





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: **201302856 7365 Talbot Colony** A request for a zoning modification to the conditions of Fulton County zoning case Z79-0008 and the associated concurrent variances

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***Department of Community Development Recommendation:***

**APPROVAL CONDITIONAL** of a request for a zoning modification to the conditions of Fulton County zoning case Z79-0008 and the associated concurrent variances.

***Background:***

The subject site is located on the northwest side of Talbot Colony. The property is currently zoned R-4 (Single Family Dwelling District) and is developed with a single family home. The property contains approximately 9,184 square feet (.21 acres)

***Discussion:***

To modify the following condition of Fulton County zoning cases Z79-0008:

9. To the petitioner's agreement to provide a 25 foot natural buffer, replant where sparsely vegetated, along the right-of-way for Turner McDonald Parkway (GA 400). This 25 foot buffer should be indicated on the final recorded plat as well as made of deed restrictions for the lots which abut the Turner McDonald Parkway.

The applicant is also requesting one (1) concurrent variance:

1. A variance from section 6.6.3.D to reduce the required twenty (25) foot setback to zero (0) allow a tree house, sunroom and existing tool shed.



**Zoning Modification Petition No. 201302856**

**HEARING & MEETING DATES**

**Community Zoning Information Meeting**  
September 24, 2013

**Mayor and City Council Hearing**  
August 20, 2013

**APPLICANT/PETITIONER INFORMATION**

**Property Owners**  
Rafael Celedon

**Petitioner**  
Rafael Celedon

**Representative**  
N/A

**PROPERTY INFORMATION**

**Address, Land Lot, and District** 7365 Talbot Colony  
Land Lot 22, District 17

**Council District** 4

**Frontage** 75 feet of frontage along the northwest side of Talbot Colony

**Area** 9,184 square feet (.21 acres)

**Existing Zoning and Use** R-4 (Single Family Dwelling District) under Fulton County zoning case Z79-0008

**Overlay District** N/A

**2027 Comprehensive Future Land Use Map Designation** R3-5 (Residential, 3 to 5 units per acre)

**Map Designation**

**INTENT**

To modify the following condition of Fulton County zoning cases Z79-0008:

9. To the petitioner’s agreement to provide a 25 foot natural buffer, replant where sparsely vegetated, along the right-of-way for Turner McDonald Parkway (GA 400). This 25 foot buffer should be indicated on the final recorded plat as well as made of deed restrictions for the lots which abut the Turner McDonald Parkway.

The applicant is also requesting one (1) concurrent variance:

- 1. A variance from section 6.6.3.D to reduce the required twenty (25) foot setback to zero (0) allow a tree house, sunroom and existing tool shed.

**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

**2013002856-APPROVAL CONDITIONAL**  
**201302856 Variance #1- APPROVAL CONDITIONAL**

**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY**

<b>SUBJECT PETITION 201302856</b>	<b>Proposed Use</b>		<b>Land Area (Acres)</b>	<b>Unit</b>	<b>Density (Number of Units per Acre)</b>
		Single Family Home		0.25	1
<b>Location in relation to subject property</b>	<b>Zoning</b>	<b>Use</b>	<b>Land Area (Acres)</b>	<b>Square Footage or Number of Units</b>	<b>Density (Number of Units per Acre)</b>
North	N/A	Spalding Drive & GA 400	-	-	-
East	R-6 Z97-0043	7400 Peachtree Dunwoody Rd Dogwood Forrest Personal Care home	1.5	72 Beds	-
East	R-2	7360 & 7340 Peachtree Dunwoody Rd	2.0	2 Units	1 unit/ac
East	TR Z98-0097	Village Creek	7.3	65 Units	9 units/ac
South	TR Z98-0097	Village Creek	7.3	65 Units	9 units/ac
West	N/A	GA 400	-	-	-



### Future Land Use Map

## 7365 Talbot Colony



**APPLICANT'S INTENT**

The applicant is requesting a zoning modification to the conditions of Fulton County case Z79-0008 as follows:

To modify condition 9 to reduce the twenty-five (25) foot buffer to zero (0) to allow the construction of a tree house; to twenty (20) feet for the construction of a sunroom; and to allow the existing shed to remain.

