

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO MODIFY CONDITION(S) OF A RESOLUTION BY FULTON
COUNTY BOARD OF COMMISSIONERS APPROVING PETITION Z99-0063 ON
AUGUST 4, 1999 FOR PROPERTY LOCATED AT 540 TRIMBLE LAKE COURT**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on September 16, 2014 at 6:00 p.m. as follows:

SECTION 1. That the condition(s) of a Resolution by the Fulton County Board of Commissions, approved on August 4, 1999, for petition Z99-0063 that allowed the property to be rezoned to CUP (Community Unit Plan District) be changed for the property located at 540 Trimble Lake Court, consisting of a total of approximately 0.441 acres, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 14 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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

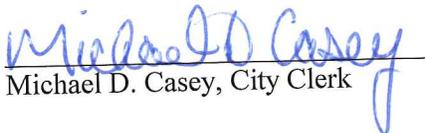
SECTION 4. This Ordinance shall become effective upon adoption by the City Council and the signature of approval of the Mayor.

APPROVED AND ADOPTED this the 16th day of September, 2014 July, 2014.

Approved:


Russell K. Paul, Mayor

Attest:


Michael D. Casey, City Clerk

(Seal)



CONDITIONS OF APPROVAL

201402339
540 Trimble Lake Court

Please be advised, the City of Sandy Springs Mayor and City Council approved the modification of the conditions of Z99-0063, with regard to the above referenced property currently zoned CUP (Community Unit Plan District). Zoning modification petition 201402339 was approved by the Mayor and City Council at the September 16, 2014 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Single family detached dwellings and accessory uses and structures.
 - b. No more than 49 total dwelling units, at a maximum density of 1.54 dwelling units per acre, whichever is less, based on the total acreage zoned.
 - c. The minimum lot size shall be 18,000 square feet.
 - d. The minimum heated floor area per dwelling unit shall be 2,500 square feet.
 - e. At no time ever will there be a golf driving range, clubhouse, swimming pool, tennis courts or parking lots associated with the impending golf club and no more than three (3) full golf holes and two (2) partial golf holes will reside on the Property. (Private Agreement)
2. To the owner's agreement to abide by the following:
 - a. To the revised site plan received by the Department of Environment and Community Development on July 2, 1999. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in ace prior to the issuance of the first Certificate of Occupancy.
3. To the owner's agreement to the following site development considerations:
 - a. Development standards:

Minimum perimeter setback: 40 feet, except on lots #18 and #46, as depicted on the site plan referenced in condition 2.a., and Lot 47 will be 22 feet where the swimming pool encroaches, and except Lot 15 13 will be 15 feet where the swimming pool encroaches as shown on the site plan dated received October 22, 2013 by the Department of Community Development.

Minimum front yard: 30 feet
Minimum side yard (interior): 7 feet
Minimum side yard (adjacent to a street): 10 feet
Minimum rear yard: 40 feet
Minimum lot width at the building line: 70 feet
Minimum street frontage: 30 feet

