SANDY SPRINGS
GEORGIA

CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** November 14, 2013

FROM: John McDonough, City Manager

AGENDA ITEM: **201302537** - 195 Chaseland Road, *Applicant: Chaseland Associates, LLC*, to rezone from O-I (Office and Institutional District) to O-I (Office and Institutional District) to construct a 625 square foot detached garage in the rear of the property

MEETING DATE: For Submission onto the November 19, 2013, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Rezoning Petition

APPROVAL BY CITY MANAGER: JM *APPROVED*

PLACED ON AGENDA FOR: 11/19/2013

CITY ATTORNEY APPROVAL REQUIRED: (✓) *YES* ( ) *NO*

CITY ATTORNEY APPROVAL: SM

REMARKS:

SANDY SPRINGS
GEORGIA

To: John McDonough, City Manager

From: Angela Parker, Director of Community Development

Date: November 6, 2013 for submission onto the November 19, 2013 City Council meeting

Agenda Item: **201302537 195 Chaseland Road** a request to rezone the subject property from O-I (Office and Institutional District to O-I (Office and Institutional District) to allow the development of a 1,125 square foot garage.

Department of Community Development Recommendation:

DEFERRAL of a request to rezone the subject property from O-I (Office and Institutional District) to O-I (Office and Institutional District) to allow the development of 1,125 square foot garage (625 square foot first floor storage area and 500 square foot second floor office space).

Background:
The subject site is located in the south side of Chaseland Road. The property is currently zoned O-I (Office and Institutional District) and is developed with an office. The property contains approximately 23,086.80 square feet (.53 acres).

Discussion:
It has come to staff's attention that the use of this property may be in violation of the existing zoning conditions. In order to provide time for the applicant to present additional information to staff and for staff to assess whether the existing use and storage on the property is in compliance, staff recommends deferral to the December 19, 2013 Planning Commission Meeting and the January 21, 2014 City Council meeting.

The applicant is requesting to rezone the subject property from O-I (Office and Institutional District) to O-I (Office and Institutional District) to allow the development of 1,125 square foot garage (625 square foot first floor storage area and 500 square foot second floor office space).

The petition was heard at the September 10, 2013 Design Review Board Meeting. The Board recommended denial (6-0, Barlett, Ealick-Anderson, Landeck, Mobley, Richard and Roberts for; Lichtenstein not voting)

The petition was heard at the October 17, 2013 Planning Commission Meeting. The Commission recommended deferral (5-0, Frostbaum, Maziar, Nickles, Porter, and Squire for; Tart absent; Duncan not voting) to the November 21, 2013 Planning Commission meeting for staff to review the parking variance request, uses allowed under the previous zoning and allow time for the neighbors and the applicant to meet.

Rezoning Petition No. 201302537

PROPERTY INFORMATION	
Address, Land Lot, and District	195 Chaseland Road Land Lot 88, District 17th
Council District	3
Frontage	103.80 feet along the south side of Chaseland Road
Area	23,086.80 Square Feet (.53 Acres)
Existing Zoning and Use	O-I (Office and Institutional District) under Fulton County zoning case Z00-0119, currently developed with an office
Overlay District	Main Street Overlay District
2027 Comprehensive Future Land Use Map Designation	LWC (Live Work Community)
Proposed Zoning	O-I (Office and Institutional District)

APPLICANT/PETITIONER INFORMATION

Property Owner	Petitioner	Representative
Chaseland Associates, LLC	Chaseland Associates, LLC	Gary Unell

HEARING & MEETING DATES

Community Zoning Information Meeting	Community Developer Resolution Meeting	Planning Commission Hearing	Mayor and City Council Hearing
August 27, 2013	September 26, 2013	October 17, 2013	November 19, 2013

INTENT

To rezone the subject property O-I (Office and Institutional District) to O-I (Office and Institutional District) to allow the development of 1,125 square foot garage (625 square foot first floor storage area and 500 square foot second floor office space).

Additionally, the applicant is requesting five (5) concurrent variances from the Zoning Ordinance:

1. Variance from 4.23.1 to reduce the 10 foot improvement setback to 0 on the south and west side.
2. Variance from Section 12B.4 to delete the Main Street Overlay streetscape requirement.
3. Variance from Section 12B.8.F.2 c. i to reduce the 60% transparent glazing on the ground floor façade to 6.2%.
4. Variance from Section 12B.8.I.3 to reduce the 70% required material to 22%.
5. Variance from Section 18.2.1 to reduce the required parking from 16 spaces to 9 spaces.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201302537- DEFERRAL
201302537 Variance #1 – DEFERRAL
201302537 Variance #2- DEFERRAL
201302537 Variance #3 - DEFERRAL
201302537 Variance #4 – DEFERRAL
201302537 Variance #5 - DEFERRAL

It has come to staff's attention that the use of this property may be in violation of the existing zoning conditions. In order to provide time for the applicant to present additional information to staff and for staff to assess whether the existing use and storage on the property is in compliance, staff recommends

deferral to the December 19, 2013 Planning Commission Meeting and the January 21, 2014 City Council meeting.

DESIGN REVIEW BOARD RECOMMENDATION-September 10, 2013

The petition was heard at the September 10, 2013 Design Review Board Meeting. The Board **recommended denial** (6-0, Barlett, Ealick-Anderson, Landeck, Mobley, Richard and Roberts for; Lichtenstein not voting)

PLANNING COMMISSION- October 17, 2013

The petition was heard at the October 17, 2013 Planning Commission Meeting. The Commission **recommended deferral** (5-0, Frostbaum, Maziar, Nickles, Porter, and Squire for; Tart absent; Duncan not voting) to the November 21, 2013 Planning Commission meeting for staff to review the parking variance request, uses allowed under the previous zoning and allow time for the neighbors and the applicant to meet.

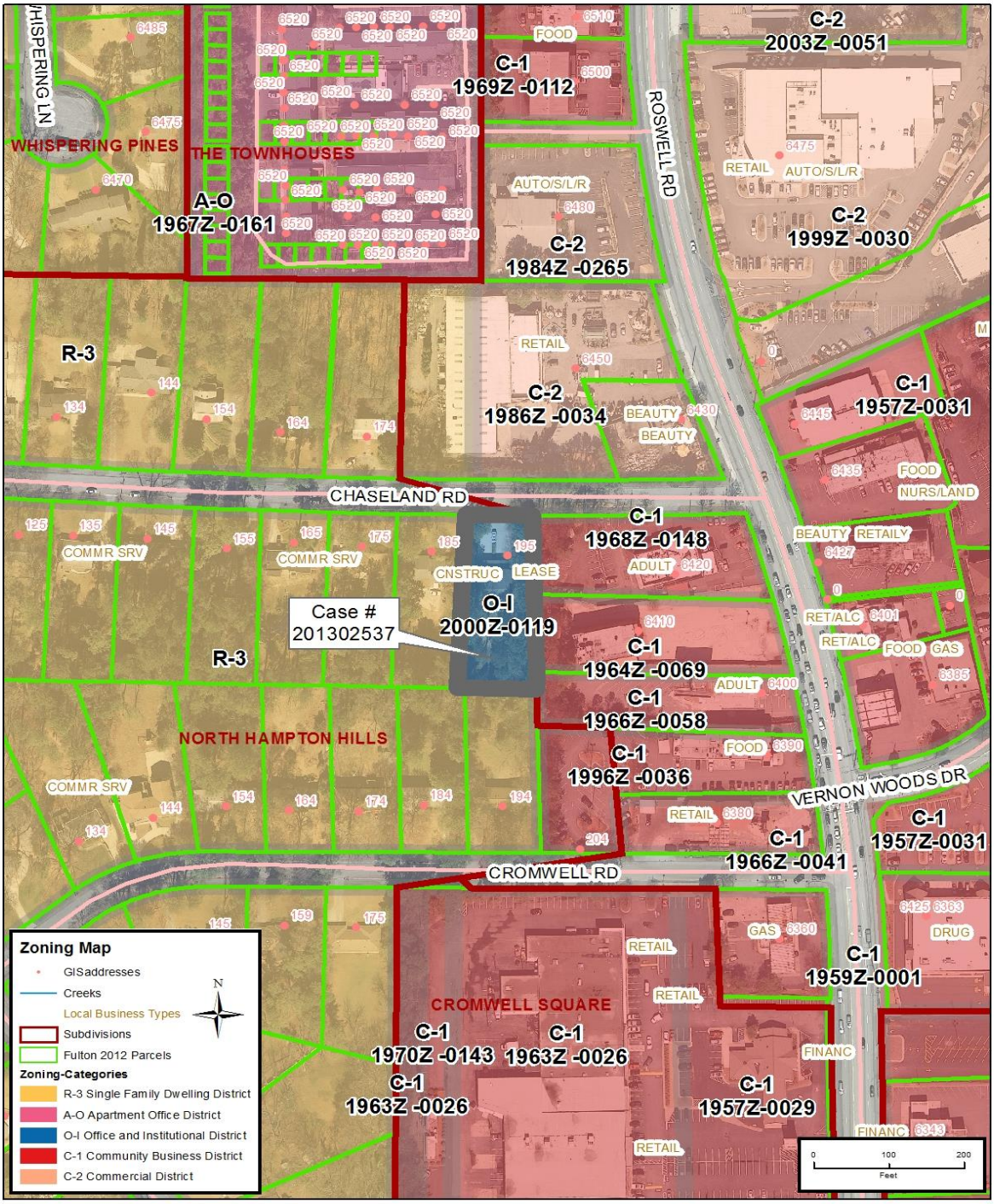
EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES

	Requested Zoning	Proposed Use	Land Area (Acres)	Units	Density (Units per Acre)
SUBJECT PETITION 201302537	O-I	Office	.53	5,325 sqft	10,047.17 sqft/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	C-2 Z86-0034	6450Roswell Road Kudzu	2.49	24,300	9,759 sqft/ac
North	R-3	174 Chaseland Road Single Family	±.6193	1	±1.614 units/ac
East	C-1 Z68-048	6420 Roswell Road Flasher's	.7042	4,839	6,871.63 sqft/ac
East	C-1 Z64-0069	6410 Roswell Road Vacant Building	.8232	7,723	9,381.68 sqft/ac
East	C-1 Z66-0058	6400 Roswell Road Longhorns	.2984	3,608	12,091 sqft/ac
South	R-3	184 & 194 Cromwell Road Single Family	±1.03	2	1.94 units/ ac
West	R-3	175 &185 Chaseland Road Single Family	±.994	2	2.01 units/ac

