition between the commercial uses to the north, south and west to the single family uses to the east.

*C. Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.*

Findings: The staff is of the opinion that the subject property has a reasonable economic use as currently zoned.

*D. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.*

Findings: The staff is of the opinion that the proposal will not result in a use which will cause an excessive or burdensome use of the existing infrastructure. The applicant has reduced the previously requested twenty-two (22) curb cuts on Boylston Road to three (3) allowing streetscape to be installed consistent with the City Center Master Plan. The applicant is requesting a variance to delete the on street parking requirement. The proposed development will be required to meet all current City codes and ordinances, which will require a stormwater management system.

*E. Whether the zoning proposal is in conformity with the policies and intent of the land use plan.*

Findings: The staff is of the opinion that the proposed use is consistent with the intent of the Comprehensive Plan as it relates to transitional uses. The proposal would provide a transition from the more intense commercial uses along Roswell Road. Additionally, the proposal is also consistent with the Future Land Use Map designation of R 5-8 (Residential 5-8 units per acre). The applicant is proposing a density of 7.01 units per acre.

*F. Whether there are other existing or changing conditions affecting the use and development of the*

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*property which give supporting grounds for either approval or disapproval of the zoning proposal.*

Findings: The staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

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G. *Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.*

Findings: The staff is of the opinion that the proposal would not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Sandy Springs. The proposal will be required to meet all current City codes.

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### **VARIANCE CONSIDERATIONS**

Article 22 Appeals, of the Zoning Ordinance indicates the following are considerations in granting variances, of which only one has to be proven:

1. *Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,*
2. *The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or*

The applicant is requesting five (5) concurrent variances as outlined below. The applicant has indicated that the variances being requested will be in harmony with the policy and intent of the Zoning Ordinance and will not result in any harm to the health, safety and welfare of the general.

1. Variance from Section 4.23.1 to reduce the required front yard landscape strip from 40 feet to 10 feet.

Findings:

*Staff is of the opinion that the request to reduce the forty (40) foot front landscape strip to ten (10) foot is in harmony with the intent on the Zoning Ordinance and would not cause a detriment to the public. The applicant is proposing to pull the building close to the road to meet the buffer requirements in the rear of the property. The property is wide along Boylston Road, but only has 171 feet on depth which tapers to 102 feet on the south property line. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.*

2. Variance from Section 4.23.1 to reduce the 50 foot rear buffer and ten (10) foot improvement setback to allow the encroachment of the driveway, detention pond, grading and replanting as shown on the site plan.

Findings:

*Staff is of the opinion that the reduction of the required fifty (50) foot rear yard buffer and 10 foot improvement setback to allow the encroachment of the driveway, detention pond, grading and replanting as shown on the site plan is in harmony with the intent of the Zoning Ordinance. The request is to allow a portion of the driveway and the detention pond to encroach to buffer as shown on the site plan. Additionally, the applicant has agreed to plant a berm along the rear property line with trees planted on top to screen the development from the properties to the east. Staff has conditioned the berm to be*

replanted prior to the issuance of the first building permit. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

3. Variance from Section 7.3.3.B to reduce the front yard setback from 40 feet to 10 feet.

Findings:

Staff is of the opinion that the request to reduce the forty (40) foot front setback to ten (10) foot is in harmony with the intent on the Zoning Ordinance and would not cause a detriment to the public. The applicant is proposing to pull the building close to the road to reduce the buffer encroachments in the rear of the property. The property is wide along Boylston Road, but only has 171 feet on depth which tapers to 102 feet on the south property line. It also will allow the driveway to be placed in the rear of the units. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

4. Variance from Section 12B.4 to delete the on street parking requirement of the Main Street Overlay District regulations

Findings:

Staff is of the opinion that the request to delete the on street parking requirement is not in harmony with the intent of the Ordinance and could cause a detriment to the public. The site does not provide additional space for guest parking. The only location for overflow guest parking would be on the street. The site does have an average slope of 12.22% along Boylston Road. However, the 12.22 % would still allow the construction of on street parking. The applicant is request a withdrawal of this variance request. Therefore, based on these reasons, the staff recommends WITHDRAWAL of this variance request.

5. Variance from Section 103-72.e.3 to allow more than three (3) single family residences to share a common driveway.

Findings:

Staff is of the opinion that increasing the number of residences sharing common drive is in harmony with the intent of the ordinance. The driveways will be design similar to an alley. Additionally, the driveways will be common areas for the development and not managed by the individual property owners. The shared driveways also reduce the number of curb cuts along the main road. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

6. Variance from Section 7.3.3.C to reduce the interior side yard setback from 25 feet to 10 feet.

Findings:

Staff is of the opinion that the request to reduce the twenty-five (25) foot side setback to ten (10) foot is in harmony with the intent on the Zoning Ordinance and would not cause a detriment to the public. Due to the topography sloping from the north to south on the property the building will require retaining wall to balance the site. This variance will create more separation of the buildings. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

**DEPARTMENT COMMENTS**

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on June 4, 2014 at which the following departments had comments. The staff has received additional comments from the Fulton County Board of Education and Fulton County Department of Water Resources, City of Atlanta Department of Watershed (see attachments).

<p><b>Transportation Planner</b></p>	<p><b>Revised Site Plan Comments</b></p> <p>Boylston Drive is classified a minor street and has a posted speed limit of 30 mph. The average daily traffic is 3,700 vehicles per day (2010). Boylston Drive is included in the Main Street Overlay District, and the designated street type within the City Center Master Plan is “2-Lane with Parking”. From the street centerline, the cross-section includes an 11-foot travel lane, eight-foot parking lane, 12-foot landscape strip, six-foot sidewalk, and ten-foot supplemental zone adjacent to residential development.</p> <p>At time of Land Disturbance Permit, site shall meet requirements of Articles 11 and 12 of the Development Ordinance. Based on review of the zoning site plan, please note the following:</p> <ul style="list-style-type: none"> <li>- Access locations shall meet requirements of §103-77 for sight distance (note that proposed sight distance diagram is incorrectly shown).</li> <li>- The minimum access spacing for a 30 mph street is 250 feet. Proposed access shall be aligned with driveways across the street and designed to avoid offset conflicts. Proposed driveway shall be aligned with proposed City Street as shown in the City Center Master Plan between 6125 Roswell Road and 6094 Boylston Drive.</li> <li>- Applicant shall dedicate minimum right-of-way along entire property frontage to provide for City Center street cross-section. Right of Way for Boylston Drive is 37 feet from centerline, 11 feet from back of curb, or one foot from back of sidewalk, whichever is greater along the entire property frontage.</li> <li>- The minimum two-way driveway width is 24 feet, and the minimum radius is 25 feet.</li> <li>- The minimum driveway depth for townhome units is 18 feet.</li> </ul> <p><b>Original Comments</b></p> <p>Boylston Drive is classified a minor street and has a posted speed limit of 30 mph. The average daily traffic is 3,700 vehicles per day (2010). Boylston Drive is included in the Main Street Overlay District and the designated street type within the City Center Master Plan is “2-Lane with Parking”. From the street centerline, the cross-section includes an 11-foot travel lane, eight-foot parking lane, 12-foot landscape strip, six-foot sidewalk, and ten-foot supplemental zone adjacent to residential development.</p> <p>Proposed site does not permit application of adopted City Center streetscape cross-section due to the 22 lots served by 22 individual driveways. Public Works estimates the minimum driveway (14-foot wide) spaced evenly would permit only eight feet between driveways. This placement of driveways would not meet Development Ordinance requirement 103-73(c) which requires all access to be located a minimum of five feet from side property lines. Public Works recommends utilizing shared driveways for four to five units with rear access to apply adopted City Center streetscape section.</p> <p>At time of Land Disturbance Permit, site shall meet requirements of Articles 11 and 12 of</p>
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	<p>the Development Ordinance. Based on review of the zoning site plan, please note the following:</p> <ul style="list-style-type: none"> <li>• Proposed driveways shall meet intersection sight distance of §103-77(f). Applicant shall dedicate minimum right-of-way along entire property frontage to provide for City Center street cross-section, 11 feet behind back of curb, or one foot behind sidewalk, whichever is greater.</li> </ul> <p>Proposed intersections shall meet sight distance requirements of Section 103-77.</p> <p>Deceleration and left-turn lane may be required for primary entrance on Sandy Springs Circle.</p> <p>Uninterrupted ingress/egress shall be provided based on peak hour volumes.</p> <p>Applicant may need to compensate the city for the Lake Allen Road right of way and cul de sac on Sandy Springs Circle.</p> <p>The City Center Master Plan recommended the parcel for a future stormwater Best Management Practice (BMP) structure to provide regional stormwater detention.</p>
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## PUBLIC INVOLVEMENT

### *Public Comments*

- Neighboring buildings included?
  - Concern about compatibility of surrounding uses
- Comparable quality standards?
  - Pulte and other developments?
- Increases in traffic?
- On-street parking required per City Center Street Network, or not required for single- and townhouse districts? Paving requirements? Road improvements?
- Wherever possible, add water quality/water slowing features – look into possibilities to reduce water flow and get water back into the ground
- Grading and slope of rear yards? Fencing all yards?
- How quickly will you be breaking ground? Will you be building all of the proposed units at once?
- Number of construction entrances?
- Size of the units?
- Concerns about the narrowness of the lots
- Neighbors at meeting would like to be sent any modifications to the proposed plans

## CONCLUSION TO FINDINGS

The Comprehensive Plan clearly supports a variety of housing types and uses. The Plan notes that the designation of areas in the R5-8 (Residential 5-8 units per acre). The proposed density of 7.01 is within the ranges suggested by the Future Land Use Map; it is the opinion of the staff that the proposal is in conformity with the intent of the Comprehensive Plan Policies. Therefore, based on these reasons; the staff recommends **APPROVAL** of the rezoning petition and the concurrent variances numbers 1-3, and 5 and **WITHDRAWAL** of concurrent variance number 4.