- b. No more than 2 exit/entrances on South Trimble Road with the closest curb cut to Peachtree Dunwoody Road to be located a minimum of 300 feet from the right-of way of Peachtree Dunwoody Road. Curb cut locations and alignments are subject to the approval of the Fulton County Traffic Engineer.
- c. No access shall be allowed from Peachtree Dunwoody Road.
- d. No lot shall be allowed direct access from South Trimble Road or Peachtree Dunwoody Road except Lot 13, which shall be permitted temporary construction access for installation of a pool as shown on the site plan dated received June 27, 2014 by the Department of Community Development. Prior to issuance of a Certificate of Completion for the swimming pool, the owner/developer shall restore the fence and landscaping to existing standards subject to the approval of the Director of Community Development.
- e. Sidewalks shall be provided along Peachtree Dunwoody Road and South Trimble Road.
- f. Provide 40-foot wide building setbacks measured from the centerlines of pipelines.
- g. No grading, except as required for access crossings, and no new structures shall be permitted within the existing pipeline easements and additional setbacks, as required in Condition 3.f. Silt fencing and other protective measures shall be permitted in accordance with the Fulton County Tributary Protection Resolution, Fulton County Soil Erosion and Sedimentation Control Ordinance, and the Georgia Soil Erosion and Sedimentation Control Law.
- h. Prior to the approval of a Land Disturbance Permit, the applicant shall clearly delineate the pipelines, the easements, and the additional setbacks, as required in Condition 3.f., on Land Disturbance permit construction drawings, and shall stake the boundaries on site, based on the additional setback required in Condition 3.f. Boundaries shall remain clearly marked throughout land disturbing activities on the site.
- i. All recreational and other areas which may be held in common shall be maintained by a mandatory Homeowners Association, whose proposed documents of incorporation shall be submitted to the Director of the Department of Environment and Community Development for review and approval prior to the recording of the first final plat.
- j. For all exterior lots, if metal poles are used as deck supports, said poles must be enhanced with brick, stone, stucco, or other facing which would be architecturally consistent with the house. (Private Agreement)
- k. Decks should not extend into the required perimeter setback. (Private Agreement)
- l. Internal private streets must be constructed and maintained, at a minimum, to Fulton County standards.
- m. Should Fulton County ever be petitioned to assume ownership and maintenance of the private streets, that prior to dedication of the streets, they must be brought to acceptable standards of Fulton County for similar roads of similar age, subject to the approval of the Director of Public Works.

- n. Applicant will provide necessary easements for ingress and egress for police, fire, emergency vehicles and all operating utilities.
4. To the owner's agreement to abide by the following requirements, dedication and improvements:

- a. Dedicate at no cost to Fulton County along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to Fulton County such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved:

30 feet from centerline of South Trimble Road;
45 feet from centerline of Peachtree Dunwoody Road or as may be required for intersection improvements at South Trimble Road and Peachtree Dunwoody Road.

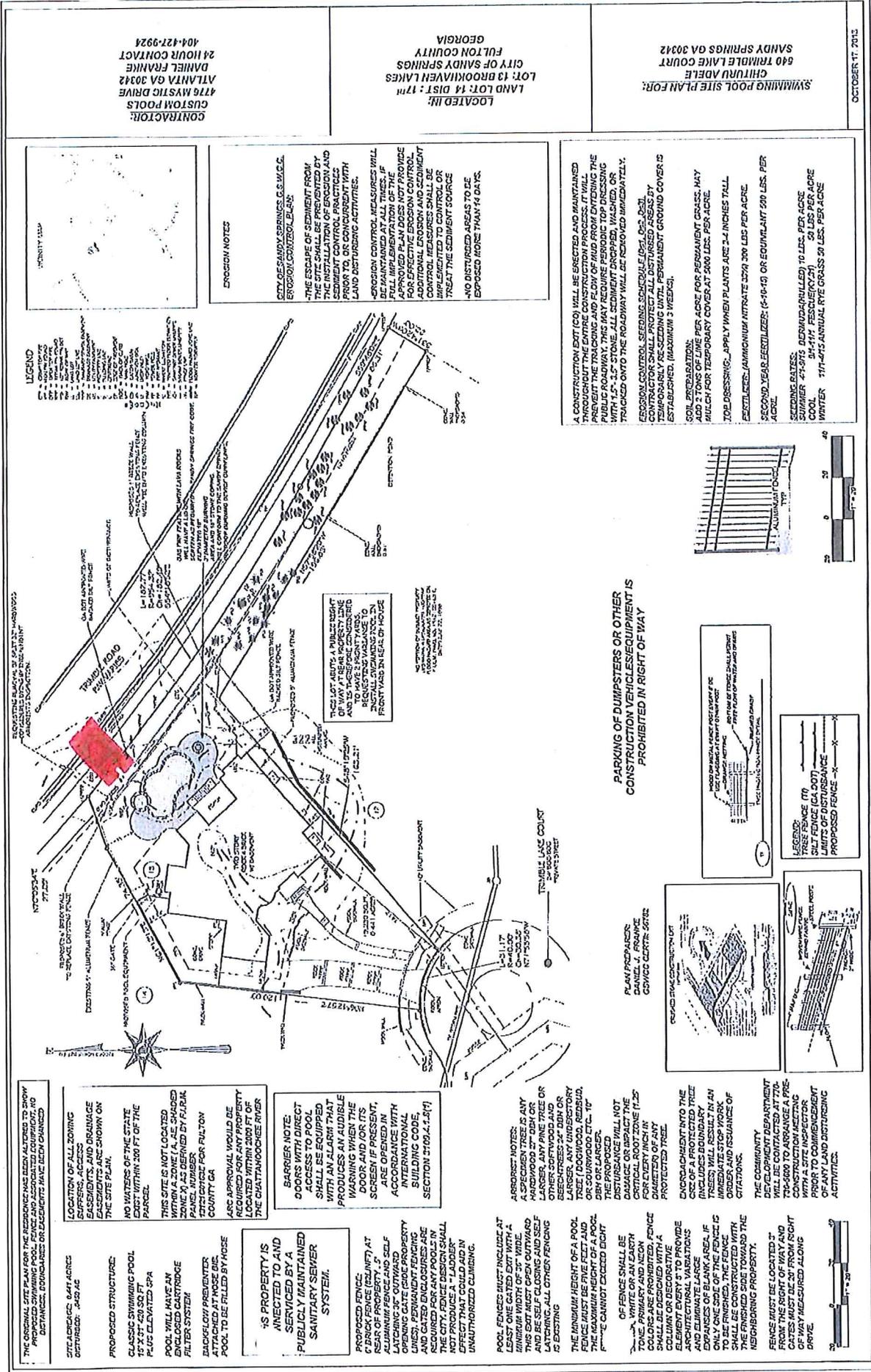
- a. Improve roadways along the entire property frontage with curb and gutter per Fulton County standards or as may be approved by the Fulton County Traffic Engineer and/or the Georgia Department of Transportation.
- b. Provide a deceleration lane for each project entrance or as may be required by the Fulton County Traffic Engineer.
- c. Provide a left turn lane for each project entrance or as may be required by the Fulton County Traffic Engineer.

