

**AN ORDINANCE TO MODIFY CONDITION(S) OF A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS APPROVING PETITION Z78-0046 ON AUGUST 2, 1978, PROPERTY LOCATED AT 370 KELSON DRIVE**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, Georgia while in regular session on January 15, 2008 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 August 2, 1978, for petition Z78-0046 that allowed the property to be rezoned to the R-2A (Single Family Dwelling) District be changed for the property located at **370 Kelson Drive**, consisting of a total of approximately 0.80 acres, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 205 of the 17<sup>th</sup> 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**SECTION 3.** That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

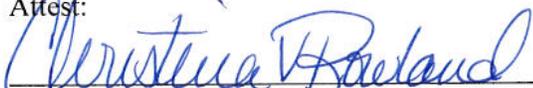
**SECTION 4.** This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

**ORDAINED** this the 15<sup>th</sup> day of January, 2008.

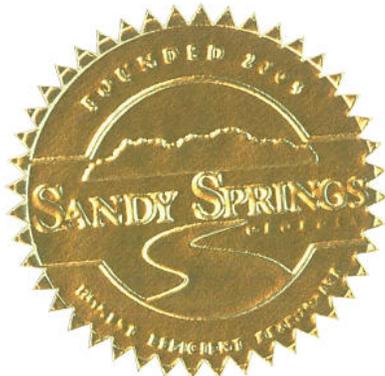
Approved:

  
Eva Galambos, Mayor

Attest:

  
Christina Rowland, CMC, City Clerk

(Seal)



CONDITIONS OF APPROVAL

**ZM07-011**  
**370 Kelson Drive**

The City of Sandy Springs Mayor and City Council approved the modification of the conditions of Z78-0046, with regard to the above referenced property currently zoned currently zoned R-2A (Single Family Dwelling District). Zoning modification petition ZM07-011 was approved by the Mayor and City Council at the January 15, 2008 hearing, subject to the following:

CONDITIONS:

1. The petitioner's original Letter of Intent received by the Zoning department June 6, 1978, signed by Tom Bleick in which he agreed to submit a detailed grading plan and hydrological study prior to grading, as well as to provide soil sedimentation and erosion control during construction and water retention after construction; to dedicate at no cost to Fulton County 40 feet of right-of way from the existing centerline of Northside Drive as well as to provide necessary construction easements; to pay for the materials necessary for the construction of sidewalks along the property frontage; to allow no exposed concrete block as an exterior building material; to allow the Fulton County Archeologist the opportunity to survey the property; to pay his pro-rated share of the cost of sewer extension, front footage assessment and tap-on fees; and to comply with Fulton County regulations relating to street light requirements.
2. The petitioner's Site Plan received by the Zoning Department June 6, 1978, which includes the 4.5 acres located at the intersection of Old Powers Ferry Road and Northside Drive. It should be noted that approval of this Site Plan does not negate the requirement for the property to be submitted through the Subdivision Review process.

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LETTER OF INTENT

June 6, 1978

Fulton County Planning Commission  
307 Fulton County Administration Building  
Atlanta, Georgia 30303

And

Board of Commissioners of  
Fulton County, Georgia

RE: POWERS FERRY NAUTILUS PROPERTY, 7.5 ACRES, NORTHSIDE DRIVE -  
REZONING TO R-2A

The undersigned hereby submits his Letter of Intent to express agreement to conditional zoning and to state that construction shall be in accord with this letter, and further hereby agree as follows:

3. The undersigned agrees to submit a detailed Site Plan and Grading Plan prior to defoliation.
4. The undersigned agrees to provide a hydrological study prior to grading.
5. The undersigned agrees to provide soil sedimentation and erosion control during and after construction, to provide water retention as required, and to indicate the method of continued maintenance of these structures.
6. The total property site is 7.5 acres.
7. The total number of units will approximately be 14 lots overall; the price range would vary upwards from \$65,000; the minimum square footage would be 1,700 for a one-story, and 1,800 for a two-story; the minimum lot size would be 27,000 square feet; building corner setback line would be 60 feet, height not to exceed two and one-half stories or 35 feet with front, side, and rear yards of 60 foot, ~~20 feet~~ 15 foot, and 40 foot, respectively; and the development will not include mandatory attachment of garages, but will include mandatory attachment of carports.
8. Maximum height of all structures shall not exceed 35 feet.
9. We agree to dedicate at no cost to Fulton County necessary right-of-way for the future widening of County roads; to provide any necessary construction easements while the right-of-way being improved; and to provide acceleration and deceleration lanes where requested by the Public Works Department.
10. We agree to pay for materials used in the construction of sidewalks where the development is within a mile and a half of any existing or proposed public school site or commercial development.
11. We do not plan any recreational areas or other property for use in common by the residents, at this time.
12. We hereby state that exposed concrete block will not be used as an exterior building material.
13. We hereby agree to allow the Fulton County Archeologist to examine the property for possible historical significance.
14. There is no square footage or percent of the area within the 100 year floodplain.
15. No part of the tract is within a floodplain.