*The staff is of the opinion that the applicant's request to modify condition 9 to reduce the twenty-five (25) foot buffer to allow the encroachments of a tree house, sunroom and existing shed adjacent to GA 400 would not cause a detriment to the public. The buffer has been cleared on most of the lots adjacent to GA 400 some time ago. The adjacent properties currently have encroachments in the buffer. Additionally, the applicant has submitted letters of support from the adjacent property owners. Based on these reasons, the staff recommends APPROVAL CONDITIONAL of this modification request.*

**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 one (1) concurrent variance as outlined below. The applicant has indicated that the variance 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 section 6.6.3.D to reduce the twenty-five (25) setback to zero (0) for the tree house, to two (2) feet for the existing shed and twenty (20) feet for the sunroom.

**Findings:**

*Staff is of the opinion that the request to reduce the twenty-five (25) setback to zero (0) for a tree house, to two (2) feet for the existing shed and twenty (20) feet for a sunroom is in harmony with the intent of the Zoning Ordinance and would not cause a detriment to the public. The adjacent properties currently have encroachments into the buffer. Additionally, the applicant has submitted letters of support from the adjacent property owners. The rear of the lot is adjacent to GA 400. 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 October 2, 2013 at which the following comments were generated.

Arborist	It appears the buffer had been cleared sometime before. The buffer is between the home and 400 and the impact is on the homeowner.
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## STAFF RECOMMENDATION

Should the Mayor and City Council decide to approve the modification 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 petitioner's original Letter of Intent received by the Zoning Department on February 5, 1979, signed by Richard B. Goodsell.
2. To the petitioner's addendum to original Letter of Intent received by the Zoning Department on March 8, 1979, signed by Rene Childress.
3. To the petitioner's agreement to a minimum house size of 2,000 square feet (heated area) for a one story structure and 2,200 square feet (heated area) for a two story structure and an average lot size of 12,000 square feet.
4. To the petitioner's conceptual plan labeled Preliminary Plat Drummond Point received by the Zoning Department March 8, 1979; and to the petitioner's agreement to submit to the Director of **Planning Community Development Department** for his approval. Prior to the approval of a grading plan, a revised plat incorporating the stipulations of these conditions of approval. It should be noted that the approval of the conceptual plan, which indicates 29 lots, does not negate the requirement for the applicant to submit for subdivision review under the **Subdivision Development Regulation of Fulton the City of Sandy Springs** nor does it guarantee the applicant 29 lots on subject property.
5. To the petitioner's agreement to submit to the Director of **Planning Community Development** for his approval, prior to any defoliation or alteration of this site, a grading plan and such other engineering documents as may be required by the Department of Public Works including a hydrological study to be submitted prior to grading, soil sedimentation and erosion controls while the project is under development, and provisions for water retention, and the method of continuing maintenance of these facilities if required.
6. To the petitioner's agreement to allow the Fulton County Archeologist the opportunity to survey the property for possible historical remains.
7. To the petitioner's agreement that the exterior of all concrete blocks will be coated with an architectural solution that may be approved by the Director of **Planning Community Development**.
8. To the petitioner's agreement to pay all necessary tap-on fees, front footage assessment, and pro-rated share cost of sewage extensions as determined by the **Fulton County City of Sandy Springs Public Works Department**.
9. To the petitioner's agreement to provide a 25 foot natural buffer, replanted where sparsely vegetated, along the right-of-way for the Turner McDonald Parkway (GA 400). This 25 foot buffer should be indicated on the Final Recorded Plat as well as made of deed restrictions for the lots which abut the Tuner McDonald Parkway.
  - a. **Except property located at 7365 Talbot Colony shall be reduced from twenty-five (25) feet to zero (0) to allow tree house, existing shed and a sunroom, as shown on the site plan dated September 2, 2013, where necessary, to accommodate the portion of the encroachment(s) only.**
10. **To reduce the twenty-five (25) foot rear setback to D to reduce the twenty-five (25) setback to zero (0) for the tree house, to two (2) feet for the existing shed and twenty (20) feet for the sunroom, as shown on the site plan dated September 2, 2013, where necessary, to accommodate the portion of the encroachment(s) only. (CV 201302856).**

### Attachments

Letter of Intent dated received September 2, 2013

Site Plan(s) received September 2, 2013

Additional comments from the Fulton County Department of Sewer Department

Pictures

Letters of Support

201302856

RECEIVED

SEP 02 2013

August 30, 2013

Department of Community Development  
City of Sandy Springs  
Ms. Patrice Dickerson  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia, 30350

City of Sandy Springs  
Community Development

Re: Zoning Modification – Letter of intent

This letter is to explain the circumstances for the requested change in zoning conditions for the property located at 7365 Talbot Colony NE.