5. To the owner's agreement to abide by the following:

- a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit with the Department of Environment and Community Development, to meet with the Fulton County Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
- b. Prior to the application for a Land Disturbance Permit with the Department of Environment and Community Development, arrange an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with the Fulton County Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
- c. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit with the Department of Environment and Community Development, to meet with the Fulton County Drainage Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
- d. At the time of submittal for a Land Disturbance Permit and after the approval of the Preliminary Plat, the engineer/developer is required to provide written documentation verifying on-site evaluation and any other necessary downstream constraints.

- e. Provide documentation (cross-section, profile, etc.) as to the existing conditions for all natural streams/creeks within the boundary of the project. Show, by documentation, the appropriate erosion protection of the stormwater conveyance system.
 - f. The developer/engineer is responsible to demonstrate to the County by engineering analysis, that the developed land use (proposed development) stormwater runoff conditions are controlled at the maximum predeveloped land use level, so that downstream properties/conveyance systems are not impacted or aggravates existing flooding/drainage nor creates new drainage/flooding problems off-site.
 - g. Prior to application for a Land Disturbance Permit, the developer/engineer shall submit to the Stormwater Management Section of the Department of Public Works a stormwater concept plan. The stormwater concept plan shall be preliminary drawings describing the proposed location of storage facilities, discharge paths, downstream and upstream constraints and other matters with potential stormwater implications.
6. For relief from Section 19.3.15.B.1 of the Zoning Ordinance to allow a pool to be located in one of the lot's two front yards (Lot 13). (CV 201303511)

Brick Fence will tie into existing Baric Fence & neighbor's



CONTRACTOR:
CUSTOM POOLS
 4776 MYSTIC DRIVE
 ATLANTA GA 30342
 DANIEL FRANKIE
 24 HOUR CONTACT
 404-427-9924

LOCATED IN:
 CITY OF SANDY SPRINGS
 LAND LOT 14 DIST: 17th
 COUNTY
 FULTON COUNTY
 GEORGIA

SWIMMING POOL SITE PLAN FOR:
 CHITURU ADELE
 640 TRINITE LAKE COURT
 SANDY SPRINGS GA 30072

OCTOBER 17, 2013

EROSION NOTES

CITY OF SANDY SPRINGS G.S.M.C.C. EROSION CONTROL PLAN

THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.

EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE MEASURES IS NOT POSSIBLE, THE CONTRACTOR SHALL PROVIDE ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE

NO DISTURBED AREAS TO BE EXPOSED MORE THAN 14 DAYS.

A CONSTRUCTION EROSION CONTROL PLAN (ECP) SHALL BE SUBMITTED AND MAINTAINED THROUGHOUT THE ENTIRE CONSTRUCTION PROCESS. IT WILL PREVENT THE TRACKING AND FLOW OF MUD FROM ENTERING THE PUBLIC ROADWAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH 1/2" - 1/4" STONE. ALL SEDIMENT DROPPED, WASHED, OR TRACKED ONTO THE ROADWAY WILL BE REMOVED IMMEDIATELY.

EROSION CONTROL SEEDING SCHEDULE (EST. 0-2-13)

CONTRACTOR SHALL PROTECT ALL DISTURBED AREAS BY TEMPORARILY RE-SEEDING UNTIL PERMANENT GRASS COVER IS ESTABLISHED. (MAGNUM 3 WEEDS).

SOIL PREPARATION:
 ADD 2 TONS OF LINE PER ACRE FOR PERMANENT GRASS. MAY BE USED FOR TEMPORARY COVER AT 200 LBS. PER ACRE.

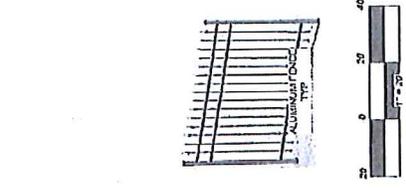
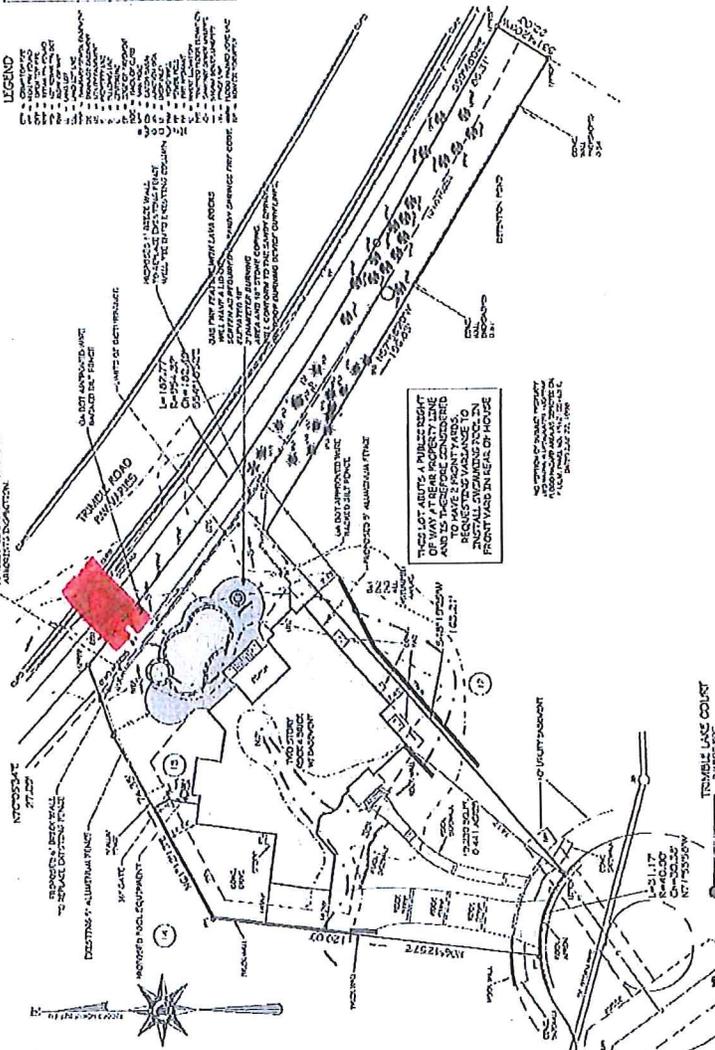
TOP DRESSING: APPLY WHEN PLANTS ARE 2-4 INCHES TALL.

