

AN ORDINANCE TO ALLOW FOR A USE PERMIT TO EXCEED THE MAXIMUM DISTRICT HEIGHT OF SIXTY (60) FEET TO ALLOW FOR THE CO-LOCATION OF ADDITIONAL ANTENNAS ON THE EXISTING CELLULAR TOWER, WHICH WAS CONSTRUCTED AT 205 FEET

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on August 19, 2008 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 **7700 Spalding Drive**, consisting of a total of approximately 8.44 acres, be allowed a use permit under the C-1 (Community Business District) District with conditions, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 313 of the 6th District, Fulton County, Georgia by the attached legal description; and

SECTION 2. That the use permit(s), as listed in the attached conditions of approval, be approved under the provisions of Section 19.2.3 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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

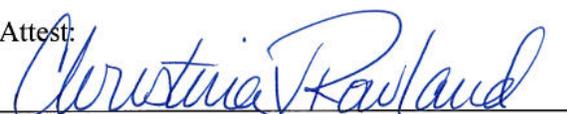
SECTION 6. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this the 19th day of August, 2008.

Approved:


Eva Galambos, Mayor

Attest:


Christina Rowland, CMC, City Clerk
(Seal)



CONDITIONS OF APPROVAL

U08-010 **7700 Spalding Drive**

The City of Sandy Springs Mayor and City Council approved the use permit petition for property at 7700 Spalding Drive. Use permit petition U08-010 was approved to extend the height of an existing cellular tower/antenna by the Mayor and City Council at the August 19, 2008 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. To a maximum height of two hundred five (205) feet for the cellular antenna/tower (U08-010).
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated May 12, 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.

W08 010

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LINE	BEARING	LENGTH
L1	S89°17'36"E	255.22
L2	N68°36'01"E	30.00
L3	S21°23'59"E	40.00
L4	S68°36'01"W	30.00
L5	N21°23'59"W	40.00
L6	N68°36'01"E	5.00
L7	N21°23'59"W	10.00
L8	N68°36'01"E	25.00
L9	S21°23'59"E	10.00
L10	S68°36'01"W	25.00
L11	N68°38'43"E	18.95
L12	N68°36'01"E	3.00
L13	S21°23'59"E	3.00
L14	S68°36'01"W	3.00
L15	N21°23'59"W	3.00

NOTES:
 1) THIS EXHIBIT REPRESENTS THE LEASE SITE AND ACCESS, UTILITY AND MAINTENANCE EASEMENTS ONLY AND IS NOT INTENDED FOR ANY OTHER USE.
 2) ALL BEARINGS ARE GEORGIA WEST STATE GRID, ALL COORDINATES ARE NAD 83 AND ALL ELEVATIONS ARE NAVD 88.
 3) TAX MAP PARCEL NO. 08-0313-LL-009-1
 4) RATIO OF PRECISION = 1/10,000.
 5) AREA BY COORDINATE METHOD.
 6) THE LOCATIONS OF ANY UNDERGROUND UTILITIES IF SHOWN ARE BASED ON PAINTED MARKINGS OBSERVED IN THE FIELD AND/OR ARE APPROXIMATE.
 7) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS OR RIGHTS-OF-WAY NOT SHOWN HEREIN.

NOTE:
 THE BOUNDARY LINES SHOWN ON THIS EXHIBIT WERE TAKEN FROM EXISTING FIELD EVIDENCE, EXISTING DEEDS AND PLATS OF PUBLIC RECORD FROM SURVEYS AND DOCUMENTS PROVIDED TO THE SURVEYOR BY THE OWNER OR CLIENT.
 I HEREBY CERTIFY THAT I HAVE CONSULTED THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP NO. 13121C 0160 E DATED 6/22/98, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THE SUBJECT PROPERTY IS LOCATED IN "ZONE X" WHICH IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE A, B, OR V.