The property which my wife Elvira Garcia and I, Rafael Celedon own and live in with our children, is a residential single family home, 2 story high, brick and frame. The property area is 0.21 acres or 9,184 square feet. It is adjacent to the north and south to other residential single family homes (#7355 and #7375) to the West there is a buffer to Georgia Highway 400 and to the east we find Talbot Colony road.

When the existing zoning re-classification was granted to the neighborhood developer in 1979 (petition Z-79-8) the planning staff recommendation was for an average lot size of 12,000 square feet, my lot has an area of 9,184 square feet or only 76% of the average lot size, making it the smallest lot in the neighborhood.

The property has a 25 feet natural undisturbed buffer from the West side of the property into my backyard. From the edge of this buffer to the house line there is on average 8 feet of space. This buffer deems 75 % of my backyard ( $25'/33' = 0.758$ ) unusable with natural trees growth and uncontrolled vegetation without the right of maintaining it as it is deem "Natural Undisturbed".

I believe this buffer area created an unfair hardship to my family as it does not allow us to use and enjoy our backyard and it does not benefit anyone since there is plenty of buffer space to Georgia Highway 400 past my property line.

This buffer has not been respected by the neighborhood, as all of them have erected fences, concrete water features, fire pits, sheds and most of the vegetation has either been cut or it is controlled to stopping it from becoming a "jungle". These facts make this buffer by de-facto nonexistent.

I request respectfully to this board a zoning modification and concurrent variance to allow me to erect an elevated wooden play house for my children inside this buffer area. The structure will not visible from the main road (Talbot colony) and will be at least 30 feet away from any neighbor property.

The structure proposed has an area of 183 square feet including a stair 3 feet wide for access; the roof of the structure will have an average high of 15 feet from the ground level.

A second structure proposed is attached to the house; it is an elevated, meshed deck with an area of 142 square feet including an access stair of 3 feet wide. This structure will encroach in the "Natural Undisturbed buffer" 2 feet in one end and 1 foot at the other end, the encroached area will be less than

20 square feet. The post required to erect this structure require digging 3 holes 18 inches wide x 3 feet deep under the existing concrete pad with hardly any impact to the buffer.

I respectfully request that this application be granted under section 22.3.1 of the Sandy Springs Zoning ordinance due to:

- A. Relief if granted, would be in harmony with the general purpose and intent of the Zoning Ordinance
- B. Being my back yard the smaller of the neighborhood and with this buffer in place makes very difficult for my children and family to enjoy our home, creating an unnecessary hardship to our family. If granted, this modification will not have any detriment to the public.

Respectfully,

A handwritten signature in black ink, appearing to read "Rafael Celedon". The signature is written in a cursive style with a large initial "R".

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Rafael Celedon, owner and applicant

