



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** February 10, 2014

FROM: John McDonough, City Manager

AGENDA ITEM: **201303686** - 4890 Northland Drive, *Applicant: David L. Kuniansky*, to rezone from R-2 (Single Family Dwelling District) to R-2A (Single Family Dwelling District) to develop 2 single family lots, with a concurrent variance

MEETING DATE: For Submission onto the February 18, 2014, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: *(Attach additional pages if necessary)*

See attached:

Memorandum
Rezoning Petition

APPROVAL BY CITY MANAGER:  APPROVED

PLACED ON AGENDA FOR: 2/18/2014

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: 

REMARKS:



To: John McDonough, City Manager
From: Angela Parker, Director of Community Development 
Date: February 4, 2014 for submission onto the February 18, 2014 City Council meeting
Agenda Item: **201303686 4890 Northland Drive** a request to rezone the subject property from R-2 (Single Family Dwelling District) to R-2A (Single Family Dwelling District) to allow the two (2) single family lots, with a concurrent variance.

Department of Community Development Recommendation:

WITHDRAWAL of a request to rezone the subject property from R-2 (Single Family Dwelling District) to R-2A (Single Family Dwelling District) to allow the two (2) single family lots, with a concurrent variance.

Background:

The subject site is located on the west side of Northland Drive. The property is currently zoned R-2 (Single Family Dwelling District) and is developed with a single family. The property contains approximately 1.92 acres.

Discussion:

The applicant has submitted a request to withdrawal the application on February 10, 2014.

To rezone the subject property from R-2 (Single Family Dwelling District) to R-2A (Single Family Dwelling District) to allow for the development of 2 single family lots.

Additionally, the applicant is requesting one (1) concurrent variance from the Zoning Ordinance as follows:

1. Variance from Section 109-225.a 2 of the Stream Buffer Protection Ordinance to reduce the twenty-five (25) foot impervious surface setback to two (2) feet to allow for the construction of a driveway.

The petition was heard at the January 16, 2014 Planning Commission meeting. The Commission recommended withdrawal (6-0, Tart, Frostbaum, Nickles, Maziar, Porter and Squire for; Duncan not voting) to allow the applicant the opportunity to resubmit an application that without a waiting period. The Commission recommended creating lots similar in size to each other and the surrounding properties.

On January 24, 2014 the applicant requested to withdrawal the stream buffer variance request and submitted a revised site plan showing lot 1 at 43,693 square feet and lot 2 at 37,121 square feet. Staff is of the opinion that the revised site plan is similar to the shape of the surrounding lots, but is still slightly under sized compared to the properties to the north, south, and east.



Rezoning Petition No. 201303686

PROPERTY INFORMATION	
Address, Land Lot, and District	4890 Northland Drive Land Lot 40, District 17 th
Council District	5
Frontage	242.06 feet
Area	1.92
Existing Zoning and Use	R-2 (Single Family Dwelling District) developed with a Single Family Homes
Overlay District	N/A
2027 Comprehensive Future Land Use Map Designation	R1-2 (1 to 2 units per acre)
Proposed Zoning	R-2A (Single Family Dwelling District)

APPLICANT/PETITIONER INFORMATION		
Property Owner David L. Kuniansky	Petitioner David L. Kuniansky	Representative Gary Unell

HEARING & MEETING DATES			
Community Zoning Information Meeting November 26, 2013	Community Developer Resolution Meeting December 18, 2013	Planning Commission Hearing January 16, 2014	Mayor and City Council Hearing February 18, 2014

INTENT

To rezone the subject property from R-2 (Single Family Dwelling District) to R-2A (Single Family Dwelling District) to allow for the development of 2 single family lots.

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- Variance from Section 109-225.a 2 of the Stream Buffer Protection Ordinance to reduce the twenty-five (25) foot impervious surface setback to two (2) feet to allow for the construction of a driveway.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

**201303686- WITHDRAWAL
201303686- WITHDRAWAL**

The applicant submitted a letter of withdrawal on February 10, 2014.

PLANNING COMMISSION-January 16, 2014

**201303686- WITHDRAWAL
201303686- WITHDRAWAL**

The petition was heard at the January 16, 2014 Planning Commission meeting. The Commission recommended withdrawal (6-0, Tart, Frostbaum, Nickles, Maziar, Porter and Squire for; Duncan not voting) to allow the applicant the opportunity to resubmit an application that without a waiting period. The Commission recommended creating lots similar in size to each other and the surrounding properties.

Prepared by the City of Sandy Springs Department of Community Development for the Planning Commission Meeting January 16, 2014

On January 24, 2014 the applicant requested to withdrawal the stream buffer variance request and submitted a revised site plan showing lot 1 at 43,693 square feet and lot 2 at 37,121 square feet. Staff is of the opinion that the revised site plan is similar to the shape of the surrounding lots, but is still slightly under sized compared to the properties to the north, south, and east.

