

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO REZONE PROPERTY LOCATED AT 1170 HIGHTOWER TRAIL
FROM R-2 (SINGLE FAMILY DWELLING DISTRICT) TO C-1 (COMMUNITY
BUSINESS DISTRICT)**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on April 18, 2017 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 1170 Hightower Trail to wit; and

ALL THAT TRACT or parcel of land lying and being Land Lot 363 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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

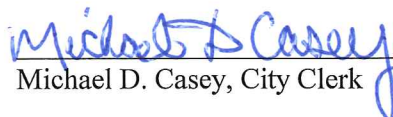
SECTION 4. This Ordinance shall become effective upon adoption by the City Council and the signature of approval of the Mayor.

APPROVED AND ADOPTED this the 18th day of April, 2017.

Approved:


Russell K. Paul, Mayor

Attest:


Michael D. Casey, City Clerk

(Seal)



CONDITIONS OF APPROVAL

RZ16-0103

1170 Hightower Trail

Please be advised that the City of Sandy Springs Mayor and City Council **approved** the rezoning of property owned by Lefko Properties, LLC. Rezoning petition RZ16-0103 was approved to rezone from R-2 (Single Family Dwelling District) to C-1 (Community Business District) to allow the use of the property for small business by the Mayor and City Council at the April 18th, 2017 hearing subject to the following conditions:

1. To abide by the following:
 - a. To the *Survey* prepared by Eugene A. Stepanov, Survey Land Express, INC, dated December 1, 2016, and received by the Department of Community Development on December 23, 2016. This plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance;
 - b. To the *Landscape Plan* prepared by Eugene A. Stepanov, Survey Land Express, INC, dated December 1, 2016 and received by the Department of Community Development on December 23, 2016, and as approved by the City Arborist.

2. To restrict the use of the subject property as follows:
 - a. The developer shall provide at minimum a 12' travel lane, 2' curb and gutter, 2' landscape strip, and 6' sidewalk;
 - b. The developer shall dedicate ROW to meet the greatest of the following requirements: 30' from the centerline, 11' from the back of curb, or 1' from back of sidewalk;
 - c. Interparcel access shall be established between applicant property at 1170 Hightower Trail and 1150 Hightower Trail and 1180 Hightower Trail.
 - d. Applicant must submit an updated site plan reflecting interparcel access connectivity to adjacent properties at 1150 Hightower Trail and 1180 Hightower Trail during the LDP permitting process;
 - e. Existing septic field must be field located prior to any construction;
 - f. Additions to or any modifications to the existing septic system must be approved by the Fulton County Health Department prior to the approval and/or issuance of any permits;
 - g. All requirements of current Stormwater Regulations must be complied with;
 - h. The accessory structure shall comply with design guidelines required by the Suburban Overlay District and shall be approved for compliance during the LDP permitting process;
 - i. If the applicant decides to pursue the construction of the accessory structure, a new landscape plan reflecting the size and location of the structure must be submitted during the LDP permitting process and shall be reviewed and approved by Staff.
 - j. Accessory structure must meet all of the application zoning requirements for the C-1 zoning district.

3. Office use, restricted as follows:
 - a. Premises may only be use for office activities only;
 - b. Outdoor storage and delivery of heavy equipment and materials shall be prohibited.

To the following concurrent variance:

1. Variance form Section 12B.4.C.1 of the Zoning Ordinance to eliminate the pedestrian installation requirement of the Suburban Overlay District.

Exhibit A

All that tract or parcel of land lying and being in Land Lot 363, 6th District, Fulton County, Georgia, per survey prepared by Eston Pendley & Assoc., Inc., dated June 23, 1988, and being more particularly described as follows:

BEGINNING at an iron pin on the northeasterly side of Hightower Trail 100.0 feet northwesterly, as measures along the northeasterly side of Hightower Trail, from the corner formed by the intersection of the northeasterly side of Hightower Trail with the northwesterly side of Wing Street; run thence northwesterly along the northeasterly side of Hightower Trail a distance of 100.0 feet to an iron pin; run thence northeasterly along a line that forms an interior angle of 96 degrees 12' with the last preceding course a distance of 250.0 feet to an iron pin; run thence southeasterly a distance of 100.0 feet to an iron pin; run then southwesterly a distance of 250.0 feet to an iron pin on the northeasterly side of Hightower Trail and the point of beginning; being improved property having a house thereon known as 1170 Hightower Trail according to the present system of numbering houses in Fulton County, Georgia

Less and except that property described in that certain right of way deed, recorded in deed book 51995 page 655 Fulton County Records and further described as:

Beginning at a point at coordinates N 1450588.18, thence E 2241344.42 (Horizontal Georgia Coordinate System of 1984) and 20.14 feet left of and opposite station 17+21.08 on a construction centerline laid out for Hightower Trail, running thence N 23 degrees 40'53.9" E a distance of 0.86 feet to a point 21.00 feet left of and opposite station 17+21.16 on said construction centerline laid out for Hightower Trail; thence southeasterly 105.039 feet along the arc of a curve (said curve having a radius of 1979.000 feet and a chord distance of 105.027 feet on a bearing of S 73 degrees 20'54.9"E) to the point 21.00 feet left of and opposite station 18+27.32 on said construction centerline laid out for laid out for Hightower Trail; thence S 19 degrees 25'33.7" W a distance of 1.32 feet to a point 19.69 feet left and opposite station 18+27.22 on said construction centerline laid out for laid out for Hightower Trail; thence northwesterly 105.079 feet along the arc of a curve (said curve having a radius of 2280.000 feet and a chord distance of 105.070 feet on a bearing of N 73 degrees 05'51.8"W) back to the point of beginning. Containing 107.63 Square feet, more or less.