

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO MODIFY CONDITION(S) OF A RESOLUTION BY THE FULTON
COUNTY BOARD OF COMMISSIONERS APPROVING PETITION Z72-0096 ON JULY 5, 1972
AND TO APPROVE CONCURRENT VARIANCE(S), PROPERTY LOCATED AT 135
FOX RIDGE DRIVE**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on May 16, 2006 at 7:00 p.m. as follows:

SECTION 1. That the condition(s) of a Resolution by the Fulton County Board of Commissioners, approved on July 5, 1972, for petition Z72-0096 that rezoned property from the R-1 (Single Family Dwelling) District to the R-2 (Single Family Dwelling) District be changed for the property located at **135 Foxridge Drive**, consisting of a total of approximately 1.015 acres, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 133 of the 17th District, Fulton County, Georgia by the attached legal description; and

SECTION 2. That the variance(s), as listed in the attached conditions of approval, be approved under the provisions of Section 22.9 of the Zoning Ordinance of the City of Sandy Springs; and

SECTION 3. 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 4. That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

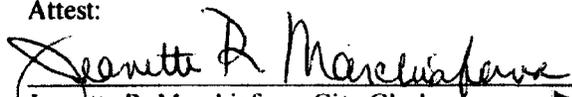
SECTION 5. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this the 16th day of May, 2006.

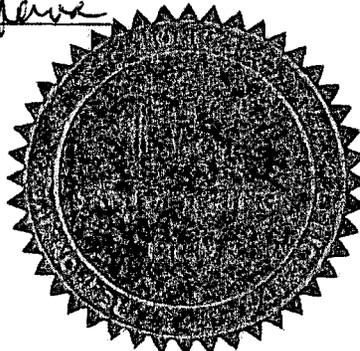
Approved:


Eva Galambos, Mayor

Attest:


Jeanette R. Marchiafava, City Clerk

(Seal)



LEGAL PROPERTY DESCRIPTION
FOR THE
CREWDSON RESIDENCE

135 FOXRIDGE
ATLANTA, GEORGIA 30327

ZONING / USE PERMIT PETITION NO. Z-72-096 FC

RECEIVED

MAR 07 2006

All that tract of parcel of land lying and being in Land Lot 133 of the 17th District of Fulton County, Georgia, being Lot 4, Block A, Foxridge Subdivision as per plat recorded in Plat Book 108, Page 107, Fulton County Records and being more particularly described as follows:

Beginning at an iron pin located at the northeast corner of Lot 5, Block A said Subdivision, said iron pin being located 510.60 feet easterly and northeasterly as measured along the southeast side of Foxridge from the intersection of the southeast side of Foxridge with the southeast and east side of Riverside Drive (said point being the northwest corner of Lot 7, Block A said Subdivision); running thence southeast along the northeast line of said Block 5 a distance of 200 feet to an iron pin; running thence northeast along a course forming an interior angle with the preceding course of 90 degrees 0 minutes, 276.7 feet to an iron pin; running thence northwest along a course forming an interior angle of 78 degrees 5 minutes with the preceding course a distance of 72.6 feet to an iron pin located on the southeast side of the cul-de-sac of Foxridge; running thence southwest, west, northwest along the right-of-way of the cul-de-sac of Foxridge and running westerly and southwesterly along the southeast side of Foxridge, and following the curvature thereof, a distance of 361.13 feet to an iron pin and the POINT OF BEGINNING: being improved property know an 135 Foxridge, N.W. according to the present system of numbering houses in Fulton County, Georgia, and being more particularly described in Plat of Survey prepared for C. Read Morton, Jr. by J.B. Dixon, Georgia Registered Land Surveyor No. 1878, dated February 16, 1977.

CONDITIONS OF APPROVAL

ZM06-001/CV06-005
135 Foxridge Drive

The City of Sandy Springs Mayor and City Council approved the modification of the conditions of Z72-0096, with regard to the above referenced property currently zoned R-2 (Single Family Dwelling District). Zoning modification petition ZM06-001 and the associated concurrent variance petition CV06-005 were approved by the Mayor and City Council at the May 16, 2006 hearing, subject to the following conditions:

1. The petitioner's Letter of Intent received by the Zoning Department May, 24, 1979, with the exception that the language prohibiting garages from facing the street shall not apply to the property considered under the subject application.
2. The subject property shall be limited to the site plan received by the Department of Community Development dated received March 7, 2006. 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. The owner/developer shall provide landscape planting along the rear property line to screen and buffer the detached guest house addition from adjoining properties, to be approved by the City of Sandy Springs Arborist and Landscape Architect.
4. To the owner's agreement to provide the following site development standards:
 - a. To allow a proposed garage to be setback 30' from the front property line where a 60' setback is required (CV06-005).
 - b. To allow a proposed detached guest house addition to be setback 20' from the rear property line where a 40' setback is required (CV06-005).