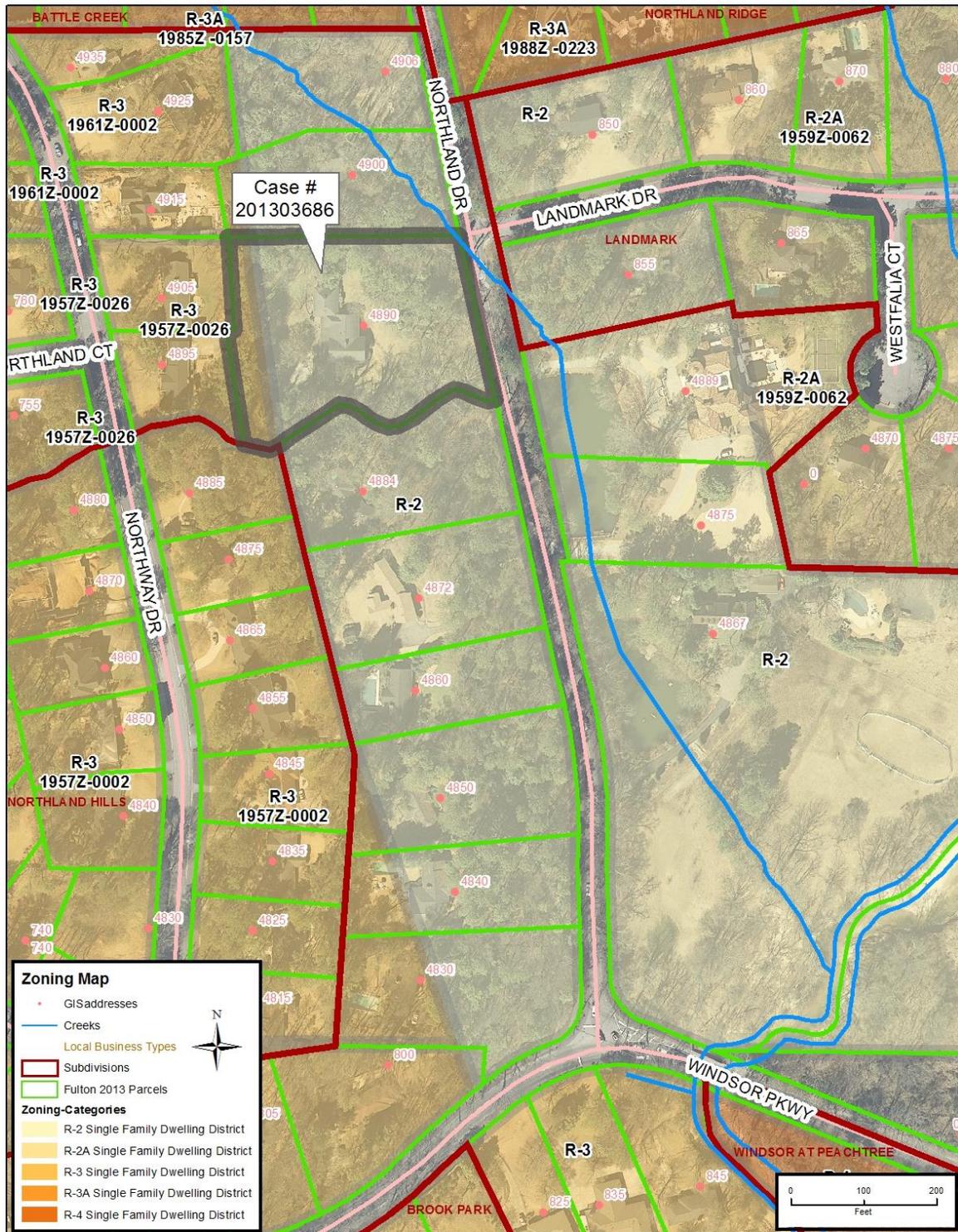
EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES

SUBJECT PETITION 201303686	Requested Zoning	Proposed Use	Land Area (Acres)	Units	Density (Units per Acre)
	R-2A	Single Family	1.92	2	1.04 units/ac

Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	R-2	4900 Northland Drive (Single Family)	1.03	1	0.97
North	R-2	4906 Northland Drive (Single Family)	1.01	1	0.99
East	R-2	855 Landmark Drive (Single Family)	1.03	1	0.97
East	R-2	4889 Northland Drive (Single Family)	2.07	1	0.48
South	R-2	4884 Northland Drive (Single Family)	1.04	1	0.96
West	R-3 Z57-0026	4905 Northway Drive (Single Family)	0.54	1	1.85
West	R-3 Z57-0026	4895 Northway Drive (Single Family)	0.57	1	1.75

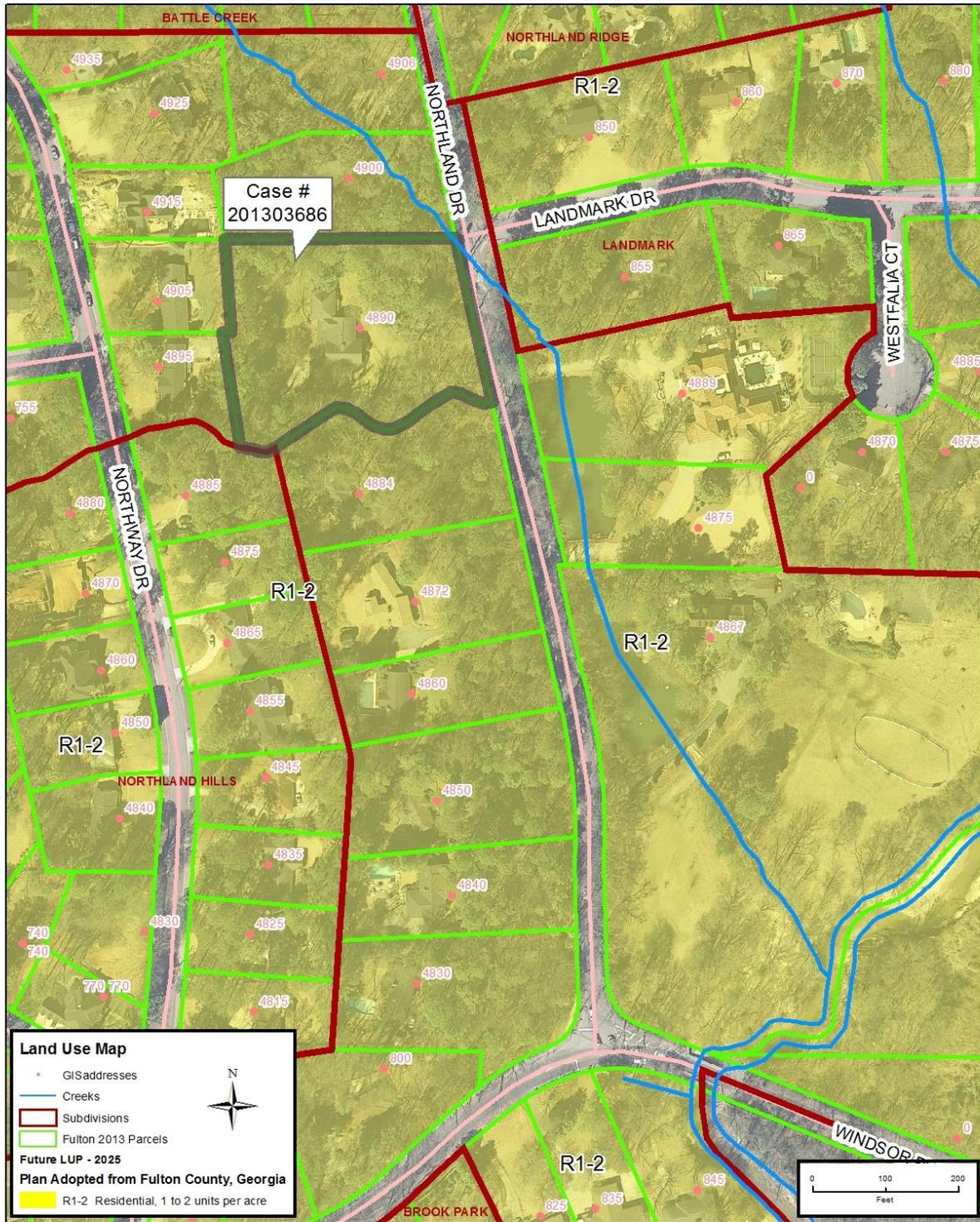
Zoning Map

4890 Northland Drive



Future Land Use Map

4890 Northland Drive



ZONING IMPACT ANALYSIS

Per Article 28.4.1, *Zoning Impact Analysis by the Planning Commission and the Department*, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors:

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Findings: The staff is of the opinion that the proposed use is suitable in view of the use and development of adjacent and nearby property. The surrounding area consists of: R-2 (Single Family Dwelling District) to the north, east and south; and R-3 (Single Family Dwelling District) to the west.

