

**AN ORDINANCE TO MODIFY CONDITION(S) OF A RESOLUTION BY THE FULTON
COUNTY BOARD OF COMMISSIONERS APPROVING PETITION Z88-0053 ON MAY 4, 1988,
PROPERTY LOCATED AT 285 NORTHLAND RIDGE TRAIL**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on July 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 May 4, 1988, for petition Z88-0053 that allowed the property to be rezoned to the R-3A (Single Family Dwelling District) be changed for the property located at **285 Northland Ridge Trail**, consisting of a total of approximately 0.54 acres, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 14 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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and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 15th day of July, 2008.

Approved:


Eva Galambos, Mayor

Attest:


Christina Rowland, CMC, City Clerk
(Seal)



CONDITIONS OF APPROVAL

ZM008-003/CV08-008 285 Northland Ridge Trail

The City of Sandy Springs Mayor and City Council approved the modification of the conditions of Z88-0053, with regard to the above referenced property currently zoned currently zoned R-3A (Single Family Dwelling District). Zoning modification petition ZM08-003/CV08-008 was approved by the Mayor and City Council at the July 15, 2008 hearing, subject to the following:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Single family detached dwellings and accessory uses and structures.
 - b. No more than 24 total dwelling units at a maximum density of 1.68 dwelling units per acre based on the total acreage zoned.
 - c. The minimum size of any lot adjacent to Green Pine Drive shall be 27,000 square feet.
 - d. The minimum heated floor area per dwelling unit shall be 2,400 square feet.
 - e. The maximum building footprint for Lot 4 shall be 3,500 square feet, exclusive of any garage and/or deck areas.

2. To the owner's agreement to abide by the following:
 - a. To submit a revised Legal Description to the Department of Community Development within 30 days of the approval of this petition, deleting the northeast portion of said property abutting Green Pine Drive as shown on the site plan referenced in condition 2.b.
 - b. To the Site Plan received by the Department of Zoning on 4/29/88 and to submit to the Director of Public Works for his approval, prior to the approval of a Land Disturbance Permit, a revised Site Plan based on a certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval and meeting or exceeding the requirements of the Zoning Resolution.
 - c. To submit to the Director of Public Works for his approval, prior to any defoliation or alteration of the site, a Land Disturbance application which shall include a grading plan including phasing, a hydrological study, a separate soil sedimentation and erosion control plan, and proposed provisions for permanent storm water retention.
 - d. To submit to the Director of Public Works for his approval prior to the approval of a Land Disturbance Permit, a detailed landscape and/or tree protection plan for all required buffers, landscape strips, and tree protection zones. Said landscaping for each phase of development shall be in place prior to the recording of the final plat for each phase of development.
 - e. To the site plan received by the Department of Community Development for Lot 4 dated July 14, 2008. 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. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy. (ZM08-003)

3. To the owner's agreement to the following site development considerations:
- a. Provide a 50 foot wide natural buffer, undisturbed except for approved access and utility crossings, improvements, and replantings where sparsely vegetated and subject to the approval of the City Arborist, outside the new dedicated right-of-way of Green Pine Drive.
 - b. Provide a 50 foot building setback line for all lots adjacent to the east property line and abutting Land Lot 14, except for Lot 4 which shall have a 35 foot setback as shown on the site plan received by the Department of Community Development for Lot 4 dated July 14, 2008.
 - c. Provide a minimum 25 foot building setback line for all lots adjacent to property zoned R-2 (Residential) and with frontage on Green Pine Drive, except for Lot 4 which shall have a 35 foot setback as shown on the site plan received by the Department of Community Development for Lot 4 dated July 14, 2008.
 - d. Install minimum 10 foot Southern Magnolias, 10 foot on center, along the entire east property line adjacent to Land Lot 14.
 - e. The existing berm along the east property line adjacent to Land Lot 14 shall not be disturbed.
 - f. No more than 1 exit/entrance on Northland Drive, subject to the approval of the Sandy Springs Traffic Engineer.
 - g. No exit/entrance shall be allowed on Green Pine Drive.
 - h. No lot shall be allowed direct access on Northland Drive or Green Pine Drive.
 - i. The exterior of all concrete blocks shall be coated with an architectural treatment (e.g., epoxy, stucco, brick veneer, etc.) or an alternate solution as may be approved by the Director of Community Development.
 - j. Provide and maintain off-street parking on the subject property during the entire Construction period.
 - k. To allow for an alternate building setback configuration for a flag lot as shown on the site plan received by the Department of Community Development for Lot 4 dated July 14, 2008 (CV08-008).
 - l. To reduce the required front yard setback from fifty (50) feet to ten (10) feet along the south property line referenced as $S79^{\circ}28'05''E$ 139.96' as shown on the site plan received by the Department of Community Development for Lot 4 dated July 14, 2008 (CV08-008).
 - m. The owner/developer shall provide a thirty-five (35) foot by seventy (70) foot no-build area at the southeast corner of Lot 4 as shown on the site plan received by the Department of Community Development for Lot 4 dated July 14, 2008.
 - n. The owner/developer shall provide a twenty (20) foot by seventy (70) foot no-build area at the northwest corner of Lot 4 as shown on the site plan received by the Department of Community Development for Lot 4 dated July 14, 2008.