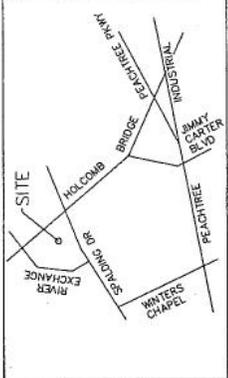
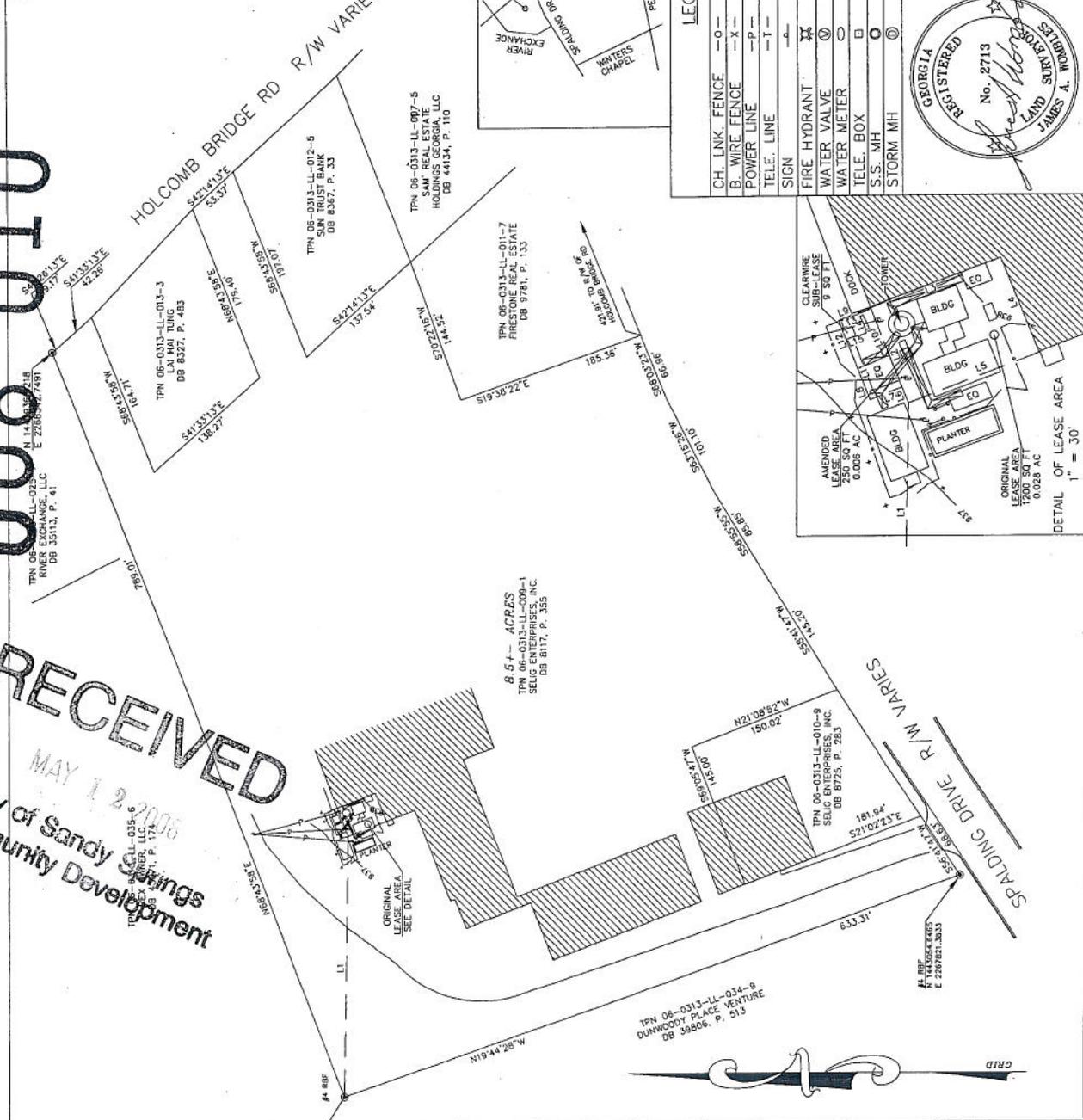
PREPARED FOR
BC
 ENGINEERS
 ARCHITECTS

