

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO REZONE PROPERTY FROM THE R-3 (SINGLE FAMILY DWELLING)
DISTRICT TO O-I (OFFICE AND INSTITUTIONAL) DISTRICT, PROPERTY LOCATED AT
161 MOUNT PARAN ROAD**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on December 19, 2006 at 7:00 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 **161 Mount Paran Road**, consisting of a total of approximately 3.55 acres, be changed from the R-3 (Single Family Dwelling) District to O-I (Office and Institutional) District with conditions, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 92 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

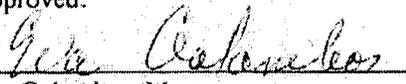
SECTION 4. That the official maps referred to, on file in the Office of the City Clerk, be changed to conform with the terms of this ordinance; and

SECTION 5. That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

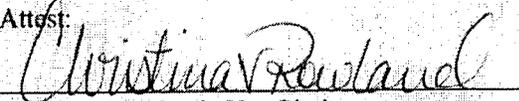
SECTION 6. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this the 19th day of December, 2006.

Approved:


Eva Galambos, Mayor

Attest:


Christina Rowland, City Clerk

(Seal)



CONDITIONS OF APPROVAL

RZ06-047/CV06-033

161 Mount Paran Road

The City of Sandy Springs Mayor and City Council approved the rezoning of property owned by International Building Associates located at 161 Mount Paran Road. Rezoning petition RZ06-047/CV06-033 to rezone the subject property from R-3 (Single Family Dwelling District) to O-I (Office and Institutional District) was approved by the Mayor and City Council at the December 19, 2006 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. To office uses in the existing 1,728 square foot structure at a density of 6,171.43 square feet per acre. No modifications will be made to the exterior of the structure, other than normal maintenance.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated November 7, 2006. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, 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. To the owner's agreement to provide the following site development standards:
 - a. The owner/developer shall dedicate thirty (30) feet of right-of-way from centerline on Mount Paran Road along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
 - b. To reduce the required twenty (20) foot side yard setback to ten (10) feet along the west property line to allow the existing structure to remain (CV06-033).
 - c. To reduce the required twenty-five (25) foot buffer and ten (10) foot improvement setback to a ten (10) foot landscape strip along the west property line adjacent to property zoned R-3 (Single Family Dwelling District) to allow the existing structure to remain. Said landscape strip shall be planted to buffer standards and shall be subject to the approval of the City Arborist (CV06-033).
 - d. To reduce the required ten (10) foot landscape strip to zero (0) feet along portions of the south property line adjacent to property zoned C-1 (Community Business District) to allow for the installation of the proposed parking area (CV06-033).

- e. To reduce the required ten (10) foot landscape strip to zero (0) feet along the east property line adjacent to property zoned C-1 (Community Business District) to allow for the installation of the proposed parking area (CV06-033).
- f. The driveway along Mount Paran Road shall be an entrance only.
- g. To allow for shared parking with the property to the south for one (1) parking space. At such time that the owner of either property changes, the owner of the subject site shall provide a shared parking agreement with the property's new owner for the additional space.

EXHIBIT A
to deed from Gibson/Thornburg Associates
to
International Building Associates

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 92 of the 17th District of Fulton County, being Lot 3, Subdivision of J.F. Burnette Estate and being more particularly described as follows:

TO ARRIVE AT THE TRUE POINT OF BEGINNING, begin at an iron pin located on the westerly line of the right of way of Roswell Road (a road having a variable right of way at said point) 89.5 feet southerly, as measured along the westerly line of the right of way of Roswell Road, from the intersection formed by the westerly line of the right of way of Roswell Road with the southerly line of the right of way of Mt. Paran Road, said iron pin also being located at the southeast corner of Lot 4 of said subdivision and being the **TRUE POINT OF BEGINNING**; from said **TRUE POINT OF BEGINNING**, run thence in a generally southerly direction along the westerly line of the right of way of Roswell Road a distance of 100 feet to an nail set in concrete (said nail being located at the northeast corner of property now or formerly owned by AJC International, Inc.); thence leaving the right of way of Roswell Road (having a right of way of 65 feet at this point), running thence north 88 degrees 44 minutes 03 seconds west along the north line of property now or formerly owned by AJC International, Inc. a distance of 239.40 feet to an iron pin found; running thence north 00 degrees 48 minutes 29 seconds west a distance of 99.65 to a point; said point being the southwest corner of Lot 4, said subdivision; running thence south 88 degrees 34 minutes 18 seconds east a distance of 99.76 feet to an 1/2" iron pin found; continuing thence south 89 degrees 00 minutes 28 seconds east a distance of 141 feet to a point on the westerly line of the right of way of Roswell Road and the **TRUE POINT OF BEGINNING**; being the same property shown as Tract 3 on that certain plat of survey dated November 30, 1993 prepared for International Building Associates by Charles D. McCann, Georgia Registered Land Surveyor No. 2245, a reduced copy of which is attached hereto as Exhibit "A-1" and by this reference made a part hereof.

The above described property is the same property acquired by Grantor pursuant to that certain Warranty Deed dated November 30, 1983 from John T. Gibson and Glenn T. Thornburg, as grantors therein, to Grantor recorded in Deed Book 8753 at page 276 in the office of the Clerk of the Superior Court of Fulton County, Georgia.

LESS AND EXCEPT that portion, if any, of the above described property conveyed by John T. Gibson to Fulton County pursuant to that certain Right-of-Way Deed dated October 21, 1988 and recorded in Deed Book 12038 at page 64, aforesaid records.

RECEIVED

SEP 05 2006

City of Sandy Springs
Community Development

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• RZ 06047