

STATE OF GEORGIA  
COUNTY OF FULTON

**AN ORDINANCE TO REZONE TO FROM R-2 (SINGLE FAMILY DWELLING DISTRICT) TO R-4A (SINGLE FAMILY DWELLING UNITS TO ALLOW THE DEVELOPMENT OF THIRTEEN (13) SINGLE FAMILY LOTS, PROPERTIES LOCATED AT 611, 641, 661 MABRY ROAD**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, Georgia while in regular session on December 17, 2013 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 properties located at 611, 641, 661 Mabry Road, consisting of a total of approximately 6.66 acres, be changed from R-2 (Single Family Dwelling District) to R-4A (Single Family Dwelling District) to allow the development of thirteen (13) single family lots, to wit;

ALL THAT TRACT or parcel of land lying and being in Land Lots 33 of the 17<sup>th</sup> District, Fulton County, Georgia by the attached legal description; and

**SECTION 2.** That the property shall be developed in compliance with the Sandy Springs Code of Ordinances; and

**SECTION 3.** 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**SECTION 4.** That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

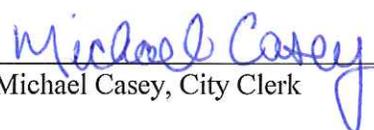
**SECTION 5.** This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

**APPROVED AND ADOPTED** this the 17<sup>th</sup> day of December, 2013.

Approved:

  
\_\_\_\_\_  
Eva Galambos, Mayor

Attest:

  
\_\_\_\_\_  
Michael Casey, City Clerk

(Seal)



CONDITIONS OF APPROVAL

**201301778**  
**611, 641, 661 Mabry Road**

Please be advised, the City of Sandy Springs Mayor and City Council approved the rezoning of properties owned by the Estate of Herbert H. and Colleen B. Mabry and the Estate of Maxine P. Cullom at 611, 641, 661 Mabry Road. Rezoning petition 201301778 was approved to rezone from R-2 (Single Family Dwelling District) to R-4A (Single Family Dwelling District) conditional by the Mayor and City Council at the December 17, 2013 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. To develop thirteen (13) Single Family Dwelling Units. All lots abutting North, South, and West property lines shall meet the R-3 (single Family Dwelling District) minimum lot area requirements of 18,000 square feet. All lots in the community shall comply with R-4A setback requirements.
  
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development on December 17, 2013 Said site is conceptual only and plan must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for 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. Development shall comply with the Georgia Stormwater Management Manual Stormwater Runoff Quality Standard by providing practices that treat the water quality volume by infiltration and/or evapotranspiration.
  - b. Development shall not generate concentrated discharge of stormwater across a perimeter property line onto an adjacent lot where such a concentrated discharge does not already occur unless such discharge is into a drainage easement that extends to a conveyance that possesses the capacity to convey a 25 year flow.
  - c. Runoff from lots fronting Mabry Road shall drain to the proposed detention facility. Proposed detention facility discharge shall be directed to the existing storm sewer to the south of the proposed detention facility as shown on the site plan dated August 29, 2013, subject to the Director of Community Development.

- d. To create a mandatory homeowners association. Said homeowners association shall be responsible for property maintenance of all common areas, entrance area, and detention area contained within the proposed development.
- e. The developer/builder shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ among others the use of differing front elevations, architectural styles, building exterior, setbacks or other similar techniques to provide a more pleasing appearance to the subdivision. Exterior of buildings shall be limited to brick, stone, cedar shake, or cement based material such as hardiplank. A minimum of four (4) sides shall be brick or stone water-table. A water-table shall be defined as brick or stone up to the first floor plate of the home.
- f. The developer/builder agrees to install a construction fence around the perimeter of the subject property to secure access to the subject property during the initial development and construction.
- g. The detention pond shall be fenced with a wrought iron fence, minimum of six (6) feet in height, with landscaping to the exterior for purposes of visual screening, subject to the Sandy Springs Arborist approval. Said fence shall be installed as soon detention pond is constructed.

