

STATE OF GEORGIA  
COUNTY OF FULTON

**AN ORDINANCE TO MODIFY CONDITIONS OF A RESOLUTION BY SANDY SPRINGS CITY COUNCIL APPROVING PETITION 201502259 ON NOVEMBER 17, 2015 FOR PROPERTY LOCATED AT 8725 DUNWOODY PLACE (TAX PARCEL # 06 036800070055).**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, Georgia while in regular session on November 17, 2015 at 6:00 p.m. as follows:

**SECTION 1.** That the conditions of a Resolution by the Sandy Springs City Council for petition U11-001/CV11-003 that allowed the property to be used as a private school be changed for the property located at 8725 Dunwoody Place, consisting of a total of approximately 2.33 acres, to wit; and

ALL THAT TRACT or parcel of land lying and being in Land Lot 368 of the 6<sup>th</sup> District, Fulton County, Georgia by the attached legal description; and

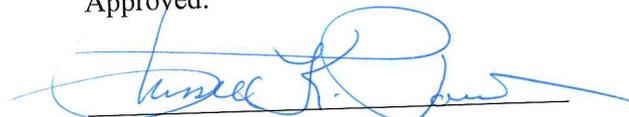
**SECTION 2.** That the property shall be developed in compliance with the conditions of approval, as attached to this ordinance. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations; and

**SECTION 3.** That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

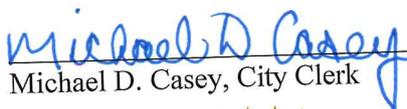
**SECTION 4.** This Ordinance shall become effective upon adoption by the City Council and the signature of approval of the Mayor.

**APPROVED AND ADOPTED** this the 17<sup>th</sup> day of November, 2015.

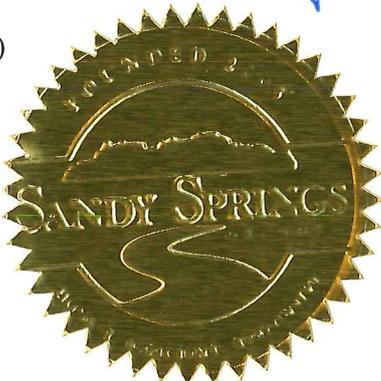
Approved:

  
\_\_\_\_\_  
Russell K. Paul, Mayor

Attest:

  
\_\_\_\_\_  
Michael D. Casey, City Clerk

(Seal)



## CONDITIONS OF APPROVAL

**201502259**  
**8725 Dunwoody Place**

Please be advised, the zoning modification petition #201502259 for conditions 1.b and 1.c of Use Permit U11-001/CV11-003 for property at 8725 Dunwoody Place (Tax ID #06 036800070055) was approved by the Mayor and City Council at the November 17, 2015 hearing subject to the following conditions:

1. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development dated May 6, 2011. 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. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
  - b. To locate a Private School, with associated accessory uses, on Tract B (a.k.a. 8725 Dunwoody Place/TaxPin# 06 036800070055). The aforementioned Private School shall operate out of fifteen (15) classrooms and occupy a total of 8,406+/- square feet (the entire building) with the largest assembly area having 1,000 square feet on each floor.
  - c. To restrict the total number of enrolled students to no more than 100.
  - d. The applicant shall, by August 15<sup>th</sup> of every year, provide the City an annual affidavit detailing the total maximum enrollment for their academic year, subject to the approval of the Department of Community Development.
  - e. The subject Private School shall not have an outdoor playground.
  - f. The subject Private School shall not sequester common area for exclusive use in violation of the restrictive covenants of the North River Square Association, Inc.
2. To the owner's agreement to provide the following site development standards:
  - a. To reduce the zoning regulations to the extent necessary for all the existing non-conforming (grandfathered) structure(s) to comply in accordance with the site plan received by the Department of Community Development dated May 6, 2011.

## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in North River Square in Land Lot 368 of the 6th District, Fulton County, Georgia, as shown as **Tract B** on that Plat and Survey for North River Partners, LLC, Primary Capital Advisors, LC and Old Republic National Title Insurance; and R. Cobb & Son, LLC, Branch Banking and Trust Company and Old Republic National Title Insurance Company, prepared by A. S. Giometti & Associates, Inc., bearing the seal of August S. Giometti, Georgia Registered Land Surveyor No. 1125, dated August 24, 2000, recorded at **Plat Book 214, page 49**, Fulton County, Georgia records, being known as **8725 Dunwoody Place, Atlanta, Georgia 30350** and being more particularly described as follows:

To find the true point of beginning, begin at the intersection of the of North River Drive (60 foot right-of-way) and Dunwoody Place (65 foot right-of-way), thence 326.73

feet along the sixty-five (65) foot right-of-way of Dunwoody Place to an iron pin found; thence north 21 degrees 44 minutes 41 second east a distance of 18.06 feet to an iron pin found; thence north 33 degrees 08 minutes 42 seconds west a distance of 317.11 feet to a point on the northeasterly right-of-way of Dunwoody Place (variable right-of-way); thence north 36 degrees 25 minutes 34 seconds east a distance 61.74 feet to a point, said point being the True Point of Beginning for Tract B; thence north 33 degrees 08 minutes 43 seconds west a distance of 55.00 feet to a point; thence north 56 degrees 51 minutes 17 seconds east a distance of 45.00 feet to a point; thence north 33 degrees 08 minutes 43 seconds west a distance of 45 feet to a point; thence north 56 degrees 51 minutes 17 seconds east a distance of 60.00 feet to a point; thence south 33 degrees 08 minutes 43 seconds east a distance of 100.00 feet to a point; thence south 56 degrees 51 minutes 17 seconds west a distance of 105.00 feet to a point, said point being the True Point of Beginning of Tract B, containing 0.195 acres more or less."

**RECEIVED**

JUL 06 2015

City Of Sandy Springs  
Community Development

*Pendley & Pendley*