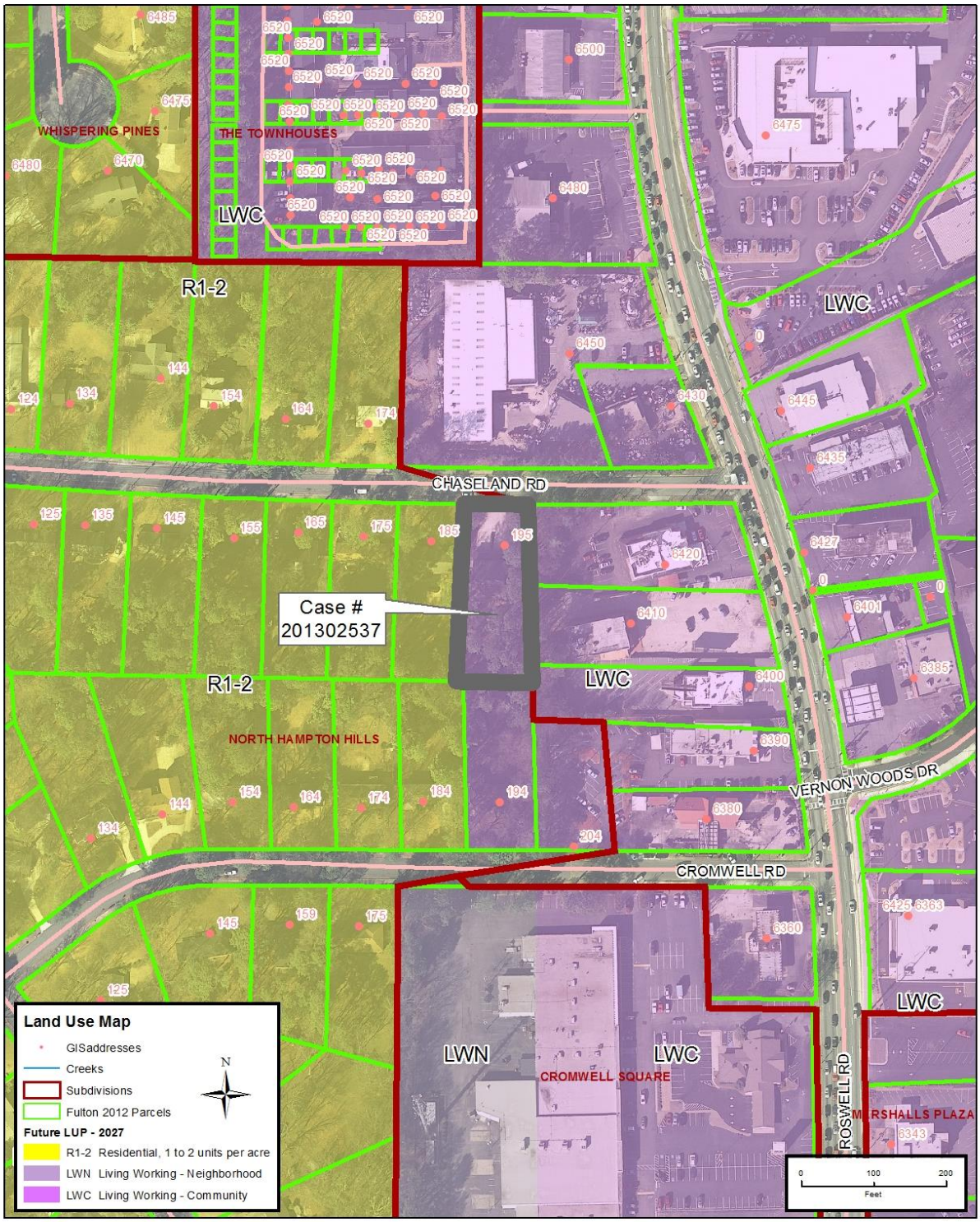
Zoning Map

195 Chaseland Road



Future Land Use Map

195 Chaseland Road



ZONING IMPACT ANALYSIS

To rezone the subject property from O-I (Office and Institutional District) to O-I (Office and Institutional District) to allow for the development of 25 x25, 1,125 square feet of storage building with office space on the second story.

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 structure is proposed to be constructed adjacent to the commercial uses along Roswell Road and designed to look like a residential garage. The applicant is proposing to use the same materials that are on the existing office building. The existing structure was a duplex that had been rezoned to an office building.

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 will not have an adverse impact on the use or usability of adjacent or nearby properties because the use is staying consistent in appearance with the adjacent residential properties and providing a transition from the more intense commercial uses along Roswell Road. The proposed addition will appear as a 2 story garage to blend in to the surrounding neighborhood. The first story (625 square feet) of the garage will be used for storage. The second story (500 square feet) will be used for general office space. The proposed driveway and addition are located on the east side of the property adjacent to the commercial uses. The proposed density of 10,047.17 square feet per acre is consistent with the Comprehensive Plan recommended density of 25,000 square feet per acre.

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, which will require a stormwater management system.

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 proposed use is consistent with the Future Land Use Map. The Future Land Use Map designation of Live Work Community (LWC) and recommends a density 25,000 square feet. The applicant is requesting a density of 10,047.17 square feet/acre. The proposed building will appear as a 2 story garage to provide a transition in to the neighborhood. The proposed request is in harmony with the Comprehensive Plan policies on densities being consistent with surrounding residential developments, including the

following:

Land Use Policies – Protected Neighborhoods (*2027 Comprehensive Plan, Chapter 5: Policies – Page 100)*

The following policies apply to all properties within the boundary of protected neighborhoods as shown on the future land use plan map. Where consistent with the context, such policies may be determined appropriate in transitional areas.

1. Protect the character and integrity of existing neighborhoods, while also meeting the needs of communities.

4. Limit infill development within protected neighborhoods to densities that are consistent with the surrounding residential development.

6. Residential infill development in protected neighborhoods should maintain the existing dwelling setback pattern in relation to the street.

Land Use Policies – Transitional Areas (*2027 Comprehensive Plan, Chapter 5: Policies – Page 100)*

Transitional areas are areas where land use changes from one use to another and areas with the same use, but where intensities change from lower to higher.

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.

VARIANCE CONSIDERATIONS

Article 22 of the Zoning Ordinance indicates the following are considerations in granting variances, of which only one has to be proven:

1. *Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance*; or,
2. *The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or*

The applicant is requesting five (5) concurrent variances as outlined below. The applicant has indicated that the variances being requested will be in harmony with the policy and intent of the Zoning Ordinance and will not result in any harm to the health, safety and welfare of the general.

1. Variance from 4.23.1 to reduce the 10 foot improvement setback to 0 on the south and west side.

Findings:
Staff is of the opinion that the request to reduce 10 foot improvement setback to 0 on the south and west property lines is in harmony with the intent on the Zoning Ordinance and would not cause a detriment to the public. The existing structure currently encroaches into the impervious setback on the west. Also, the properties to the south could build a similar structure 35 feet from the property line and the property to the west could build a structure 10 feet from the property line. The applicant's proposal would be setback 50 feet from the south and 25 feet from the west. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

2. Variance from Section 12B.4 to delete the Main Street Overlay streetscape requirement.

Findings:
Staff is of the opinion that deleting the Main Street Overlay district streetscape requirement would be in harmony with the intent of the zoning ordinance. It provides a transition into the neighborhood by stopping the streetscape at the commercial properties on Roswell Road. The existing structure has the characteristics of a single family dwelling and 9 foot sidewalks, lighting and trees along the frontage would create a more commercial feel one lot into the residential street. However, a five (5) foot sidewalk is recommended. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

3. Variance from Section 12B.8.F.2 c. i to reduce the 60% transparent glazing on the ground floor façade to 6.2%.

Findings:
Staff is of the opinion that the reduction from 60 % to 6.2% of transparent glazing on the ground floor is in harmony with the intent of the Zoning Ordinance. The proposed structure is designed to look like a garage and will be located in the rear of the property. The architecture of the proposed structure will match the existing structure and surrounding residential properties. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

4. Variance from Section 12B.8.I.3 to reduce the 70% required material to 22%.

Findings:
Staff is of the opinion that the reduction from 70% required materials to 22% is in harmony with the intent of the Zoning Ordinance. The proposed structure is designed to look like a residential garage and will be located in the rear of the property. The architecture of the proposed structure will match the existing structure. It will have a stone front and siding on the sides and rear. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

5. Variance from Section 18.2.1 to reduce the required parking from 16 spaces to 9 spaces.

Findings:
Staff is of the opinion that the reduction from 16 spaces to 9 spaces is in harmony with the intent of the zoning ordinance. The Zoning Ordinance calculates parking by gross square feet. However, the first floor (625 square feet) will be used for storage which would not generate the need for additional parking. The existing building plus the proposed additional 500 square feet of office would require 14 spaces. The building is currently operating with 5 spaces. The applicant is proposing 9 spaces. The additional 4 space will provide parking for employee vehicles in the rear so they will not be seen from the street. The applicant has indicated that the neither tenant has a lot of visitors. The reduction in parking will also allow the applicant to leave the existing driveway to keep with the residential feel as well as limit the amount of encroachment into the buffers in the rear and side yards. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on September 4, 2013 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).

Arborist	Site has excess trees to meet the minimum canopy cover. 1200 sq.ft. of trees 18" + (no Landmark Trees) will be removed for new construction.

PUBLIC INVOLVEMENT

Public Comments

- None

CONCULSION TO FINDINGS

It is the opinion of the staff that the proposal is in conformity with the intent of the Comprehensive Plan Policies. The proposal is within the allowable density of the Comprehensive Plan and also provides a transition from the intense commercial use on Roswell Road to the single family uses along Chaseland Road. Therefore, based on these reasons, the staff recommends **APPROVAL CONDITIONAL** of the rezoning petition and concurrent variances.

STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to rezone the subject property from O-I (Office and Institutional District) to Office and Institutional District), the staff recommends the approval be subject to the following conditions. 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 restrict the use of the subject property as follows:

    a. Office and associated accessory uses at a maximum density of 10,047.17 gross square feet per acre or 5,325 gross square feet, whichever is less. The first floor (625 square feet) of the detached structure shall be used for storage only.

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

    a. To the site plan received by the Department of Community Development on November 1, 2013. 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 a 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.

3. To the owner's agreement to provide the following site development standards:

    a. Restrict signage to one (1) maximum 2 foot by 3 foot wall sign on the building.

    b. No more than 1 exit/entrance on Chaseland Road. Curb cut location and alignment are subject to the approval of the Sandy Springs Traffic Engineer.

    c. Variance from Section 4.23.1 to reduce the 10 foot improvement setback to 0 on the south and west side. (CV-201302537 #1)

    d. Variance from Section 4.23.1 to reduce the 10 landscape strip from 10 feet to 5 feet on the east side. (CV-201302537 #2)

    e. Variance from Section 12B.4 to delete the Main Street Overlay streetscape requirement. (CV-201302537 #3)

    f. A five (5) foot sidewalk shall be required along the property frontage prior to the issuance of any certificates of occupancy.

    g. Variance from Section 12B.8.F.2 c. i to reduce the 60% transparent glazing on the ground floor façade to 6.2%. (CV-201302537 #4)

    h. Variance from 12B.8.I.3 to reduce the 70% required material to 22%. (CV-201302537 #5)

    i. Variance from Section 18.2.1 to reduce the required parking from 16 spaces to 9 spaces (CV-201302537 #6)

Attachments

- Letter of Intent dated received August 30, 2013
- Letter form applicant justify parking reduction dated received November 1, 2013
- Revised Site Plan dated received November 1, 2013
- Site Plan dated received August 5, 2013
- Elevation drawings dated received September 3, 2013
- Conditions of zoning Z00-0119
- Site Photographs
- Additional comments from the Fulton County Department of Water Resources, Fulton County Department of Health Services
- Letters of Opposition

REVISED Letter of Intent

July 30, 2013

Chaseland Associates LLC, owner of 195/1975 Chaseland Rd,Sandy Springs Ga., request that the subject property be rezoned from O&I Cond to O&I Cond to allow for construction of an approx. 25 foot by 25 foot detached garage approx. 625 square ft. to be built to the rear of our existing office building. The main floor will be used for storage only and the second floor of approx. 500 sq. ft. of usable office space. We would be constructing a concrete drive around the east side of the existing building to allow vehicles access as well as some employee parking. We will build the garage with stone siding and roofing to match the existing structure of the property.
Would appreciate your approval of the application

Sincerely,

Gary Unell

Gary Unell

RECEIVED

AUG 30 2013

City of Sandy Springs
Community Development

DESIGN-CONSTRUCTION
by
CRAFTMASTER, INC.

RECEIVED
City of Sandy Springs
Community Development

October 30, 2013

Linda Abaray,

Linda, I wanted to clarify the parking situation at our property at 195 Chaseland Road.

The proposed plan will allow for nine parking spaces, four in the proposed rear area and five in the front drive. The nine spaces should be adequate based on the number of employees of the tenants renting the space. The Ehrlich Electric Company has one or two employees that stay at the office, and approximately four to six others are out in the field during the day. Craftmaster has only four employees and very rarely are all four in the office at the same time. Neither tenant has a lot of visitors and there is on-street parking available if needed.

