

STATE OF GEORGIA  
COUNTY OF FULTON

**AN ORDINANCE TO ALLOW A DAY CARE FACILITY AND AN AFTER SCHOOL PROGRAM, WITH A CONCURRENT VARIANCE.**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, Georgia while in regular session on July 13, 2010 at 6:00 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 **85 Mount Vernon Highway**, consisting of a total of approximately 8.5 acres, be allowed a use permit under the R-3 (Single-family Dwelling District) and R-4 (Single-family Dwelling District) with conditions, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 89 of the 17<sup>th</sup> 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 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 4.** 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 5.** 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**SECTION 6.** That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

**SECTION 7.** This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

**ORDAINED** this the 13<sup>th</sup> day of July, 2010.

Approved:

  
Eva Galambos, Mayor

Attest:

  
Michael Casey, City Clerk

(Seal)



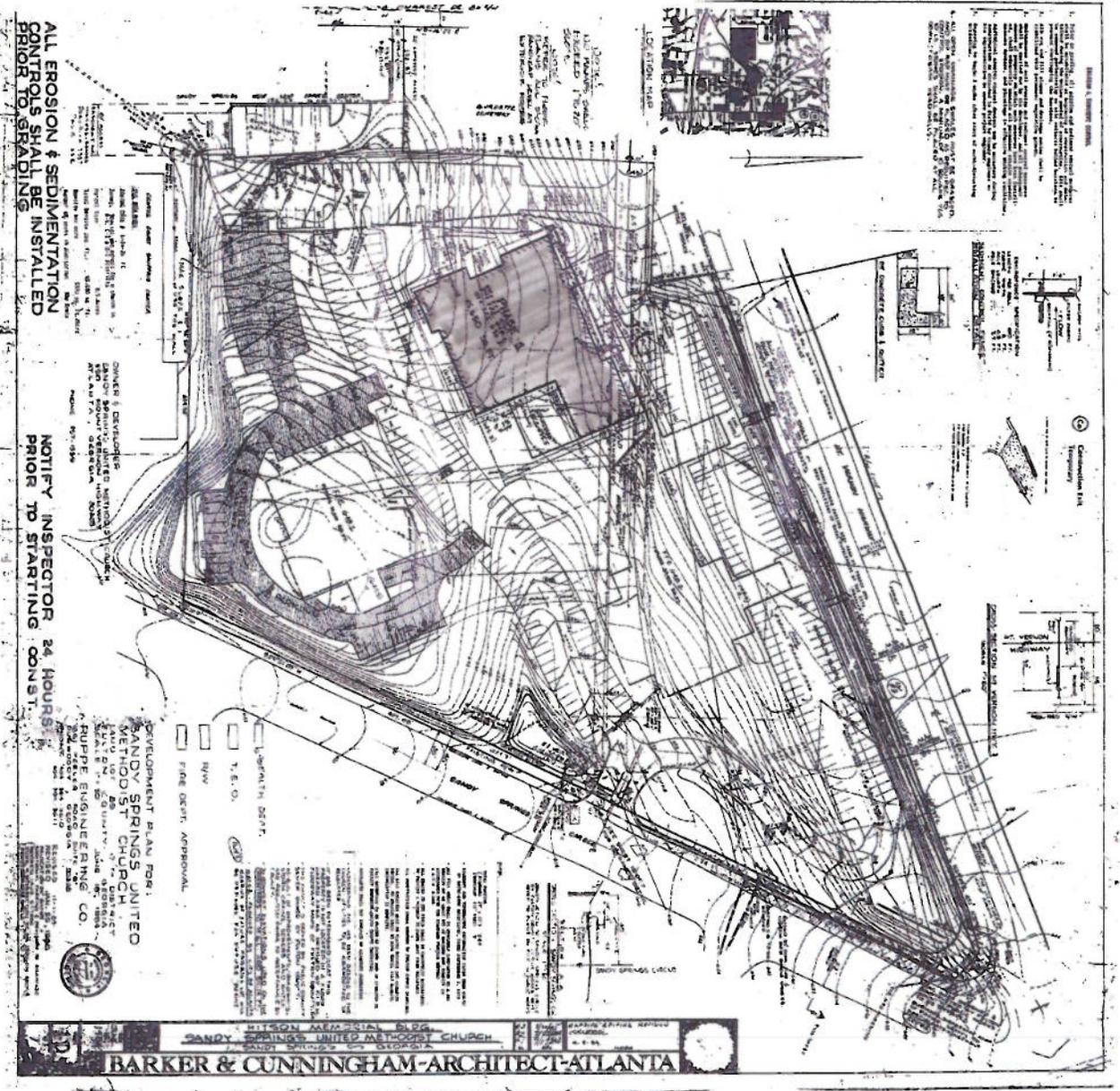
## CONDITIONS OF APPROVAL

### **U10-004/CV10-007 85 Mount Vernon Highway**

The City of Sandy Springs Mayor and City Council approved the use permit petition for property at 85 Mount Vernon Highway. Use permit petition U10-004/CV10-007 was approved to allow a Day Care Facility and an After School Program, with a concurrent variance, by the Mayor and City Council at the July 13, 2010 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Daycare and associated accessory uses in the existing church facilities at a density of 10,558.82 square feet per acre or 89,750 square feet, whichever is less (U10-004).
  - b. The hours of operation for the day care facility shall be limited to:  
Monday – Friday: 6:00a.m. To 7:00p.m.
  - c. Restrict the number of enrolled students to no more than 158.
  - d. The school shall provide an annual report detailing total enrollment by August 15<sup>th</sup> of each calendar year, subject to the approval of the Department of Community Development.
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development dated April 6, 2010. 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.
3. To the owner's agreement to provide the following site development standards:
  - a. The owner/developer shall dedicate forty-five (45) feet of right-of-way from centerline of Sandy Springs Circle along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
  - b. The owner/developer shall dedicate forty (40) feet of right-of-way from centerline of Mount Vernon Highway along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
  - c. The owner/developer shall dedicate right of way and temporary easements necessary for the construction of the T-0014 Sandy Springs Circle Pedestrian Streetscape Phase II capital project, as required by Public Works.