## STAFF RECOMMENDED CONDITIONS

Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council Meeting December 16, 2014

Should the Mayor and City Council decide to rezone the subject property from R-3 (Single Family Dwelling District) to A (Medium Density Apartment District), the staff recommends the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Townhouses at a density of 7.01 units per acre or 15 units, whichever is less.
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development dated December 2, 2014. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
  - a. Townhomes to be limited to 43' in height measured from the finished lower level grade to the roof peak. Townhomes to be limited to three (3) stories.
  - b. The rear of the townhomes shall be constructed of either brick or stone, or a combination thereof. Accents of cedar shake siding may be used only for bay windows, fireplace chases, and gables where brick or stone is not feasible, but no more than 25% of the rear facade may be cedar shake siding.
  - c. A continuous six foot high black (wrought iron style) ornamental aluminum fence shall be placed along the east property line of property.
  - d. A continuous earthen berm shall be constructed at the rear of units 1-15 within the 50' buffer, as shown on site plan per the following:
    - i. The center of the berm shall be no further than 20 feet from the property line.
    - ii. Units 1-5 berm shall be a minimum of 3 feet in height, with 4' bench top for plantings
    - iii. Units 6-15 berm shall be a minimum of 6 feet in height, with 4' bench top for plantings
    - iv. Detention Pond berm shall be a minimum of 5 feet in height, with 4' bench top for plantings. Berm to be constructed to allow water from detention pond to pass through
    - v. A 2:1 slope for the berm shall be permitted and shall be mulched with pine straw or equivalent. Additional plantings such as junipers to be utilized for stability.
    - vi. The berm to be planted with two (2) staggered rows of a mix of cryptomeria, magnolia and hollies to be a minimum of 10 feet in height (each row plantings shall be spaced a maximum of 14 feet on center) as shown on attached landscape plan.
    - vii. All planting on berm shall be subject to approval of City Arborist
    - viii. All plantings shall be installed prior to the issuance of the first building permit.

- ix. The remaining areas of the buffer which are disturbed during the construction of the berm and development of property shall be stabilized with a combination of either sod, mulch and/or junipers
- e. There shall be no decks or balconies allowed above the second floor.
- f. Subject to the building codes and ordinances and approval of the building department, there shall be no exterior lights above the second floor. Any spotlights shall be pointed down at an angle not to exceed 45 degrees.
- g. The covenants shall also state the homeowners' association, for as long as it is in existence, shall be responsible for the maintenance of the berm, landscaping, fencing and detention pond.
- h. Detention pond to be located as shown on the site plan. There shall be no off-site detention facilities for the site.
- i. Front stairs shall be allowed to connect with sidewalk along the property frontage.
- j. To reduce the required front yard landscape strip from forty (40) feet to ten (10) feet to allow encroachments as shown on the site plan dated received December 2, 2014. (CV201401682 #1)
- k. To reduce the fifty (50) foot rear buffer and ten (10) foot improvement setback to allow the encroachment of the driveways, detention pond, grading and replanting as shown on the site plan dated received December 2, 2014. (CV201401682 #2)
- l. To reduce the front yard setback from forty (40) feet to ten (10) feet to allow encroachments as shown on the site plan dated received December 2, 2014. (CV201401682 #3)
- m. To allow more than three (3) houses to be accessed from one (1) common driveway encroachments as shown on the site plan dated received December 2, 2014.(CV 201401682 #5)

#### **Attachments**

- Revised Letter of Intent dated received December 2, 2014
- Site Plan dated received December 2, 2014
- Site Plan dated received November 4, 2014
- Site plan dated received September 5, 2014
- Site Plan dated received May 8, 2014
- Elevations of height
- Site Photos
- Additional comments from the Fulton County Department of Water Resources, Fulton County Department of Health Services , Fulton County School System Impact Report
- Letter of Opposition

# SOUTHEAST REAL ESTATE ACQUISITIONS, LLC

3525 PIEDMONT ROAD, NE  
BUILDING 8, SUITE 205  
ATLANTA, GEORGIA 30305

December 1, 2014

**Ms. Linda Abaray**  
Senior Planner  
City of Sandy Springs  
7840 Roswell Road, Bldg. 500  
Sandy Springs, GA 30350

**RECEIVED**

DEC 02 2014

City of Sandy Springs  
Community Development

RE: Boylston Road Zoning Revised Letter of Intent

Dear Ms. Abaray:

After several meetings with the Glenridge Hammond HOA and adjacent neighbors of the proposed rezoning, we propose a list of conditions. The revised site plan is attached and the conditions are as follows:

- 1) The property shall be developed and built as shown on the attached site plan.
- 2) Townhomes to be limited to 43' in height measured from the finished lower level grade to the roof peak. Townhomes to be limited to three (3) stories.
- 3) The rear of the townhomes shall be constructed of either brick or stone, or a combination thereof. Accents of cedar shake siding may be used only for bay windows, fireplace chases, and gables where brick or stone is not feasible, but no more than 25% of the rear facade may be cedar shake siding.
- 4) A continuous six foot high black (wrought iron style) ornamental aluminum fence shall be placed along the east property line of property.
- 5) A continuous earthen berm shall be constructed at the rear of units 1-15 within the 50' buffer, as shown on site plan per the following:
  - a) The center of the berm shall be no further than 20 feet from the property line.
  - b) Units 1-5 berm shall be a minimum of 3 feet in height, with 4' bench top for plantings
  - c) Units 6-15 berm shall be a minimum of 6 feet in height, with 4' bench top for plantings
  - d) Detention Pond berm shall be a minimum of 5 feet in height, with 4' bench top for plantings. Berm to be constructed to allow water from detention pond to pass through
  - e) A 2:1 slope for the berm shall be permitted and shall be mulched with pine straw or equivalent. Additional plantings such as junipers to be utilized for stability.
  - f) The berm to be planted with two (2) staggered rows of a mix of cryptomeria, magnolia and hollies to be a minimum of 10 feet in height (each row plantings shall be spaced a maximum of 14 feet on center) as shown on attached landscape plan.
  - g) All planting on berm shall be subject to approval of City Arborist
  - h) All plantings shall be installed prior to the issuance of the first building permit.
  - i) The remaining areas of the buffer which are disturbed during the construction of the berm and development of property shall be stabilized with a combination of either sod, mulch and/or junipers
- 6) There shall be no decks or balconies allowed above the second floor.

- 7) The driveway to access the rear of the units and the drainage facilities/stormwater management systems may encroach in the 50' buffer and the 10' improvement setback as shown on the site plan.
- 8) Subject to the building codes and ordinances and approval of the building department, there shall be no exterior lights above the second floor. Any spotlights shall be pointed down at an angle not to exceed 45 degrees.
- 9) The detention pond shall not encroach within 25 feet of the east property line as shown on the site plan.
- 10) The covenants shall also state the homeowners' association, for as long as it is in existence, shall be responsible for the maintenance of the berm, landscaping, fencing and detention pond.
- 11) Detention pond to be located as shown on the site plan. There shall be no off-site detention facilities for the site.

We are requesting a variance to reduce the front yard landscape strip from 40 feet to 10 feet in order to meet rear buffer requirements.

We are requesting a variance to reduce the 50 foot rear buffer and 10 foot improvement setback to allow for grading, storm facilities and planting of the berm mentioned above.

We are requesting a variance to reduce the front yard setback from 40 feet to 10 feet in order to place townhomes closer to Boylston Road and meet the rear buffer requirements. The front entry steps for each unit may encroach within the 10 foot setback.

We were asked to minimize the number of access points on Boylston Road. In order to reduce the number of driveway curb cuts to two (2), we are requesting a variance to allow for more than 3 townhomes to be accessed from our internal common driveway as shown on the site plan.

A considerable amount of time and discussion has been placed on this rezoning request and we appreciate the City's understanding by allowing us additional time to generate an agreement with the adjacent neighborhood. We feel this is an appropriate zoning classification and will be a positive addition to Sandy Spring's redevelopment goals.

In the event you have any questions or comments please feel free to contact me at 404-395-5219.

Sincerely,

W. Mark Shaw

**SURVEY REFERENCES**

BOUNDARY SURVEY FOR:  
DOROTHY K. STEINHEIMER & CATHRYN M. KAUFMANN  
PREPARED BY: PARKER LAND SURVEYING  
PROJECT No. 06005-2  
DATED: JUNE 6, 2007

PROPERTY PLAT FOR:  
6059 BOYLSTON DRIVE  
BY PEOPLES & QUIGLEY, INC  
DATED: JANUARY 7, 2003

FEMA FLOOD MAP# 130699, PANEL#142, SUFFIX: "F"  
FOR FULTON COUNTY, CITY OF SANDY SPRINGS,  
DATED: SEPTEMBER 18, 2013  
MAP ID: 13121C0142F \*SITE IS NOT IN ANY  
FLOOD ZONE OR SPECIAL HAZARD FLOOD AREAS\*

**GENERAL NOTES:**

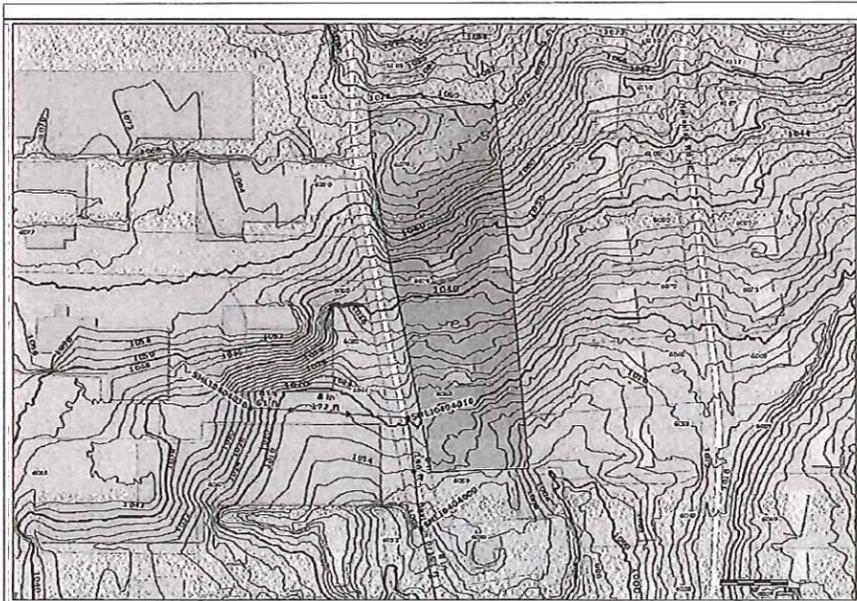
1. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED BY THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
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3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
4. PURSUANT TO RULE 169-6-09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED ON FACTS AND KNOWLEDGE KNOWN TO THE LAND SURVEYOR AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
5. DEED/PLAT DISCLAIMER: THIS PLAT MAY NOT CONFORM TO THE BEARINGS AND DISTANCES RECORDED ON THE DEED AND/OR PLAT OF RECORD DUE TO SEVERAL FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE OF THE ADVANCES IN SURVEYING TECHNOLOGY SUCH AS ELECTRONIC MEASURING DEVICES, MORE PRECISE ANGULAR MEASUREMENTS AND THE ADVENT OF SATELLITE SURVEYING TECHNIQUES USING "GPS" AND "GLONASS" SATELLITE CONSTELLATIONS. SURVEYS USING SATELLITE OBSERVATIONS ARE CORRECTED TO THE GEORGIA WEST STATE PLANE COORDINATE SYSTEM AND USE "GEODETIC" OR "GRID" NORTH AS OPPOSED TO "MAGNETIC" NORTH.