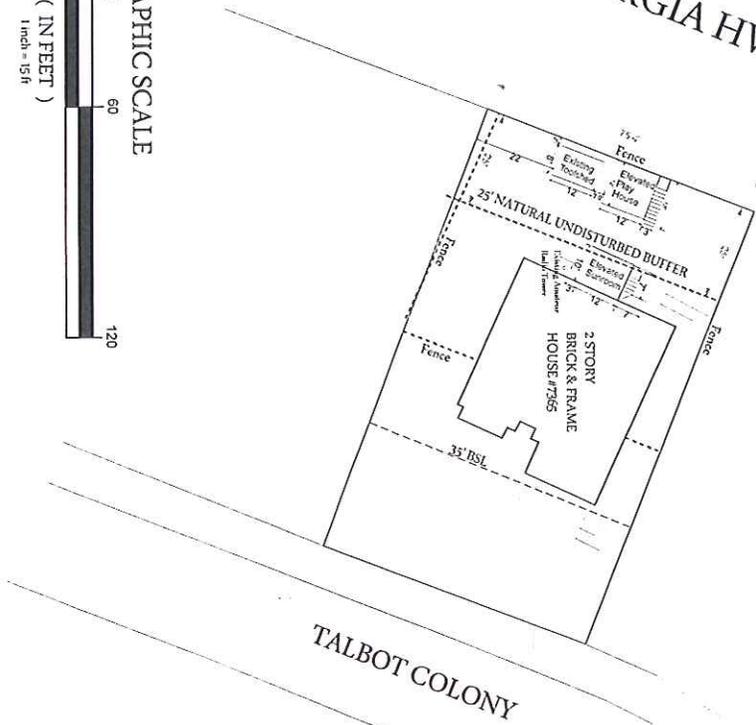
201302856

RECEIVED

SEP 02 2013

City of Sandy Springs  
Community Development

GEORGIA HWY. 400



MAGNETIC



REVISIONS	FRANK COLLIER & LIVIA GARCIA 1205 Peach County Rd., Sandy Springs, GA
	DATE: 08/02/2013
	SCALE: 1" = 15'
	DATE: 08/02/2013
	SCALE: 1" = 15'

201302856

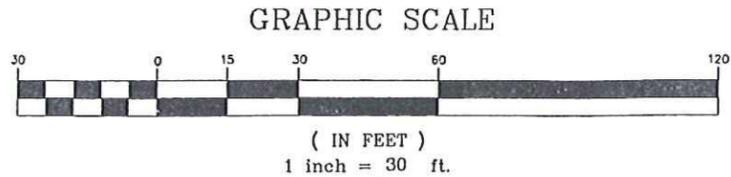
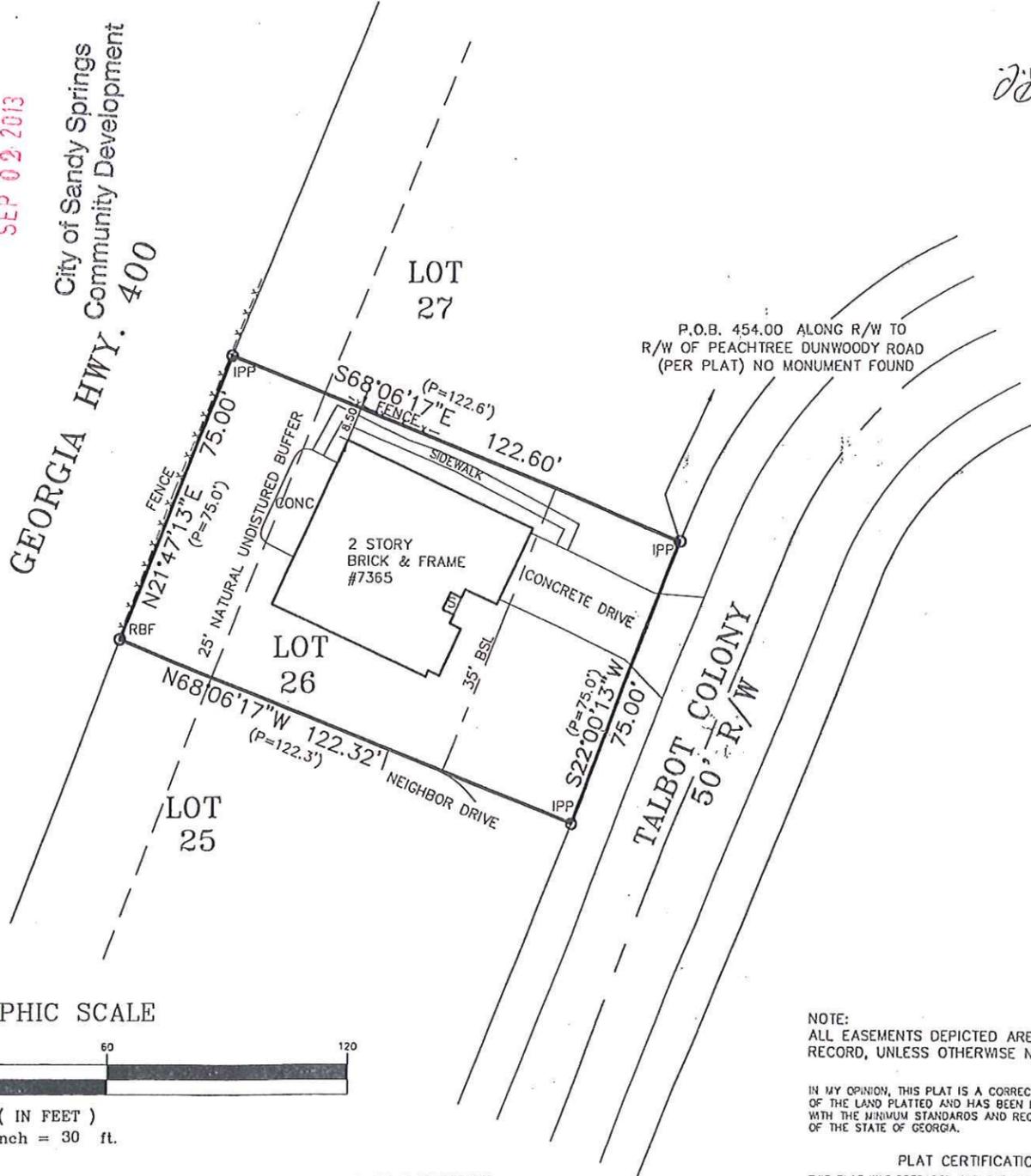
- LEGEND**
- CMP CORRUGATED METAL PIPE
  - DE DRAINAGE EASEMENT
  - SSE SANITARY SEWER EASEMENT
  - BSL BUILDING SETBACK LINE
  - RBF REBAR FOUND
  - IPF IRON PIN FOUND
  - CB CATCH BASIN
  - JB JUNCTION BOX
  - HW HEAD WALL
  - POB POINT OF BEGINNING
  - MH MAN HOLE
  - R/W RIGHT-OF-WAY
  - PP POWER POLE
  - OTF OPEN TOP FOUND
  - CTF CRIMP TOP FOUND
  - RB REBAR
  - LL LAND LOT
  - IPP IRON PIN PLACED
  - M MEASURED
  - D DEED
  - P PLAT