TOWER SITE
 SITE ID#: GA-ATL2398
 7762 SPALDING DRIVE
 NORCROSS, FULTON COUNTY, GEORGIA

STAR SURVEY, INC.
 702 EDGEFIELD ROAD
 NORTH AUGUSTA, S.C. 29841
 TELE. (803) 613-0377 FAX. (803) 613-0378

SCALE: 0' 50' 100' 200'
 1" = 100'

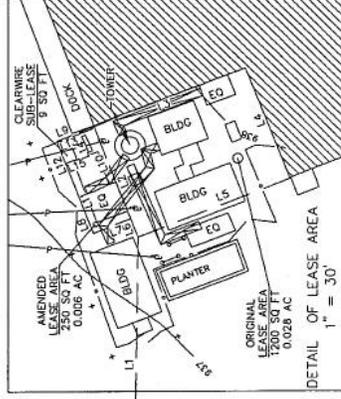
DRAWING NAME	DATE	SHEET NO.
082479.DWG	1/29/08	
PROJECT NO.	FIELD BOOK NO.	
082479	(SEE FILE)	C1



LEGEND

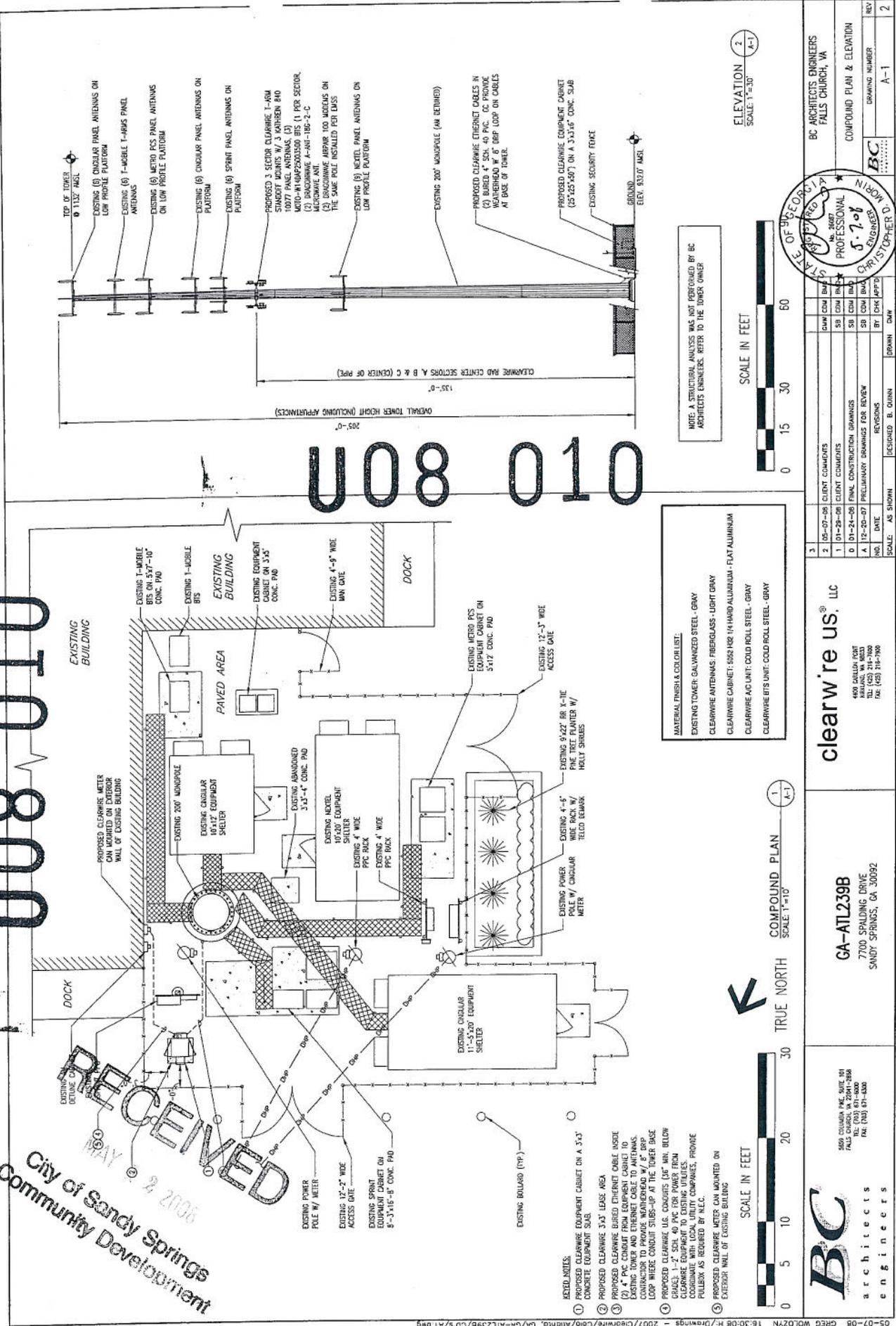
CH. LNK. FENCE	-O-	GROUND ROO	+
B. WIRE FENCE	-X-	PROP. CORNER	⊙
POWER LINE	-P-	POWER POLE	⊙
TELE. LINE	-T-	PP W/ G. WIRE	⊙
SIGN	-S-	LIGHT POLE	⊙
FIRE HYDRANT	⊕	BM OR GPS PT	⊕
WATER VALVE	⊕	ELEC. RACK	⊕
WATER METER	⊕	ICE BRIDGE	⊕
TELE. BOX	⊕	CONC. PAD	⊕
S.S. MH	⊕	EQUIP. PAD	⊕
STORM MH	⊕	POWER BOX	⊕