**GLOBAL POSITIONING SYSTEMS INCORPORATION NOTE:**  
A PORTION OF THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED UTILIZING GLOBAL POSITIONING SYSTEMS (GPS). IT INCLUDES NAVD 1983 ELEVATIONS AND HORIZONTAL DATUM 1983 (2012) GEORGIA STATE PLANE COORDINATES. THE EQUIPMENT USED WAS A TRIMBLE 5800 GPS RECEIVER WITH TRIMBLE DATA COLLECTOR. A NETWORK ADJUSTED REAL TIME KINEMATIC SURVEY WAS PERFORMED USING CORRECTED MEASUREMENTS. THE TRIMBLE REAL TIME NETWORK OPERATED BY GPS SOLUTIONS, INC. POSITIONAL ACCURACY OF THE FIELD DATA UTILIZED IN THIS SURVEY IS 0.04 FEET HORIZONTAL AND 0.07 FEET VERTICAL AT THE 95% CONFIDENCE LEVEL.

**INTERSECTION CORNER SIGHT DISTANCE - NEW SUBDIVISION STREETS**

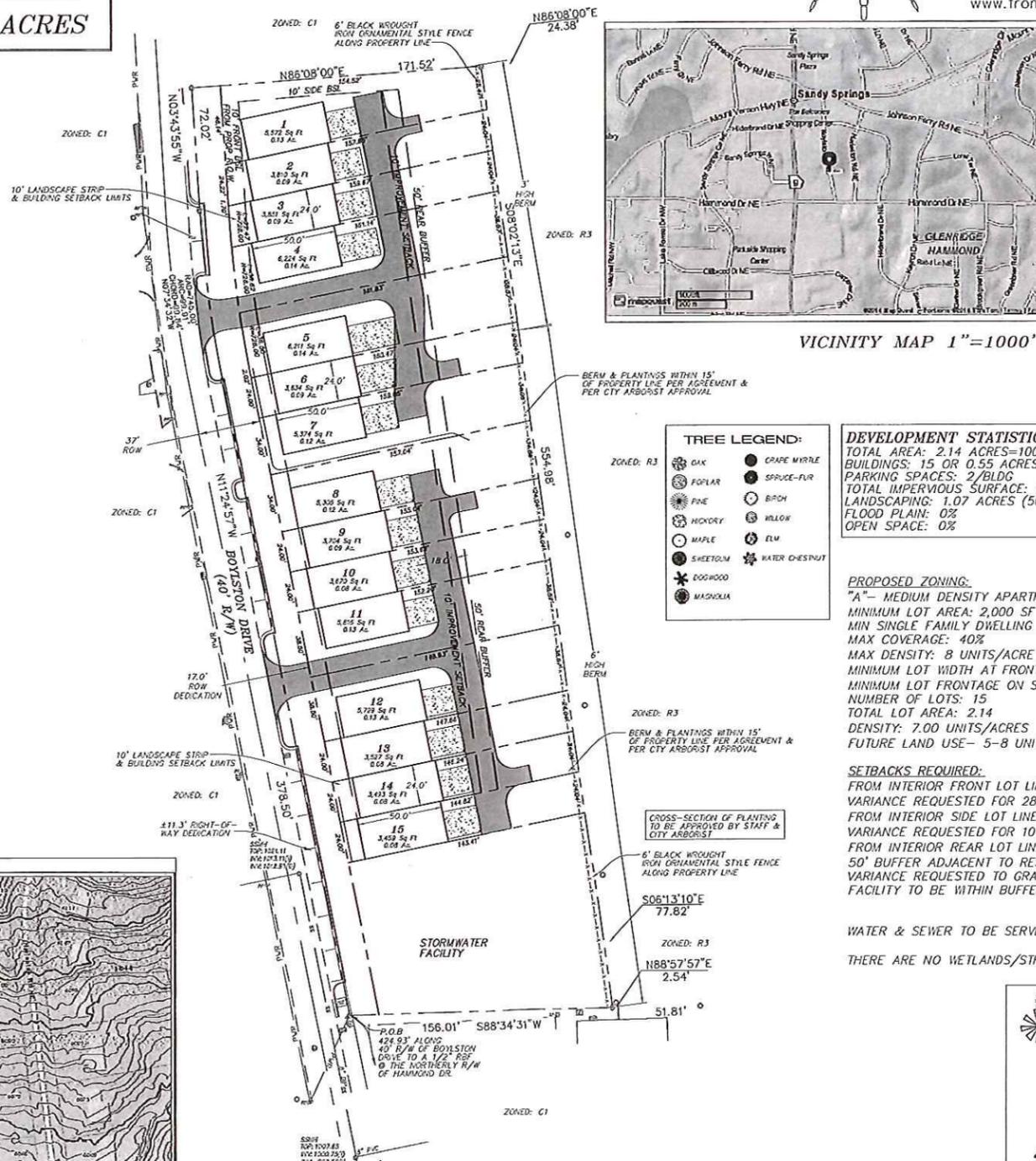
THE UNDERSIGNED, HEREBY CERTIFY THAT WITH GRASSING AND VEGETATION REMOVAL IN THE ZONE SHOWN ON THE PLAN, ADEQUATE CORNER SIGHT DISTANCE WILL BE PROVIDED FOR PROPOSED DRIVEWAYS AT THE INTERSECTION WITH BOYLSTON ROAD. THE REGULATED SPEED LIMIT WILL BE 35 MPH PER HOUR ON PROPOSED ROAD. THE SIGHT DISTANCE AT THE INTERSECTION OF PROPOSED ROAD AND EXISTING ROAD, UPON COMPLETION OF CONSTRUCTION AND ADDITIONAL GRASSING AND REMOVAL OF VEGETATION, WILL MEET OR EXCEED MIN. IN BOTH DIRECTIONS. THEREFORE CORNER SIGHT DISTANCE FROM THE APPROACHING STREET WILL BE EQUAL TO OR EXCEED TO THAT THE REGULATED SPEED OF THE INTERSECTING STREET. THE SIGHT DISTANCE WILL PROVIDE CLEAR VISIBILITY OF AN OBJECT 3.5 FEET ABOVE THE INTERSECTING STREET VIEWED FROM THE CENTERLINE OF THE APPROACHING STREET MEASURED TO MEET FROM EDGE OF PAVEMENT OF THE INTERSECTING STREET, AT A HEIGHT OF 3.5 FEET ABOVE THE GROUND.

*Mark Shaw*  
REGISTERED PROFESSIONAL ENGINEER  
NOVEMBER 2008, PE 23411



6079 Boylston Drive  
Fulton County, Georgia  
3-17-2014

**TRACT AREA:  
±2.14 ACRES**



**TREE LEGEND:**

○ OAK	● GRAPE MYRTLE
○ PINE	● SPRUCE-FUR
○ MAPLE	● BIRCH
○ SWEETGUM	● YEW
○ DOGWOOD	● WALNUT
○ MASHUA	● WATER CHESTNUT

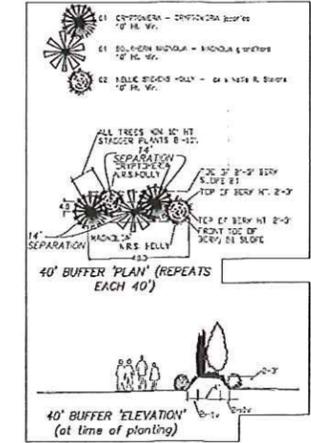
**DEVELOPMENT STATISTICS CHART:**

TOTAL AREA: 2.14 ACRES=100%  
BUILDINGS: 15 OR 0.55 ACRES (26%)  
PARKING SPACES: 2/BLDG  
TOTAL IMPERVIOUS SURFACE: 0.80 ACRES OR 37%  
LANDSCAPING: 1.07 ACRES (50%)  
FLOOD PLAIN: 0%  
OPEN SPACE: 0%

**PROPOSED ZONING:**  
"A" - MEDIUM DENSITY APARTMENT COMPLEX  
MINIMUM LOT AREA: 2,000 SF (SINGLE FAMILY LOT)  
MIN SINGLE FAMILY DWELLING SIZE: 1,100 SF  
MAX COVERAGE: 40%  
MAX DENSITY: 8 UNITS/ACRE  
MINIMUM LOT WIDTH AT FRONT SETBACK: N/A  
MINIMUM LOT FRONTAGE ON STREET: 35' (20' CUL-DE-SAC)  
NUMBER OF LOTS: 15  
TOTAL LOT AREA: 2.14  
DENSITY: 7.00 UNITS/ACRES  
FUTURE LAND USE - 5-8 UNITS/ACRE

**SETBACKS REQUIRED:**  
FROM INTERIOR FRONT LOT LINE: 40'  
VARIANCE REQUESTED FOR 28.5' FROM NEW DEDICATED R.O.W.  
FROM INTERIOR SIDE LOT LINE: 25'  
VARIANCE REQUESTED FOR 10' SIDE  
FROM INTERIOR REAR LOT LINE: 25'  
50' BUFFER ADJACENT TO RESIDENTIAL  
VARIANCE REQUESTED TO GRADE & REPLANT, STORMWATER  
FACILITY TO BE WITHIN BUFFER & SCREENED

WATER & SEWER TO BE SERVED BY PUBLIC SERVICES.  
THERE ARE NO WETLANDS/STREAMS LOCATED ON SUBJECT PROPERTY, PER CITY GIS MAPS