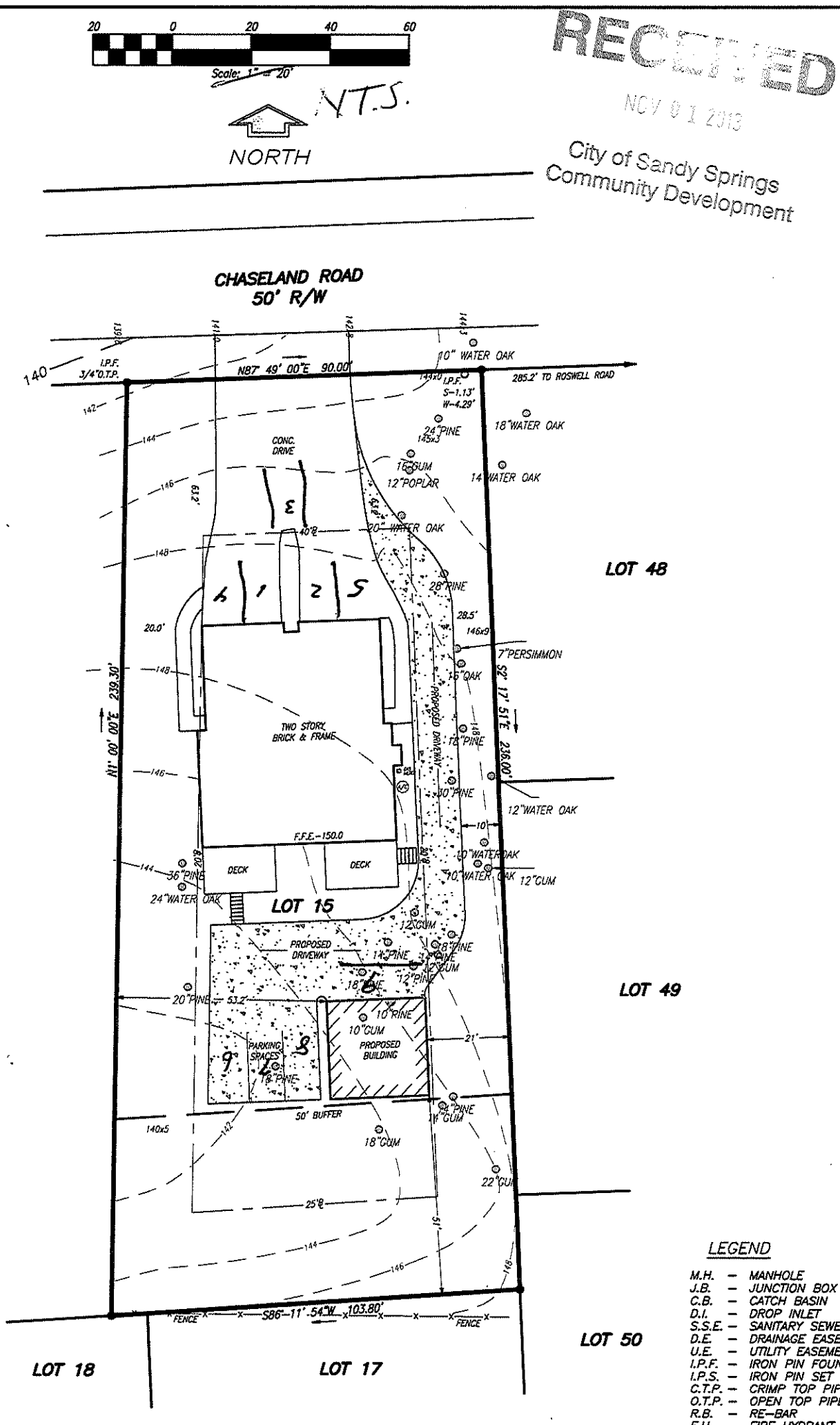
The proposed rear parking will enable some employee vehicles to be kept in the rear of the building during the day as well as have vehicles kept in the rear at night and on weekends.

I hope this information is helpful. If you have any questions, please call.

Thank you,

Gary Unell

195 CHASELAND ROAD, N.E. • SANDY SPRINGS, GEORGIA 30328-3105 • (404) 252-8560 • FAX (404) 252-8506



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City of Sandy Springs
Community Development

PROPERTY ZONED: O-I

BUILDING SETBACK LINES
FRONT – 40 FEET
SIDE – 20 FEET
REAR – 25 FEET

MAXIMUM LOT COVERAGE – 70%

MAX. BLDG. HEIGHT – 60 FEET

TOTAL AREA – 22,996 SQ. FT. OR 0.5279 ACRES

REFERENCE: D.B. 42,167 PG. 16
P.B. 53, PG. 53

GEORGIA REGISTERED No. 2089 LAND SURVEYOR RONALD E. GUDGER

FLOOD STATEMENT
THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA ACCORDING TO F.I.R.M. PANEL #13121C0142 F, LAST REVISED ON SEP. 18, 2013.

LEGEND

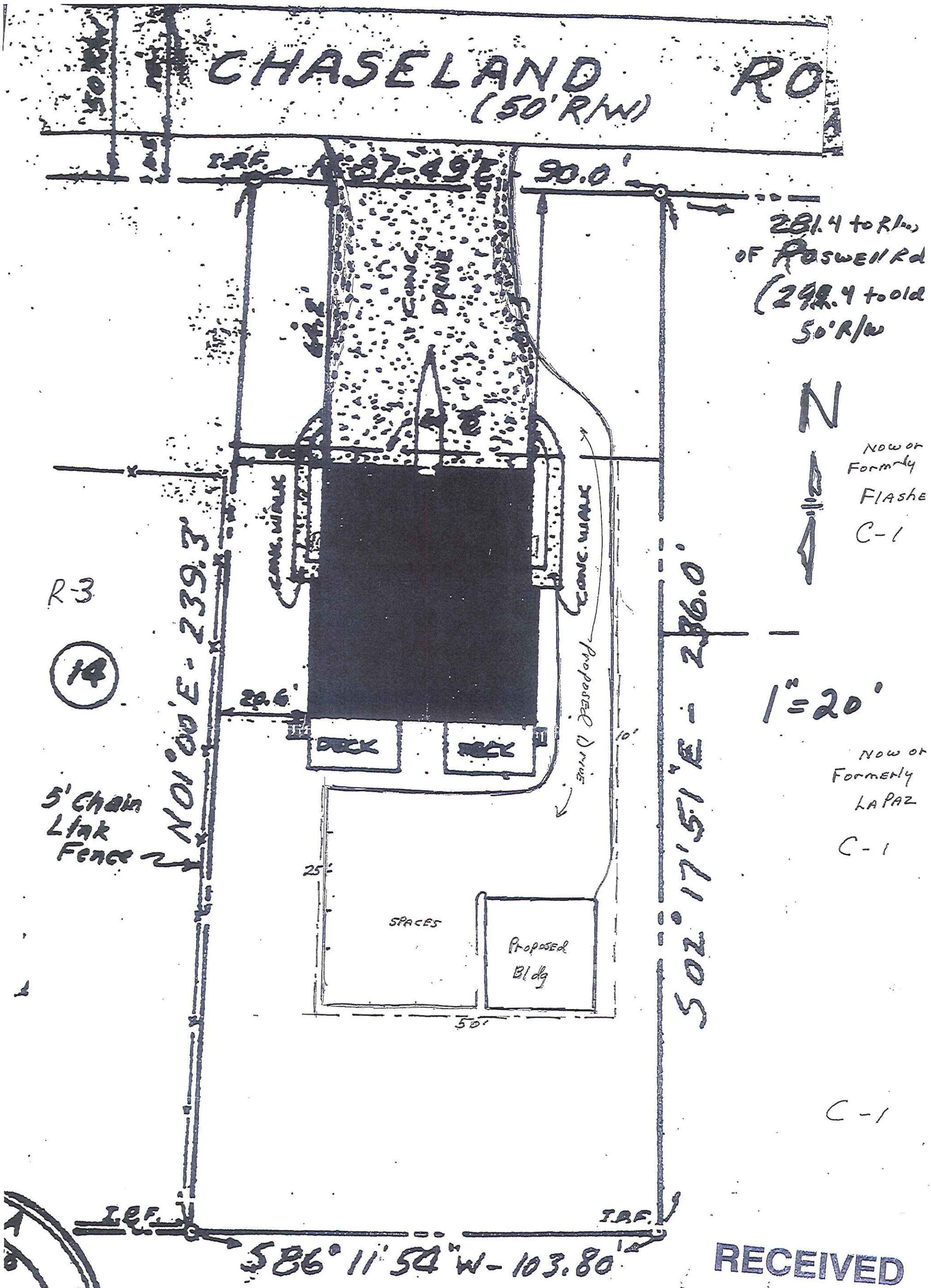
M.H.	–	MANHOLE
J.B.	–	JUNCTION BOX
C.B.	–	CATCH BASIN
D.I.	–	DROP INLET
S.S.E.	–	SANITARY SEWER ESMT
D.E.	–	DRAINAGE EASEMENT
U.E.	–	UTILITY EASEMENT
I.P.F.	–	IRON PIN FOUND
I.P.S.	–	IRON PIN SET
C.T.P.	–	CRIMP TOP PIPE
O.T.P.	–	OPEN TOP PIPE
R.B.	–	RE-BAR
F.H.	–	FIRE HYDRANT
B/L	–	BUILDING LINE
R/W	–	RIGHT OF WAY
P/P	–	POWER POLE
℄	–	CENTER LINE

SURVEYED REG. TPO
CALCULATED RAM
DRAWN RAM
DWG. NAME CHASELAND 195
DATE OCT. 21, 2013

SITE WORKS SURVEYS & PLANNING
RONALD E. GUDGER, LS
404-731-8696
7000 PEACHTREE DUNWOODY ROAD
BUILDING 6, SUITE 250
ATLANTA, GEORGIA 30328
PHONE: 770-396-6011 FAX: 770-396-2379
e-mail: gudgersurveying@bellsouth.net

VARIANCE DRAWING FOR

195 CHASELAND ROAD
LOT 15, BLOCK B, UNIT 2
HAMPTON HILLS
L.L. 271, DISTRICT 17
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA



Lot 15 Block B
North Hampton Hills - Unit 2
Land Lot - 17th District
Fulton County Georgia
SCALE 1" = 20'
.53 ACRES
Existing Zoning O.I. Cond.

R-3

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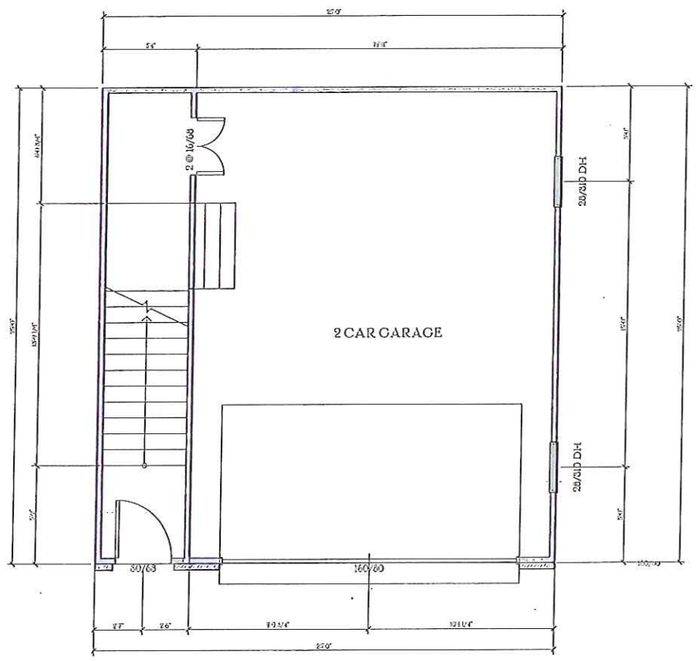
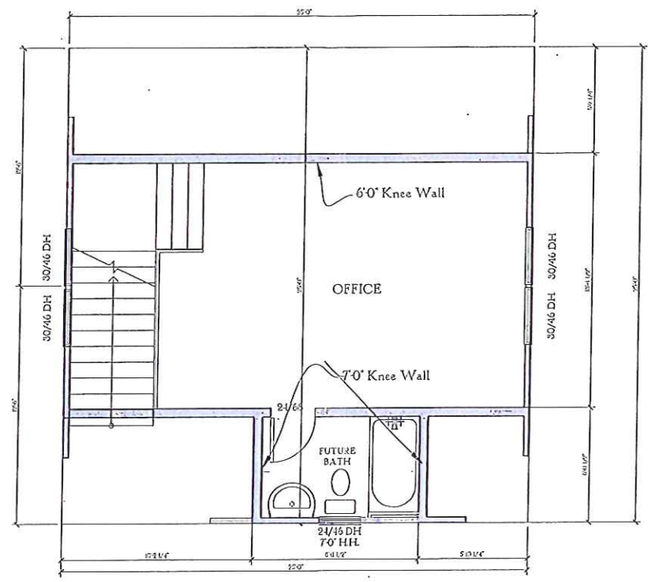
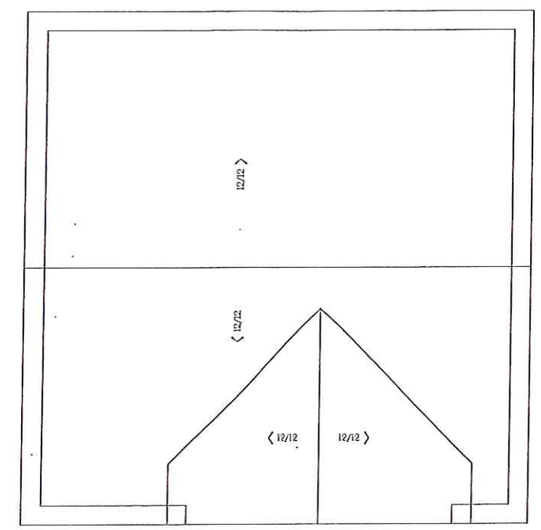
SEP 03 2013
City of Sandy Springs
Community Development



MAIN LEVEL



SECOND LEVEL



ROOF PLAN

MARCHMAN
MATTHEWS
DESIGN ASSOCIATES
3040 Peachtree Road
Suite 1111
Atlanta Georgia 30305
Telephone 404 . 405 . 8559
Facsimile 404 . 549 . 4111

DESIGN BUILD
BY CRAFTMASTER
195 CHASELAND DRIVE
Sandy Springs Georgia 30328
Telephone 404. 731.6704
CRAFTMASTER@ATL.BELLSOUTH.NET

195
CHASELAND
DRIVE
GARAGE
ADDITION

SANDY SPRINGS
GEORGIA

All drawings are the property of Marchman Matthews Design Associates and shall not be used for any purpose other than the specific project for which they are prepared and shall not be used in any way without the written consent from said property owner and/or Marchman Matthews Design Associates. All drawings and designs are copyrighted by Marchman Matthews Design Associates and shall not be used for any other purpose than the specific project for which they are prepared and shall not be used in any way without the written consent of the Marchman Matthews Design Associates. All original drawings and designs are the property of the Marchman Matthews Design Associates and shall be returned upon request of the Marchman Matthews Design Associates. Marchman Matthews Design Associates shall not be liable for any consequential damages or loss of profit for any use by others or any violation of the copyright and provisions herein.