PERMANENT SEEDING: AMMONIUM NITRATE 3200 300 LBS PER ACRE.

SECOND YEAR FERTILIZER: (6-16-0) OR EQUIVALENT 500 LBS. PER ACRE.

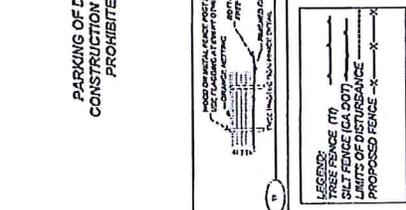
SEEDING RATES:
 SUMMER 47-515 LBS. PER ACRE
 WINTER 34-117 LBS. PER ACRE

COOL WATER: 117-473 ANNUAL RATE GRASS 30 LBS. PER ACRE

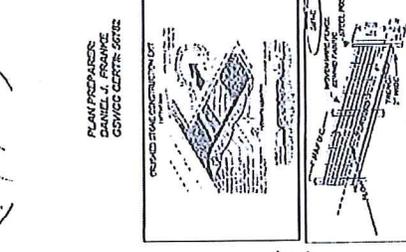


4' FENCE

PARKING OF DUMPSTERS OR OTHER CONSTRUCTION VEHICLES/EQUIPMENT IS PROHIBITED IN RIGHT OF WAY



LEGEND:
 FENCE RANGE (10)
 SILT FENCE (CA 907)
 LIMITS OF DISTURBANCE
 PROPOSED FENCE - X



PLAN PREPARED BY:
 DANIEL T. FRANKIE
 CIVIL ENGINEER - STATE

THE ORIGINAL SITE PLAN FOR THE RESIDENCE HAS BEEN ALTERED TO SHOW PROPOSED SWIMMING POOL, FENCE AND ASSOCIATED EQUIPMENT. ANY DISTANCES, DIMENSIONS OR DIMENSIONS HAVE BEEN CHANGED.

STORAGE: 0.41 ACRES
 DISTURBED: 0.40 AC

PROPOSED STRUCTURE:
 CLASSIC SWIMMING POOL
 15' X 27' X 40' SO FT
 PLUC ELEVATED SPA

NO WATERS OF THE STATE EXIST WITHIN 300 FT OF THE PARCEL.

THIS SITE IS NOT LOCATED WITHIN A ZONE (A, AE, SHAD) WITHIN A ZONE (A, AE, SHAD) PANEL NUMBER FOR FULTON COUNTY GA.

ARE APPROVAL WOULD BE REQUIRED FOR ANY PROPERTY ON THE CHATTAHOOCHEE RIVER.

BARRIER NOTE:
 DOORS WITH DIRECT ACCESS TO POOL SHALL BE SECURED WITH A LOCK THAT PRODUCES AN AUDIBLE WARNING WHEN THE DOOR AND/OR ITS SCREEN IS PRESENT, ARE OPENED IN ACCORDANCE WITH INTERNATIONAL INTER-NATIONAL BUILDING CODE, SECTION 3109.4.1.5(1).

PROPOSED FENCE:
 4' HIGH FENCE (MINIMUM) AT 4' ON CENTER. FENCE AND SELF LATCHING 3" OUTWARD OPENING GATE (SEE PROPERTY LINES). PERMANENT FENCING SHALL BE MAINTAINED FOR ANY POOL IN THE CITY. FENCE DESIGN SHALL NOT PRODUCE A "LADDER" EFFECT THAT COULD AID IN UNAUTHORIZED CLIMBING.

4' PROPERTY IS ANNECTED TO AND SERVICED BY A PUBLICLY MAINTAINED SANITARY SEWER SYSTEM.

ARREST NOTES:
 A SPECIMEN TREE IS ANY HARDWOOD 2" DBH OR LARGER, ANYWOOD AND BEECH TREES 2" DBH OR LARGER, ANY UNDERSTORY ORB OR CLASSED ETC. 10" THE PROPOSED DISTURBANCE WILL NOT DAMAGE OR IMPACT THE CRITICAL ROOT ZONE (1.25' DIAMETER) OF ANY PROTECTED TREE.