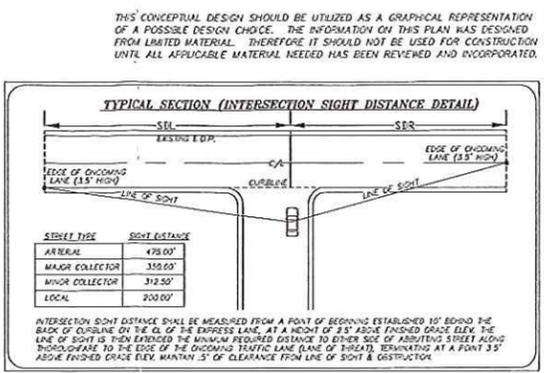


**RECEIVED**  
DEC 02 2014  
City of Sandy Springs  
Community Development

24 HOUR CONTACT: MARK SHAW 404-395-5219

**SURVEY PREPARED BY:**  
**FRONTLINE**  
SURVEYING & MAPPING, INC.  
3595 Canton Road  
Suite 116, PMB 272  
Marietta, GA 30066  
Ph. (678) 355-9905  
Fax (678) 355-9805  
www.frontlinesurveying.com

**OWNER/DEVELOPER:**  
SOUTHEAST REAL ESTATE  
ACQUISITIONS, LLC  
3525 PIEDMONT ROAD NE  
BLDG 8 : SUITE 205  
ATLANTA, GA 30305  
**NORTH:** MAGNETIC  
**SCALE:** 1"=40'



**LEGEND:**

○ IRON PIN SET	○ HAND-UP BOLLARD
○ IRON PIN FOUND	○ CONCRETE MONUMENT FOUND
○ OPEN TOP PIN	○ OVERHEAD UTILITY LINES
○ CAMP TOP PIN	○ SANITARY SEWER MAN HOLE
○ REINFORCING BAR	○ MAN HOLE TELEPHONE
○ CAPPED RE-BAR	○ CATCH BASIN
○ CENTERLINE	○ JUNCTION BOX
○ RIGHT-OF-WAY	○ EDOR INLET
○ LAND LOT LINE	○ HEAD WALL
○ LINE	○ CORRUGATED METAL PIPE
○ RADIUS	○ CORRUGATED PLASTIC PIPE
○ CONCRETE	○ REINFORCED CONCRETE PIPE
○ CURVE	○ SANITARY SEWER EASEMENT
○ POWER POLE	○ FUSE MOUNT
○ GAS VALVE	○ DRAINAGE EASEMENT
○ GAS METER	○ WATER VALVE
○ LAMP POLE	○ POST INDICATOR VALVE
○ SANITARY SEWER	○ WATER METER
○ FENCE CORNER	○ SANITARY SEWER CLEANOUT
○ ACCESS EASEMENT	○ POINT OF BEGINNING
○ PROPOSED	○ POINT OF COMMENCEMENT
○ AIR-CONDITIONER	○ NOT TO SCALE
○ GA FORK MANHOLE	○ SINGLE WIND CATCH BASIN
○ POWER BOX	○ UTILITY EASEMENT
○ CABLE TELEVISION JUNCTION BOX	○ POWER METER
○ TELEPHONE JUNCTION BOX	○ CHAIN-LINK FENCE
○ ABANDONED POWER POLE	○ C/TW CROSS-TIE WALL

**CURRENT ZONING: R4**  
**PROP. ZONING: 'A'**  
**AREA: ±2.14 ACRES**  
**15 LOT(S)**

**DATE**  
12/02/2014

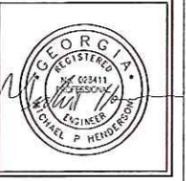
6079 BOYLSTON DRIVE  
FULTON COUNTY, GEORGIA  
CITY OF SANDY SPRINGS  
LAND LOT 71  
DISTRICT: 17TH  
SECTION: 2ND  
PIN: 17 00770002020  
BH&D JOB#: 29425

**Engineering, Inc.**  
280 HERITAGE WALK  
WOODSTOCK, GEORGIA 30188  
PHONE: (678) 462-4021  
FAX: (678) 445-4326

**SUBMITTALS**

**REVISIONS**

**SETBACKS**  
ZONING: "A"  
FRONT SIDE REAR  
SEE PLAN  
BUFFERS:



**SHEET:**  
REZONING  
PLAN



# SOUTHEAST REAL ESTATE ACQUISITIONS, LLC

3525 PIEDMONT ROAD, NE  
BUILDING 8, SUITE 205  
ATLANTA, GEORGIA 30305

**RECEIVED**

SEP 10 2014

City of Sandy Springs  
Community Development

Linda Abaray  
Senior Planner  
City of Sandy Springs  
7840 Roswell Road, Bldg. 500  
Sandy Springs, GA 30350

RE: Boylston Road Zoning Revised Letter of Intent

Dear Ms. Abaray:

Please find enclosed the revised rezoning site plans for the property located at 6079 Boylston Road near the intersection of Boylston Road and Johnson Ferry Road.

As discussed, we are requesting the property be rezoned from R-4 to A. We have reduced the number of units from 22 to 17 and we now comply with the Comprehensive Land Use Plan at 7.94 units per acre:

- 20' min. lot width
- 2000 s.f. min. lot area
- Setbacks: 40' from existing right-of-way  
0' interior side setback  
10' exterior side setback  
50' rear buffer with 10' improvement setback

The townhomes are anticipated to have a minimum of 1600 square feet of heated and cooled area and will be constructed of brick, stucco, stone and/or cement based siding or a combination thereof. Each townhome will be accessed from an interior driveway with a maximum of 3 access points on Boylston Road. Previously there were 22 individual driveways accessing Boylston Road.

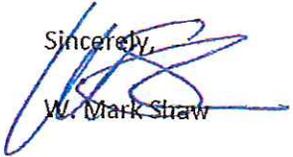
We were asked to minimize the number of access points on Boylston Road. In order to reduce the number of driveway curb cuts to three (3), we are requesting a variance to allow for more than 3 townhomes to be accessed from our internal common driveway as shown on the site plan.

In addition, we will be asking for a variance to eliminate the parallel parking on Boylston Road. At a 12.22% slope, our engineer does not feel installing parking along this road will meet safety standards.(see attached letter)

In the event you have any questions or comments please feel free to contact me at 404-395-5219.

Thank you.

Sincerely,

  
W. Mark Shaw

BH&D ENGINEERING, INC.  
280 HERITAGE WALK  
WOODSTOCK, GA 30188  
PHONE (678) 462-4021~  
EMAIL: BHICKS@BHDENG.COM

Linda Abaray  
Senior Planner  
City of Sandy Springs  
7840 Roswell Road, Bldg. 500  
Sandy Springs, GA 30350

RE: 6079 Boylston Drive, Sandy Springs, GA 30328

Dear Ms. Abaray:

BH&D Engineering, Inc. has prepared rezoning plans in reference to the subject property for a 17 unit townhome development along Boylston Drive. Under the site plans submitted there will be three access points along Boylston Drive that will tie to an interior common driveway to access individual unit driveways and garages of proposed buildings.

Under the adoption of the new streetscape plan for this section of roadway, parallel parking would be required along Boylston Drive to meet this new plan adopted by the City of Sandy Springs. The existing grades along Boylston Drive are currently at an average slope of 12.22%, which BH&D Engineering, Inc. feels is beyond limits of a safe corridor for on street parking in this area. We would ask that you review this requirement and understand that BH&D Engineering, Inc. can't place our professional stamp on a design drawing that we feel is a public safety issue and potential legal issue if something should arise.

Thank you.

Sincerely,

Michael P. Henderson, P.E.

Cc: Mark Shaw



RECEIVED

SEP 10 2014

City of Sandy Springs  
Community Development

# SOUTHEAST REAL ESTATE ACQUISITIONS, LLC

3525 PIEDMONT ROAD, NE  
BUILDING 8, SUITE 205  
ATLANTA, GEORGIA 30305

201401682  
**RECEIVED**

MAY 08 2014

City of Sandy Springs  
Community Development

Linda Abaray  
Senior Planner  
City of Sandy Springs  
7840 Roswell Road, Bldg. 500  
Sandy Springs, GA 30350

RE: Boylston Road Zoning Letter of Intent

Dear Ms. Abaray:

Please find enclosed the completed rezoning request application and site plans for the property located at 6079 Boylston Road near the intersection of Boylston Road and Johnson Ferry Road.

As discussed, we are requesting the property be rezoned from R-4 to A. This will allow for the development of 22 townhomes with the following criteria:

- 20' min. lot width
- 2000 s.f. min. lot area
- Setbacks: 20' from back of sidewalk  
0' side setback  
10' corner side setback  
25' rear setback; 50' buffer with 10' improvement setback

The townhomes are anticipated to have a minimum of 1600 square feet of heated and cooled area and will be constructed of brick, stucco, stone and/or cement based siding or a combination thereof. Each unit will be accessed by individual private driveways from Boylston Road.

In the event you have any questions or comments please feel free to contact me at 404-395-5219.

Thank you.

Sincerely,  
  
W. Mark Shaw

**SURVEY REFERENCES**

BOUNDARY SURVEY FOR:  
DOROTHY K. STEINHEIMER & CATHRYN M. KAUFMANN  
PREPARED BY: PARKER LAND SURVEYING  
PROJECT No. 05005-2  
DATED: JUNE 6, 2007

PROPERTY PLAT FOR:  
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BY PEOPLES & QUIGLEY, INC  
DATED: JANUARY 7, 2003

FEMA FLOOD MAP# 130699, PANEL#142, SUFFIX:"F"  
FOR FULTON COUNTY, CITY OF SANDY SPRINGS,  
DATED: SEPTEMBER 18, 2013  
MAP ID: 13121C0142F \*SITE IS NOT IN ANY  
FLOOD ZONE OR SPECIAL HAZARD FLOOD AREAS\*