- o. The owner/developer shall install landscaping, to provide a visual barrier, planted to buffer standards along the west property line of Lot 4. The plant materials shall be a minimum five (5) feet in height at time of planting, a moderately fast growing evergreen with branching all the way to the ground. Said plantings shall be subject to the approval of the Sandy Springs Arborist and shall be installed prior to the issuance of a Certificate of Occupancy.
4. To the owner's agreement to abide by the following requirements, dedications and improvements:
- a. Dedicate at no cost to Sandy Springs along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to Sandy Springs such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved:
 - 25 feet from centerline of Green Pine Drive.
 - 30 feet from centerline of Northland Drive.
 - b. Improve the following roadways along the entire property frontage from the center of road to back of curb as follows:
 - 14.5 feet from centerline of Northland Drive.
 - c. Provide a deceleration lane for a distance of 200 feet and a 50 foot taper from the protect entrance or as may be approved by the Sandy Springs Traffic Engineer.
 - d. Connect to metropolitan water and public sanitary sewer available to the site as well as pay all required tap-on fees, front footage assessments and the pro-rated share of the cost of public utility extensions and the Nancy Creek sewer relief system as determined by the Public Works Department.
 - e. Construct sidewalks along entire property frontage within the right-of-way of Northland Drive. Said sidewalks for each phase of development shall be in place prior to the recording of the final plat.
5. To the owner's agreement to abide by the following:
- a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit to arrange with the City Arborist an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries.
 - b. To maintain as a minimum, the tree density requirements as prescribed by the Sandy Springs Tree Preservation Ordinance Administrative Guidelines, either through the retention of existing trees, or tree replacement, in perpetuity.