**RECEIVED**

SEP 02 2013

City of Sandy Springs  
Community Development  
GEORGIA HWY. 400

This is certified to be a  
True and correct copy.  
Ganek, Wright & Dobkin



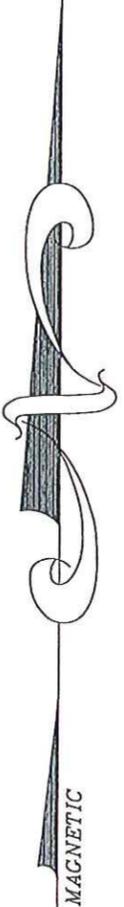
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000+ FEET, AN ANGULAR ERROR OF 03 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

**NOTE:**  
ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW OF THE STATE OF GEORGIA.

**PLAT CERTIFICATION NOTICE**

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.



ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR:		DATE	04/9/04
OWNER / PURCHASER <b>RAFAEL D. CELEDON &amp; ELVIRA GARCIA</b>		SCALE	1" = 30'
LAND LOT 22	17 DISTRICT	SECTION	FULTON COUNTY, GEORGIA
LOT 26	BLOCK	UNIT	9,184 sq. ft.
SUBDIVISION TALBOT COLONY		AREA OF LOT:	0.21 acres
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		<b>SOLAR LAND SURVEYING COMPANY</b> P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 794-9055 FAX (770)794-9052	
JOB NUMBER: 04-3498		PLAT BOOK	122
		DEED BOOK	
		PAGE	10
		PAGE	



PLOTTED BY:

## Akbar, Abdul

**From:** Abaray, Linda <LAbaray@sandyspringsga.gov>  
**Sent:** Thursday, September 12, 2013 3:41 PM  
**To:** Akbar, Abdul; Brenan Stearns (Stearns@fultonschools.org); J Stephens; JTuley@atlantaregional.com; Robinson, Monica; Paret Smith; Beck, Randy; Tim Taylor; Toby Carr; Tom Mahaffey; trishathompsonfox@comcast.net  
**Subject:** Sandy Springs Preliminary Zoning Agenda  
**Attachments:** Focus 201302865.pdf; Focus 201302885.pdf; Focus 201302883.pdf; Focus 201302856.pdf