**TRACT**  
**±2.14 A**

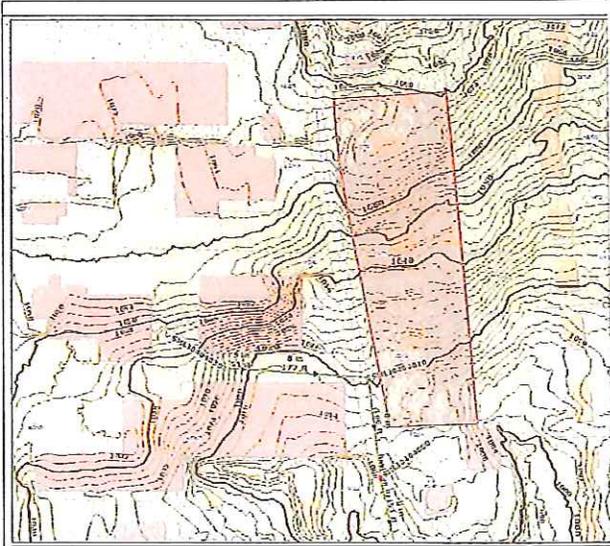
**GENERAL NOTES:**

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**INTERSECTION CORNER SOFT DISTANCE - NEW SUBDIVISION STREETS**  
4. THE UNDERGROUND, HOBBY CENTER THAT WITH GRADING AND VEGETATIVE REMOVAL IN THE ZONE SHOWN ON THE PLAN, AROUND CORNER SITE DISTANCE WILL BE PROVIDED FOR PROPOSED USES AT THE INTERSECTION WITH EXISTING ROAD. THE REGULATED SPEED LIMIT WILL BE 25 MPH FOR HOUR ON PROPOSED ROAD. THE SOFT DISTANCE AT THE INTERSECTION OF PROPOSED ROAD AND EXISTING ROAD, UPON COMPLETION OF CONSTRUCTION AND ADDITIONAL GRADING AND REMOVAL OF VEGETATION WILL MEET OR EXCEED THAT IN BOTH DIRECTIONS. PROPOSED CORNER SOFT DISTANCE FROM THE APPROACHING STREET WILL BE EQUAL TO OR EXCEED 10 TIMES THE REGULATED SPEED OF THE INTERSECTION STREET AS MEASURED FROM THE CORNER OF THE APPROACHING STREET IN BOTH DIRECTIONS ALONG THE RIGHT OF WAY LINE OF THE INTERSECTION STREET. THE SOFT DISTANCE WILL BE CLEAR UNLESS OF AN OBJECT 15 FEET ABOVE THE INTERSECTING STREET MEASURED FROM THE CORNER OF THE APPROACHING STREET MEASURED 10 FEET FROM EDGE OF PAVEMENT OF THE INTERSECTING STREET, AT A HEIGHT OF 3.5 FEET ABOVE THE GROUND.

*Michael P. Henderston*  
MICHAEL P. HENDERSTON, P.E. 22410 DATE: 4/24/2014



6079 Boylston Drive  
Fulton County, Georgia  
317-2214

**DATE**

09/05/2014

6079 BOYLSTON DRIVE  
FULTON COUNTY, GEORGIA  
CITY OF SANDY SPRINGS  
LAND LOT 71  
DISTRICT: 17TH  
SECTION: 2ND  
PIN: 17-007700020  
BH&D JOB#: 29425 BH&D FILE NAME: REZONING

**BH & D Engineering, Inc.**

280 HERITAGE WALK  
WOODSTOCK, GEORGIA 30188  
PHONE: (678) 462-4021  
FAX: (678) 445-4326

**SUBMITTALS**

**REVISIONS**

**SETBACKS**

ZONING: "TR"  
FRONT SIDE REAR  
SEE PLAN  
BUFFERS:



SHEET:  
REZONING  
PLAN

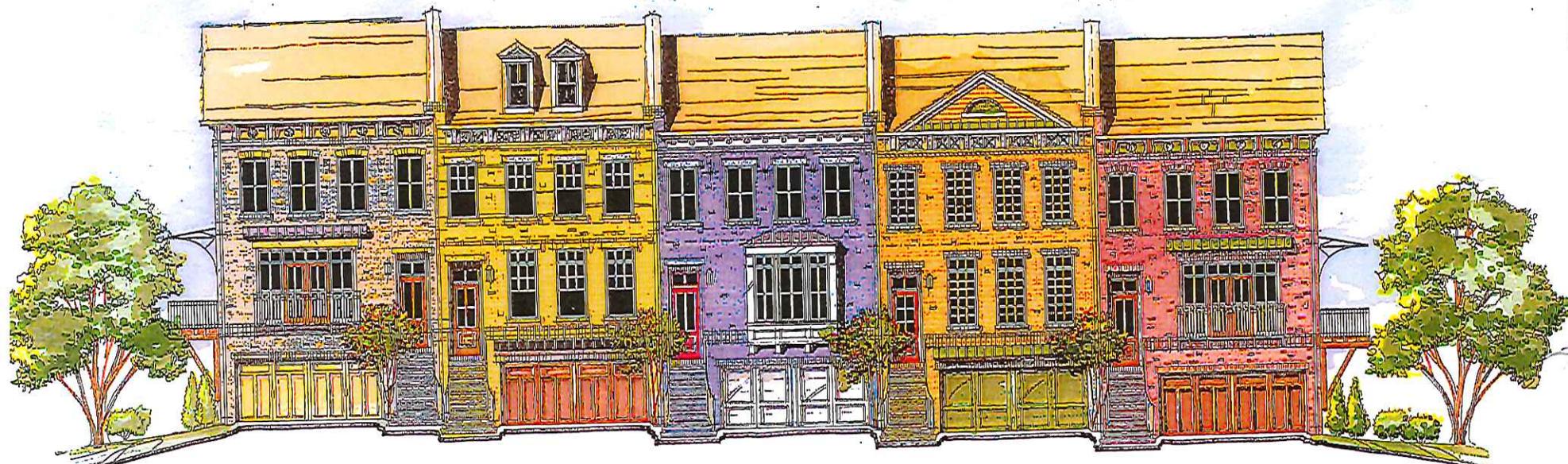
**RECEIVED**  
**PERMITS DEPT**  
NOV 04 2014  
**CITY OF SANDY SPRINGS**







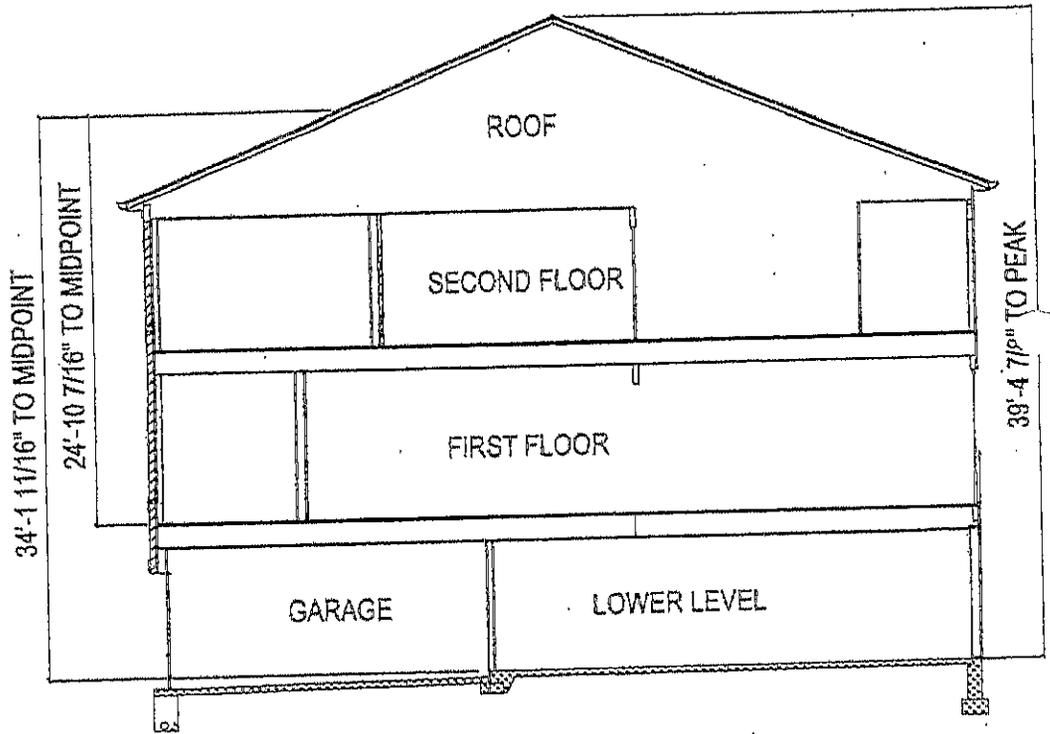




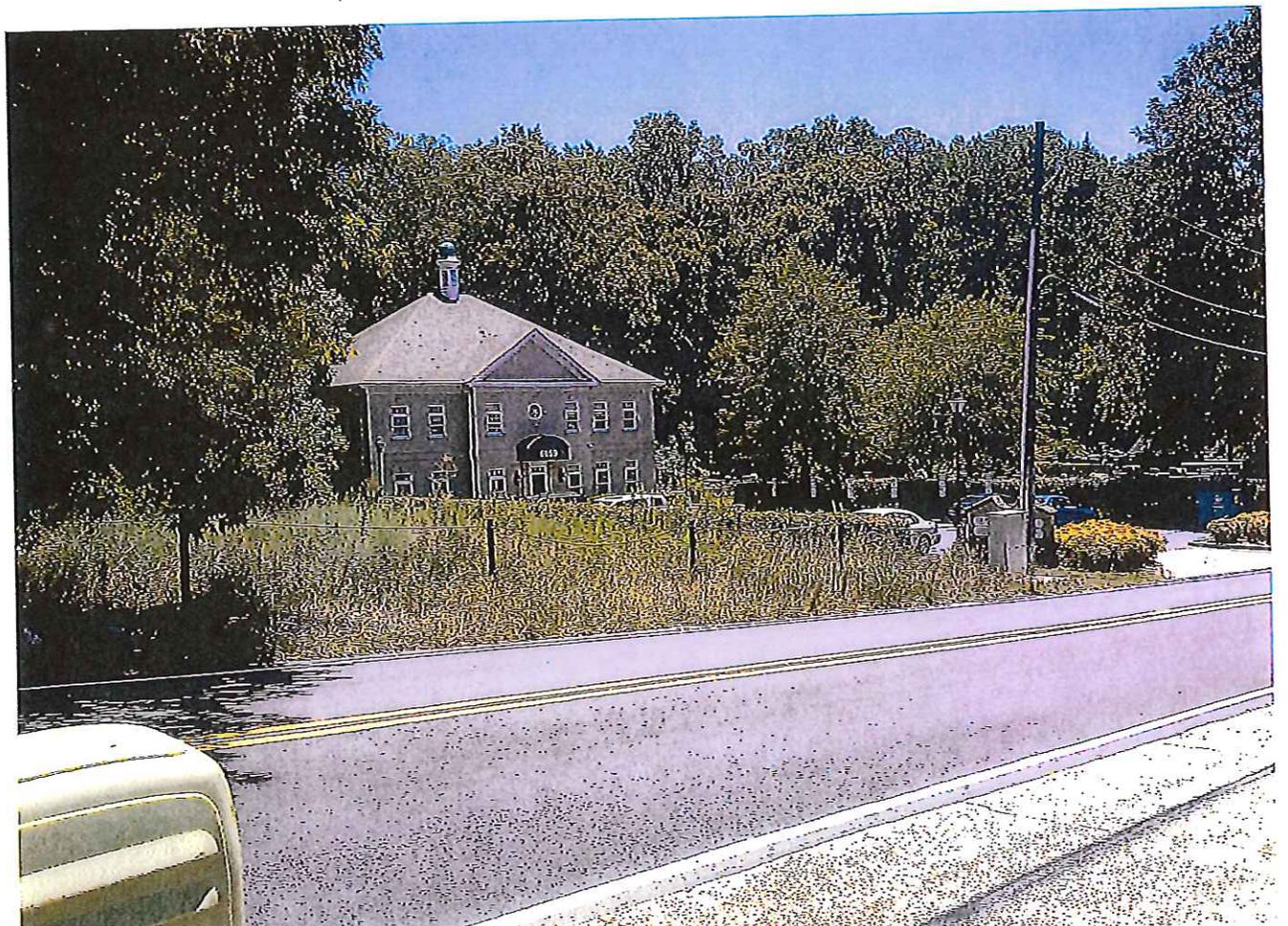
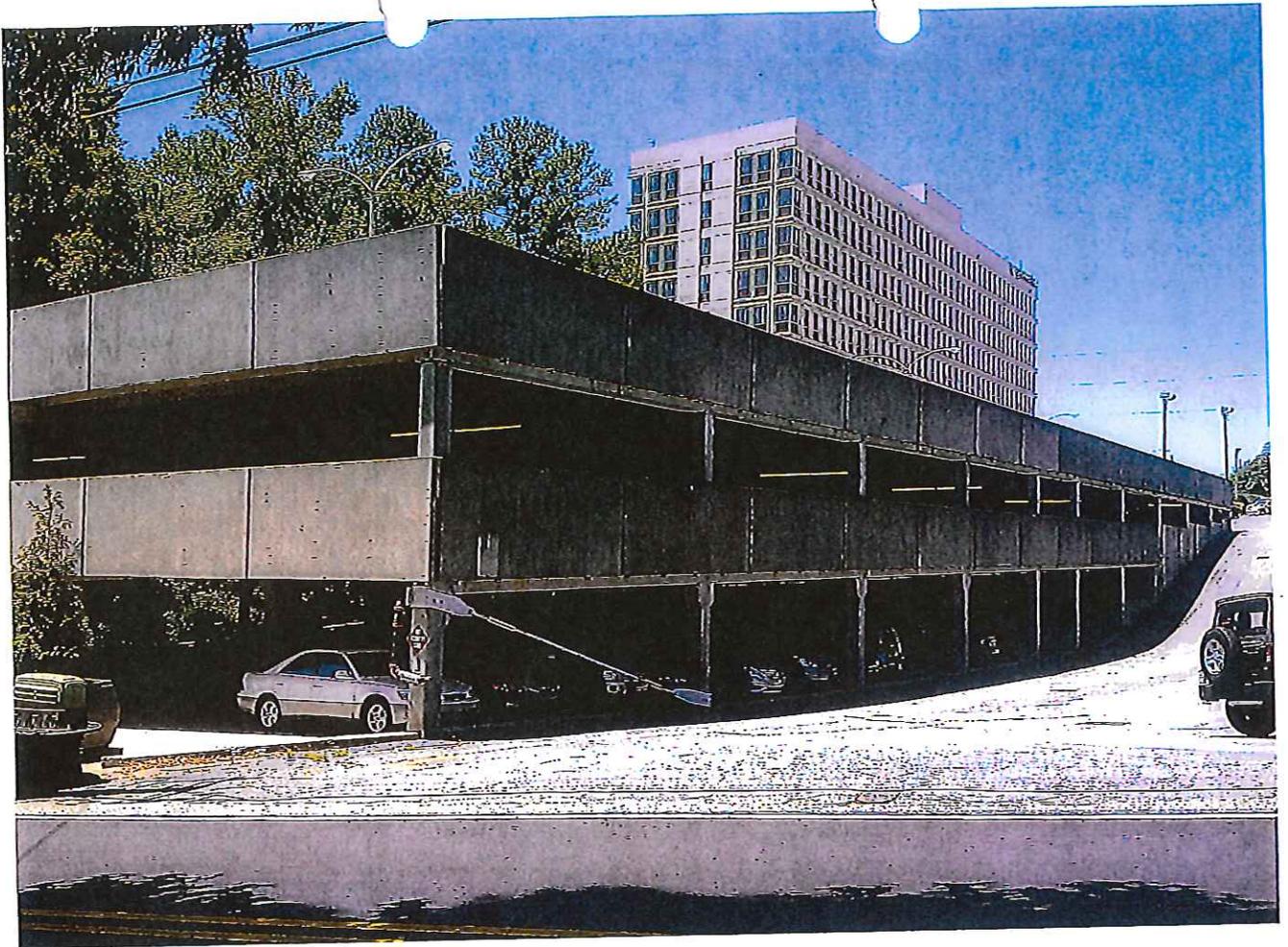
Edward Andrews Homes  
2014 © Copyright BDI Architects, Inc

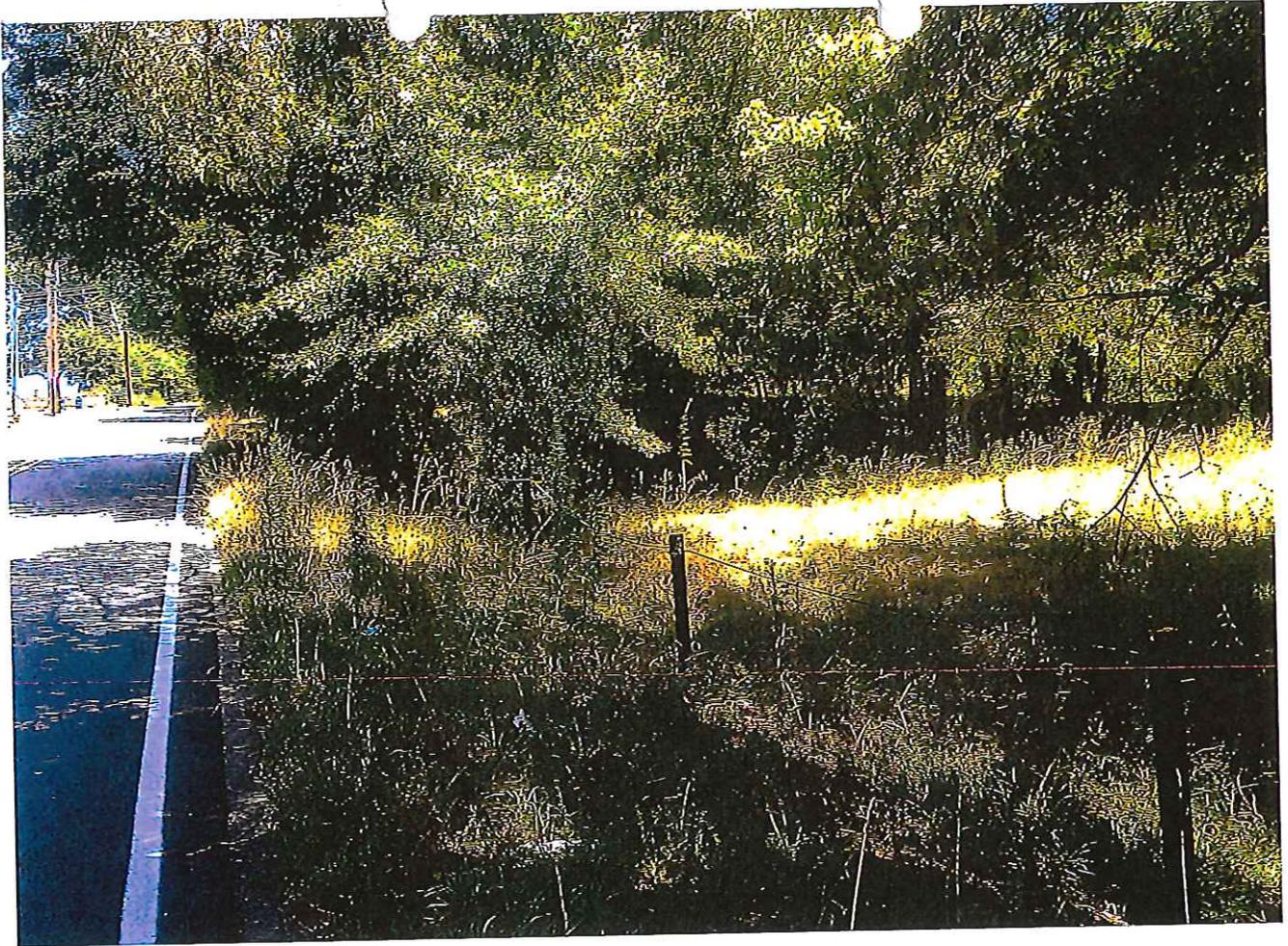


# PLAN



NSO INDEX









## MEMORANDUM

**TO:** Linda Abaray, Senior Planner  
City of Sandy Springs, Department of Community Development

**FROM:** Monica Robinson, B.S., M.B.A., Environmental Planner  
Department of Health and Wellness, Office of the Director

