

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO REZONE PROPERTY FROM THE R-2 (SINGLE FAMILY DWELLING) DISTRICT TO THE R-2 (SINGLE FAMILY DWELLING) DISTRICT, PROPERTY LOCATED AT 5757 RIVERSIDE DRIVE

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on February 20, 2007 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 **5757 Riverside Drive**, consisting of a total of approximately 2.9062 acres, be changed from the R-2 (Single Family Dwelling) District to the R-2 (Single Family Dwelling) District with conditions, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 166 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 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 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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and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 20th day of February, 2007.

Approved:

Eva Galambos
Eva Galambos, Mayor

Attest:
Christina Rowland
Christina Rowland, CMC, City Clerk

(Seal)

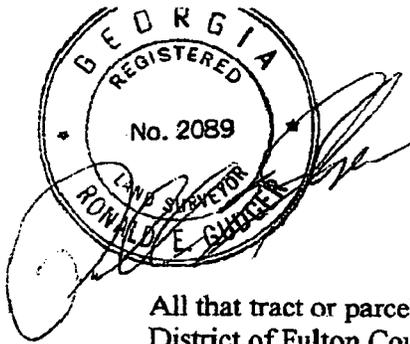


CONDITIONS OF APPROVAL

RZ06-057
5757 Riverside Drive

The City of Sandy Springs Mayor and City Council approved the rezoning of property owned by Thomas and Ellen Ungashick located at 5757 Riverside Drive. Rezoning petition RZ06-057 to rezone the subject property from R-2 (Single Family Dwelling District) conditional to R-2 (Single Family Dwelling District) was approved by the Mayor and City Council at the February 20, 2007 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Two (2) single family residential lot at a density of 0.69 units per acre.
 - b. The minimum heated floor area per dwelling unit shall be 4,500 square feet.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development on November 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. 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 of Riverside Drive 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.



LEGAL DESCRIPTION 5757 RIVERSIDE DRIVE

All that tract or parcel of land lying and being in Land Lots 133 and 166 of the 17th District of Fulton County, within the limits of the City of Sandy Springs, Georgia, known as 5757 Riverside Drive and being more particularly described as follows:

Beginning at a 1/2" rebar which is the common corner of Land Lots 133, 134, 165 and 166, thence leaving said common corner and running along the line dividing Land Lots 165 and 166, proceed South 87°16'18" West for 299.94' to a point; thence leaving said land Lot Line, proceed North 46°12'09" East for 55.20' to a point; thence proceed North 32°19'16" West for 225.03' to a point on the southeasterly right of way of Riverside Drive (having a variable right of way), said point also being located 1308' northeasterly of the intersection of the rights of way of said Riverside Drive and Mount Vernon Highway; thence along said right of way of Riverside Drive proceed North 46°00'58" East for 279.50' to a 1/2" rebar; thence leaving said right of way of Riverside Drive proceed South 53°00'10" East for 296.44' to a 1/2" rebar; thence proceed South 09°50'32" East for 148.07' to a point; thence proceed South 44°43'16" West for 118.10' returning to the point of beginning. Said parcel is formerly known as Tract 1 of the "Survey for Jim Spencer" as recorded in Plat Book 288, Page 109 of the records of Fulton County and contains 126,594 square feet or 2.9062 acres, more or less.

RECEIVED

NOV 07 2006

City of Sandy Springs
Community Development

RZ06057