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Findings: The staff is of the opinion that the proposal if approved could have an adverse impact on the use or usability of adjacent or nearby properties. The use would be consistent with adjacent properties. The proposal is for a density of 1.04 units per acre. The proposed density is consistent with the Comprehensive Plan density of 1-2 units per acre. However, the proposed density is higher than the properties to the north, east and south. The proposed zoning district is also not consistent properties to the north, east, and south.

C. Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.

Findings: The staff is of the opinion that the subject property has a reasonable economic use as currently zoned.

D. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.

Findings: The staff is of the opinion that the proposal will not result in a use which will cause an excessive or burdensome use of the existing infrastructure. The proposed development will be required to meet all current City codes and ordinances.

E. Whether the zoning proposal is in conformity with the policies and intent of the land use plan.

Findings: The staff is of the opinion that the proposal is consistent with the Future Land Use Map, which designates the property as R1-2 (1 to 2 units per acre). The applicant is proposing 1.04 units per acre. The proposal is not consistent with the surrounding properties. The properties on the north, east, and south range from 0.48 units per acre to 0.99 units per acre. The properties to the west are approximately 1.80 units per acre. The proposal creates a transition to the west, but is not consistent with surrounding properties along Northland Drive. The proposal is not consistent with the intent of the Comprehensive Plan.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Findings: The staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

G. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.

Findings: The staff is of the opinion that the proposal would not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Sandy Springs. The proposal will be required to meet all current City Codes including a stormwater management system.

VARIANCE CONSIDERATIONS

Section 109.225 of the Sandy Springs Stream Buffer Protection Ordinance provides the following:

Sec. 109-225. Land development requirements.

(b) *Variance procedures.* Variances from subsection (a) of this section may be granted in accordance with the following provisions:

(3) Variances will be considered only in the following cases:

a. When a property's shape, topography or other physical conditions existing at the time of the adoption of the ordinance from which this article is derived prevents land development unless a buffer variance is granted.

Finding:

The property's shape, topography, and physical conditions existed at the time of the adoption of the ordinance. Staff notes the stream buffer covers a small portion of the northeast corner of the property. Based on these reasons, staff is of the opinion this condition has been satisfied.

b. Unusual circumstances when strict adherence to the minimal buffer requirements in this article would create an extreme hardship.

Finding:

Staff notes the stream buffer covers small portion of the buildable area of the lot. An extreme hardship is not presented when strict adherence to the minimal buffer requirement is followed. However, the applicant is requesting to encroach into the stream buffer to save a 20 inch oak tree and a 24 inch poplar tree outside of the stream buffer. The applicant is proposing an encroachment of 882 square feet into the 25 foot impervious setback. Based on these reasons, staff is of the opinion this condition not has been satisfied.

(5) The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

Finding:

The property is rectangular in shape. The parcel slopes from northwest to east towards the stream. Staff is of the opinion that the property does not exhibit extraordinary and exceptional conditions related to its size, shape, or topography.

b. The locations of all streams on the property, including along property boundaries;

Finding:

All streams on the property have been identified on the site plan. The stream is located in the northeast corner of the property.

- c. The location and extent of the proposed buffer or setback intrusion;

Findings:

All buffer and setback intrusions have been identified on the site plan. The applicant is proposing to encroach 795 square feet into the 25 foot impervious setback with a portion of the driveway.

- d. Whether alternative designs are possible which require less intrusion or no intrusion;

Findings:

Alternative designs have been discussed with the staff regarding the proposed building location. The applicant can remove the 20 inch oak and the 24 inch poplar and install the drive further to the south. Therefore, staff is of the opinion this condition has been satisfied.

- e. The long-term and construction water quality impacts of the proposed variance;

Findings:

The applicant will be required to use Best Management Practice (BMP) during the construction of the house. The City will monitor the sites BMPs.

- f. Whether issuance of the variance is at least as protective of natural resources and the environment.

Findings:

Staff is of the opinion that issuance of the variance is not as protective of the natural resources and environment as the existing site condition.

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on December 4, 2014 at which the following departments had comments. The staff has received additional comments from the Fulton County Board of Education and Fulton County Department of Water Resources (see attachments).

Transportation Planner	<p>Northland Drive is classified a Collector street and has a posted speed limit of 35 mph. The existing daily traffic counts in the vicinity of this project are 2,477 (2007) south of the site. The frontage is included in the City’s adopted Sidewalk Master Plan.</p> <p>Sandy Springs Development Ordinance Requirements include:</p> <ul style="list-style-type: none"> • The required pavement lane width for Northland Drive is 12 feet. • The proposed driveways shall meet minimum intersection sight distance for 35 mph. • The minimum right-of-way for Northland Drive is 40 feet from the street centerline or 11 feet behind the future back of curb or one foot behind the future back of sidewalk, whichever is greater. • Curb and gutter shall meet ordinance requirements. <p>A minimum 5-foot wide sidewalk with a 2-foot landscape strip is required on the frontage of Northland Drive.</p>
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Fire	<ul style="list-style-type: none"> • If this residence is constructed closer than 20 feet to another residential structure or other outbuilding larger than 300 sf, automatic sprinklers shall be required in the kitchen and fuel fired equipment room pursuant the City of Sandy Springs fire ordinance 2006-11-86: Chapter 15, Health and Public Safety, which became effective on November 8, 2006. See enclosed Minimum Design Guidelines for the City of Sandy Springs Fire Department.
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PUBLIC INVOLVEMENT

Public Comments

- Location of second house
- Flooding on the corner
- Flag lot
- Why is the spec home being built first
- 2 rectangular lots
- No stream buffer variance
- Tree removal and noise
- Price point
- Leave 1 house
- Everything around the property is R-2
- Add a buffer in the rear

CONCLUSION TO FINDINGS

It is the opinion of the staff that the proposal is not in conformity with the intent of the Comprehensive Plan Policies. The proposed density of 1.04 units per acre falls within the range recommended by the Future Land Use Map. However, the proposal is not consistent with the surrounding properties along Northland Drive. Therefore, based on these reasons, the staff recommends **WITHDRAWAL** of the rezoning petition.

STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to rezone the subject property from R-2 (Single Family Dwelling District) to R-2A (Single Family Dwelling District), the staff recommends the approval be subject to the R-2A regulations in the Sandy Springs Zoning Ordinance, the Sandy Springs Code of Ordinances, and the following condition. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

1. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development on January 24, 2014. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, and these conditions prior to the approval of any Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

2. To the owner's agreement to provide the following site development standards:
 - a. To reduce the zoning regulations to the extent necessary for all the existing non-conforming (grandfathered) structure(s) to comply in accordance with the site plan received by the Department of Community Development on January 24, 2014.

Attachments

- Letter of Withdrawal received February 10, 2014
- Letter of Intent received January 24, 2013
- Site Plan dated received January 24, 2014
- Site Plan dated received January 8, 2013
- Copy of request for an Administrative Modification received February 4, 2014
- Rebuttal Letter to public comment from Planning Commission received February 4, 2014
- Site Photographs
- Additional comments from the Fulton County Department of Water Resources, Fulton County Department of Health Services
- Letters of Opposition

TO: City of Sandy Spring
Attention: Linda Abaray

FROM: David Kuniansky

DATE: January 21, 2014

RE: Zoning Case #201303686

Dear Linda,

We request that the concurrent variances be withdrawn. In addition, we have a revised site plan depicting two rectangle lots; Lot #1 prior to ROW changes is ~~1.058~~^{1.003} acres and Lot #2 is ~~0.9087~~^{0.8522} acre. This revision will create lots that are more consistent and compatible with the adjoining neighbor's property.

If you have any questions, please call me: 404-210-1717.

Thank you,



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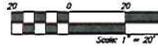
JAN 21 2014

City of Sandy Springs
Community Development

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11/11/2014

City of Sandy Springs Community Development



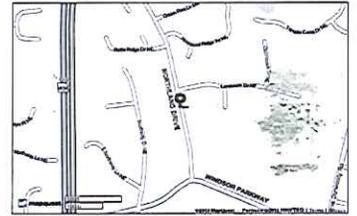
N/F
ANDRE S. COHEN
17 00400010541
ZONED: R-3

N/F
ASHGARH MCARZADAN
17 00400010583
ZONED: R-2

N/F
MARK WARD
17 00400010567
ZONED: R-3

N/F
BOB M. FARMER
17 00400010484
ZONED: R-3

N/F
STEARNS DASHIN W. SANDY
17 00400010211
ZONED: R-2



LOCATION MAP

TOTAL AREA - 285,671 SQ. FT. OR ±1.9697 ACRES
TOTAL R/W TAKE = 4,527 SQ. FT. OR 0.1115 ACRES
FINAL AREA = 280,814 SQ. FT. OR ±1.8522 ACRES
LOT 1 = 346,088 SQ. FT. OR ±1.0580 ACRES
R/W TAKE LOT 1 = 2,395 SQ. FT. OR 0.0550 ACRES
FINAL AREA LOT 1 = 343,693 SQ. FT. OR ±1.0030 ACRES
LOT 2 = 37,121 SQ. FT. OR 0.8487 ACRES
R/W TAKE LOT 2 = 2,402 SQ. FT. OR 0.0552 ACRES
FINAL AREA LOT 2 = 37,121 SQ. FT. OR 0.8522 ACRES

PROPERTY CURRENTLY ZONED: R-2
PROPOSED ZONING: R-2A
BUILDING SETBACK LINES:
FRONT - 60 FEET
SIDE - 15 FEET
REAR - 40 FEET

WATER PROVIDED BY THE CITY OF SANDY SPRINGS
SEWER PROVIDED BY FULTON COUNTY

ENGINEER CERTIFICATE CERTIFIES THAT ADEQUATE
HORIZONTAL AND VERTICAL SIGHT DISTANCE EXISTS IN
ACCORDANCE WITH SECTION 103-77 OF THE CITY OF
SANDY SPRINGS DEVELOPMENT ORDINANCE.



FLOOD STATEMENT
THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD
AREA ACCORDING TO F.I.P.M. PANEL #13121C10163 F,
LAST REVISED ON 02/16/2013.

N/F
CHRISTOPHER WEDDY
17 00400010369
ZONED: R-3

SURVEYED GROUND
CALCULATED REG. RAM
DRAWN REG. RAM
DWG. NAME: NORTHLAND 4892
DATE: AUG. 21, 2013

RONALD E. GUDGEON, L.S.
404-731-8686
SITE SURVEYS & PLANNING
7090 PEACOCKS BUNDRY ROAD
BUILDING 4, SUITE 150
ATLANTA, GEORGIA 30328
PHONE: 770-386-0111 FAX: 770-386-2378
e-mail: gudgeonsurveying@bellsouth.net

SURVEY FOR
DAVID KUNANSKY
4890 NORTHLAND DRIVE
L.L. 40, DISTRICT 17
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA

LEGEND

- M.A. = MANHOLE
- J.A. = JUNCTION BOX
- C.A. = CATCH BASIN
- D.A. = DRAIN ALLEY
- S.A. = SANITARY SEWER DRAIN
- D.A. = DRAINAGE EASEMENT
- M.A. = UTILITY EASEMENT
- L.P. = LOW PAV. FLOWING
- P.P. = PAV. FLOWING
- C.P. = CHAMP TON HOLE
- G.P. = OPEN TOP PIPE
- P.A. = PIPE ALLEYS
- P.I. = PIPE INSTANT
- R. = BUILDING LINE
- P.P. = FRONT OF FOOT
- P. = POWER POLE
- C.L. = CENTER LINE
- C.O. = CLEAN OUT
- D.S. = DRIVEWAY

NO.	DATE	REVISION
3.	1/23/14	REVISED PROPOSED R/W & AREAS, ADDED EX. S/W
2.	1/20/14	REVISED LOT DIVISIONS
1.	1/6/14	REVISED LOT DIVISIONS

DAVID L KUNIANSKY
5370 NORTHLAND DRIVE
Sandy Springs, GA 30342
404-210-1717

January 27, 2014

RECEIVED

Mr. Garrin Coleman
Public Works Director
City of Sandy Springs
7840 Roswell Road, Bldg 500
Sandy Springs, Georgia 30350