☐ Half Size Plans

NOTE TO CONTRACTOR:
Any discrepancies, errors or inconsistencies between the drawings and specifications and conditions shall immediately be reported in writing to Marchman Matthews Design Associates. Marchman Matthews Matthews will immediately correct the same in writing. Work done by contractor after discovery of such discrepancies, errors or inconsistencies will be at contractor's own risk.

PRINT RECORD
September 2, 2013

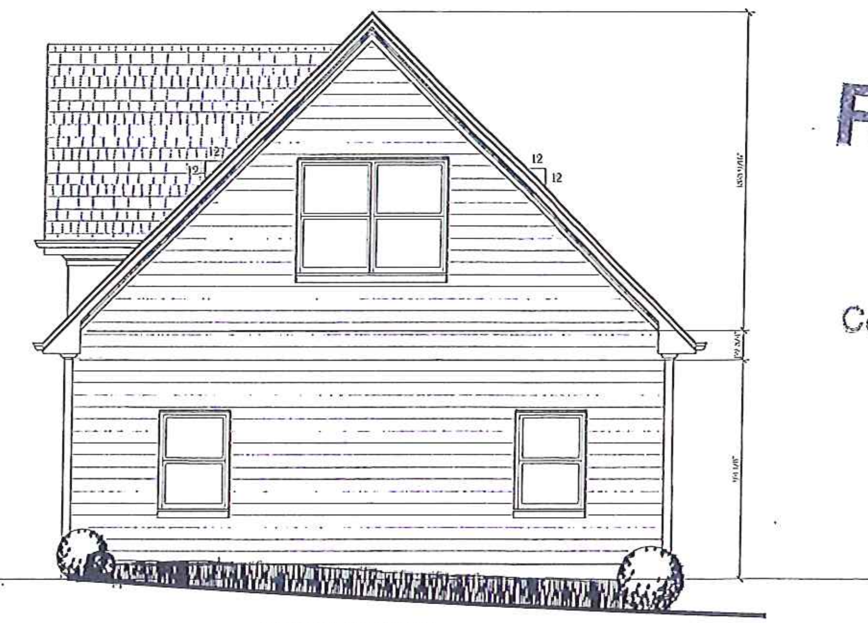
REVISIONS

DATE: 08/30/2013
PROJECT NO. 195CD-REM
DRAWN BY: M.D.M.
CHECKED BY: P.C.D.

FLOOR
PLANS
SCALE 1/8" = 1'-0"

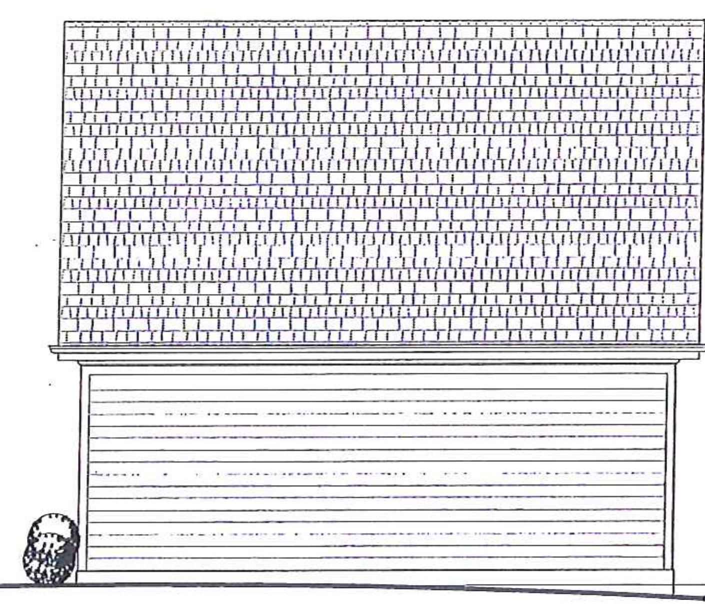
SHEET NO.
1 OF 2

FRONT ELEVATION

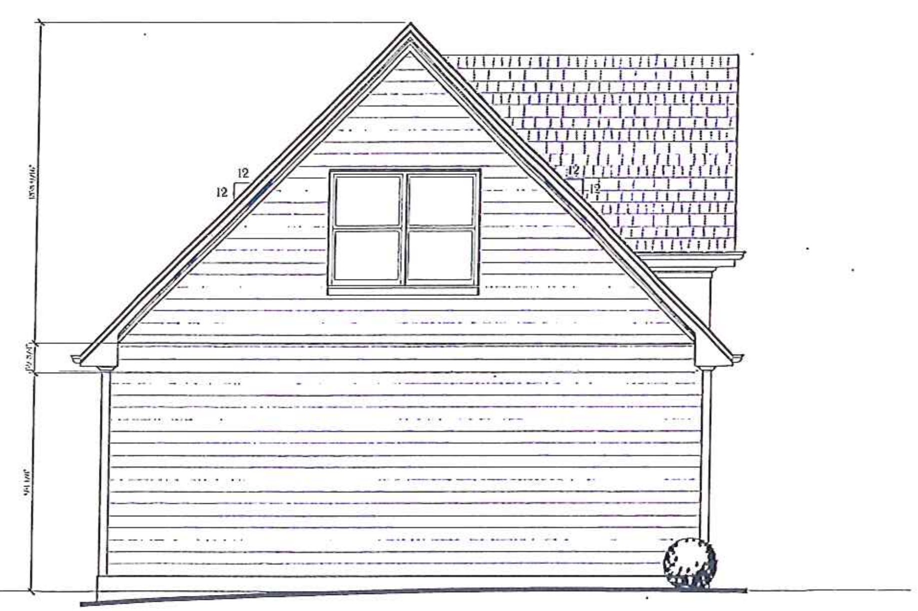


RIGHT ELEVATION

RECEIVED
SEP 03 2013
City of Sandy Springs
Community Development



REAR ELEVATION



LEFT ELEVATION

MARCHMAN MATTHEWS
DESIGN ASSOCIATES
3040 Peachtree Road
Suite 1412
Atlanta Georgia 30305
Telephone 404 . 405 . 8599
Facsimile 404 . 549 . 4111

DESIGN BUILD
BY CRAFTMASTER
195 CHASELAND DRIVE
Sandy Springs Georgia 30328
Telephone 404. 731.6704
CRAFTMASTERGARY@BELLSOUTH.NET

195
CHASELAND
DRIVE
GARAGE
ADDITION

SANDY SPRINGS
GEORGIA

☐ Half Size Plots

NOTE TO CONTRACTOR:
Any discrepancies, errors or inconsistencies between the drawings and specifications and conditions shall immediately reported in writing to Marchman Matthews Design Associates. Marchman Matthews will immediately correct the same in writing. Work done by contractor after discovery of such discrepancies, errors, or inconsistencies will be at contractor's sole risk.

PRINT RECORD
September 1, 2013

REVISIONS

DATE: 08/30/2013
PROJECT NO. 195CD-REM
DRAWN BY: M.D.M.
CHECKED BY: P.C.D.

ELEVATIONS
SCALE ⅛" = 1' - 0"

SHEET NO.
2 OF 2

01-0220 PETITION #2000Z 0119 FCN, CHASELAND ROAD - APPLICATION OF GARY UNELL AND EDWARD LEVIN SEEKS TO REZONE FROM R-6 (RESIDENTIAL) TO AN O-I (OFFICE INSTITUTIONAL) ZONING CLASSIFICATION (APPROVED)

&

01-0221 PETITION #2000VC0238 FCN, CHASELAND ROAD - APPLICATION OF GARY UNELL AND EDWARD LEVIN SEEKS TO REZONE FROM R-6 (RESIDENTIAL) TO AN O-I (OFFICE INSTITUTIONAL) ZONING CLASSIFICATION (APPROVED)

Ms. Justine Boyd, Clerk to the Commission, presented the following letter from E. F. Morey, Chairman of the Fulton County Planning Commission:

DEPARTMENT OF ENVIRONMENT & COMMUNITY DEVELOPMENT
141 Pryor Street, S.W., Suite 2085
Atlanta, Georgia 30303
Telephone: 404-730-7800

FULTON COUNTY PLANNING COMMISSIONERS
(UNINCORPORATED)

John Hix, Jr., Chairman
E. F. Morey, Vice-Chairman
Alan Hamby
Deanne E. Meningall
Dr. Ruth Hilson Pace
Roger Rupnow
Clifford F. Smiley, Jr.

ANGELA PARKER, ACTING DIRECTOR

FULTON COUNTY

JANUARY 19, 2001

BOARD OF COMMISSIONERS
FULTON COUNTY
GEORGIA

#Z 00-0119 FC LOCATION: CHASELAND ROAD
APPLICATION OF GARY UNELL AND EDWARD LEVIN SEEKS TO REZONE FROM R-6 (RESIDENTIAL) TO AN O-I (OFFICE INSTITUTIONAL) ZONING CLASSIFICATION, AND A CONCURRENT VARIANCE TO REDUCE PARKING FROM 13 TO 8 SPACES. PROPERTY HAVING A FRONTAGE OF 90 FEET ALONG THE SOUTHERLY SIDE OF CHASELAND ROAD, BEGINNING 283.2 FEET WESTERLY FROM THE INTERSECTION OF THE WEST SIDE OF ROSWELL ROAD WITH THE SOUTH SIDE OF CHASELAND ROAD AND RUNNING WESTERLY, AND CONTAINING 0.526 ACRES, AND BEING IN LAND LOT 88 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA.
PROPOSED USE: OFFICES
==========
GARY UNELL
195 CHASELAND ROAD
ATLANTA GA 30328

THE FULTON COUNTY PLANNING COMMISSION, FOLLOWING FIFTEEN DAYS OF PUBLIC NOTICE, AS REQUIRED BY LAW, PRELIMINARY PUBLIC HEARING HELD WEDNESDAY, JANURAY 17, 2001 AND AFTER CAREFUL STUDY OF THE AREA, INCLUDING INSPECTION OF THE SITE BY MEMBERS OF THE PLANNING COMMISSION, RECOMMEND THE PETITION FOR APPROVAL, CONDITIONAL THE PLANNING COMMISSION ACCEPTED THE RECOMMENDED FINDINGS AND CONDITIONS AS SET OUT BY THE ENVIRONMENT AND COMMUNITY DEVELOPMENT STAFF.

LEGAL DESCRIPTION OF PROPERTY IS ATTACHED.
DATES ADVERTISED: 12/29/00 12/29/00

John Hix, Jr., Chairman
JOHN HIX, JR., CHAIRMAN

0220-01a.01

Customary letters and findings are on file in the Clerk's Office as part of this petition.

Environment and Community Development Recommendation: For Approval.