REGISTERED
 No. 2713
 STAR SURVEY, INC.
 No. 748
 CERTIFICATE OF AUTHORIZATION
 GEORGIA
 JAMES A. WOODS
 LAND SURVEYOR



U08 010

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- NOTES:**
- PROPOSED CLEARWIRE EQUIPMENT CABINET ON A 3'x3' CONCRETE EQUIPMENT SOIL
 - PROPOSED CLEARWIRE 3'x3' LEASE AREA
 - PROPOSED CLEARWIRE BURIED ETHERNET CABLE INSIDE EXISTING TOWER AND ETHERNET CABLE TO ANTENNAS. ANTENNAS TO BE MOUNTED ON EXISTING TOWER. LOOP WHERE CONDUIT STAYS-UP AT THE TOWER BASE
 - PROPOSED CLEARWIRE U.S. CONDUITS (1/2" MIN. BELOW CABLE), 1/2" SCH. 40 PVC FOR POWER FROM CLEARWIRE EQUIPMENT TO EXISTING UTILITIES. COORDINATE WITH LOCAL UTILITY COMPANIES, PROVIDE PULLBOX AS REQUIRED BY N.E.C.
 - PROPOSED CLEARWIRE METER CAN MOUNTED ON EXISTING WALL OF EXISTING BUILDING

MATERIAL FINISH & COLOR LIST:

- EXISTING TOWER: GALVANIZED STEEL - GRAY
- CLEARWIRE ANTENNAS: FIBERGLASS - LIGHT GRAY
- CLEARWIRE CABINET: 6062 H32 1/4 HARD ALUMINUM - FLAT ALUMINUM
- CLEARWIRE A/C UNIT: COLD ROLL STEEL - GRAY
- CLEARWIRE BTS UNIT: COLD ROLL STEEL - GRAY