City of Sandy Springs
Community Development

Re: Request for Administrative Modification
Petition #201303686
4890 Northland Drive

Dear Mr. Coleman:

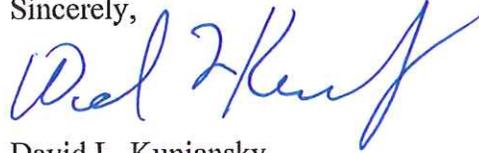
With regard to the above referenced zoning case, we request your consideration for an administrative modification of the design standards of the Sandy Springs Development Ordinance as follows:

1. As to the required pavement lane width for Northland Drive, we request that this be reduced from 12 feet to the existing 10.5 feet to keep in conformity with the entire stretch of Northland Drive from Windsor Parkway to Northland Ridge Drive. If we were to extend the pavement for our stretch of frontage only, this could create a safety issue for drivers. Furthermore, the existing drainage structure would have to be rebuilt if we widened the road as well as moving an existing utility pole. In addition we would be required to remove a double 24" poplar tree which adds significantly to the canopy of our front yard. Keeping the road at its current width will not adversely affect the general public welfare nor nullify the intent of the Sandy Springs development ordinance.
2. As to curb, gutter, sidewalk and landscape strip, we request that the existing structures remain in place to maintain conformity with the rest of the street. Again, to require otherwise would affect the existing drainage structure, the large double poplar, and two utility poles. It appears the sidewalk along the front of this property was originally built with three varying widths of 4.5', 5', and 6' (part with landscaping strip and some without) to fit-in with the varying existing topography and physical obstructions mentioned above. This is consistent with the entire sidewalk along Northland Drive from Windsor Parkway in the south to Glenridge Drive in the north. Keeping the existing curb, gutter, sidewalk and landscape strip in its current state will not adversely affect the general public welfare nor nullify the intent of the Sandy Springs development ordinance.

I am enclosing photographs of the existing conditions for your information and to verify the validity of my reasons above. I am also agreeable to dedicate the necessary land area along the front of my lot to increase the city's right-of-way to 40' from the centerline of Northland as part of the rezoning. When the time arrives to widen Northland Drive this will make it an easier task for the city.

Your favorable consideration of these requests for an administrative modification is appreciated. If you have any questions, please feel free to call me.

Sincerely,



David L. Kuniansky
Applicant 404-210-1717

cc: Linda Abaray, Kristen Wescott

RECEIVED

From: David L Kuniansky <dlk1149@gmail.com>
Subject: Zoning Case #201303686
Date: January 30, 2014 4:40:00 PM EST
To: Linda Abaray <LAbaray@SandySpringsga.gov>
Cc: rpaul@SandySpringsga.gov, Tiberio DeJulio <tdejulo@SandySpringsga.gov>, jpaulson@SandySpringsga.gov,
gsterling@SandySpringsga.gov, gmcDonald@SandySpringsga.gov, kdishman@SandySpringsga.gov,
abauman@SandySpringsga.gov
Bcc: Richard Lenner <rick@lennerlaw.com>, Ellen Smith <esmith@honzw.com>, Gary Unell <craftmastergary@bellsouth.net>

City of Sandy Springs
Community Development

David L Kuniansky
5370 Northland Drive
Sandy springs, GA 30342

Ms. Linda Abaray
Senior Planner
City of Sandy Springs
7840 Roswell Road, Bldg 500
Sandy Springs, GA 30350

RE: Zoning Case #201303686
4890 Northland Drive

Dear Ms. Abaray:

Based on the information I have inquired about and procedures of the City of Sandy Springs, I think it is incumbent upon me to write this email(letter) so that it will be part of my zoning file to be viewed by The Mayor and City Council prior to my case being heard by them at the scheduled meeting on February 18th.

Prior to the Planning Commission Hearing on January 16th,2014, two neighbors, Terence Tracy and Charlie Kontz, wrote letters objecting to the rezoning based on their belief that the previous owner of this parcel applied for and was denied by Fulton County an "exact" or "similar" plan, depending on which gentlemen's letter you read. As I pointed out in my verbal remarks to the Planning Commission, these claims are not only inaccurate but misleading to all who have read them. I am sending you along with this printed email under separate cover a copy of the plat which accompanied the previous owner's application to Fulton County in 2003. Please note that his proposed rezoning called for two additional lots, of 18,000 square feet each ,to be carved out of the front yard of the property, making three total lots on this property while my proposed plan would result in two houses total.

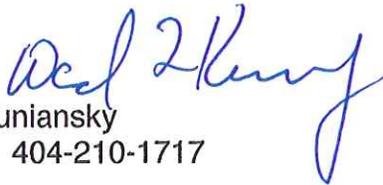
While my original site plan called for two lots, one being "L" shaped and larger and the other being rectangular but significantly smaller (Mr Tracy stated that this appeared to be a "flag" lot), however, this original plan by definition of a flag lot by the City of Sandy Springs is not a flag lot.

That being said I understand why my future neighbors object to this non-conforming appearance and I have adjusted the revised plan submitted last week to even out the area of the two lots so that one is 1.058 acres and the other is .9087 acres and the property line between them is a straight line from the street to the rear property line. This shape now conforms with other surrounding lots; is consistent with the City's Future Land Use Map and the density is consistent with the Comprehensive Plan. In addition I have withdrawn my request for a variance by reducing the stream buffer.

I hope these revisions will satisfy both the City's staff and my future neighbors. Thank you. I welcome the opportunity to meet with the Mayor and each Councilman to answer their questions in person.