3A

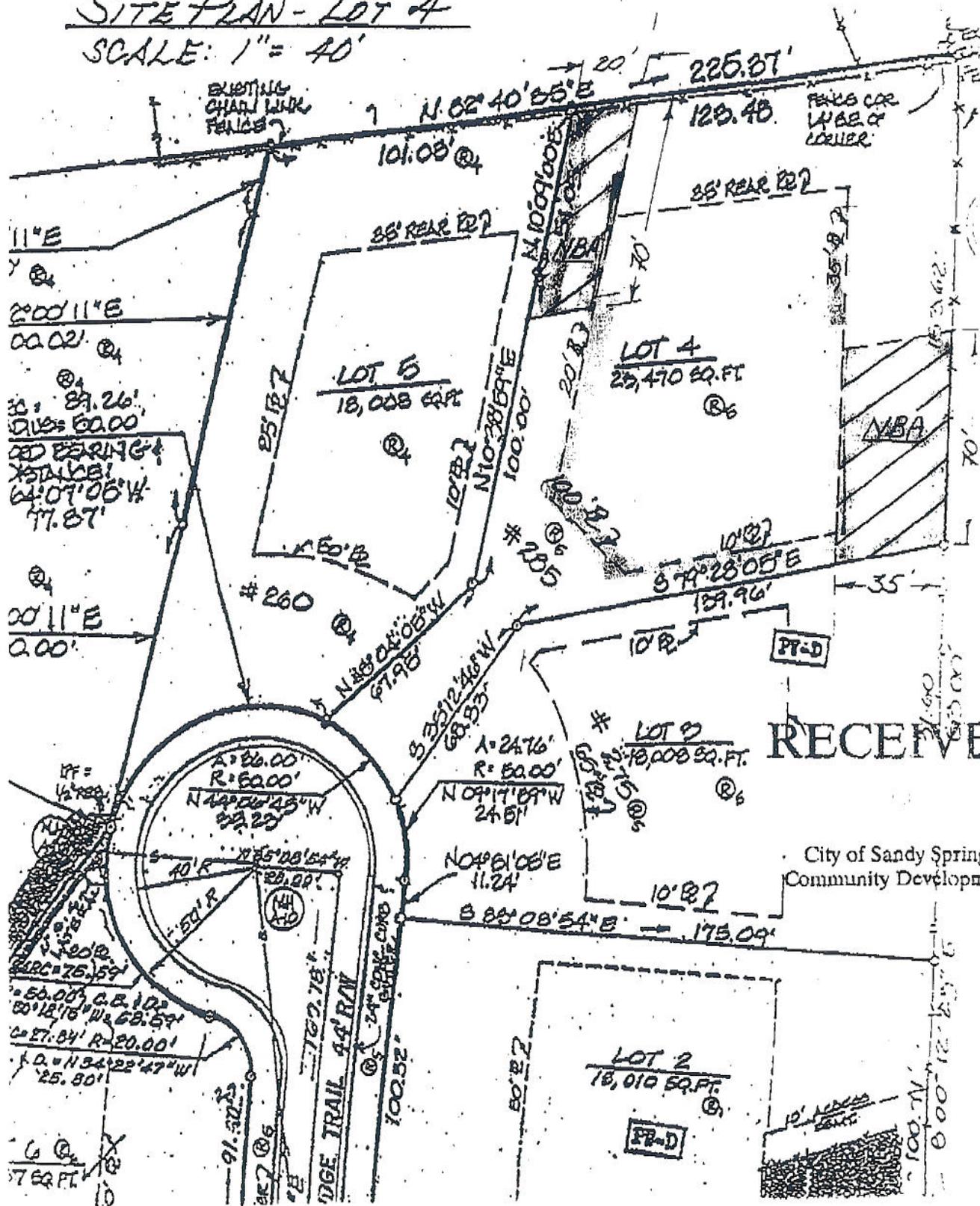
AMENDED: 15 MAY 2008

REVISED: 14 JULY 2008

SITE PLAN - LOT 4

SCALE: 1" = 40'

NBA = NO BUILD AREA FOR DECKS & POOLS



RECEIVED

City of Sandy Springs
Community Development

Legal for Lot 4 – 285 Northland Ridge Trail NE, Atlanta, GA 30342-2470

Parcel # 17-0040-LL165-8

EXHIBIT "A"

ZM08 0023

ALL THAT TRACT or parcel of land lying and being in Land Lot 40 of the 17th Land District, Fulton County, Georgia, being parcel # 17-0040-LL165-8 and is Lot 4 of The Ridge, Unit One, subdivision as recorded in Plat Book 253 Page 56 on April 4, 2004. Said Lot 4 is located at 285 Northland Ridge Trail NE, Atlanta, Georgia 30342-2470, and is more particularly described as:

BEGINNING at a point on the easterly right-of-way of Northland Drive (being a 80-foot right-of-way) at the intersection of the northerly right-of-way line of Northland Ridge Trail, (being a 44-foot right-of-way); thence running along the northerly and westerly right-of-way line of Northland Ridge Trail a distance of 1,318.81 feet to an iron pin found on the east side of the cul-de-sac; said iron pin being the TRUE POINT OF BEGINNING; thence running north 48 degrees 04 minutes 05 seconds east a distance of 67.95 feet to a point; thence running north 10 degrees 38 minutes 59 seconds east a distance of 100.00 feet to a point; thence running north 10 degrees 09 minutes 00 seconds east a distance of 51.05 feet to a point; thence running north 02 degrees 40 minutes 35 seconds east a distance of 225.37 feet to a point; thence running south 00 degrees 12 minutes 23 seconds east a distance of 153.62 feet to point; thence running south 79 degrees 28 minutes 05 seconds west a distance of 139.96 feet to a point; thence running south 35 degrees 12 minutes 46 seconds west a distance of 68.33 feet to an iron pin found on the eastern right-of-way of the cul-de-sac of Northern Ridge Trail; thence running along a curvilinear line to the right (northwesterly) an arc distance of 36.00 feet to the TRUE POINT OF BEGINNING, Said curvilinear line having a radius of 50.00 feet, a chord bearing north 44 degrees 06 minutes 45 seconds west, and a chord distance of 35.23 feet.

Said tract being 0.5388 acres, plus or minus, as shown on a " Survey for JOSEPH B. HUTCHISON as prepared by HAYES JAMES and Associates, INC., dated December 19, 2003"

RECEIVED

MAR 03 2008

City of Sandy Springs
Community Development