16. We agree to pay tie pro-rated share of the cost of extension of sewer lines, front footage assessment for water lines and/or street improvements, and sewer tap-on fees, where these are applicable.
17. We agree to comply with the Fulton County regulations pertaining to street light requirements.
18. This land site is not applicable to the MARTA Corridor or the Chattahoochee River Corridor.
19. This application is made for land between R-2A Conditional Zoning and adjacent to a shopping center, and it would be good planning and use, to place it in an R-2A Residential Single-Family dwelling district.

Respectfully submitted  
/s/ Tom W. Bleick  
Tom W. Bleick, Optionor



18" HD
13" HD
13" HD
20" HD
15" PINE
16" PINE
24" PINE
26" DAK
23" HICKORY
8" DAK
17" HICKORY
11,000 SF LOT AREA
35,000 SF CANOPY COVERAGE
31% CANOPY COVERAGE

**BUILDING SETBACK LINES**  
 FRONT - 60 FEET  
 SIDE - 15 FEET  
 REAR - 40 FEET

MAXIMUM BUILDING HEIGHT - 40'  
 AREA OF DISTURBANCE = 1,985 SF ON ACRES  
 WATER PROVIDED BY THE CITY OF ATLANTA  
 SEWER PROVIDED BY FULTON COUNTY  
 USE EXISTING UTILITY CONNECTIONS  
 CONTACT THE DEPARTMENT OF COMMUNITY DEVELOPMENT  
 AT 770-730-5600 TO SCHEDULE A PRE-CONSTRUCTION  
 MEETING WITH THE SITE INSPECTOR  
 PRIOR TO ANY DISTURBANCE

THE PLACEMENT OF DUMPSTERS AND THE PARKING OF  
 VEHICLES IS PROHIBITED IN THE RIGHT OF WAY  
 NO TREES BEING REMOVED  
 HOUSE CURRENTLY CONNECTED TO COUNTY MAINTAINED SANITARY SEWER SYSTEM

**LEGEND**

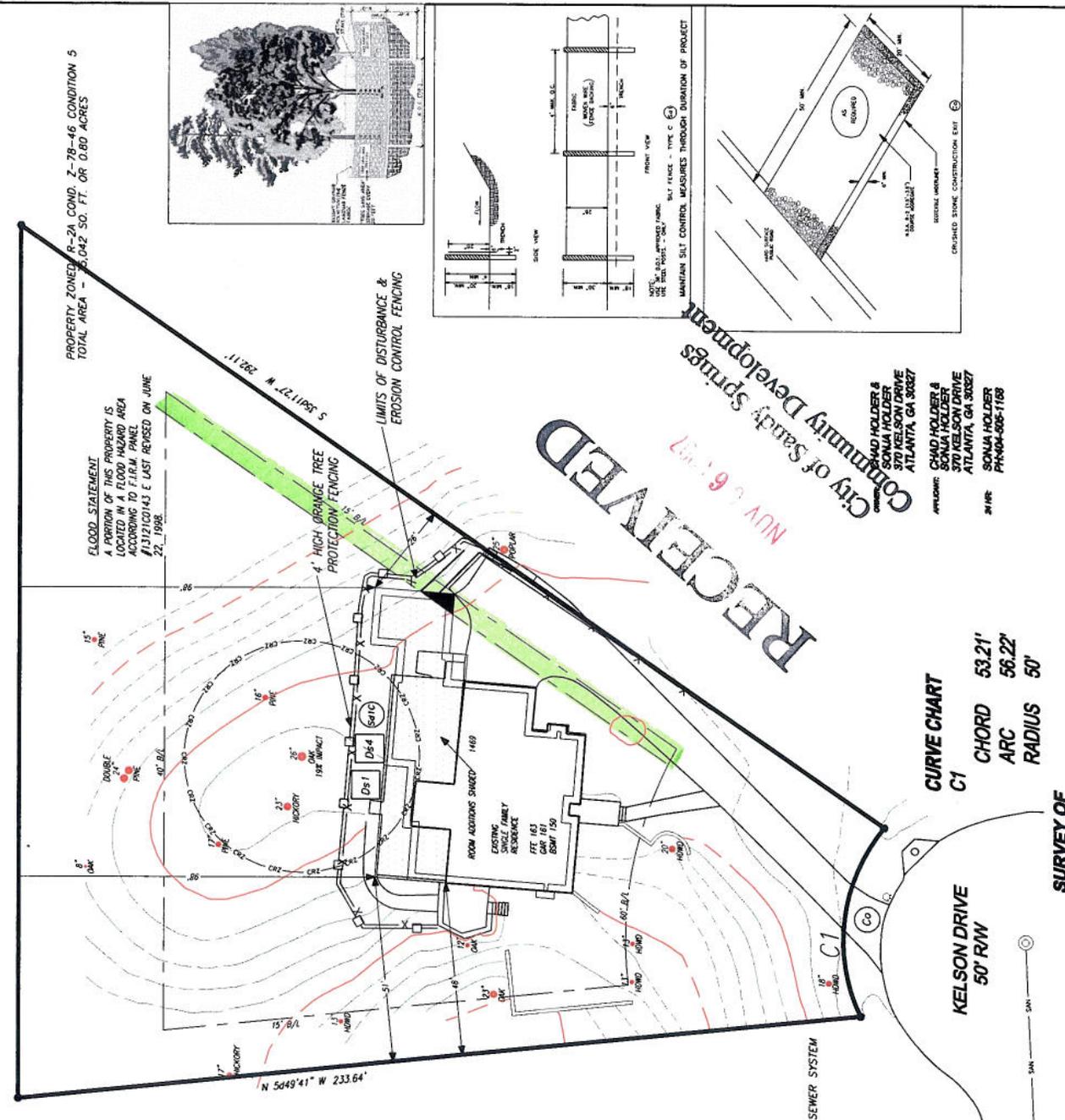
- M.H. - MANHOLE
- J.B. - JUNCTION BOX
- C.B. - CATCH BASIN
- D.I. - DROP INLET
- S.S.E. - SANITARY SEWER ESMT
- D.E. - DRAINAGE EASEMENT
- I.P.F. - IRON PIN FOUND
- I.P.S. - IRON PIN SET
- C.T.P. - CRIMP TOP PIPE
- O.T.P. - OPEN TOP PIPE
- R.B. - RE-BAR
- F.H. - FIRE HYDRANT
- B/L - BUILDING LINE
- W.P. - WATER MAIN
- P/P - POWER POLE
- CL - CENTER LINE