Sincerely,

David L Kuniansky
Appillicant 404-210-1717



PROPERTY ZONED R-3A
 MINIMUM LOT AREA - 18,000 SF
 MINIMUM HOUSE SIZE - 1,800 SF

MINIMUM SETBACKS
 FRONT-50 FT
 BACK-35 FT
 SIDE - 10 FT

Lot 1+ Lot2 + Lot 3+Easement
 0.95+0.41+0.42+.10=1.88 acres

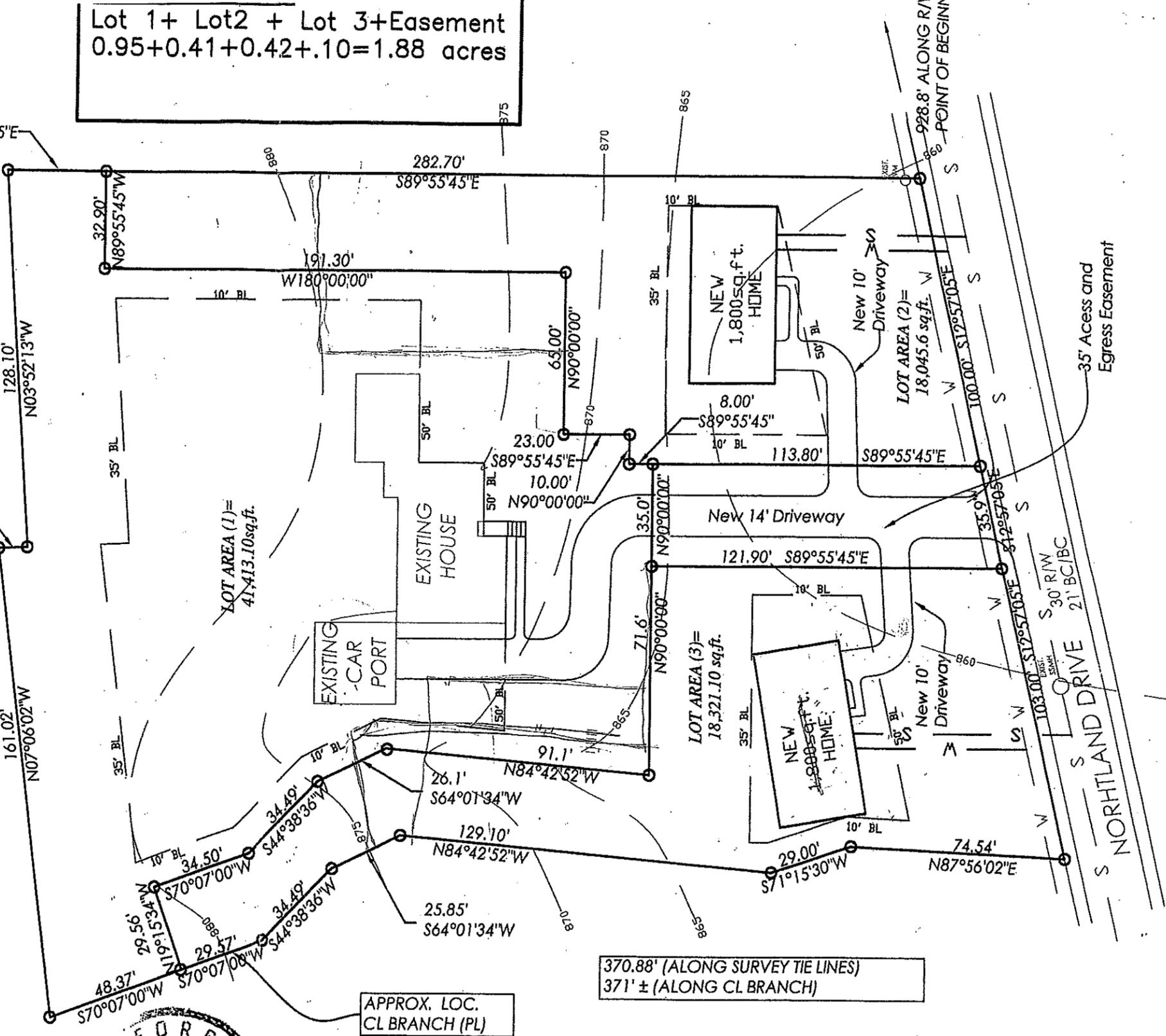
LEGAL DESCRIPTION

4890 NORTHLAND DRIVE
 ATLANTA, GA
 LANDLOT 40 DISTRICT 17
 FULTON COUNTY, GA

All that tract of land described as follows:
 Starting at Point of Beginning at the southwest right-of-way of Green Pines Drive and Northland Drive. Thence proceeding south 928.8 along west right-of-way of Northland Drive to Iron Pin, Thence N 87° 56' 02" W for a distance of 74.54 feet, Thence S 71° 15' 30" W for a distance of 29.00 feet, Thence N 84° 42' 52" W for a distance of 129.10 feet, Thence S 64° 01' 34" W for a distance of 25.85 feet, Thence S 44° 38' 36" W for a distance of 34.49 feet, Thence S 70° 07' 00" W for a distance of 29.57 feet, Thence S 70° 07' 00" W for a distance of 48.37 feet, Thence N 07° 06' 02" W for a distance of 161.02 feet, Thence N 87° 09' 52" E for a distance of 9.71 feet, Thence N 03° 52' 13" W for a distance of 128.10 feet, Thence S 89° 55' 45" E for a distance of 34.10 feet, Thence S 89° 55' 45" E for a distance of 282.70 feet, Thence North for a distance of 928.8 feet along west right-of-way of Northland Drive to the Point of Beginning.

RECEIVED

City of Sandy Springs
 Community Development



SITE PLAN

SCALE: 1" = 40'

REFERENCE PLAT BY: SURVEY SYSTEMS & ASSOCIATES DATE: 9/30/03		OWNER: RICHARD H. GLUCK 4890 NORTHLAND DRIVE FULTON COUNTY, GA LAND LOT 40 DISTRICT 17TH	DRAWN: PAR CHECKED: LL DATE: 09-24-03
DEED BOOK 12149, PAGE 203	S 30' R/W 21' BC/BC	SITE PLAN	SHEET C2.0











Abaray, Linda

RECEIVED

From: Terrence Tracy <terrytracy@comcast.net>
Sent: Tuesday, January 07, 2014 3:09 PM
To: Abaray, Linda
Subject: Rezoning Case: 201303686 - 4890 Northland Drive

City of Sandy Springs
Community Development

Dear Ms. Abaray:

I attended the 12/18/13 Community Developer Resolution Meeting on the subject property and stated my objection to the application based on similar objections raised to a prior application by the previous property owner before the City came into existence that it would have created a "flag" lot of which no others currently exist on Northland Drive (or in the immediated surrounding area to the best of my knowledge). You indicated at the meeting that night that this application does not result in the creation of a flag lot as defined by City of Sandy Springs zoning regulations. While the current application may not technically meet that definition, I believe that "visually" it certainly appears to be in a flag shape that will result in one house(which is conveniently not layed out in the application) almost by necessity lying partially behind a second that is sited closer to the street. I am unaware of any other such lot/house configurations certainly on Northland Drive or in the nearby surrounding area similar to what is being proposed. It is my belief that such a resulting configuration is totally out of character with the surrounding homes and would potentially set an ultimately negative precedent.

I would also like to second the objection raised by the lady representing the watershed interests (I forget her name or the proper name of the organization) regarding the requested stream buffer variance. As mentioned by the other neighbors present at the meeting, flooding on Northland during heavy rainfalls directly in the front of the subject property where the stream crosses Northland has been an issue in the sixteen years we have lived at our present address.