**DATE:** June 9, 2014

**SUBJECT:** Zoning Comments for June 2014

AGENDA ITEM	ZONING COMMENTS
201401601	<p>If public sanitary sewer is available to the site, the Fulton County Department of Health and Wellness will require mandatory connection. As per Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XI – “Sewage Disposal”, public sanitary sewer will be considered available to this residential development if it is within 1,000 feet of the nearest property line, such distance being measured along the appropriate natural drainage course (gravity flow).</p> <p>If public sewer is unavailable to the site, this Department requires that each lot be a minimum of 43,560 square feet and have 30,000 square feet minimum usable area to be considered for use of onsite sewage management system(s). This Department will require all necessary percolation and soil data, required plans, and supportive data be submitted for review and determined acceptable prior to preliminary plat and/or Land Disturbance Permit (LDP) approval.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p>
201401611	<p>The Fulton County Department of Health and Wellness recommends that the sanitary facilities are inspected, an adequate number of facilities are available for the proposed use in the addition, and that the building is connected to public water and public sanitary sewer, if not already connected.</p> <p>This Department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</p>
201401628	<p>The Fulton County Department of Health and Wellness requires that a plat be submitted for review and approval regarding water supply and sewage disposal prior to the approval by the appropriate jurisdiction and recording. The owner may not sell, offer for sale, lease, begin construction or begin physical improvements of an exemption/minor plat development, nor shall a building permit be issued until this Department has reviewed and approved the plat.</p> <p>If public sanitary sewer is available to the site, the Fulton County Department of Health and Wellness will require mandatory connection. As per Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XI – “Sewage Disposal”, public sanitary sewer is considered available if it is within 200 feet of the nearest property line of the development, such distances being measured along the appropriate natural drainage course (gravity flow).</p> <p>If public sewer is unavailable to the site, this Department requires that each lot be a minimum of 43,560 square feet and have 30,000 square feet minimum usable area to be considered for use of onsite sewage management system(s). This Department will require all necessary percolation and soil data, required plans, and supportive data be submitted for review and determined acceptable prior to preliminary plat and/or Land Disturbance Permit (LDP) approval.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This department is requiring that existing structures that will be demolished be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p>

AGENDA ITEM	ZONING COMMENTS
201401682	<p>The Fulton County Department of Health and Wellness will require that the applicant connects the proposed townhome development to public water and public sanitary sewer available to the site.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This Department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</p> <p>This department is requiring that existing structures that will be demolished be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p>



Kasim Reed  
MAYOR

## CITY OF ATLANTA

55 TRINITY AVENUE SW, SUITE 500, SOUTH BLDG.  
ATLANTA, GEORGIA 30303-3544  
OFFICE 404-330-6081  
FAX 404-658-7194

DEPARTMENT OF  
WATERSHED MANAGEMENT  
Jo Ann J. Macrina, P.E.  
Commissioner

June 11, 2014

Linda Abaray ( Senior Planner )  
City of Sandy Springs  
7840 Roswell Road, Bldg. 500  
Sandy Springs, GA 30350

**Subject: Water Availability at # 6079 Boylston Drive, Sandy Springs, Georgia**

Dear Linda

Our records indicate that there is an existing 6 inch water main along the west side of Boylston Drive. This water main is located behind the curb and tied to existing 8 inch water main at Mt Vernon Hwy. There is also an existing 24 inch water main along the west side of Boylston Drive which started from Hilderbrand Drive and tied to Johnson Ferry Road. This water main is located on the street. This water main is owned and maintained by the City of Atlanta.

To integrate into Atlanta Water System or rearrange water facilities, the developer must submit the following to the City of Atlanta-Bureau of Engineering Services:

1. A set of stamped engineering drawings showing their developmental objectives for review and approval.
2. The enclosed basis of design form to include all applicable information, with a copy of a City of Atlanta fire hydrant flow test. Contact the Bureau of Engineering Services office of Meter Application at 404-330-6091 for payment and scheduling for the flow test.
3. A two thousand dollar deposit (\$2000.00). Check must be payable to City of Atlanta.

Once the plans have been approved, the developer will then receive additional instructions regarding the process and procedures from the Bureau of Engineering Services.

Should additional information be needed, please contact me at 404-546-3268

Sincerely,

Michael Nduka  
Bureau of Engineering  
City of Atlanta

**Fulton County Schools - Rezoning Impact Statement**

PETITION: 201401682

*Proposed Residential Units*

Single-family detached

Townhouses

Apartments

Condominiums

0

22

0

0

JURISDICTION: Sandy Springs

PROJECTED UNDER/OVER CAPACITY<sup>B</sup>

HOME SCHOOL	PROJECTED BASELINE ENROLLMENT <sup>A</sup>	GADOE CAPACITY	ESTIMATED # NEW STUDENTS GENERATED	PROJECTED UNDER/OVER CAPACITY <sup>B</sup>	
				WITHOUT DEV	WITH DEV
High Point ES	903 to 959	850	0 to 2	53 to 109	53 to 111
Ridgeview MS	1,161 to 1,233	1200	0 to 1	-39 to 33	-39 to 34
Riverwood HS	1,553 to 1,649	1325	0 to 2	228 to 324	228 to 326
<b>TOTAL</b>			0 to 5		

**HS REGION: Riverwood HS**

AVERAGE - 1 STD. DEV.

AVERAGE + 1 STD. DEV.

One single-family detached unit generates:

0.013091	to	0.208131
0.000000	to	0.056933
0.000000	to	0.162666

to

0.208131
0.056933
0.162666

elementary school students  
middle school students  
high school students

One townhouse unit generates:

0.007704	to	0.089494
0.000000	to	0.039527
0.007502	to	0.107628

to

0.089494
0.039527
0.107628

elementary school students  
middle school students  
high school students

One apartment unit generates:

0.000000	to	0.737742
0.000000	to	0.167478
0.036368	to	0.207204

to

0.737742
0.167478
0.207204

elementary school students  
middle school students  
high school students

One condominium unit generates:

0.000000	to	0.288299
0.000000	to	0.053688
0.004129	to	0.100313

to

0.288299
0.053688
0.100313

elementary school students  
middle school students  
high school students

(Note: Empty/null values indicate insufficient historic data)

AVERAGE OPERATIONAL COST PER STUDENT (FY14):

TOTAL COST: \$12,286

PORTION LOCAL REVENUE SOURCES: \$8,209

PORTION STATE AND OTHER REVENUE SOURCES: \$4,077

<sup>A</sup> Projected enrollment for the 2014-15 school year based on forecasted enrollment.

<sup>B</sup> Positive values indicate numbers of students a facility is over state capacity / negative values indicate number of students a facility is under state capacity.

\* State capacity indicates space. However due to the number of special programs, portable classrooms or other measures may be needed to accommodate the instructional needs of the school.

\*\* Student yields are calculated annually based on geocode of enrolled FCS students in built-out developments within the high school zone in which the proposed development is located.

## COMMENTS ON PUBLIC SERVICES AND UTILITIES

**NOTE:** Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the City of Sandy Springs and the Fulton County Plan Review process prior to the commencement of any construction activity.

### **WATER AND WASTEWATER (SEWER):**

#### **WATER:**

Anticipated water demand: 270 gallons per day (gpd) per residential townhouse unit x 22 units = 5,940 gallons per day (gpd).

This project is within the City of Atlanta water jurisdiction. Please note that in Fulton County Government water service areas that for townhouse developments individual water meters are required for each individual unit.

#### **SEWER:**

Basin: Long Island Creek  
Treatment Plant: R.L. Sutton (Cobb County)  
Anticipated sewer demand: 5,346 gallons per day

There is a wastewater manhole within the right of way of Boylston Drive west of the southwestern property corner of the 2.030 acre tract (6079 Boylston Drive) (sewer manhole # SML10404010) located in Land Lot 71, District 17 that can service this location.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.

- Treatment Plant
- Re-Use
- Waste Water
- Water

- Waste Water System
- Private Manhole
- Pump Station
- Pump Station

- Manhole
- Accessible
- Not Assessed
- Problem

- Line Pipe

- Force Main

- Creek Crossing

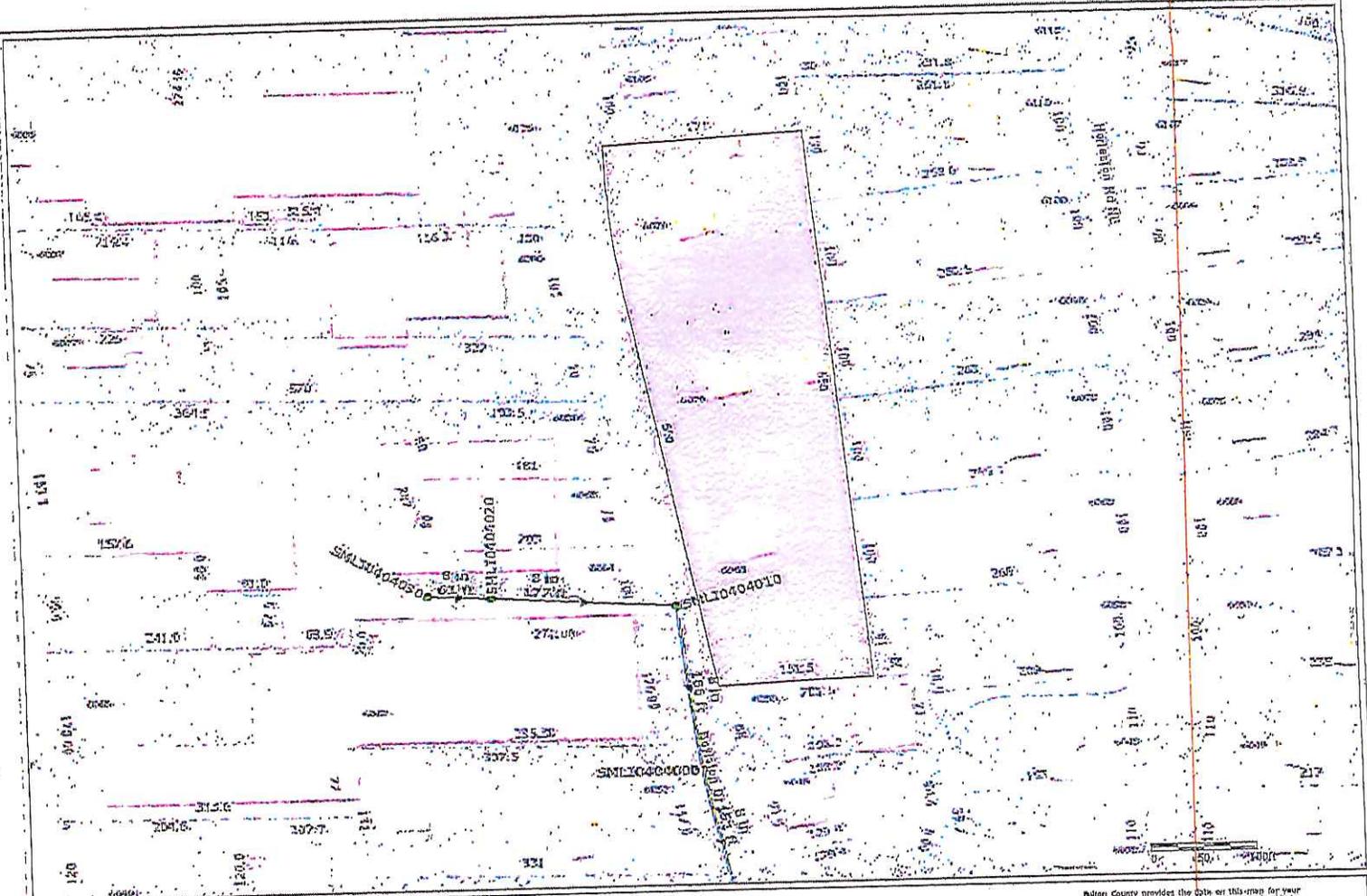
- Waste Water Pipe Flow
- LNK
- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"

- Waste Water Pipe
- LNK
- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"

- Parcel Dimensions

- Address Points

waterservices\_public\_DWG\_MAP\_County



6079 Boylston Drive  
 Fulton County, Georgia  
 6-13-2014

Fulton County provides the data on this map for your personal use only. The data are not guaranteed to be accurate, correct or complete. The failure, omissions or errors in these maps, data, information and are not necessarily accurate to survey or engineering standards. Fulton County assumes no responsibility for issues deriving from the use of this data, even if Fulton County is advised of the possibility of such issues.