NOTE: A STRUCTURAL ANALYSIS WAS NOT PERFORMED BY BC ARCHITECTS ENGINEERS. REFER TO THE TOWER OWNER

ELEVATION
SCALE: 1"=30'

SCALE IN FEET
0 15 30 60

COMPOUND PLAN
SCALE: 1"=10'

SCALE IN FEET
0 5 10 20 30

TRUE NORTH

		BC ARCHITECTS ENGINEERS FALLS CHURCH, VA	
5650 COLUMBIA PKW. SUITE 101 FALLS CHURCH, VA 22041-1806 TEL: (703) 871-4000 FAX: (703) 871-4000		COMPOUND PLAN & ELEVATION	
		BC	
3	AS SHOWN	DESIGNED: B. ORRIN	DRAWN: DAN
2	10/07-09-06	CLIENT COMMENTS	DATE
1	01-28-06	CLIENT COMMENTS	DATE
0	01-24-06	FINAL CONSTRUCTION DRAWINGS	DATE
A	12-20-07	PRELIMINARY DRAWINGS FOR REVIEW	DATE
NO.	DATE	REVISIONS	BY: CHK APPR
1	01-28-06	1	SB
2	01-28-06	2	SB
3	01-28-06	3	SB
4	01-28-06	4	SB
5	01-28-06	5	SB
6	01-28-06	6	SB
7	01-28-06	7	SB
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100	01-28-06	100	SB

U08 013

BOUNDARY DESCRIPTION OF
"PARENT TRACT, LEASE SITE, AMENDED
LEASE AREA &
CLEARWIRE SUB-LEASE" FOR THE
"GA-ATL239B" TOWER SITE

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City of Suwanee Springs
Community Development

Portions of that certain piece, parcel, or lot of land, situate, lying, and being in Norcross, the County of Fulton, in the State of Georgia, being the property of Selig Enterprises, Inc., also known as Parcel No. 06-0313-LL-009-1, and being more fully described from a survey by Star Survey, Inc. on January 29, 2008 and having the following metes and bounds to wit:

PARCEL NO. 1 (PARENT TRACT)

Beginning at a point the northeastern most corner of the above described property and the western right-of-way of Holcomb Bridge Road, having state plane coordinates of N:1443936.9218 and E:2268342.7491: thence along western right-of-way of Holcomb Bridge road S40°26'13"E for a distance of 9.17 feet to a point, thence along the said right-of-way S41°33'13"E for a distance of 42.26 feet to a point, thence leaving said right-of-way S68°43'58"W for a distance of 164.71 feet to a point, thence S41°33'13"E for a distance of 138.27 feet to a point, thence N68°43'58"E for a distance of 179.40 feet to a point on the western right-of-way of Holcomb Bridge Road, thence along said right-of-way S42°14'13"E for a distance of 53.37 feet to a point, thence leaving said right-of-way S68°43'58"W for a distance of 197.07 feet to a point, thence S42°14'13"E for a distance of 137.54 feet to a point, thence S70°22'16"W for a distance of 144.52 feet to a point, thence S19°38'22"E for a distance of 185.36 feet to a point on the northern right-of-way of Spalding Drive, thence along said right-of-way S68°03'23"W for a distance of 66.96 feet to a point, thence along said right-of-way S63°15'26"W for a distance of 101.10 feet to a point, thence along said right-of-way S58°55'55"W for a distance of 85.85 feet to a point, thence along said right-of-way S58°41'47"W for a distance of 145.20 feet to a point, thence leaving said right-of-way N21°08'52"W for a distance of 150.02 feet to a point, thence S69°05'47"W for a distance of 145.00 feet to a point, thence S21°02'23"E for a distance of 181.94 feet to a point on the northern right-of-way of Spalding Drive, thence along said right-of-way S56°41'47"W for a distance of 68.63 feet to a point, thence leaving said right-of-way N19°44'28"W for a distance of 633.31 feet to a #4 rebar, thence N68°43'58"E for a distance of 789.01 feet to a point, said point being the point of beginning of the parent tract, containing 8.5+- acres.