## PROPERTY DESCRIPTION

ALL that tract or parcel of land lying and being in Land Lot 33, 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at the point where the southwesterly right of way margin of Mabry Road (Variable Right of Way) intersects the northwesterly right of way margin of Glennridge Drive (Variable Right of Way), said point being the TRUE POINT OF BEGINNING;

THENCE South 17 degrees 12 minutes 01 seconds West for a distance of 449.85 feet along the northwesterly right of way margin of Glennridge Drive to a #4 rebar set;

THENCE departing the northwesterly right of way margin of Glennridge Drive, North 71 degrees 11 minutes 10 seconds West for a distance of 166.30 feet along the northeasterly property line of Spalding Woods – Unit 10 to an angle iron found;

THENCE continuing along the northeasterly line of Spalding Wood – Unit 10, North 71 degrees 03 minutes 40 seconds West for a distance of 166.71 feet to a 1" crimp top pipe found;

THENCE continuing along the northeasterly line of Spalding Woods – Unit 10, North 86 degrees 23 minutes 59 seconds West for a distance of 234.18 feet to a 12 inch tree and fence corner on the west line of Land Lot 33 and the east line of Spalding Woods – Unit 10;

THENCE along the west line of Land Lot 33, the east line of Spalding Wood – Unit 10 and Spalding Woods – Unit 5, North 00 degrees 25 minutes 02 seconds East for a distance of 470.17 feet to a ¾" crimp top pipe found on the southwesterly right of way margin of Mabry Road (Variable Right of Way);

THENCE in a southeasterly direction along the southwesterly right of way margin of Mabry Road, South 85 degrees 11 minutes 54 seconds East for a distance of 55.70 feet to a point;

THENCE continuing along the southwesterly right of way margin of Mabry Road along a curve to the right an arc distance of 243.27 feet, having a radius of 1,959.63 feet, and being subtended by a chord of South 81 degrees 38 minutes 31 seconds East for a distance of 243.11 feet to a #4 rebar found;

THENCE continuing along the southwesterly right of way margin of Mabry Road along a curve to the right an arc distance of 170.99 feet, having a radius of 1,959.63 feet, and being subtended by a chord of South 75 degrees 35 minutes 10 seconds East 170.94 feet to a point;

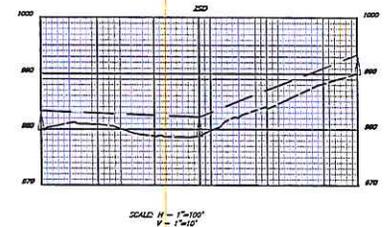
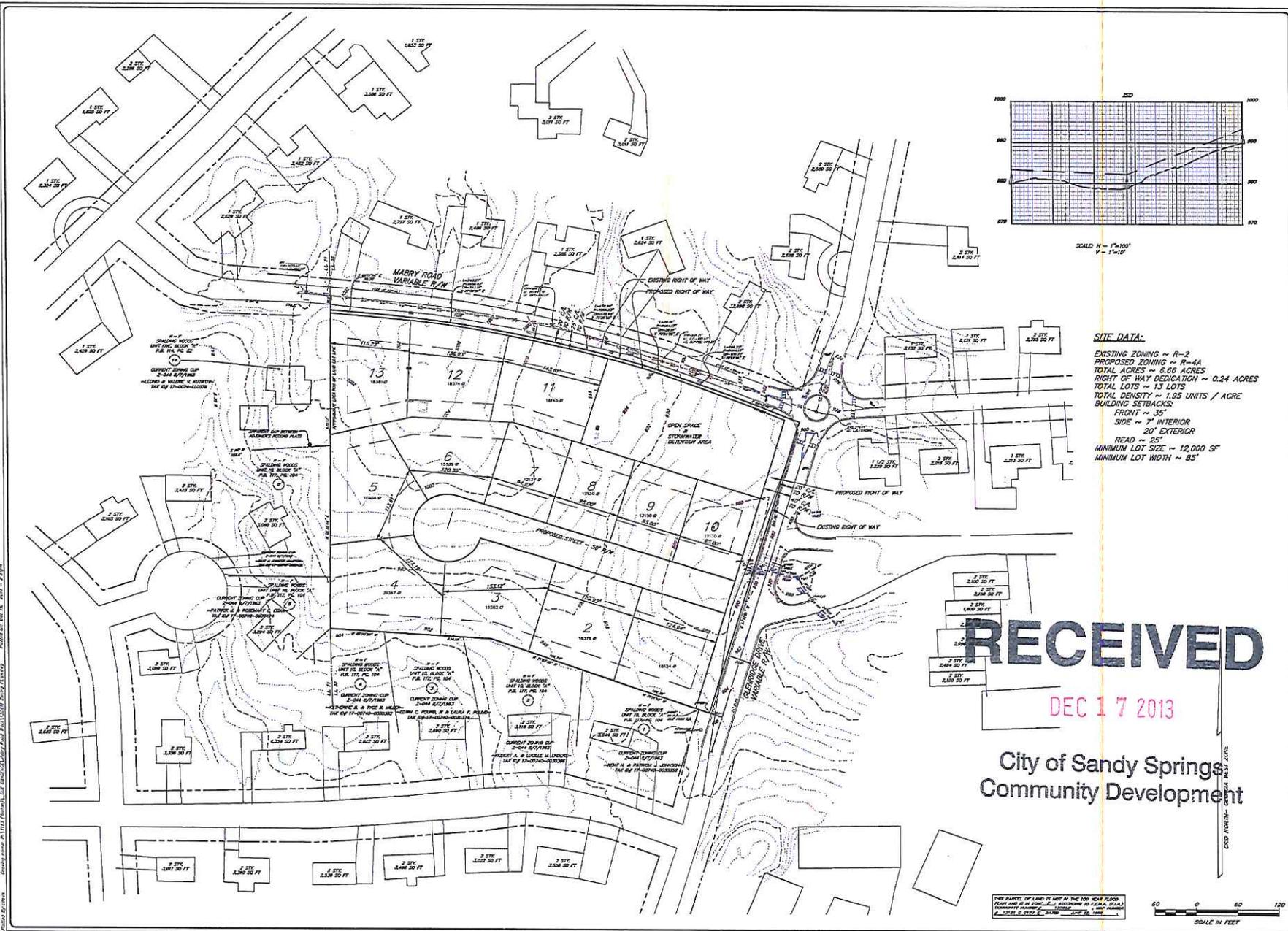
THENCE continuing along the southwesterly right of way margin of Mabry Road along a curve to the right an arc distance of 29.01 feet, having a radius of 6,064.17 feet, and being subtended by a chord of South 70 degrees 54 minutes 05 seconds East 29.01 feet to a #4 rebar set;