- Treatment Plant
- No-Use
- Waste Water
- Water

Waste Water System

- Private Manhole
- Pump Station
- Manhole
- Accessible
- Not Assessed
- Problem

Lined Pipe

- Force Main
- Crack Crossing

Waste Water Pipe Flow

- UNK
- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"

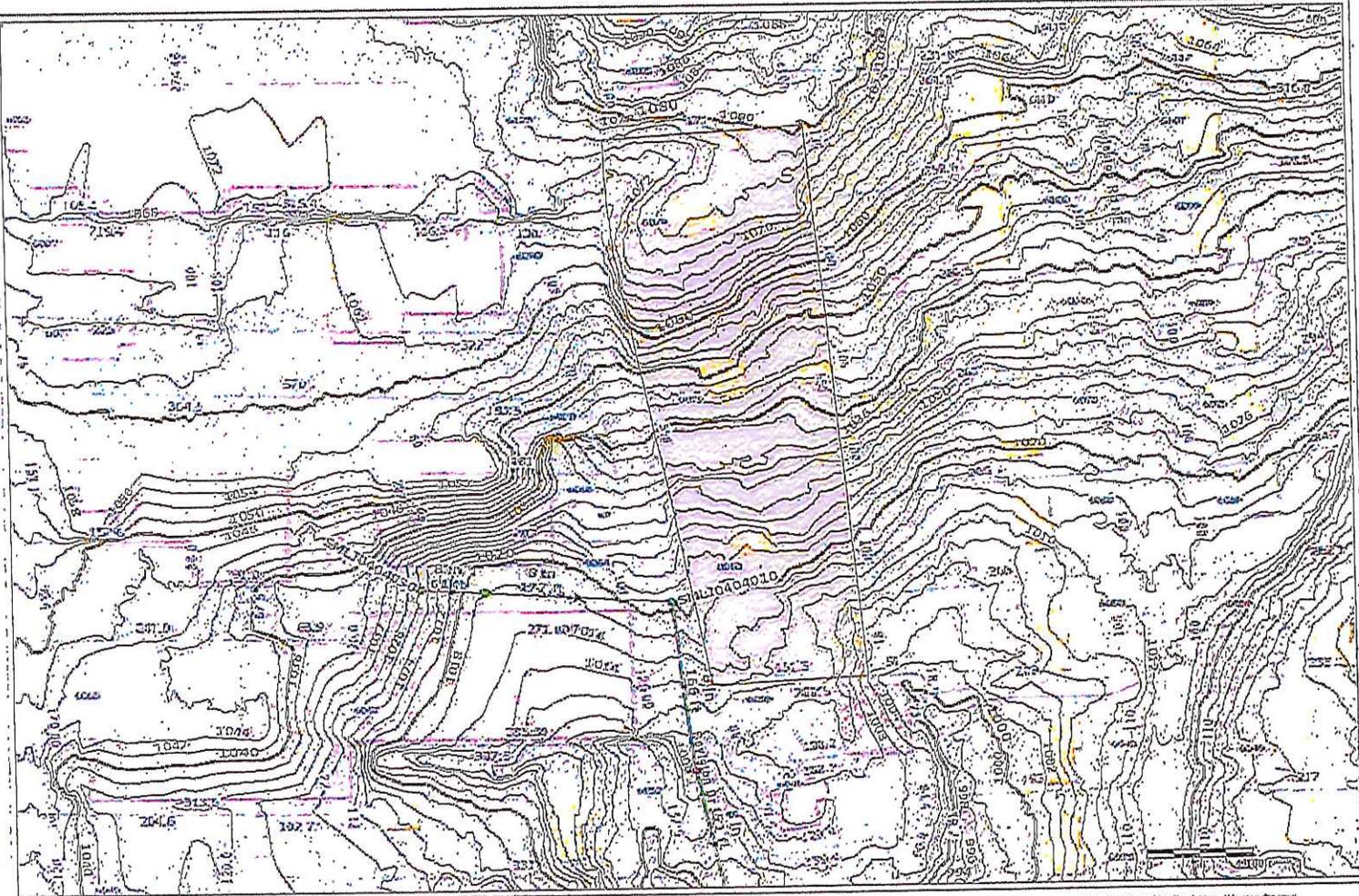
Waste Water Pipe

- UNK
- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"

Topography

- 2ft Contour
- 10ft Contour

Parcel Dimensions



6079 Boylston Drive

Fulton County, Georgia

6-13-2014

Fulton County provides the data on this map for your personal use "AS IS". The data are not guaranteed to be an accurate, correct or complete. The features depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use of these data, even if Fulton County is advised of the possibility of such losses.



Property Profile for **6079 BOYLSTON DR**

Property Tax Information

Tax Year	2014
Parcel ID	17 007100020204
Property Address	6079 BOYLSTON DR
Owner	HDK PROPERTIES LLLP
Mailing Address	1688 KINGS DOWN CIR ATLANTA GA 30338
Total Appraisal	\$309,400
Improvement Appraisal	\$83,700
Land Appraisal	\$225,700
Assessment	\$123,760
Tax District	59
Land Area	2.030004 ac
Property Class	Residential Small Tracts
Land Use Class	Residential 1 family.
TAD	
CID	
Zoning	
Zoning Class	not available
Overlay District	
2030 Future Development	not available
Political	
Municipality	Sandy Springs
Commission District	4
Commission Person	Tom Lowe
Council District	not available
Council Person	not available
Voting Precinct	SS07B
Poll Location	Hammond Park Gym, 705 Hammond Drive Ne
Congressional District	006
State Senate District	006
State House District	052
School Zones	
Elementary School	High Point
Middle School	Ridgeview
High School	Riverwood
Other Information	
Zip Code	30328
Census Tract	101.10
In Less Developed Census Tract	No

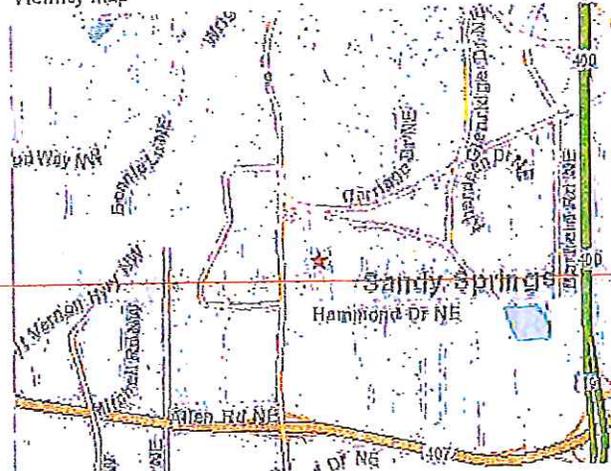
Oblique Aerial View (looking north)



Property Map



Vicinity Map



11/4/14

RE: 6079 Boylston Drive - Rezoning

Ms. Abaray,

The neighbors directly to east of the referenced development living on Harleston Rd have been working with Mark Shaw for an agreeable compromise. While we have made some small agreements there are many areas where the neighbors have comprised for promises that don't materialize. Below are the compromises with conditions that we thought were working towards.

We ask that the Pulte development on Glenridge Road be looked at in comparison and provide precedence to this project as they are very similar projects.

We request that the following items be included as minimum conditions to the rezoning.

1. Roof peek height will not exceed 36' to top of roof from finish basement/garage floor. The buildings shall be limited to two stories.
2. The siding on back of the townhomes shall be a combination of brick, stone and cedar shake. No other siding materials are allowed. No EIFS, stucco or cement board siding shall be allowed.
3. There shall be a 6' high black chain link vinyl coated fence installed continuous at the east property line.
4. There shall be a continuous landscape strip planted to buffer standards along the length of the eastern property line on top of a berm meeting the following standards.
  - i. The center of the berm where the evergreens are planted shall be no further than 15' from the eastern property line.
  - ii. The earthen berm shall be constructed as follows:
    - a) Units 1-5 berm shall be a minimum of 2-3 feet in height with 4' bench top for plantings.
    - b) Units 6-16 berm shall be a minimum of 4-5 feet in height with a 5' bench.
    - c) Detention Pond berm shall be a minimum of 2-3 feet in height with a 4' bench top for plantings.
    - d) The berm will be mulched with pine straw and can included bushes and other plantings.
    - e) A 2:1 slope shall be allowed
  - iii. Two staggered rows of the following evergreen trees planted at minimum 10' in height (each row plantings space at 14' O.C.) planted atop the berm creating a visual screen using the following trees: Cryptomeria, Southern Magnolia and Neliely Stevens Holly.
  - iv. All plantings subject to approval by the City of Sandy Springs Arborist.

- v. All plantings shall be installed prior to the issuance of the first building permit.
  - vi. All plantings subject to approval by the City of Sandy Springs Arborist.
5. Should the variance be allowed to encroach the 10' improved buffer this shall only be allowed for units 11 thru 17.
  6. There shall be no decks or balconies on back side of townhomes above the first floor.
  7. There be no spotlights or exterior lights install above the first floor and any exterior lights shall be pointed down at an angle so they do not shine above the ground at 10' inside the property line.
  8. The detention pond shall encroach no further than 25' to the east property line as depicted on the site drawings.
  9. It shall be written into the townhome convenience that there shall be no fencing to delineate individual backyards and no structures or sheds shall be added to back yards.
  10. The HOA shall be responsible for the maintenance of the berm, plantings on berm, fencing and detention pond.

Thank You,

David Osborn