**LAND & ENGINEERING SURVEYS**  
 7000 PEACHTREE DUNWOODY ROAD  
 BLDG 6, STE 250 ATLANTA, GEORGIA 30328  
 PH (770) 396-6011 FAX (770) 396-2379  
 PLEASE EMAIL COMMENTS AND REVIEWS TO:  
 GUDGERSURVEYING@BELL.SOUTH.NET

**370 KELSON DRIVE**  
 L.L. 205, DISTRICT 17  
 CITY OF SANDY SPRINGS  
 FULTON COUNTY, GEORGIA

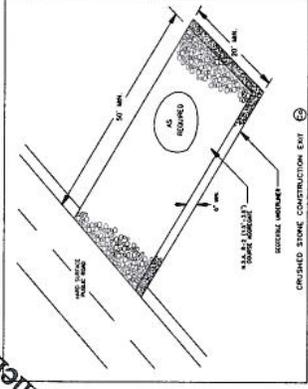
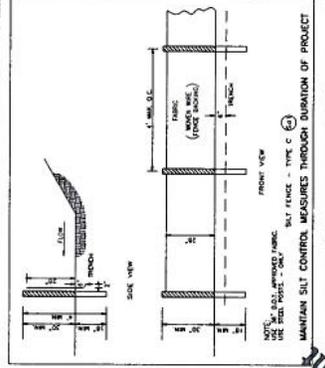
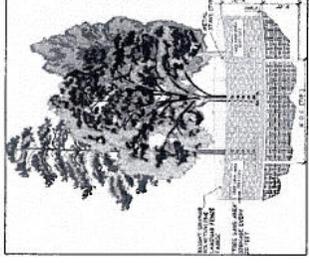
**DATES DRAWN & REVISED:**  
 SURVEYED: L.W. T. PO  
 CALCULATED: RAM  
 DESIGNED: MS  
 FILENAME: K0900370  
 CREATED:

**INTERMEDIATE PHASE**  
**S-1**



PROPERTY ZONED R-2A COND. 7-78-45 CONDITION 5  
 TOTAL AREA - 5.042 SQ. FT. OR 0.80 ACRES

**FLOOD STATEMENT**  
 A PORTION OF THIS PROPERTY IS  
 LOCATED IN A FLOOD HAZARD AREA  
 ACCORDING TO F.I.R.M. PANEL  
 #13121C0143 E LAST REVISED ON JUNE  
 22, 1998.



**City of Sandy Springs**  
 Community Development  
 CHAD HOLDER &  
 SONIA HOLDER  
 370 KELSON DRIVE  
 ATLANTA, GA 30327  
 PHONE: 404-505-1168

**RECEIVED**  
 NOV 6 2017  
 City of Sandy Springs  
 Community Development

ZM07-011



RECEIVED

7000 Peachtree Dunwoody Rd  
Bldg 6 Ste 250  
Atlanta GA 30328  
p) 770 396 6011 f) 770 396 2379  
GudgerSurveying@bellsouth.net

NOV 06 2007

City of Sandy Springs  
Community Development

ZM07 011

**Legal Description**  
Lot 8 Old Powers Pointe  
17<sup>th</sup> District LL 205

Beginning at a point on the south LL line of LL 205; thence S 90 00 00 W 103.34' to the northwest corner of lot 8 of Old Powers Pointe and the true point of beginning; thence S 35 11 27 W 292.11' along a cord of 53.21' having a radius of 50' through an arc of 56.22'; thence N 5 49 41 W 233.64'; thence N 90 00 00 W 245.00' to the true point of beginning.

Handwritten signature and date: 2/15, 2009