THENCE continuing along the southwesterly right of way margin of Mabry Road along a curve to the right an arc distance of 100.73 feet, having a radius of 6,064.17 feet, and being subtended by a chord of South 70 degrees 17 minutes 19 seconds East 29.01 feet to a point;

THENCE continuing along the southwesterly right of way margin of Mabry Road, South 68 degrees 42 minutes 49 seconds East for a distance of 101.55 feet to the point where the southwesterly right of way margin of Mabry Road (Variable Right of Way) intersects the northwesterly right of way margin of Glennridge Drive (Variable Right of Way), said point being the TRUE POINT OF BEGINNING;

Said tract of land contain 6.66 acres more or less.

DRAWN BY: J. W. B. DATE: 11/15/13  
 CHECKED BY: J. W. B. DATE: 11/15/13  
 PROJECT NO.: 13-001



**SITE DATA:**  
 EXISTING ZONING ~ R-2  
 PROPOSED ZONING ~ R-4A  
 TOTAL ACRES ~ 0.50 ACRES  
 RIGHT OF WAY DEDICATION ~ 0.24 ACRES  
 TOTAL LOTS ~ 13 LOTS  
 TOTAL DENSITY ~ 1.95 UNITS / ACRE  
 BUILDING SETBACKS:  
 FRONT ~ 35'  
 SIDE ~ 7' INTERIOR  
 20' EXTERIOR  
 REAR ~ 25'  
 MINIMUM LOT SIZE ~ 12,000 SF  
 MINIMUM LOT WIDTH ~ 85'

RECEIVED

DEC 17 2013

City of Sandy Springs  
 Community Development

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD  
 HAZARD AREA OR SPECIAL FLOOD HAZARD AREA.  
 PROPERTY OWNER: J. W. B. DATE: 11/15/13



Gaskins

ENGINEERING  
 PLANNING/CONSTRUCTION  
 SURVEYING  
 CONSTRUCTION MGMT  
 1165 North Easley Road  
 Marietta, Georgia 30067  
 Phone: (770) 424-1198  
 Fax: (770) 424-1199  
 WWW.GASKINS.COM

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**MABRY ROAD**  
 LAND LOT 33, 17TH DISTRICT,  
 CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA  
 ZONED ~ R-2

REVISIONS			
REV.	DATE	REVISION	REFERENCE

PROJECT TITLE  
 ZONING PLAN



PROJECT ID:	FIELD BOOK:
T113	-
DRAWN BY:	CHECKED BY:
SJ	CED
SCALE:	ISSUE DATE:
1"=60'	6-03-13
SHEET NUMBER:	
2	

NOT ISSUED FOR CONSTRUCTION