

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 0 & 6555 ROSWELL RD
FROM C-1 (COMMUNITY BUSINESS DISTRICT) PER 201303719 AND R-3 (SINGLE
FAMILY DISTRICT) TO TR (TOWN HOUSE RESIDENTIAL DISTRICT)

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on October 18, 2016 at 6:00 p.m. as follows:

SECTION 1. That the Zoning Ordinance of the City of Sandy Springs be amended, and the official maps established in connection therewith be changed so that the following property located at 0 & 6555 Roswell Road to wit; and

ALL THAT TRACT or parcel of land lying and being Land Lot 88 of the 17th 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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and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.

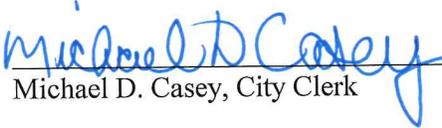
APPROVED AND ADOPTED this the 18th day of October, 2016.

Approved:



Russell K. Paul, Mayor

Attest:


Michael D. Casey, City Clerk

(Seal)



CONDITIONS OF APPROVAL

RZ16-0089

0 & 6555 Roswell Road

Please be advised that the City of Sandy Springs Mayor and City Council approved the rezoning of property owned by FDJ Holdings I LLC; V & V 6555 Roswell LLC; V & V Sandy springs LLC. Rezoning petition RZ16-0097 was approved to rezone from C-1 (Community Business District) and R-3 (Single Family Dwelling District) to TR (Town House Residential District) by the Mayor and City Council at the October 18th, 2016 hearing, subject to the following conditions:

1. To the conceptual site plan prepared by Planners and Engineers Collaborative, dated August 30, 2016, and received by the Department of Community Development on August 31, 2016;
2. To the conceptual Tree Replacement Plan prepared by Planners and Engineers Collaborative, dated August 23, 2016, and received by the Department of Community Development on August 23, 2016. Plantings exceeding the minimum established in the plan shall be encouraged;
3. To restrict the use of the subject property to a maximum of 31 townhome units;
4. Interparcel access and combined entryway shall be required between the subject property and the property to the south at 6545 Roswell Road (Parcel # 17 008800060250);
5. An access easement shall be granted to the City for a future multiuse trail within the rear utility easement;
6. To provide a minimum of 8 windows per unit (to replace the 35% glazing requirement);
7. No vinyl siding shall be used;

The applicant submitted a set of conditions on September 30, 2016, generated through his discussions with neighborhood representatives. The additional conditions are as follows are herein incorporated:

8. At least seventy percent (70%) of exterior materials shall consist of masonry, brick or hard stucco on every building elevation. Windows and doors are excluded from the calculations;
9. The narrowest or any side elevation of each building shall include no less than four (4) windows and a mix of architectural elements;
10. Pedestrian lighting shall be installed along the road and drive and shall be similar to the Zoning Ordinance Section 12(1).5.D. or another style from Georgia Power;
11. Bat boxes will be constructed near the detention pond;
12. The detention pond and common area near the detention pond shall treated regularly for mosquitos;
13. The rear of units 16-19 shall be composed of brick, other than windows, doors, decks, and architectural elements;
14. To abide to the submitted landscape plan prepared by Planner and Engineers Collaborative, dated August 23, 2016, and received by the Department of Community Development on August 23, 2016.

To the following concurrent variances:

1. (a) Variance from Section 103-75(a)(1) of the Development Regulations to reduce the easement along the private street from 50 feet to 44 feet;
(b) Variance from Section 103-75(a)(1) of the Development Regulations to reduce the easement along the private alley from 50 feet to 40 feet;

2. Variance from Section 12B.8.C.1.b of the Zoning Ordinance to increase the maximum allowable front yard as measured from back of curb from 21 feet to 115 feet;
3. Variance from Section 4.23.1 of the Zoning Ordinance to reduce the required 25 foot buffer to 10 feet;
4. Variance from Section 12B.8.F.2.c.i. of the Zoning Ordinance to eliminate the requirement that a minimum of 60% of ground level facades visible from the right-of-way be transparent glazing.
5. Variance from Section 103-72(b) of the Development Regulations to eliminate required interparcel access to the north;

**LEGAL DESCRIPTION – OVERALL
0 & 6555 Roswell Road**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 88 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

Commencing from a point at the Southern Right-of-Way of Abernathy Rd (Right-of-Way Varies) and the Southeastern Right-of-Way of Roswell Rd a.k.a. State Route 9 (Right-of-Way Varies);

Thence leaving said intersection, South 24 degrees 06 minutes 21 seconds West, a distance of 1093.49 feet to an iron pin set, said pin being the TRUE POINT OF BEGINNING;

Thence leaving the Southeastern Right-of-Way of Roswell Rd a.k.a. State Route 9 (Right-of-Way Varies), North 88 degrees 53 minutes 02 seconds East, a distance of 456.23 feet to an iron pin set; Thence North 00 degrees 50 minutes 12 seconds West, a distance of 16.32 feet to an iron pin set; Thence North 00 degrees 50 minutes 12 seconds West, a distance of 28.32 feet to an iron pin found; Thence South 89 degrees 56 minutes 15 seconds East, a distance of 11.96 feet to a point; Thence North 00 degrees 51 minutes 34 seconds East, a distance of 112.91 feet to an iron pin found; Thence South 89 degrees 44 minutes 40 seconds East, a distance of 295.70 feet to an iron pin set; Thence South 00 degrees 42 minutes 03 seconds East a distance of 98.30 feet to a point; Thence South 24 degrees 01 minutes 38 seconds West a distance of 42.57 feet to a point; Thence South 89 degrees 24 minutes 41 seconds West a distance of 28.63 feet to an iron pin found; Thence South 01 degrees 03 minutes 13 seconds West a distance of 40.74 feet to a point; Thence South 00 degrees 42 minutes 10 seconds East a distance of 24.21 feet to a point; Thence South 24 degrees 01 minutes 38 seconds West a distance of 191.15 feet to a point; Thence South 89 degrees 15 minutes 51 seconds West a distance of 22.21 feet to a point; Thence North 89 degrees 25 minutes 29 seconds West, a distance of 129.82 feet to an iron pin set; Thence South 88 degrees 54 minutes 09 seconds West, a distance of 235.36 feet to an iron pin found; Thence North 00 degrees 55 minutes 00 seconds West, a distance of 31.46 feet to an iron pin found; Thence South 88 degrees 49 minutes 40 seconds West, a distance of 237.48 feet to a point; Thence North 84 degrees 33 minutes 40 seconds West, a distance of 47.82 feet to a PK nail set on the Southeastern Right-of-Way of Roswell Rd a.k.a. State Route 9 (Right-of-Way Varies); Thence continuing along said Right-of-Way, 150.78 feet along an arc of a curve to the right, said curve having a radius of 2,551.36 feet and a chord bearing and distance of North 09 degrees 11 minutes 07 seconds East 150.76 feet to a point; Thence continuing along said Right-of-Way, 35.84 feet along an arc of a curve to the right, said curve having a radius of 2,542.71 feet and a chord bearing and distance of North 11 degrees 16 minutes 54 seconds East 35.84 feet to an iron pin set, said pin being the TRUE POINT OF BEGINNING.

Said tract containing 4.427 acres.