

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO AMEND SECTION 33.12.A, VARIANCE, OF THE SANDY SPRINGS ZONING ORDINANCE

WHEREAS, the Mayor and City Council adopted a resolution on June 1, 2010 directing staff to review, clarify, and recodify the Zoning Ordinance with the assistance of the City Attorney's office; and

WHEREAS, this recodification will address recent developments in the law and issues that have been raised during the implementation, administration, and enforcement of the Zoning Ordinance; and

WHEREAS, this recodification will not include any policy changes to the ordinance.

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.

Section 33.12.A, *Variance*, of the City of Sandy Springs Zoning Ordinance is hereby amended by the deletion in its entirety and the following inserted therefor:

SECTION 12: VARIANCE.

A. Limitations

The Board of Appeals shall be allowed to grant variances to this Article pursuant to subsection D. below, provided that no variance shall be granted as to the height or size of a sign which exceeds the maximum height or size permitted for the subject property.

B. Timing

The Board of Appeals shall hear and decide upon a variance within seventy-five (75) days of the submission of a complete and accurate application on the filing deadline adopted by Mayor and City Council.

C. Procedure

Except as modified by this Article, the procedures for requesting a variance from the standards of this Article shall be the same procedures as that for seeking a variance from the City's ordinances regulating zoning.

D. Standards

The standards which shall be considered for granting a variance from the standards of this Article shall be only the following:

1. The topography of the lot on which the sign is located or to be located renders it impossible to comport with the strict standards of this Article.
2. The natural features of the lot on which the sign is located or to be located, or of the land immediately adjacent to the lot, impairs the visibility of the sign such that it cannot be seen.

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All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.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

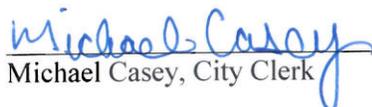
This Ordinance is effective December 21, 2010; and

APPROVED AND ADOPTED this the 21st day of December, 2010.

Approved:


Eva Galambos, Mayor

Attest:


Michael Casey, City Clerk

(Seal)