All:

Please be advised, the material details the zoning petitions received on or before the September 3, 2013 submittal deadline. We are writing to solicit your comments with regard to these applications. Please forward a response in writing detailing your comments, or lack thereof to the attention of the Linda Abaray. Correspondence may be sent to the following address:

City of Sandy Springs  
 Department of Community Development  
 Planning and Zoning Division  
 7840 Roswell Road, Building 500  
 Sandy Springs, Georgia 30350  
[labaray@sandyspringsga.gov](mailto:labaray@sandyspringsga.gov)

Agenda Item		Council District	Meeting Dates
<b>Rezoning</b>			
1.	201302883 180 Allen Road & 185 Cliftwood <i>Applicant: Arris Realty Partners</i> <i>To rezone from O-I (Office and Institutional District), C-1 (commercial Business District) and A-O (Apartment Office District) to A-L (Apartment Limited Dwelling District) to construct a 248 apartment units.</i>	3	DRB- 9/24/13 CZIM - 9/24/13 CDRM- 10/24/13 PC-11/21/13 MCC - 12/17/13
2.	201302885 183 Mystic Place <i>Applicant: Todd Cohen</i> <i>To rezone from O-I (Office and Institutional District) to O-I (Office and Institutional District) to construct an Ambulatory Surgery Center.</i>	6	DRB- 9/24/13 CZIM - 9/24/13 CDRM- 10/24/13 PC-11/21/13 MCC - 12/17/13
<b>Use Permit</b>			
3.	201302865 700 Mount Vernon Highway <i>Applicant: Congregation B'Nai Torah</i> <i>To allow for a preschool and synagogue.</i>	4	DRB- 9/24/13 CZIM - 9/24/13 CDRM- 10/24/13 PC-11/21/13 MCC - 12/17/13
<b>Zoning Modification</b>			
4.	201302856 7365 Talbot Colony <i>Applicant: Rafael Celedon</i> <i>To reduce the 25 foot buffer to 0 to allow construction of a tree house, sunroom and existing shed.</i>	4	CZIM - 9/24/13 MCC - 11/19/13

## **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 1 unit = 270 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: 243 gallons per day

There is a wastewater manhole near the southeast property corner of 7365 Talbot Colony (SMMC0602300) located in Land Lot 22, 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
- Manhole
- Accessible
- Not Assessed
- Problem
- Lined Pipe
- Force Main
- Creek Crossing