CONTRACTOR SHALL PROVIDE PROTECTION TO ALL TREES TO REMAIN IN THE PROJECT AREA. IMMEDIATE STOP WORK ORDER AND ISSUANCE OF CITATIONS.

THE COMMUNITY DEVELOPMENT DEPARTMENT WILL BE CONTACTED AT 710-... THE CONSTRUCTION ACTING WITH A SITE INSPECTOR PRIOR TO COMMENCEMENT OF ANY LAND DISTURBING ACTIVITIES.

POOL FENCES MUST INCLUDE AT LEAST ONE GATED EXIT WITH A MINIMUM WIDTH OPEN OUTWARD AND BE SELF CLOSING AND SELF LATCHING. ALL OTHER FENCING IS EXISTING.

THE MINIMUM HEIGHT OF A POOL FENCE MUST BE FIVE FEET AND THE MAXIMUM HEIGHT OF A POOL FENCE CANNOT EXCEED EIGHT FEET.

OF FENCE SHALL BE WHITE OR AN EASY TONE. PRIMARY AND NEON COLORS ARE PROHIBITED. FENCE SHALL BE DESIGNED WITH A MINIMUM OF ONE (1) ELEMENT EVERY 5' TO PROVIDE ARCHITECTURAL VARIATIONS AND ELIMINATE LARGE SPACES OF BLANK AREA. IF THE FENCE IS TO BE FINISHED, THE FINISHED SIDE TOWARD THE NEIGHBORING PROPERTY.

FENCE MUST BE LOCATED 3' FROM THE RIGHT OF WAY AND GATES MUST BE 2' FROM RIGHT OF WAY MEASURED ALONG DRIVE.



1" = 30'

L E G A L D E S C R I P T I O N

All that tract or parcel of land lying and being in Land Lot 14 of the 17th Land District, Fulton County, Georgia and being more particular described as follows:

Commence at the intersection of Trimble Road (r/w varies) and Trimble lake court (private street) if extended, THENCE along the Northeasterly right-of-way of Trimble Lake Court for a distance of 658.08 feet to a point, said point being a 1/2 inch rebar set, said point being the **True Point of Beginning**,

THENCE leaving said right-of-way North 06 degrees 42 minutes 57 seconds East for a distance of 120.09 feet to a point, said point being a 1/2 inch rebar found; THENCE North 61 degrees 12 minutes 13 seconds East for a distance of 74.35 feet to a 1/2 inch rebar found; THENCE North 70 degrees 05 minutes 34 seconds East for a distance of 27.09 feet to a 1/2 inch rebar found, said point being on the Southwesterly right-of-way of Trimble Road (r/w varies), THENCE along said right-of-way along a curve to the left having a radius of 954.32 feet and an arc length of 182.77 feet, being subtended by a chord of South 54 degrees 18 minutes 52 seconds East for a distance of 182.49 feet to a point, THENCE South 59 degrees 48 minutes 02 seconds East for a distance of 88.31 feet to a 1/2 inch rebar found, THENCE leaving said right-of-way South 31 degrees 42 minutes 09 seconds West for a distance of 22.00 feet to a point, said point being a 1/2 inch rebar found , THENCE North 57 degrees 58 minutes 20 seconds West for a distance of 196.83 feet to a point, said point being a 1/2 inch rebar found; THENCE South 48 degrees 19 minutes 25 seconds West for a distance of 163.21 feet to a point, said point being 1/2 inch rebar found on the Northerly right of way of Trimble Lake Court (private street), THENCE along said right-of-way along a curve to the left having a radius of 40.00 feet and an arc length of 31.17 feet, being subtended by a chord of North 71 degrees 55 minutes 58 seconds West for a distance of 30.39 feet to a point, said point being a 1/2 inch rebar set, said point being the **True Point of Beginning**.

Said property contains 0.441 acres

Received

JUN 27 2014

*City of Sandy Springs
Community Development
Department*