Alice Wakefield, Assistant Director, Environment and Community Development - "The first matter is two related cases. A rezoning from an R-6 to an O-I for an office in existing structure. The petitioner is also asking for a related concurrent variance to reduce the parking. This matter was deferred by the Board on February the 7th for 60 days to allow for the opportunity for Comprehensive Planning staff to develop an amendment to the comprehensive land use plan. The recommendation of staff is approval. The recommendation of the Planning Commission is approval. The next item, 2001Z-0013. The proposed change to the comprehensive land use plan as related to Chaseland Road and Cromwell Road. The staff is recommending that the two parcels that sit back-to-back splitting -- Road and Cromwell Road shown in the orange be designated for office. And the remaining two properties on the other side be designated for residential one to two units per acre. The recommendation of the Planning Commission is that all four parcels be shown as office."

Chairman Kenn - "Okay. Let me go ahead and hear from the applicants. I think there are some issues that might need to be worked out."

Mr. Gary Unell, 195 Chaseland Road - "Mr. Chairman and Commissioners, my name is Gary Unell, 195 Chaseland Road, Atlanta 30328. I'm the owner of the R-6 parcel, which is about a .53 acre property. It currently has a duplex on it that I built in 1982. That property remained as a residential duplex from '82 to late '92, when at the appropriate time, I guess it was Flashers, moved in at the corner of Chaseland and Roswell Road in a commercial zoning. At that time, I lost my tenants due to the noise and the type of operation that Flashers ran at that point in time. The property that backs up to us on our east is Flashers, LaPas (phonetic), Insurrections and the Long Horn Steaks. And to the north side of Chaseland is the Red Baron Auction House and Antique Showroom. It comes to the front of our property. What we are asking for is to continue to have an office in a residential use. We want O-I conditional. We do not look to change any of the facade or anything to our building. We'd just like to stay as it is. And I do agree with the comprehensive land use plan change that is up at the same time for office on all four

parcels. And at this point I'd like to reserve the rest of my time for rebuttal. Thank you."

Chairman Kenn - "All right. Opposition? Is there any opposition?"

Mr. Mel Mobley, 40 Whispering Way - "I'm trying to speak in opposition. I'm going to watch my time because I'd like to have some time for rebuttal. My name is Mel Mobley, and I'm here representing the Whispering Pines Neighborhood Association, which is on the west side of this property all the way back on -- bordered by Abernathy and Johnson Ferry Road. And I live there. We've worked out a compromise actually on this. We would, of course, prefer that all of this remain residential. But Mr. Unell has a duplex, the entrance of which is faced right in the back of Flasher's and LaPas. And so what we -- And we're glad to have these items considered together. What we have worked out as a compromise, even though we prefer residential, is that we would like to see the staff's recommendation of two properties, his property and the property behind it, which is adjacent to Long Horn's parking lot, be O-I in the comprehensive land use plan. That's not a zoning change. But that the rest of it be residential. Because Chaseland is a residential street. The County and the neighborhood are investing in lights and in sidewalks. And the other properties are clearly residential. I believe we'll have another speaker in opposition who doesn't live in the house but owns the house next to Mr. Unell's. But if you look at this, it's a nice neighborhood -- a residential neighborhood. The property values are increasing, so no one has lost any money at all. As to Mr. Unell's property, one condition that I'd like to ask that I believe he agrees to that there be no signage in the front. No free-standing sign. No sign. He's agreed to signs that are simply on the side of his building, not to exceed two by three feet. And it's important to us that that be a condition that goes into his conditional O-I. Now I don't know if the Commission is wanting to have comments now on both his rezoning and on the comprehensive land use plan or not. I sort of laid out our position, but I'd like to reserve the rest of my time."

Chairman Kenn - "That's your discretion, because they are being heard both at the same time. So that's your call."

Commissioner Lowe - "I think you've already stated -- What your position states is a reference to both of them as far as I'm concerned. I know the situation."

Mr. Mobley - "All right. And I would point out to the Commission, the staff's recommendation is for O-I on those two."

Commissioner Lowe - "I understand exactly."

Mr. Mobley - "The Planning Commission -- I wasn't there. There was probably a notice. I didn't get it. But I would point out that the two members that live in Sandy Springs did not vote for the result of the Planning Commission. So that is my position. And whatever time I have left for rebuttal if I need to I'd like to reserve it. Thank you."

Chairman Kenn - "Further comment from the applicant?"

Mr. Steven Winter, 215 Rod Court - "My name is Steven Winter. I live at 215 Rod Court. I own the house on Chaseland Road, as was pointed. I am in opposition of the proposed change. I am in favor of the compromised position from the Planning Commission. I think the intent of the current land use plan is obvious. There's a line of demarcation between the commercial use to the north of Chaseland Road, which is currently the Red Baron's Antiques and along the border on through to the Cromwell Square Shopping Center space. The line is consistent. It doesn't allow for further intrusion into the residential neighborhood. And I think it makes the most appropriate use of those four pieces of property. When you look out the front door of the parcel on Chaseland Road across to the Red Baron's you see basically the side of that building with underbrush, et cetera. It's very under -- It's not landscaped with any significant improvements. It's a rather natural and rather rudimentary boundary between the properties, which is why I think that the Chaseland Road properties -- All four of those properties should be as at least O-I. I think that's a very consistent use with the property and a good transitional use into the neighborhoods. Thank you."

Chairman Kenn - "Rebuttal from the opposition -- Excuse me. It's from the applicant. Excuse me. Go ahead, sir."

Mr. Unell - "I agree to all of the conditions of the Planning Department and the Planning Commission. I also agree with Mr. Mobley's statement about no signage facing Chaseland Road. It will be on the side of the building and not to exceed two foot by three foot and be attached to the building itself. We do have double approval from Planning and from the Planning

Commission and would appreciate your approval of our petition. Thank you."

Chairman Kenn - "Okay. Sir, do you have any rebuttal?"

Mr. Mobley - "If there are any questions I'll be glad to respond to them. Otherwise, I don't have any rebuttal."

Chairman Kenn - "Let me close the public hearing. Tom."

Commissioner Lowe - "Mr. Chairman. Mr. Chairman, we've put a tremendous amount of County effort into Whispering Pines. That was our first big Sandy Springs project. I don't remember the total dollars we put into it. I don't guess Public Works does, either. But we've put traffic configuration on two or three different roads. We've put sidewalks throughout Whispering Pines. Nayef Haddad bought a house in there. I mean, we've had a lot of big changes in Whispering Pines. But that said, I agree with the staff that to settle this piece of property down -- and Gary's certainly backed up to Flashers. I can understand. He told me that he had some girls living in that duplex. He said shortly after Flashers opened they left him. I mean, they just said they wouldn't live next door to Flashers. So I make a motion that the two easterly lots be zoned O-I, that the plan be modified in accordance with the Planning staff's recommendation."

Chairman Kenn - "Second. Questions? Comments? Call the question. Approved. Next zoning, please."

Commissioner Lowe made the motion to approve Petitions 00Z 0119 and 00VC0238 as recommended by the Planning Staff and as conditioned by Staff, and the eastern lots between Cronwell Road and Chaseland Road be designated on the Comprehensive Land Use Plan in accordance with the Planning Staff recommendations, which was seconded by Commissioner Edwards and carried by a vote of 5-0-0. Vice Chair Darnell and Commissioner Webster did not vote.

There being no objections, Petitions 00Z 0119 and 00VC0238 were approved subject to the following Zoning Resolution, Recommended Conditions, and Legal Description:

RESOLUTION

A RESOLUTION TO AMEND THE 1955 ZONING RESOLUTION OF FULTON COUNTY

WHEREAS, proper notice of this amendment has been published once a week for two weeks in the newspaper in which the Sheriff's advertisements are published, which notice stated the nature of the proposed change and the date, hour and place at which the Board of Commissioners of Fulton County would hold a public hearing on said amendment, said notice having been published on the following dates: 03/06/01 AND,

WHEREAS, said proposed amendment was submitted to the Planning Commission, and said Planning Commission has held a public hearing thereon, and has made its recommendation to the Board of Commissioners of Fulton County;

NOW, THEREFORE, BE IT RESOLVED that the 1955 Zoning Resolution adopted by the Board of Commissioners of Fulton County on March 11, 1955, and recorded in Minute Book W-1, pages 180 continuous of the Minutes of the Board of Commissioners of Fulton County, and heretofore amended, be and the same is hereby further amended as follows:

CONDITIONS: PER PLANNING STAFF'S MEMORANDUM RECEIVED 04/20/01:

PETITION No. 2000Z -0119 NFC
2000VC-0238 NFC

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners, it should be approved O-I (Office-Institutional) CONDITIONAL subject to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property to office and accessory uses, for lawyers, accountants, real estate brokers, architects, engineers, surveyors, land planners, professional counselors, builders, developers, appraisers, or financial planners, in the existing 4,200 square foot structure, at an overall density of 7,924.53 square feet per acre. No modifications may be made to the exterior of the structure other than normal maintenance.

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

a. To the site plan received by the Department of Environment and Community Development on September 25, 2000. 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 place prior to the issuance of the first Certificate of Occupancy.

3. To the owner's agreement to the following site development considerations:

   a. Reduce all building and improvement setbacks, buffers, and landscape strips to the extent necessary for existing structures to remain.

   b. No more than 1 exit/entrance on Chaseland Road. Curb cut location and alignment are subject to the approval of the Fulton County Traffic Engineer.

   C. Provide for a total of 8 parking spaces on the site. (2000VC-0238 NFC)

   D. Restrict signage to one (1) maximum 2-foot x 3-foot wall sign on the side of the building.

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 Chaseland Road.

   b. Improve roadway 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.

   C. Provide a traffic impact mitigation plan to reduce the number of vehicular trips generated by the

development to the Fulton County Traffic Engineer at the concept review phase.

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 Public Works Department, Water Service Division, prior to the application for a Land Disturbance Permit (LDP) with the Department of Environment and Community Development, to meet with the Fulton County Drainage Engineer on-site.

   d. The engineer/developer is required to submit along with the application for a Land Disturbance Permit (LDP) signed documentation verifying the storm water concept plan approval.

   e. Provide at the LDP approval documentation (such as cross-section, profile, etc.) describing all existing natural streams, creeks, or draws geometry, within the proposed development boundary and provide the appropriate bank erosion protection for the conveyance system after development.

   f. The developer/engineer is responsible to demonstrate to the County by engineering analysis at the Land Disturbance Permit application that the proposed development surface water runoff conditions are controlled at the minimum predevelopment level, so that downstream conveyance systems may not be impacted, aggravate existing flooding or drainage problems nor creates new flooding or drainage problems off-site.

g. Prior to the application for a Land Disturbance Permit, the developer/engineer shall submit to the Department of Public Works, Surface Water Section, a project Storm Water Concept Plan. This concept plan shall be preliminary drawing describing (but not limited to) the proposed location of project surface water quality and quantity facilities/Best Management Practices (BMP's); the existing downstream off-site drainage conveyance system that the proposed development runoff will impact; the discharge path(s) from facilities/BMP's outlet through the downstream drainage system offsite to the appropriate receiving conveyance system downstream and any potential surface water implications.

h. The developer/engineer is responsible to conceptually describe to the County at the storm water concept plan approval phase post development structural Best Management Practices (BMP's) to be utilized to reduce surface water pollution impact associated with the proposed development. The detail engineering analysis and specifications of BMPs shall be included as a part of the LDP storm water submittal.

LEGAL DESCRIPTION FOR 195-197 CHASELAND RD.
ATLANTA GA. 30328

ALL THAT TRACT and parcel of land lying and being in Land Lot 88 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a point (iron pin) on the south side of Chaseland Road 281.4 feet west of the southwest right of way corner intersection of Chaseland Road and Roswell Road; thence running south 236 feet to an iron pin; thence running west 103.8 feet to an iron pin; thence running north 239.3 feet to an iron pin on the south side of Chaseland Road; thence running east along the south side of Chaseland Road 90 feet to an iron pin being the point of beginning and known as Lot 15, Block "B" of North Hampton Hills Subdivision, Unit 2, as per survey made by M.A. Freer, C.E., dated January 29, 1955, and recorded in Plat Book 53, page 53 of the Fulton County Records.