PARCEL NO. 2 (ORIGINAL LEASE AREA)

Starting at a point the northeastern most corner of the above described property and the western right-of-way of Holcomb Bridge Road, having state plane coordinates of N:1443936.9218 and E:2268342.7491: thence along western right-of-way of Holcomb Bridge road S40°26'13"E for a distance of 9.17 feet to a point, thence along the said right-of-way S41°33'13"E for a distance of 42.26 feet to a point, thence leaving said right-of-way S68°43'58"W for a distance of 164.71 feet to a point, thence S41°33'13"E for a distance of 138.27 feet to a point, thence N68°43'58"E for a distance of 179.40 feet to a point on the western right-of-way of Holcomb Bridge Road, thence along said right-of-way S42°14'13"E for a distance of 53.37 feet to a point, thence leaving said right-of-way S68°43'58"W for a distance of 197.07 feet to a point, thence S42°14'13"E for a distance of 137.54 feet to a point, thence S70°22'16"W for a distance of 144.52 feet to a point, thence S19°38'22"E for a distance of 185.36 feet to a point on the northern right-of-way of Spalding Drive, thence along said right-of-way S68°03'23"W for a distance of 66.96 feet to a point, thence along said right-of-way S63°15'26"W for a distance of 101.10 feet to a point, thence along said right-of-way S58°55'55"W for a distance of 85.85 feet to a point, thence along said right-of-way S58°41'47"W for a distance of 145.20 feet to a point, thence leaving said right-of-way N21°08'52"W for a distance of 150.02 feet to a point, thence S69°05'47"W for a distance of 145.00 feet to a point, thence S21°02'23"E for a distance of 181.94 feet to a point on the northern right-of-way of Spalding Drive, thence along said right-of-way S56°41'47"W for a distance of 68.63 feet to a point, thence leaving said right-of-way N19°44'28"W for a distance of 633.31 feet to a #4 rebar, thence S89°17'36"E for a distance of 255.22 feet to a point, said point being the Point of Beginning of the Original Lease Area; thence N68°36'01"E for a distance of 30.00 feet to a point, thence S21°23'59"E for a distance of 40.00 feet to a point, thence S68°36'01"W for a distance of 30.00 feet to a point, thence N21°23'59"W for a distance of 40.00 feet to a point, said point being the point of beginning of the Original Lease Area, containing 1200 square feet/0.028 acre.

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PARCEL NO. 3 (AMENDED LEASE AREA)