Waste Water Pipe Flow

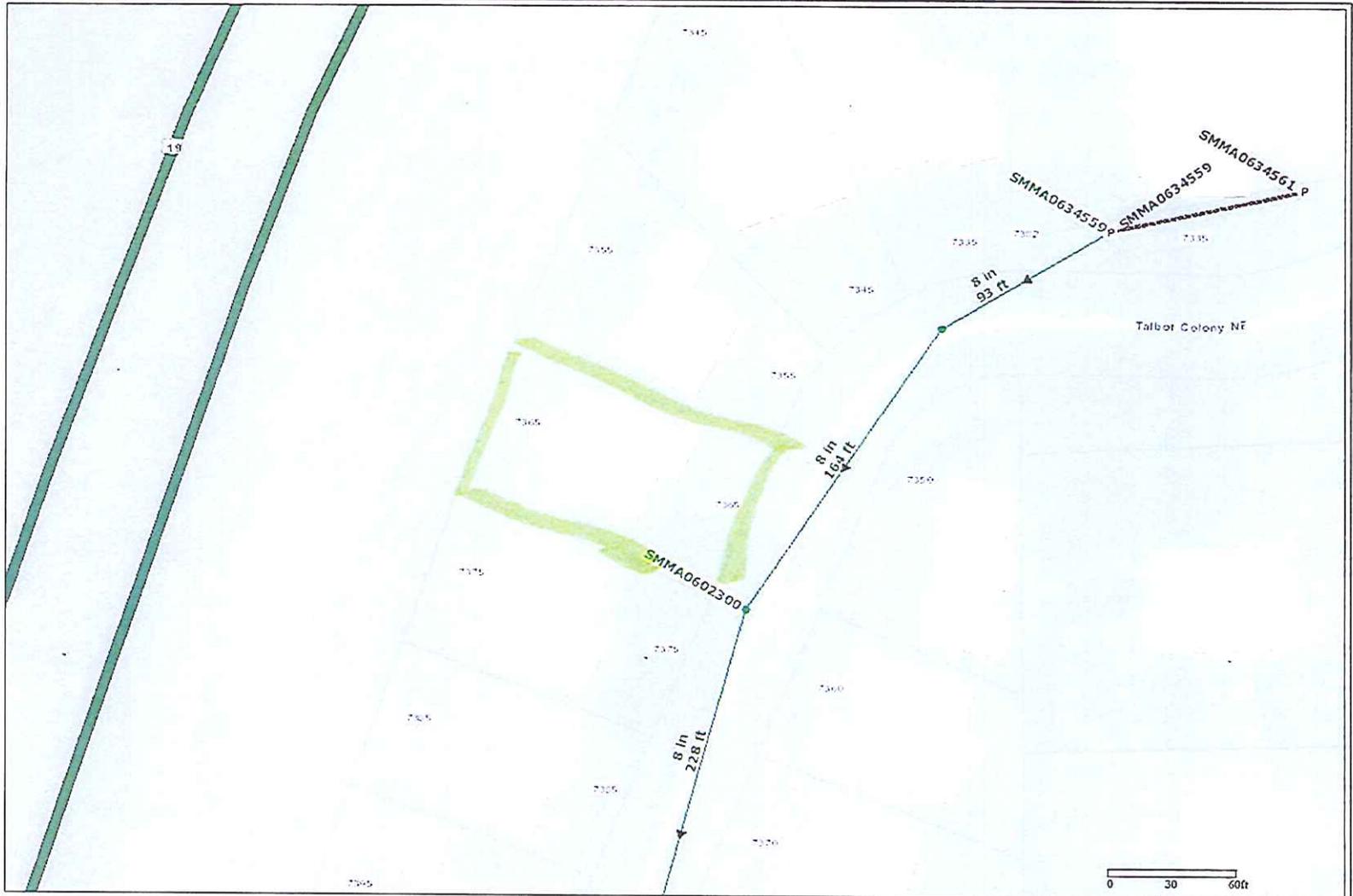
- UNK
- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"

Waste Water Pipe

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

Address Points

Counties



7365 Talbot Colony  
 Fulton County, Georgia  
 9-30-2013

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.



201302856

- LEGEND**
- CHP CONCRETE RETAIL PILE
  - DE DRAINAGE EASEMENT
  - SSS SANITARY SEWER EASEMENT
  - BSS BUILDING SETBACK LINE
  - REB REBAR FOUND
  - RFY REBAR FRY FOUND
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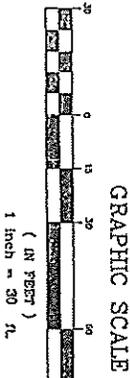
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Ganek, Wright & Dobkin

**RECEIVED**

City of Sandy Springs  
Community Development

GEORGIA HWY. 400

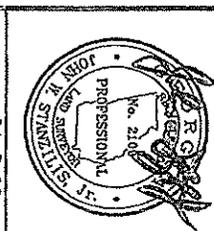
ONE FIELD DATA POINT ON THIS PLAT IS EXCLUDED AS A VIOLATION OF 1 FOOT IN 10,000 FEET AN ANGULAR ERROR OF 0.3 SECONDS FOR ANGLE POINT AND WAS EXCLUDED USING THE CLOSEST SOLID ANGLE. THIS PLAT WAS PREPARED BY SOLAR LAND SURVEYING COMPANY, INC. IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT OF 1997 AS AMENDED.