As best I can tell from the current zoning map on the City's website (I find the slight color variations between various zoning categories difficult to differentiate online - perhaps more easily decipherable in person), R-2 is the current zoning of all adjoining lots fronting the westside of Northland from Windsor Parkway to the two lots north of the subject property. All property fronting the east side of Northland from Windsor to and including my property on the north corner of Landmark Drive are also currently zoned R-2. While the subject property may be large enough to subdivide into two parcels meeting the requirements of R-2A zoning, it seems really odd to allow this one lot to stick out with a different zoning classification in the midst of sizable block of R-2 units. If you want to change the zoning to allow a higher density that might conform to the long range land use plan designations, then rezone all the current R-2 in that area all the way over to Peachtree Dunwoody Road. Don't allow piecemeal parcels here and there which will change the look and character of the long existing current residences.

I look forward to reading the staff recommendations on the above application. I believe you said that that would be available online the Friday before the Planning Commission meeting?

Sincerely,

Terrence Tracy
850 Landmark Drive

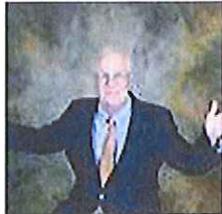
Abaray, Linda

From: Charlie Kontz <ckontz@bellsouth.net>
Sent: Tuesday, January 07, 2014 9:05 PM
To: Abaray, Linda; 'Terrence Tracy'
Cc: Tibby DeJulio
Subject: Rezoning Case: 201303686 - 4890 Northland Drive

Ms. Abaray, The previous owner tried to rezone exactly as the new owner is trying to do. I was President of HPCA at the time & we were successful in getting this Zoning turned down for the watershed issue & existing zoning on the property. Nothing seems to have changed & Sandy Springs should turn this zoning down also. Please keep me apprised.

Thank You,

Charlie Kontz



Phone: 404-786-2759

"I am an optimist. It does not seem too much use being anything else"

Winston Churchill

COMMENTS ON PUBLIC SERVICES AND UTILITIES

NOTE: Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the City of Sandy Springs and the Fulton County Plan Review process prior to the commencement of any construction activity.

WATER AND WASTEWATER (SEWER):

WATER:

Anticipated water demand: 270 gallons per day (gpd) per housing unit x 2 units = 540 gallons per day

This project is within the City of Atlanta water jurisdiction.

SEWER:

Basin: Nancy Creek

Treatment Plant: R.M. Clayton (City of Atlanta)

Anticipated sewer demand: 486 gallons per day

There are three wastewater manholes along the southern property boundaries of 4890 Northland Drive (sewer manholes # **SMMC0503810**, **SMMC0503820** and **SMMC0503830**) located in Land Lot 40, District 17.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.

Treatment Plant

- ★ Re-Use
- ★ Waste Water
- ★ Water

Waste Water System

Private Manhole

-
- Pump Station
- Pump Station

Manhole

- Accessible
- Not Assessed
- Problem

Lined Pipe

—

Force Main

—

Creek Crossing

—

Waste Water Pipe Flow

- ▶ UNK
- ▶ 4" - 6"
- ▶ 8"
- ▶ 10"
- ▶ 12" - 16"
- ▶ 18" - 24"
- ▶ 30" - 48"
- ▶ Greater than 48"

Waste Water Pipe

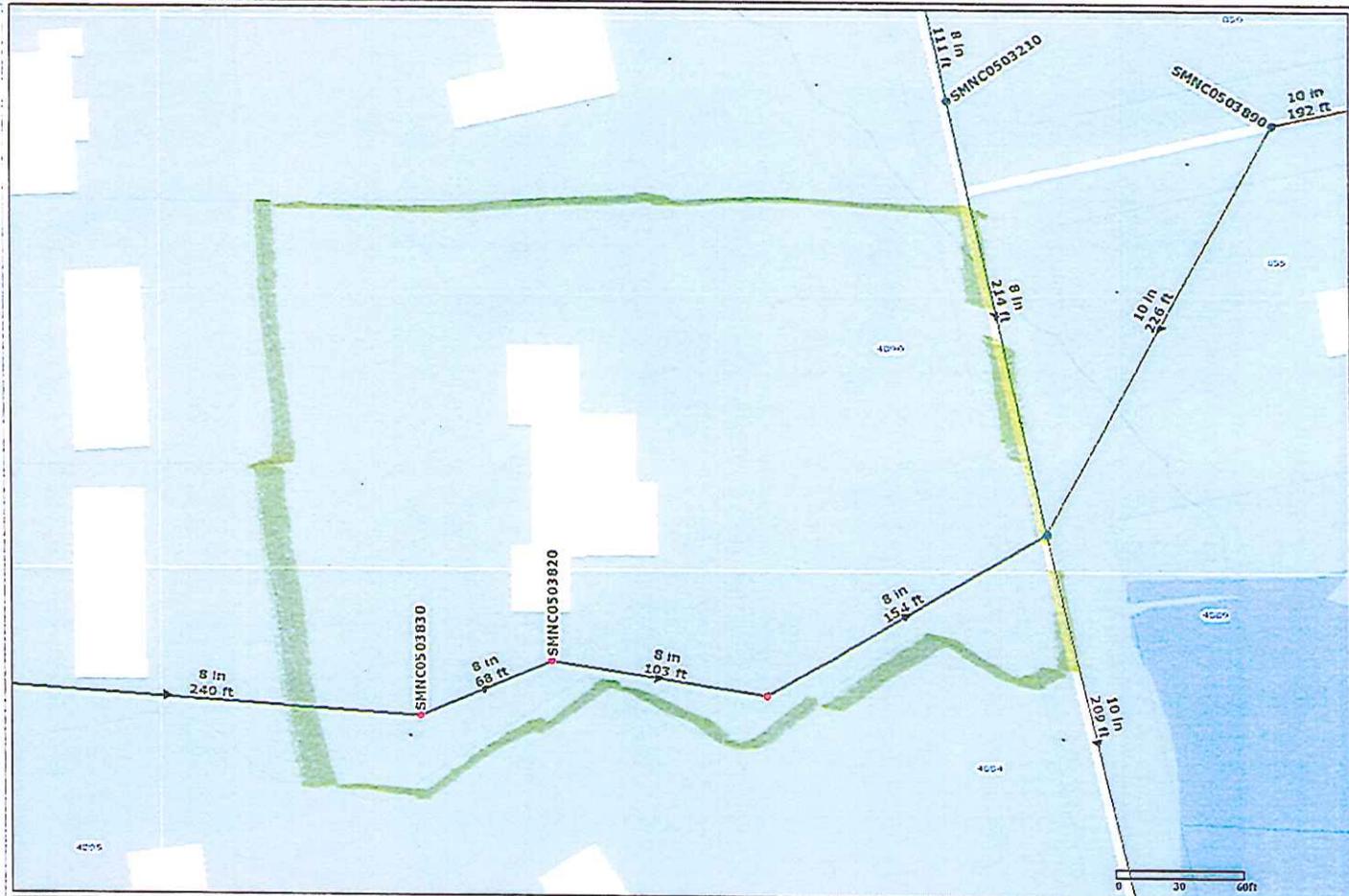
UNK

- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"