Z00-119

0220-02a.01

SILVERADO

MEMORANDUM

FULTON COUNTY

TO: Linda Abaray, Senior Planner
City of Sandy Springs, Department of Community Development

FROM: Monica Robinson, B.S., M.B.A., Environmental Planner
Department of Health Services, Office of the Director

DATE: September 19, 2013

SUBJECT: **Zoning Comments for November 2013**

AGENDA ITEM	ZONING COMMENTS
201302537	If the proposed structure will have sanitary facilities, the Department of Health and Wellness will require that the applicant connect the proposed building to public water and public sanitary sewer available to the site. This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.
201302561	This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air. Since the facility serves persons under the age 18, no smoking will be allowed on the premises at any time. Since the records of the Department of Health and Wellness show that this property is served by an onsite sewage management system, this proposed building addition must be constructed as per a site plan as approved by this department so as not to interfere with the existing onsite sewage management system. This department has approved previously the existing onsite sewage management system to accommodate 118 children and 17 workers of Tabula Rasa in addition to the permitted use by the Church of St. Andrew. While the letter of intent by the applicant requests a student enrollment of 150, an approval by the Department of Health and Wellness must be obtained prior to any building permit, construction, and occupancy of the addition. The Fulton County Department of Health Services recommends that the sanitary facilities in the existing building are inspected prior to issuance of a building permit to assure the needs of the existing and proposed capacity. This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.

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: 100 gallons per day (gpd) per 1,000 sq. ft. x 4,301 square feet = **431** gallons per day

This project is within the City of Atlanta water jurisdiction.

SEWER:

Basin: Marsh Creek
Treatment Plant: R.L. Sutton (Cobb County)
Anticipated sewer demand: **388** gallons per day

There is a wastewater manhole north of the north property line of 195 Chaseland Road within the right of way of Chaseland Road **(SMMA1008350)** located in Land Lot **88**, 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
- WasteWater
- Water

Waste Water System

Private Manhole

Pump Station
- Pump Station

Manhole
- Accessible
- Not Assessed
- Problem

Lineit Pipe

Force Main

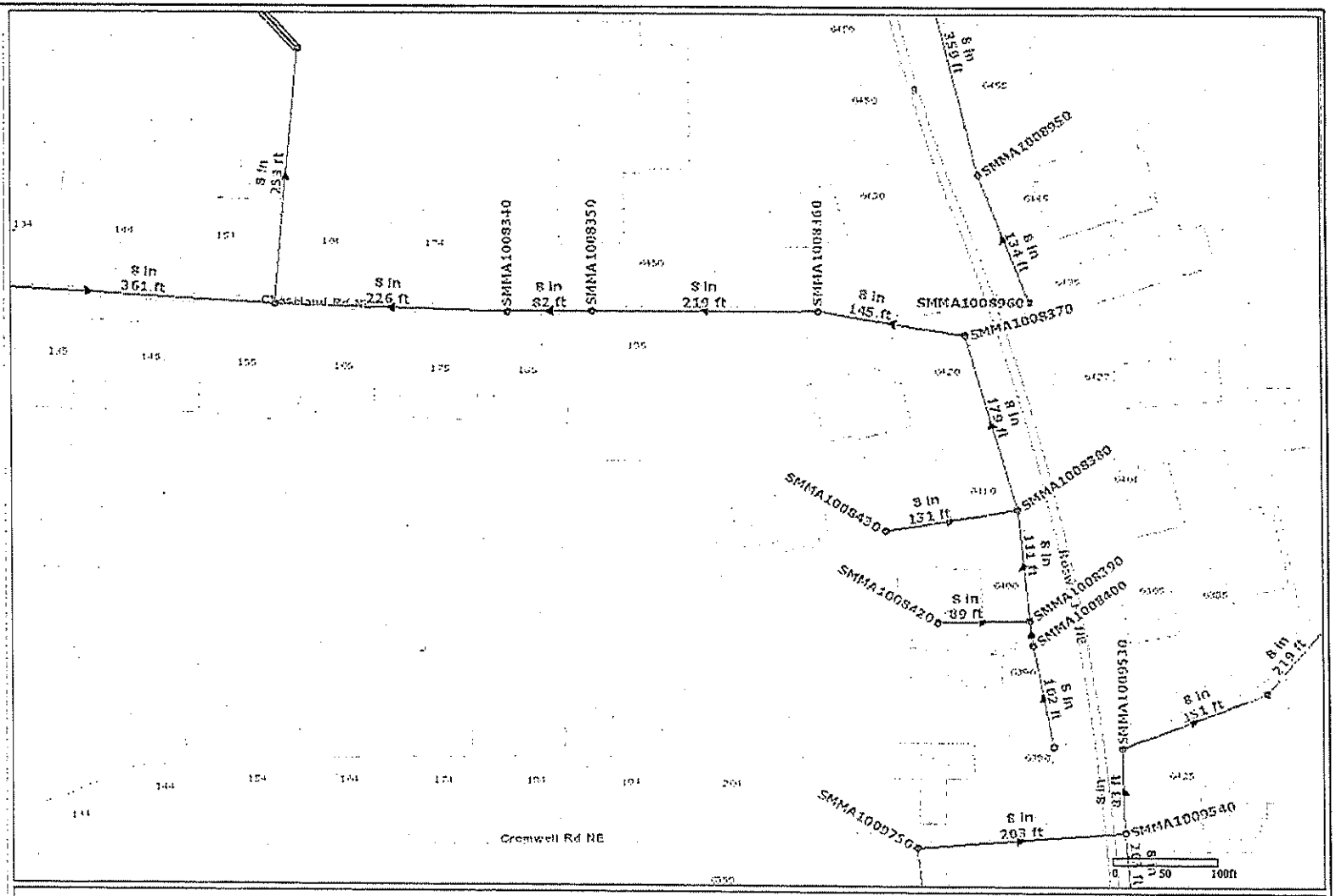
Creek Crossing

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



195 Chaseland Road

Fulton County, Georgia
9-12-2013

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.

Property Profile for 195 CHASELAND RD

Property Tax Information

Tax Year	2013
Parcel ID	17 008800010149
Property Address	195 CHASELAND RD
Owner	CHASELAND ASSOCIATES LLC
Mailing Address	195 CHASELAND RD SANDY SPRINGS GA 30328
Total Appraisal	$371,400
Improvement Appraisal	$276,800
Land Appraisal	$94,600
Assessment	$148,560
Tax District	59
Land Area	0.51359 ac
Property Class	Residential Lots
Land Use Class	Residential 2 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	SS03
Poll Location	Lake Forest Elementary School, 5920 Sandy Springs Cir
Congressional District	006
State Senate District	032
State House District	052

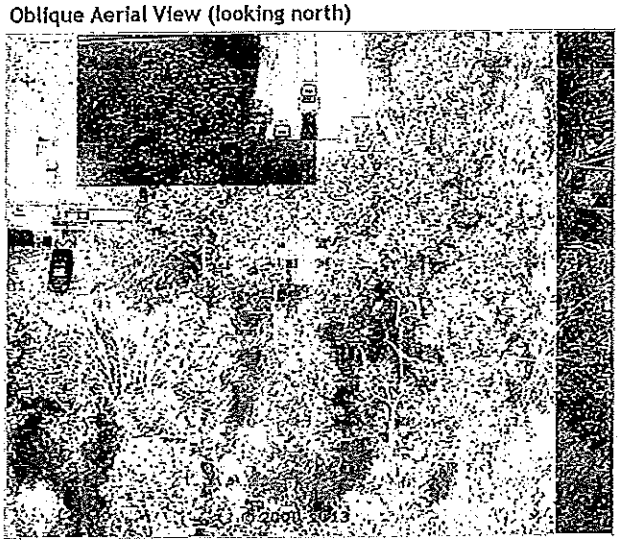
School Zones

Elementary School	Spalding Drive Charter
Middle School	Ridgeview
High School	Riverwood

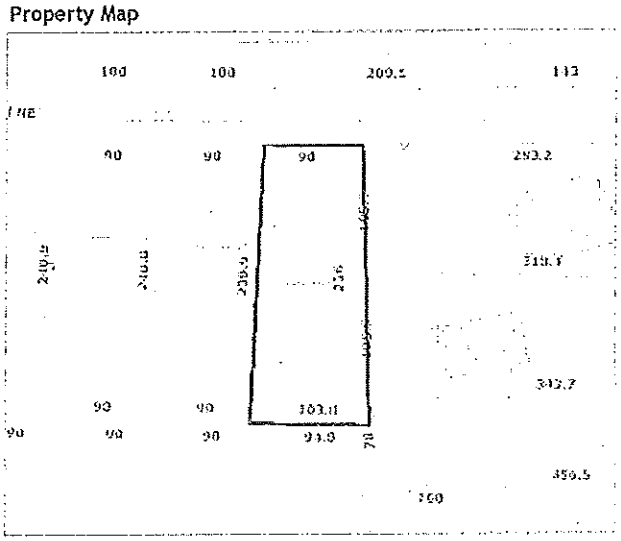
Other Information

Zip Code	30328
Census Tract	102.05
In Less Developed Census Tract	No

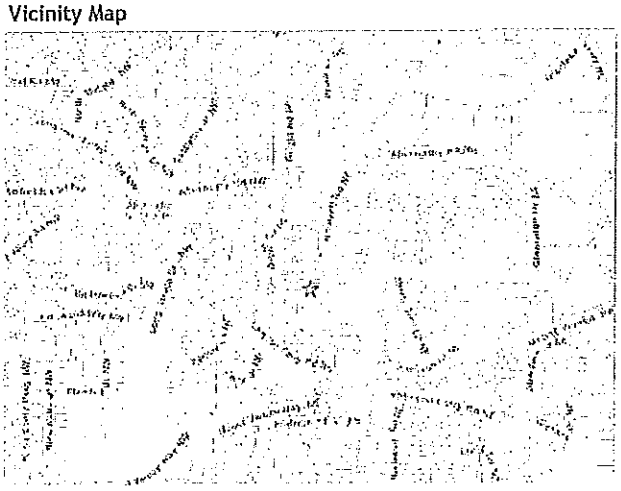
Oblique Aerial View (looking north)

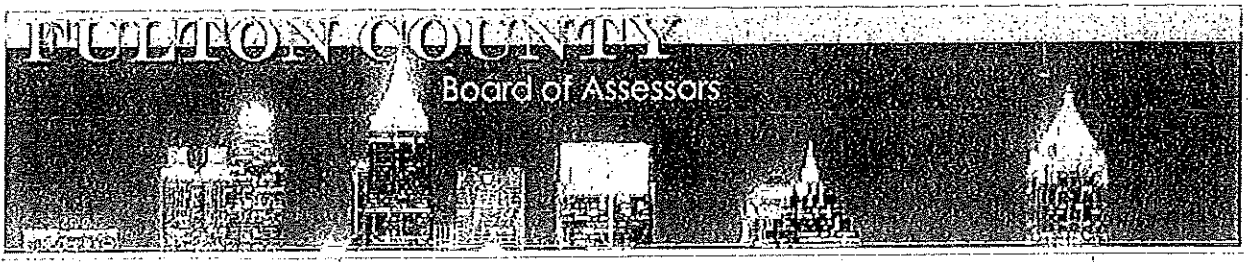


Property Map



Vicinity Map





Recent Sales in Neighborhood | Recent Sales in Area | Previous Parcel | Next Parcel | Field Definitions | Return to Main Search | Fulton Home

Owner and Parcel Information

Owner Name	CHASELAND ASSOCIATES LLC	Today's Date	September 12, 2013
Mailing Address	195 CHASELAND RD	Parcel Number	17 008800010149
	SANDY SPRINGS, GA 30328	Tax District	59
Location Address	195 CHASELAND RD		
Zoning	R3	Acres	0
Property Class	R3-Residential Lots	Parcel Map	Show Parcel Map
Neighborhood	1793	Homestead	N

Assessment Information

Show Historical Assessments | Show Assessment Notice

Year	LUC	CLASS	Land Value	Building Value	Total Value	Assessed Value
2013	102	R3	$ 94,600	$ 276,800	$ 371,400	$ 148,560

Land Information

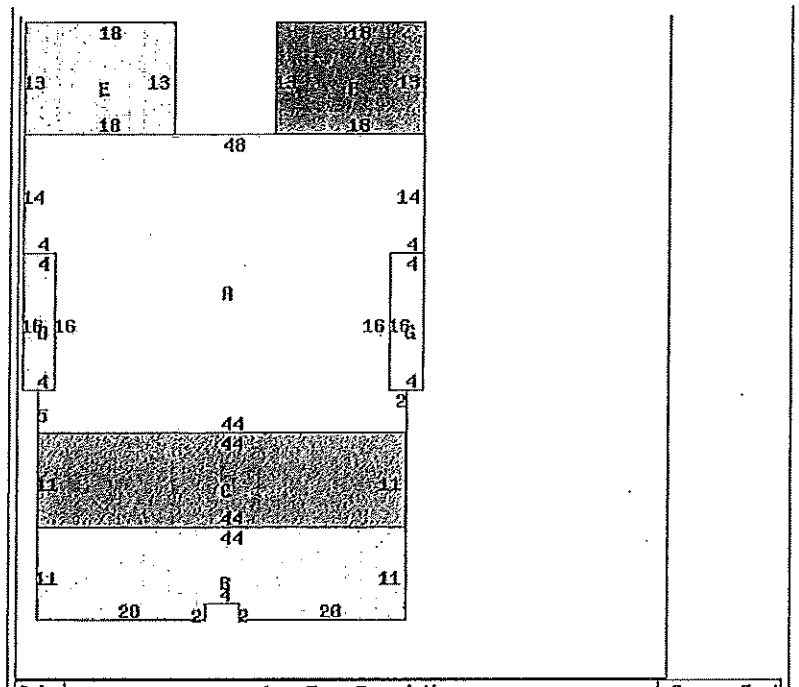
Land Type	Land Code	Description	Square Feet	Acreage	Price
S	1		22,372	0.5136	$ 94,610

