

AN ORDINANCE TO MODIFY CONDITION(S) OF A RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS APPROVING PETITION Z58-11 PROPERTY LOCATED AT 5975 ROSWELL ROAD (SR9)

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on October 21, 2008 at 7:00 p.m. as follows:

SECTION 1. That the condition(s) of a Resolution by the Fulton County Board of Commissioners, for petition Z58-11 that allowed the property to be rezoned to the C-1 (Community Business District) be changed for the property located at 5975 Roswell Road (SR9), consisting of a total of approximately 5.36 acres, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lots 70 and 90 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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and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 21st day of October, 2008.

Approved:


Eva Galambos, Mayor

Attest:


Tracy Tye, Acting City Clerk
(Seal)



CONDITIONS OF APPROVAL

ZM08-012/CV08-024 **5975 Roswell Road (SR9)**

The City of Sandy Springs Mayor and City Council approved the modification of the conditions of Z58-0011, with regard to the above referenced property currently zoned C-1 (Community Business District). Zoning modification petition ZM08-012 was approved by the Mayor and City Council at the October 21, 2008 hearing, subject to the following conditions:

1. To the site plan received by the Department of Community Development dated August 5, 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. (ZM08-012)
2. To allow for a second freestanding sign on the subject property. One (1) located along Roswell Road (SR9) frontage and one (1) located along Hammond Drive frontage, as shown on sign elevation plan dated August 29, 2008. (CV08-024)
3. To limit the height of the two (2) freestanding signs to twelve (12) feet. (CV08-024)
4. To allow a maximum 41 square foot freestanding sign face along Hammond Drive and allow a maximum 47 square foot freestanding sign face along Roswell Road (SR9), as show on sign elevation plan dated August 29, 2008. (CV08-024)

EXHIBIT A
DESCRIPTION OF LAND

ZM08 012

ALL THAT TRACT of parcel of land lying and being in Land Lots 70 and 90 of the 17th District of Fulton County, Georgia, being more particularly shown in Schedule A, Page 2, attached hereto.

TRACT I

ALL THAT TRACT or parcel of land lying and being in Land Lots 70 and 90 of the 17th District, Fulton County, Georgia, being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the intersection which would be formed by the southerly margin of the right-of-way of Hammond Drive (41 feet from the original centerline at that point) and the easterly margin of the right-of-way of Roswell Road (65-foot right-of-way at that point); thence running North 89°09'06" East, along the southerly margin of the right-of-way of Hammond Drive, a distance of 149.90 feet to an iron pin found; thence running South 02°26'00" East, a distance of 7.17 feet to an iron pin placed, which pin is the TRUE POINT OF BEGINNING; from the POINT OF BEGINNING, as thus established, running thence North 89°08'02" East along the southerly margin of the right-of-way of Hammond Drive, a distance of 486.19 feet to an iron pin placed; thence running South 01°47'34" East, a distance of 371.59 feet to an iron pin placed; thence running South 89°11'41" West, a distance of 651.67 feet to an iron pin placed on the easterly margin of Roswell Road; thence running along said margin North 02°22'36" East, a distance of 175.67 feet to an iron pin placed; thence continuing along said margin North 09°56'24" West, a distance of 53.50 feet to an iron pin placed; thence continuing along said margin North 02°22'36" East, a distance of 20.09 feet to a one-inch pipe found; thence running North 89°04'05" East, a distance of 149.79 feet to an iron pin placed; thence running North 02°26'00" East, a distance of 122.60 feet to an iron pin placed and the POINT OF BEGINNING, described as Tract I, as shown on survey for Crow-Hammond Festival Limited Partnership, a Texas Limited Partnership, Ticor Title Insurance Company, and Trammell Crow Real Estate Investors, a Texas Real Estate Investment Trust, dated August 18, 1983, last revised October 10, 1986, prepared by Metro Engineering & Surveying Co., Inc., and bearing the seal of Chester M. Smith, GRLS No. 1445.

TRACT II

ALL THAT TRACT or parcel of land lying and being in Land Lot 70 of the 17th District, Fulton County, Georgia, being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the intersection which would be formed by the southerly margin of the right-of-way of Hammond Drive (41 feet from the original centerline at that point) and the easterly margin of the right-of-way of Roswell Road (65-foot right-of-way at that point); thence running North 89°09'06" East,

RECEIVED
AUG 05 2008
City of Savannah
Community Development