Address Points

Counties

□



4890 NORTHLAND DR.

Fulton County, Georgia
12-6-2013

Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use these data, even if Fulton County is advised of the possibility of such losses.



Treatment Plant

- ★ Re-Use
- ★ Waste Water
- ★ Water

Waste Water System

Private Manhole

Pump Station

Manhole

• Accessible

• Not Assessed

• Problem

Lined Pipe

Force Main

Creek Crossing

Waste Water Pipe Flow

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Greater than 48"

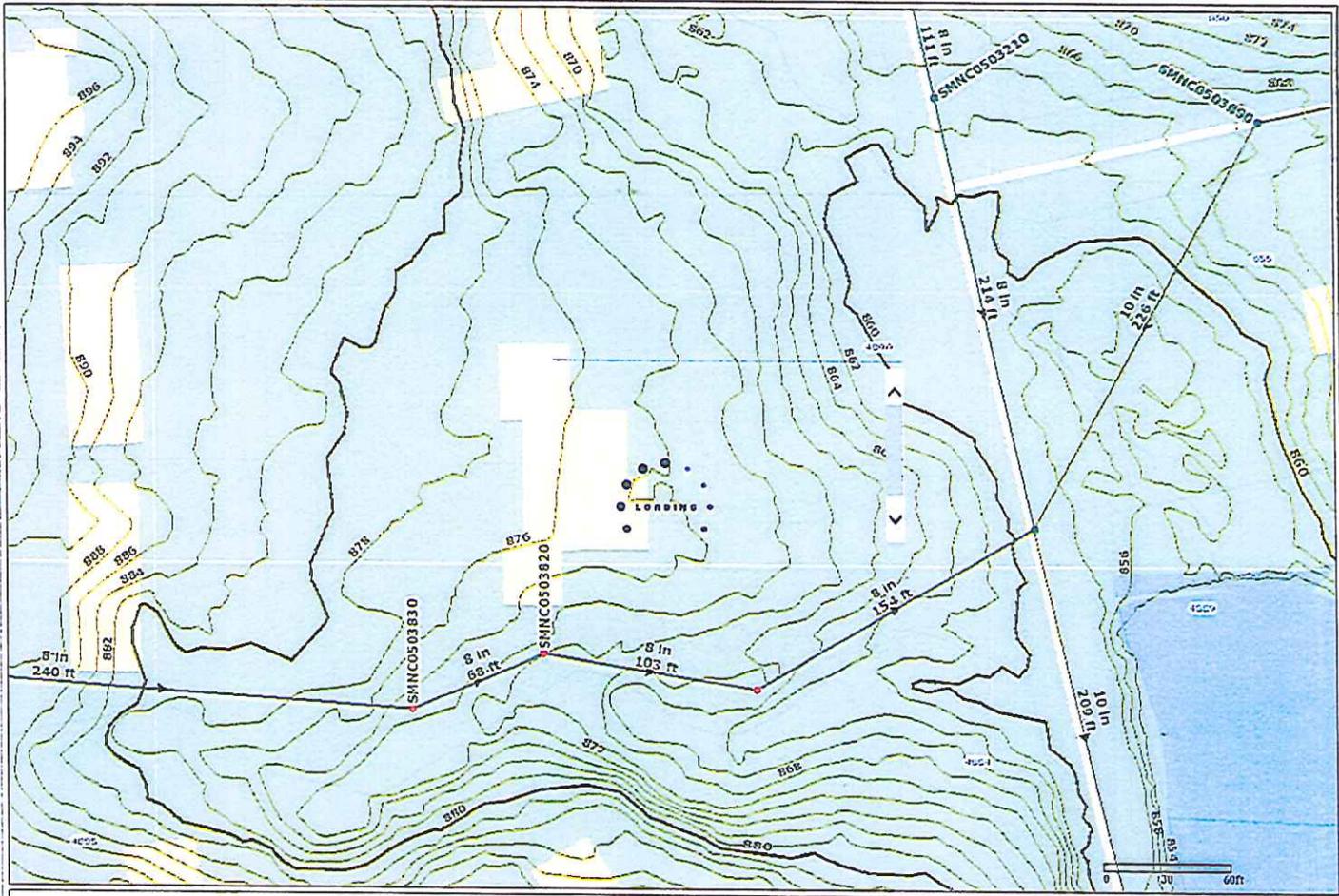
Topography

2Ft Contour

10Ft Contour

Address Points

Cumtice



4890 NORTHLAND DR.
 Fulton County, Georgia
 12-6-2013

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Property Profile for **4890 NORTHLAND DR NE**

Property Tax Information

Tax Year 2013
 Parcel ID 17 004000010575
 Property Address 4890 NORTHLAND DR NE
 Owner GLUCK RICHARD & BETH
 Mailing Address 4890 NORTHLAND DR NE SANDY SPRINGS GA 30342
 Total Appraisal \$491,500
 Improvement Appraisal \$386,500
 Land Appraisal \$105,000
 Assessment \$196,600
 Tax District 59
 Land Area 1.340862 ac
 Property Class Residential Lots
 Land Use Class Residential 1 family
 TAD
 CID

Zoning

Zoning Class not available
 Overlay District
 2030 Future Development not available

Political

Municipality Sandy Springs
 Commission District 4
 Commission Person Tom Lowe
 Council District not available
 Council Person not available
 Voting Precinct SS12
 Poll Location Ridgeview Middle School, 5340 South Trimble Rd

Congressional District 006
 State Senate District 006
 State House District 080

School Zones

Elementary School High Point
 Middle School Ridgeview
 High School Riverwood

Other Information

Zip Code 30342
 Census Tract 101.15
 In Less Developed Census Tract No

Oblique Aerial View (looking north)



Property Map



Vicinity Map