- d. Variance from Section 19.4.15.B.3 of the Zoning Ordinance to allow an existing play area fence to be non-opaque and less than six (6) feet in height (CV10-007).
- e. To reduce the zoning regulations to the extent necessary for all the existing non-conforming (grandfathered) structure(s) to comply.



ALL EROSION & SEDIMENTATION CONTROLS SHALL BE INSTALLED PRIOR TO GRADING

NOTIFY INSPECTOR 24 HOURS PRIOR TO STARTING CONST.

DEVELOPMENT PLAN FOR:  
**SANDY SPRINGS UNITED METHODIST CHURCH**  
 2500 SANDY SPRINGS ROAD, SANDY SPRINGS, GA 30077  
 RUPPE ENGINEERING CO.  
 1000 SANDY SPRINGS ROAD, SANDY SPRINGS, GA 30077  
 404-477-8888



HILSON MEMORIAL BLDG. SANDY SPRINGS UNITED METHODIST CHURCH  
 BARKER & CUNNINGHAM-ARCHITECT-ATLANTA  
 1100 BARKER & CUNNINGHAM DRIVE, ATLANTA, GA 30329  
 404-525-1100

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City of Sandy Springs  
 Community Development

U10-004/CU10-007

**DESCRIPTION OF PROPERTY  
SANDY SPRINGS UNITED METHODIST CHURCH  
HITSON MEMORIAL ACTIVITY CENTER  
85 MOUNT VERNON HIGHWAY  
SANDY SPRINGS, GA 30328**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 89 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MITERED INTERSECTION FORMED BY THE SOUTHEASTERN RIGHT-OF-WAY LINE OF MOUNT VERNON HIGHWAY (VARIABLE RIGHT-OF-WAY, 45.0' TO CENTERLINE AT THIS POINT), AND THE NORTHWESTERN RIGHT-OF-WAY OF SANDY SPRINGS CIRCLE (VARIABLE RIGHT-OF-WAY), FROM THE POINT OF BEGINNING THUS ESTABLISHED, THENCE SOUTH 40°27' EAST ALONG SAID MITER FOR A DISTANCE OF 16.93 FEET TO A POINT ON THE NORTHWEST RIGHT-OF-WAY OF SANDY SPRINGS CIRCLE (VARIABLE RIGHT-OF-WAY, 45.0' TO CENTERLINE AT THIS POINT), THENCE SOUTHWESTERLY AND NORTHWESTERLY ALONG THE RIGHT-OF-WAY OF SANDY SPRINGS CIRCLE (VARIABLE RIGHT-OF-WAY), THE FOLLOWING COURSES AND DISTANCES: 1) SOUTH 25°05'01" WEST A DISTANCE OF 420.90 FEET TO A POINT, 2) NORTH 46°04' WEST A DISTANCE OF 5.29 FEET TO A POINT, 3) SOUTH 25°20'08" WEST A DISTANCE OF 199.1 FEET TO A POINT, 50.0' TO CENTERLINE AT THIS POINT, 4) SOUTH 05°32'57" EAST A DISTANCE OF 9.74 FEET TO A POINT, 5) SOUTH 25°21'03" WEST A DISTANCE OF 207.04 FEET TO A POINT, THENCE DEPARTING SAID RIGHT-OF-WAY AND RUN NORTH 88°32'24" WEST A DISTANCE OF 438.40 FEET TO AN IRON PIN FOUND, THENCE NORTH 00°09'53" WEST A DISTANCE OF 35.00 FEET TO AN NAIL FOUND, THENCE SOUTH 89°50'07" WEST A DISTANCE OF 50.00 FEET TO AN IRON PIN FOUND, THENCE NORTH 00°09'53" WEST A DISTANCE OF 166.23 FEET TO AN IRON PIN FOUND, THENCE NORTH 89°17'20" EAST A DISTANCE OF 48.29 FEET TO AN IRON PIN FOUND, THENCE NORTH 02°30'14" EAST A DISTANCE OF 241.33 FEET TO AN IRON PIN FOUND, THENCE SOUTH 88°35'39" EAST A DISTANCE OF 118.17 FEET TO A POINT, THENCE NORTH 08°45' WEST A DISTANCE OF 59.5 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF MOUNT VERNON HIGHWAY (VARIABLE RIGHT-OF-WAY 45.0' TO CENTERLINE AT THIS POINT) THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY, NORTH 68°51'06" EAST A DISTANCE OF 713.15 FEET TO THE POINT OF BEGINNING. SAID TRACT OR PARCEL CONTAINING 8.185 ACRES.

THIS DESCRIPTION OF PROPERTY WAS PREPARED USING BOUNDARY INFORMATION PROVIDED TO WATTS & BROWNING ENGINEERS BY OTHERS AND DOES NOT REPRESENT DATA OBTAINED FROM A FIELD RUN SURVEY ON THE GROUND, THEREFORE WATTS & BROWNING DOES NOT CERTIFY TO THE ACCURACY AND/OR COMPLETENESS OF THE DATA CONTAINED HEREIN.

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EXHIBIT "A"



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