Improvement Information

Card	Stories	Exterior Wall	Style	Year Built	Res Sq Ft	Basement	Total Bsmt Sqft	Finished Bsmt Sqft
1	2	1-FRAME	06-DUPLEX	1984	3,676	2-CRAWL		
Garage Sqft	**Garage Type**	**Total Rooms**	**Bedrooms**	**Full Bath/Half Bath**	**Attic**	**Additional Fixtures**	**Heating System**	**Heat**
	-	12	6	4/2	1-NONE	4	1-WARM AIR	4-CENTRAL WITH A/C
Total Fixtures	**Masonry Fireplaces**	**Heating Fuel Type**	**Pre Fab Fireplace**	**Split Level/Foyer**	**Miscellaneous Feature**		**Miscellaneous Feature 2**	
20		1-GAS	2		-		-	

Grade Factor: C+ 1.08 Cost/Design Factor: 0% CDU: VG

Building Sketch Enlarge Sketch



Color	Area Type Description	Square Feet
A	MAIN AREA	1532
B	FR GR FRAME GARAGE	476
C	FR GR FRAME GARAGE; Second Floor: 1S FR ONE STORY FRAME	484
D	1S FR ONE STORY FRAME	64
E	WDDCK WOOD DECKS	234
F	WDDCK WOOD DECKS	234
G	1S FR ONE STORY FRAME	64

Accessory Information

Description	Year Built	Area	Grade	Value
No accessory information associated with this parcel.				

Sale Information

Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Sale Qualification	Validity	Grantee	Grantor
2006-02-01		QUIT CLAIM DEED	42167	16	Unqualified	6-Land Contract / Unsual Financing	CHASELAND ASSOCIATES LLC	LEVIN EDWARD J
2005-11-01	$ 450,000	QUIT CLAIM DEED	41513	389	Unqualified	0-Valid Sale	LEVIN EDWARD J	CHASELAND ASSOCIATES LLC
2002-06-26		QUIT CLAIM DEED	32731	148	Unqualified	6-Land Contract / Unsual Financing	CHASELAND ASSOCIATES LLC	LEVIN EDWARD & UNELL GARY
1986-09-26	$ 225,000		10346	467	Unqualified	8-Not Typical of Market Conditions		

Recent Sales in Neighborhood | Recent Sales in Area | Previous Parcel | Next Parcel | Field Definitions | Return to Main Search Page | Fulton Home

Fulton County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Assessment information for all tax parcels included in this data is for the 2012 tax year and does not reflect any changes due to documents recorded after January 1, 2012. These changes may include but is not limited to ownership or property characteristics. Website Updated: September 9, 2013

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Abaray, Linda

RECEIVED
NOV 06 2013
City of Sandy Springs
Community Development

From: shane balkcom <msbalkcom@gmail.com>
Sent: Wednesday, November 06, 2013 8:56 AM
To: Abaray, Linda
Subject: 195 Chaseland and 197 Chaseland Rezoning for Mr. Unell

Linda,

I'm a resident home owner at 125 Chaseland. I see the impact of the Mr. Unell's property being used in violation of the Zoning daily. The end of his driveway and into the near lane of Chaseland road is a bottleneck that chokes traffic. The trucks an equipment being loaded and unloaded are a hassle for us. I see their trucks passing by on the weekends too.

When we bought our house in 2006 this was not the case. Chaseland was a quiet street with young couples starting families. The O/I zoning designation was approved as a buffer to Roswell Rd business.

Our neighborhood has rallied together recently to install speed humps on Chaseland in order to calm traffic problems. We do not support any rezoning that adds tradesman, commercial trucks, and/or equipment.

Shane Balkcom
(404) 312-4522 cell
msbalkcom@gmail.com

Abaray, Linda

RECEIVED
NOV 06 2013
City of Sandy Springs
Community Development

From: Chris Singer <topher.singer@gmail.com>
Sent: Tuesday, November 05, 2013 6:26 PM
To: Abaray, Linda
Subject: Ehrlich Electric / Unnell Expansion

Hello,

My name is Chris Singer. I live at 155 Chaseland Road - 4 houses down the street from the Unnell plumbing business. I often see several cars coming and going from their driveway - sometimes enough to spill out onto the street for parking. Chaseland Road is a residential street with inhabited with many small children - including my own. The presence of a business on our street is already problematic. As such I AM fully opposed to the proposed expansion of their business.

Sincerely,
Chris Singer
(404) 723-0726

Abaray, Linda

RECEIVED
NOV 06 2013
City of Sandy Springs
Community Development

From: Frank Varano <varanoiii@hotmail.com>
Sent: Wednesday, November 06, 2013 9:00 AM
To: Abaray, Linda
Cc: erinxcrun@yahoo.com
Subject: 197 Chaseland Rd Rezoning Petition Concerns
Attachments: photo.jpg; Chaseland.JPG

Good morning Ms. Abaray,

I wanted to share in my fellow Whispering Pine neighborhood concerns regarding the rezonging of 197 Chaseland Rd. My wife and I of 144 Chaseland Rd strongly oppose to this petition for the 2 reasons:

(1) This business expansion has already created traffic concerns along Chaseland Rd (where a dozen children live and play outside, half of which are under the age of 5). I noticed many times over the past 2 years that 4 vehicles have filled the driveway. The "overflow" parking has extended onto Chaseland with vehicles parked on either side. While I don't believe this is illegal, it does create a safety concern as this duel sided parking restricts traffic flow to one lane along Chaseland. In fact, as I was leaving for work this morning, the overflow already started. See attached picture, which is facing east towards Roswell Rd – you will note 2 vans in front of me that had just pulled out of the driveway of 197 Chaseland You may have experienced yourself, Chaseland has low visibility at its entrance from Roswell Rd due to an initial road incline then sharp decline in the road just after Flashers. With cars parked on either side, entering traffic has little time to "react" to the fact that a vehicle is parked along the road, requiring the moving vehicle to suddenly shift to the center of the road. The visual also helps note this - had another car been parked on the north side of the road, traffic flow would have been reduced to a single lane. Chaseland wasn't designed to handle this level of traffic flow.

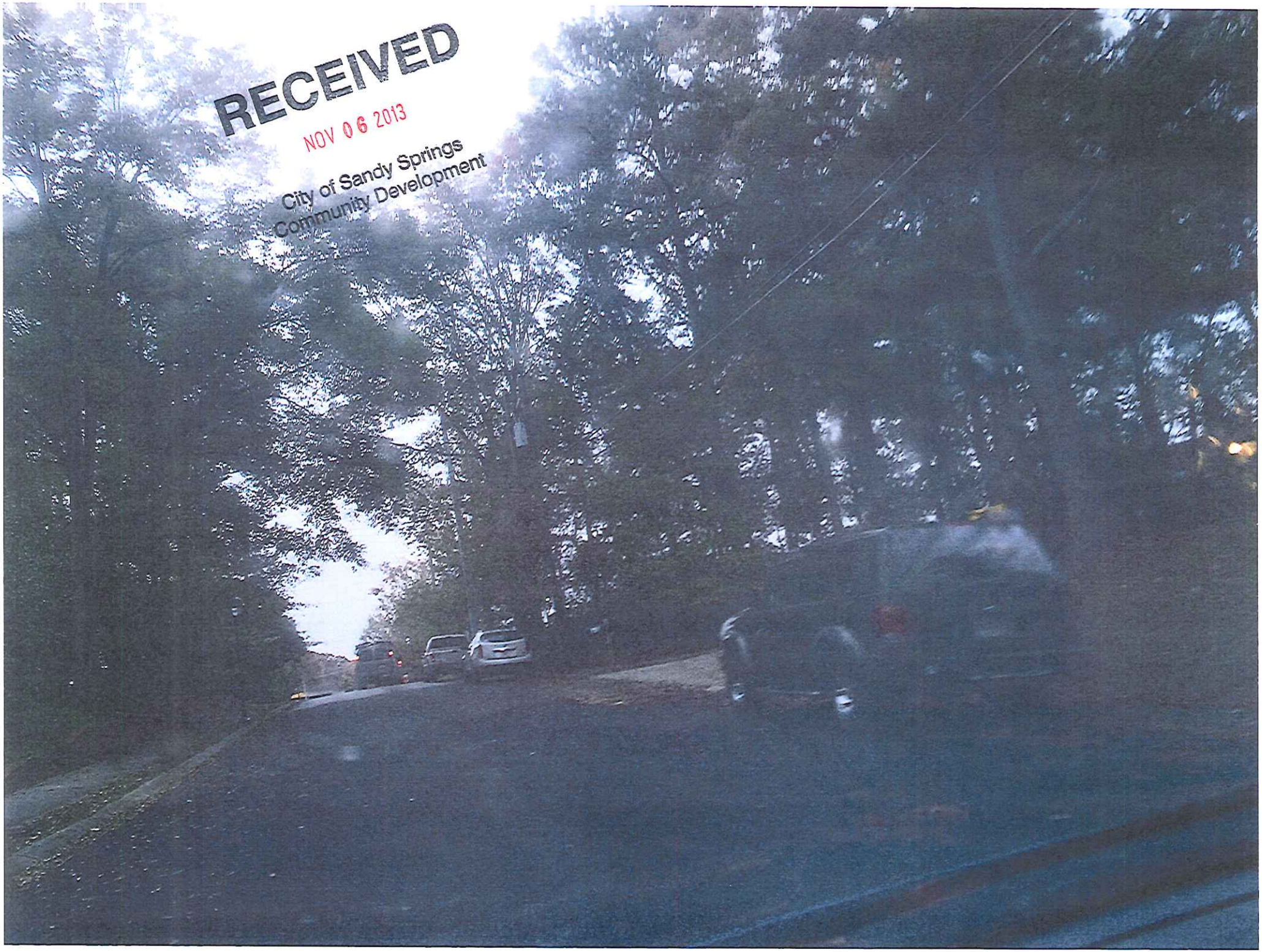
(2) I believe this creates an uncomfortable precedent for businesses encroaching residential zones within Sandy Springs despite viable alternative space existing. For example, there are 3 lease sites available within 50 yards of 197 Chaseland (see attached map)
   a. Sublease space from Kudzu
   b. Lease entire facility across the street from Kudzu
   c. Lease site plan between Long Horn and Flashers

I'll admit, I'm a novice with zoning requirements, and perhaps these sites are note zoned for the type of business they operate. But the point I'm trying to make is that I could see the argument that they want to expand on their site because there is legitimately no other site alternative (not saying I would full out support it, but I could at least see the argument). However, with alternative sites currently available, this will set the precedent for other businesses to simply petition the committee for an amendment to existing zoning anytime they want to expand to avoid the cost of properly expanding onto new, appropriately zoned sites.

In closing, I want to make clear, I am pro-business, big and small. In fact, we live at 144 Chaseland Rd as a result of my wife's job at Newell Rubbermaid relocating from Pennsylvania to Sandy Springs in 2009. As a corporate finance professional myself, I appreciate the need and desire for pro-business, pro-growth policies that stimulate economic prosperity for communities. But I also believe there is need for oversight from our local government to ensure that the needs of business are balanced with those needs of the residents in which they serve.

Have a great day!

