

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO MODIFY CONDITION(S) OF A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS APPROVING PETITION Z70-0163 ON MARCH 8, 1971, PROPERTY LOCATED AT 6925 ROSWELL ROAD (SR 9)

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on October 3, 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 March 8, 1971, for petition Z70-0163 that rezoned property from the CUP (Community Unit Plan) District and the R-2 (Single Family Dwelling) District to the A (Medium Density Apartment) District be changed for the property located at **6925 Roswell Road (SR 9)**, consisting of a total of approximately 34.96 acres, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lots 73 and 74 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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

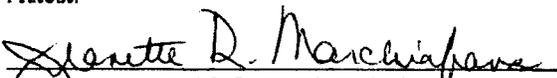
SECTION 4. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this the 3rd day of October, 2006.

Approved:


Eva Galambos, Mayor

Attest:


Jeanette R. Marchiafava, City Clerk

(Seal)



CONDITIONS OF APPROVAL

ZM06-007

6925 Roswell Road (SR 9)

The City of Sandy Springs Mayor and City Council approved the modification of the conditions of Z70-0163, with regard to the above referenced property currently zoned A (Medium Density Apartment District). Zoning modification petition ZM06-007 was approved by the Mayor and City Council at the October 3, 2006 hearing, subject to the following conditions:

1. To the owner's agreement to abide by the following:
 - a. All references to the total number of parking spaces required in the applicant's Augmented Letter of Intent received by Fulton County on March 8, 1971 shall be deleted. The subject property shall hereby be conditioned to the site plan received by the Department of Community Development dated received July 18, 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 any Land Disturbance Permit or Building Permits. 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.
 - b. To maintain the existing 929 parking spaces on the site as shown on the site plan received by the Department of Community Development dated September 25, 2006.

LEGAL DESCRIPTION

All that tract of land in Land Lots 73 and 74 of the 17th District, Fulton County, Georgia, described as follows:

BEGINNING at an iron pin found on the point common to Land Lots 73, 74, 33 and 34; running thence along the line common to Land Lots 73 and 34 South 00 degrees 17 minutes West 1250.00 feet to an iron pin found; thence South 86 degrees 24 minutes West 773.36 feet to an iron pin found in concrete; thence South 84 degrees 31 minutes West 112.43 feet to an iron pin found; thence North 21 degrees 31 minutes West 27.14 feet to an iron pin found; thence North 00 degrees 08 minutes West 1272.98 feet to an iron pin found on the line common to Land Lots 73 and 74; thence along the line common to Land Lots 73 and 74 South 90 degrees 00 minutes West 145.02 feet to an iron pin found in concrete which iron pin found in concrete is on the east right-of-way line of a 100 foot Georgia Power Company easement; thence North 17 degrees 09 minutes East 261.72 feet to an iron pin found in concrete; thence South 89 degrees 55 minutes West 422.39 feet to an iron pin found in concrete on the southeast right-of-way line of Roswell Road (80 foot right-of-way); thence along the southeast right-of-way line of Roswell Road and following the curvature thereof along the arc of a curve having a chord bearing and distance of North 19 degrees 03 minutes East 515.33 feet, 515.37 feet to an iron pin found; thence South 84 degrees 46 minutes East 207.77 feet to an iron pin found on the west right-of-way line of said 100 foot Georgia Power Easement; thence South 46 degrees 21 minutes East 445.00 feet to an iron pin found; thence South 17 degrees 54 minutes East 280.0 feet to an iron pin found; thence South 50 degrees 46 minutes 30 seconds East 125.0 feet to an iron pin found; thence South 89 degrees 34 minutes East 510.20 feet to an iron pin found on the line common to Land Lots 74 and 33; thence along the line common to Land Lots 74 and 33; thence South 03 degrees 21 minutes East 50.00 feet to the POINT OF BEGINNING, containing 34.96 acres as per plat of As-Built Survey of Post Creek for Century Properties Fund XXII and FCA American Mortgage Corporation, dated November 17, 1976, updated June 6, 1984, last revised June 14, 1984, prepared by Robert Lee White, Georgia Registered Land Surveyor No. 2080, Planners and Engineers Collaborative.

RECEIVED

JUL 18 2006

City of Sandy Springs
Community Development

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