

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO AMEND ARTICLE 4, GENERAL PROVISIONS, OF THE SANDY
SPRINGS ZONING ORDINANCE

WHEREAS, the Mayor and City Council of the City of Sandy Springs find that from time to time it is necessary to amend sections of the Zoning Ordinance to correct, clarify, and update the provisions of the Ordinance; and

WHEREAS, the Mayor and City Council of Sandy Springs have determined that it is necessary to clarify regulations regarding the location of outdoor play equipment; and

NOW, THEREFORE, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, pursuant to their authority, do hereby adopt the following Ordinance:

1.

Article 4, *General Provisions*, Section 4.3.4., *Minimum Building Lines*, Section 4.3.4.B., *Permitted Encroachments into Yards*, of the City of Sandy Springs Zoning Ordinance is hereby amended by the deletion of Section 4.3.4.B.2., *Single Family Residential and Townhouses Used for Single Family on Individual Lots of Record* in its entirety and the following inserted therefor:

2. Single-family Residential and Townhouses used for single family on individual lots of record. Covered or uncovered porches, decks or patios attached to the main dwelling may extend no more than 10 feet into a minimum front or rear yard. Awnings may project to within 5 feet of a side lot line. Outdoor play equipment, including, but not limited to swing sets, play structures and play houses, shall be located in the rear yard and shall be limited to a maximum height of 15 feet. In no instance shall the equipment be setback less than 10 feet from any side or rear property line. Outdoor play equipment shall not be lighted and any electrical connections shall be prohibited. Any outdoor play equipment installed as of April 21, 2009 shall constitute a nonconforming (grandfathered) structure as defined in Section 3.3.14 of this Ordinance.

2.

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

3.

Severability. Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

4.

Repeal of Conflicting Provisions. It is the intention of the Mayor and City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of


Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

5.

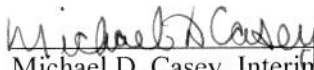
This Ordinance is effective April 21, 2009; and

ORDAINED this the 21st day of April, 2009.

Approved:


Eva Galambos, Mayor

Attest:


Michael D. Casey, Interim City Clerk
(Seal)



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4.3.4. MINIMUM BUILDING LINES. The minimum yards (setbacks) in each district shall establish minimum building lines for all structures except those named in Section 4.2.5 entitled USES AND STRUCTURES PERMITTED IN YARDS, AND OUTSIDE STORAGE.

- A. Multiple Frontage Lots. Lots adjoining more than one public street shall provide a minimum front yard along each right-of-way except corner lots. The setbacks for the street-adjointing side yards of corner lots shall be as specified in the district regulations.
- B. Permitted Encroachments into Yards. The following encroachments shall be allowed to the extent specified below.
1. Non-residential. Canopies shall be allowed over walkways or driveways to within 12 feet of the street right-of-way or the right-of-way based on the street's functional classification, whichever is farther from the street's centerline. Fuel pumps and pump islands, when permitted, shall be set back as stated in this paragraph for canopies.
 2. Single-family Residential and Townhouses used for single family on individual lots of record. Covered or uncovered porches, decks or patios attached to the main dwelling may extend no more than 10 feet into a minimum front or rear yard. Awnings may project to within 5 feet of a side lot line. Outdoor play equipment, including, but not limited to swing sets, play structures and play houses, shall be located in the rear yard and shall be limited to a maximum height of 15 feet. In no instance shall the equipment be setback less than 10 feet from any side or rear property line. Outdoor play equipment shall not be lighted and any electrical connections shall be prohibited. Any outdoor play equipment installed as of April 21, 2009 shall constitute a nonconforming (grandfathered) structure as defined in Section 3.3.14 of this Ordinance.
 3. All Zoning Districts. Architectural features such as cornices, eaves, steps, gutters, fire chases, chimneys and fire escapes may project not more than 36 inches into any minimum yard.
 4. Adjoining Railroads. For those uses which utilize a rail siding for loading and unloading, there shall be no minimum rear yard requirement adjoining the siding.
- C. Flag Lots (deleted 08/01/06, RZ06-036, Ord. 2006-08-51; added 02/19/08, RZ08-003, Ord. 2008-02-07). Minimum yards shall not be identified within the stem portion of a flag lot unless such portion, independent of the flag portion, can meet the requirements of 4.2.2. Measurements for a front yard

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setback shall begin at the point of intersection of the stem and the flag portion of a flag lot running along the property line the most perpendicular to the stem. A flag lot stem shall not be less than 15 feet in width.