Frank J. Varano III, CFA, CPA
144 Chaseland Rd NE
Atlanta, GA 30328



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Community Development

oogle Maps | Untitled map

https://mapsengine.google.com/map/edit?hl=en&mid=zawdFUOxIN8M.kw6L-j8wVYEI

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varanoiii@gmail.com

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NOV 06 2013
City of Sandy Springs
Community Development

Untitled map

Add layer Save

144 Chaseland Rd NE, Atlanta, GA

144 Chaseland Rd NE

Untitled layer

Style Data Labels

197 Chaseland Rd

Sublease Available

Lease Available

Build to Suit

Base map

Share

Sandy Springs Toyota

Pizza Hut

Persepolis Persian Cuisine

Chaseland Rd NE

Chaseland Rd NE

Microseconds of Atlanta

Flashers

Callatis Flooring

Roswell Package Store

Roswell Rd NE

N Hampton Dr NE

Vernon Woods Dr

LongHorn Steakhouse

Aaron's

Redbox

Mikael's Car Wash

Cromwell Rd NE

Cromwell Rd NE

Cromwell Rd NE

Walgreens

oogle Maps Engine

Map data ©2013 Google For non-commercial use

RECEIVED
NOV 05 2013
City of Sandy Springs
Community Development

TO MEMBERS OF THE PLANNING COMMISSION

FROM WHISPERING PINES NEIGHBORHOOD

We the undersigned residents of Whispering Pines are writing to the Planning Commission to express our concern over the proposed rezoning at 195 Chaseland, and about the apparent violations of the original rezoning of the property to the current O/ I Designation, which was supported by our neighborhood before the APRIL 4, 2001 hearing of the Fulton County Commission .

BACKGROUND TO THE 2001 O/I REZONING

The Whispering Pines Neighborhood Association originally supported Mr. Gary Unell's request for an O/I designation due to the property's proximity to FLASHER'S, however, we did insist that Mr. Unell restrict the use of the property to white collar endeavors . On April 4, 2001, THE Fulton County Commission approved the O/I designation at 195 Chaseland and 197 Chaseland provided that Mr. Unell

> **"restrict the use of the subject property to office and accessory uses, for lawyers, accountants, real eastate brokers, architects , engineers, surveyors, land planners, professional counselors, builders, developers,appraisers, or financial planners." The notes from that meeting are embedded below.**

Z00-0119.pdf

To further clarify the situation, the City of Sandy Springs defines accessory uses in an OI facility as those as those"uses customarily ***incidental*** **to any permitted use** and the principal dwelling unit may be used for a home occupation. No more than twenty-five percent (25%) of the total floor area may be used for storage" Webster's defines incidental thusly" being likely to ensue as a chance or minor consequence<social obligations *incidental* to the job". **Clearly, the intent of the city's own ordinance us to prevent businesses that are run from O/ I facilities from engaging in activities that are equipment intensive.**

CONDITIONS OF ZONING IGNORED

Mr. Unell has basically ignored the terms of the O/I rezoning. He has cultivated a situation whereby two businesses, Ehrlich Electric and Design-Construction by Craftsmaster, are both being run out of his duplex property. Mr. Unell's properly permitted business is being run out of 195 Chaseland and Ehrlich Electric is being run out of 197 Chaseland.(see https://www.facebook.com/EhrlichElectricLLc for the contact information)

As an electrical contracting firm , the business clearly does not conform to the 2001 conditions of rezoning that stated that Mr. Unell was required to

> **"restrict the use of the subject property to office and accessory uses, for lawyers, accountants, real eastate brokers, architects , engineers, surveyors, land planners, professional counselors, builders, developers,appraisers, or financial planners."**

Further, Mr. Unell has permitted Ehrlich Electric to use his garage as a storage facility for substantial amounts of electrical equipment-see jpg below-, which are clearly not incidental to a permitted use, per the city's ordinance, but rather is equipment central to the function of an unpermitted business, electrical contracting.

REZONING REQUEST FOR 1100 FOOT GARAGE

In his current petition, Mr. Unell is seeking a rezoning of the property so that he can build a 1100 square foot garage, the lower half of which would be dedicated to storage and the upper half would be rented to Ehrlich Electric. **WE, the residents of Whispering Pines strenuously object to a rezoning that would permit a 1100 square foot garage for the following reasons**

1. Electrical Contractors are not on the list of approved professionals on either the 2001 conditions of rezoning or of the city's own regulations regarding O/ I facilities http://www.sandyspringsga.org/SandySprings/media/Zoning-Ordinances/Article-VIII--Multiple-Use-District-Regulations.pdf
2. The proposed garage would not hold equipment incidental to the permitted use, but rather would hold equipment central to an unpermitted use, electrical contracting.
3. Mr. Unell has a responsibility to adhere to the conditions of the zoning and associated regulations

ENCROACHMENT NOT TRANSITIONING

What started out in 2001 as an attempt to not only accommodate Mr. Unell's desire to run his builder's business from his property but also to buffer the residential properties on Chaseland from the commercial has gone terribly off track . Instead, of a buffer, we have a situation whereby Mr. Unell has basically ignored the conditions of the rezoning and has cultivated a situation whereby an unapproved business operation is being run at 197 Chaseland . We seriously doubt that there is another situation in Sandy Springs whereby electrical contractors are allowed to operate out of residential areas .

Staff has characterized the existing petition as a question of whether or not this is an appropriate transition. As the original notes indicate, Whispering Pines felt that a professional office between the commercial district and the residential area was an appropriate buffer, but Mr. Unell's proposal to expand his illegal operations by adding a garage constitutes encroachment on the neighborhood.

WHISPERING PINES IS A PROTECTED NEIGHBORHOOD

On the city's land use plan, Whispering Pines is a protected neighborhood and Chaseland is a residential street.With the presence of Flashers at its entryway, Chaseland has enough pressures , and the proposed detached garage would only add to the degradation of Chaseland as a residential street . For the reasons enumerated in this document, we the undersigned strenuously oppose applicants petition and ask that the Planning Commission deny it.

Neighbors in Whispering Pines

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Abaray, Linda

RECEIVED
NOV 05 2013
City of Sandy Springs
Community Development

From: richardgoetz@comcast.net
Sent: Tuesday, November 05, 2013 7:43 AM
To: Abaray, Linda
Subject: Chaseland Road
Attachments: Chaseland petition 110113.pdf

Good Morning Laura,
I just wanted to write you to let you know of some concerns we have on Chaseland Road over Ehrlich Electric adding additional warehouse space. Chaseland Road is a residential street and we have many children (11 small children) who live on Chaseland. Normally I would not mind someone running a business out of their home, however, every morning and afternoon there are several work vehicles parked along Chaseland for the business(s) located at 195/197 Chaseland. As you can see from previous pictures sent (along with the ones in the attached letter), you can see that this is not a small business being run out of a house. I have asked other neighbors on Chaseland to email you as well with their concerns. The business has caused additonal traffic on our street. Also it is my understanding from other neighbors, that there are several cars parked along Chaseland during business hours. There is a lot of commercial real estate for rent so we don't see a need for expanding a commercial business in our neighborhood.

Rick and Emila Goetz
165 Chaseland Rd
(2 small children at home)

INTEROFFICE MEMORANDUM

RECEIVED

OCT 29 2013

City of Sandy Springs
Community Development

TO: PLANNING COMMISSION
FROM: WHISPERING PINES NEIGHBORHOOD ASSOCIATION
SUBJECT: POSITION PAPER ON CHASELAND REZONING
DATE: OCTOBER 28, 2013

BACKGROUND TO THE 2001 O/I REZONING

Whispering Pines has a long believed in supporting re-development projects that make sense and add to the security of the neighborhood. Recently, we supported the re-development of the Provence North apartments and we actively supported the construction of the Johnson Creek townhomes that are located on Johnson Ferry between Wright Road and Sandy Springs Circle

In 2001, I , as President of the Whispering Pines Neighborhood Association, and Mel Mobley, a past president of the neighborhood association, met with Mr. Unell to discuss concern that noise generated by Flashers and other commercial properties adjacent to his duplex no longer made his property a viable residential concern . At that meeting, Mr. Unell indicated that the wanted to rezone his property OI so that he could run his business from his duplex property.

We voiced our concern that the presence of a significant number of OI properties on the border of the neighborhood could encourage commercial creep along Chaseland. However, we did propose a compromise- we indicted our support for an OI designation for his property and the property behind Longhorn's , if the properties to the west of OI designated properties were designated as residential .

On April 4, 2001, Mr. Mel Mobley represented the Whispering Pines neighborhood before the Fulton County Commission (Comments embedded) and the Fulton County Commission approved Mr. Unell's rezoning OI zoning requests and the rezoning of the Chaseland and Cromwell properties to residential . At that time, the zoning condition required Mr. Unell to

> **"restrict the use of the subject property to office and accessory uses, for lawyers, accountants, real eastate brokers, architects , engineers, surveyors, land planners, professional counselors, builders, developers,appraisers, or financial planners." The notes from that meeting are embedded below.**

Z00-0119.pdf

To further clarify the situation, the City of Sandy Springs defines accessory uses in an OI facility as those as those"uses customarily ***incidental*** **to any permitted use** and the principal dwelling unit may be used for a home occupation. No more than twenty-five percent (25%) of the total floor area may be used for storage" Webster's defines incidental thusly" being likely to ensue as a chance or minor consequence<social obligations *incidental* to the job". **Clearly, the intent of the city's own ordinance us to prevent businesses that are run from O/ I facilities from engaging in activities that are equipment intensive.**

NON COMPLIANCE WITH ZONING CONDITIONS

Mr. Unell has basically ignored the terms of the O/I rezoning. He has cultivated a situation whereby two business, Ehrlich Electric and Design-Construction by Craftsmaster, are both being run out of his duplex property. Mr. Unell's properly permitted business is being run out of 195 Chaseland and Ehrlich Electric is

being run out of 197 Chaseland . .(see https://www.facebook.com/EhrlichElectricLlc for the contact information as well as its filing with the Georgia Secretary of State. }

As an electrical contracting firm , the business clearly does not conform to the 2001 conditions of rezoning that stated that Mr. Unell was required to

> **"restrict the use of the subject property to office and accessory uses, for lawyers, accountants, real eastate brokers, architects , engineers, surveyors, land planners, professional counselors, builders, developers,appraisers, or financial planners."**

Ehrlich Electric has used the garage as a storage facility for substantial amounts of electrical equipment-see jpg below-, which are clearly not **incidental-i.e. " being likely to ensue as a chance or minor consequence" to any of the permitted uses . This circumstance alone is , in our view, sufficient to put Mr.Unell and Ehrlich Electric in non compliance with the original, 2001 rezoning conditions** .

ehrlich electric equipment.jpg

SUMMARY-NON COMPLIANCE WITH 2001 REZONING

Whispering Pines feels that Mr. Unell has failed to comply with the 2001 OI rezoning on two points, either of which would be grounds of denial for his current petition

1. As an electrical contractor, Ehrlich Electric is not one of the approved tenants listed in the 2001
2. The type equipment being stored at 197 Chaseland is clearly not incidental to any permitted use under the conditions of the 2001 OI designation.

OPPOSITION TO REZONING REQUEST FOR SQUARE 1100 FOOT GARAGE

In his current petition, Mr. Unell is seeking a rezoning of the property so that he can build a 1100 square foot garage, the lower half of which would be dedicated to storage and the upper half would be rented to Ehrlich Electric. **We, the residents of Whispering Pines strenuously object to a rezoning that would permit a 1100 square foot garage for the following reasons**

1. During the 2001 OI rezoning , the application was characterized by the assistant Community Development Director as a "rezoning from R-6 to OI for an ***office in an existing structure.***".Consequently, the subsequent approval Whispering Pines feels that in seeking another OI designation at 197 Chaseland, Mr. Unell sheds the 2001 OI designation and that any such request should be evaluated under the guidelines set forth by the city of Sandy Springs http://www.sandyspringsga.org/SandySprings/media/Zoning-Ordinances/Article-VIII--Multiple-Use-District-Regulations.pdf These guidelines do not list electrical contractors or builders as permissible tenants of an OI facility and expressly indicate that functions not enumerated in the ordinance are prohibited. . Even if the planning commission disagrees with this interpretation we note that the original OI zoning conditions did not list electrical contractors as a permissible tenants of an OI facility, and thus, constitutes a basis for rejection of the petition.
2. The proposed garage would not hold equipment **incidental-i.e" being likely to ensue as a chance or minor consequence** "to any permitted use. This situation alone is sufficient to deny the application.

SUPPORT FOR 2001 OI AGREEMENT

Whispering Pines continues to support the terms of the original 2001 OI agreement in regard to 195 Chaseland and 197 Chaseland . Our belief that professional offices at both 195 Chaseland and 197 Chaseland do offer a buffer between the residential properties on Chaseland and the commercial Chaseland properties. We would also note that Whispering Pines has made a major commitment to the improvement of Chaseland as a residential street through the construction of sidewalk, human scale lighting, and traffic calming devices .