Starting at a point the northeastern most corner of the above described property and the western right-of-way of Holcomb Bridge Road, having state plane coordinates of N:1443936.9218 and E:2268342.7491; thence along western right-of-way of Holcomb Bridge road S40°26'13"E for a distance of 9.17 feet to a point, thence along the said right-of-way S41°33'13"E for a distance of 42.26 feet to a point, thence leaving said right-of-way S68°43'58"W for a distance of 164.71 feet to a point, thence S41°33'13"E for a distance of 138.27 feet to a point, thence N68°43'58"E for a distance of 179.40 feet to a point on the western right-of-way of Holcomb Bridge Road, thence along said right-of-way S42°14'13"E for a distance of 53.37 feet to a point, thence leaving said right-of-way S68°43'58"W for a distance of 197.07 feet to a point, thence S42°14'13"E for a distance of 137.54 feet to a point, thence S70°22'16"W for a distance of 144.52 feet to a point, thence S19°38'22"E for a distance of 185.36 feet to a point on the northern right-of-way of Spalding Drive, thence along said right-of-way S68°03'23"W for a distance of 66.96 feet to a point, thence along said right-of-way S63°15'26"W for a distance of 101.10 feet to a point, thence along said right-of-way S58°55'55"W for a distance of 85.85 feet to a point, thence along said right-of-way S58°41'47"W for a distance of 145.20 feet to a point, thence leaving said right-of-way N21°08'52"W for a distance of 150.02 feet to a point, thence S69°05'47"W for a distance of 145.00 feet to a point, thence S21°02'23"E for a distance of 181.94 feet to a point on the northern right-of-way of Spalding Drive, thence along said right-of-way S56°41'47"W for a distance of 68.63 feet to a point, thence leaving said right-of-way N19°44'28"W for a distance of 633.31 feet to a #4 rebar, thence S89°17'36"E for a distance of 255.22 feet to a point, thence N68°36'01"E for a distance of 5.00 feet to a point, said point being the Point of Beginning of the Amended Lease Area; thence N21°23'59"W for a distance of 10.00 feet to a point, thence N68°36'01"E for a distance of 25.00 feet to a point, thence S21°23'59"E for a distance of 10.00 feet to a point, thence S68°36'01"W for a distance of 25.00 feet to a point, said point being the point of beginning of the Amended Lease Area, containing 250 square feet/0.006 acre.

PARCEL NO. 4 (CLEARWIRE SUB-LEASE)

Starting at a point the northeastern most corner of the above described property and the western right-of-way of Holcomb Bridge Road, having state plane coordinates of N:1443936.9218 and E:2268342.7491; thence along western right-of-way of Holcomb Bridge road S40°26'13"E for a distance of 9.17 feet to a point, thence along the said right-of-way S41°33'13"E for a distance of 42.26 feet to a point, thence leaving said right-of-way S68°43'58"W for a distance of 164.71 feet to a point, thence S41°33'13"E for a distance of 138.27 feet to a point, thence N68°43'58"E for a distance of 179.40 feet to a point on the western right-of-way of Holcomb Bridge Road, thence along said right-of-way S42°14'13"E for a distance of 53.37 feet to a point, thence leaving said right-of-way S68°43'58"W for a distance of 197.07 feet to a point, thence S42°14'13"E for a distance of 137.54 feet to a point, thence S70°22'16"W for a distance of 144.52 feet to a point, thence S19°38'22"E for a distance of 185.36 feet to a point on the northern right-of-way of Spalding Drive, thence along said right-of-way S68°03'23"W for a distance of 66.96 feet to a point, thence along said right-of-way S63°15'26"W for a distance of 101.10 feet to a point, thence along said right-of-way S58°55'55"W for a distance of 85.85 feet to a point, thence along said right-of-way S58°41'47"W for a distance of 145.20 feet to a point, thence leaving said right-of-way N21°08'52"W for a distance of 150.02 feet to a point, thence S69°05'47"W for a distance of 145.00 feet to a point, thence S21°02'23"E for a distance of 181.94 feet to a point on the northern right-of-way of Spalding Drive, thence along said right-of-way S56°41'47"W for a distance of 68.63 feet to a point, thence leaving said right-of-way N19°44'28"W for a distance of 633.31 feet to a #4 rebar, thence S89°17'36"E for a distance of 255.22 feet to a point, thence N68°36'01"E for a distance of 5.00 feet to a point, thence N21°23'59"W for a distance of 10.00 feet to a point, thence N68°38'43"E for a distance of 18.95 feet to a point, said point being the point of beginning of the Clearwire Sub-lease; thence N68°36'01"E for a distance of 3.00 feet to a point, thence S21°23'59"E for a distance of 3.00 feet to a point, thence S68°36'01"W for a distance of 3.00 feet to a point, thence N21°23'59"W for a distance of 3.00 feet to a point, said point being the point of beginning of the Clearwire Sub-lease, containing 09 square feet.

00-1179