**NOTE:**  
ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.  
THIS PLAT WAS PREPARED FOR THE DISTRICT OF FULTON COUNTY, GEORGIA. THE DISTRICT ENGINEER HAS REVIEWED THIS PLAT AND HAS NOTED NO ERRORS. THE DISTRICT ENGINEER'S REVIEW IS LIMITED TO TECHNICAL ASPECTS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

**PLAT CERTIFICATION NOTICE**

THIS PLAT IS A CORRECT REPRESENTATION OF THE SURVEYED LAND AND THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR:		DATE	04/9/04
GANEK, WRIGHT & DOBKIN		SCALE	1" = 30
OWNER / PURCHASER	RAFANEL D. CELEDON & ELVIRA GARCIA	FULTON COUNTY, GEORGIA	
LAND LOT 22	17 DISTRICT	SECTION	9,184 sq. ft.
Lot 26	BLOCK	UNIT	0.21 acres
SUBDIVISION TALBOT COLONY		SOLAR LAND SURVEYING COMPANY	
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 794-9055 FAX (770)794-9052	

LOTTED BY:

PLAT BOOK 122 PAGE 10  
DEED BOOK PAGE



R.R.

7-2-04

2-1302856

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SEP 02 2013

City of Sandy Springs  
Community Development

August 30, 2013

Department of Community Development  
City of Sandy Springs  
Ms. Patrice Dickerson  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia, 30350

Re: Zoning Modification – Letter of Intent

This letter is to explain the circumstances for the requested change in zoning conditions for the property located at 7365 Talbot Colony NE.

The property which my wife Elvira Garcia and I, Rafael Celedon own and live in with our children, is a residential single family home, 2 story high, brick and frame. The property area is 0.21 acres or 9,184 square feet. It is adjacent to the north and south to other residential single family homes (#7355 and #7375) to the West there is a buffer to Georgia Highway 400 and to the east we find Talbot Colony road.

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A second structure proposed is attached to the house; it is an elevated, meshed deck with an area of 142 square feet including an access stair of 3 feet wide. This structure will encroach in the "Natural Undisturbed buffer" 2 feet in one end and 1 foot at the other end, the encroached area will be less than

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I respectfully request that this application be granted under section 22.3.1 of the Sandy Springs Zoning ordinance due to:

- A. Relief if granted, would be in harmony with the general purpose and intent of the Zoning Ordinance
- B. Being my back yard the smaller of the neighborhood and with this buffer in place makes very difficult for my children and family to enjoy our home, creating an unnecessary hardship to our family. If granted, this modification will not have any detriment to the public.

Respectfully,



---

Rafael Celedon, owner and applicant

## Property Profile for 7365 TALBOT COLONY

### Property Tax Information

Tax Year	2013
Parcel ID	17 002200030054
Property Address	7365 TALBOT COLONY
Owner	CELEDON RAFAEL
Mailing Address	7365 TALBOT COLONY SANDY SPRINGS GA 30328
Total Appraisal	\$234,700
Improvement Appraisal	\$144,900
Land Appraisal	\$89,800
Assessment	\$93,880
Tax District	59
Land Area	0.211776 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	SS29A
Poll Location	1st Baptist Ch. Sandy Springs, 650 Mt Vernon Hwy
Congressional District	006
State Senate District	032
State House District	080

### School Zones

Elementary School	Woodland
Middle School	Sandy Springs
High School	North Springs

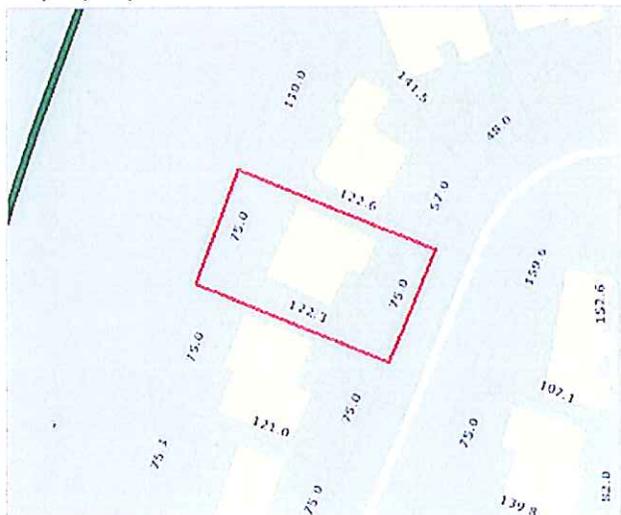
### Other Information

Zip Code	30328
Census Tract	101.22
In Less Developed Census Tract	No

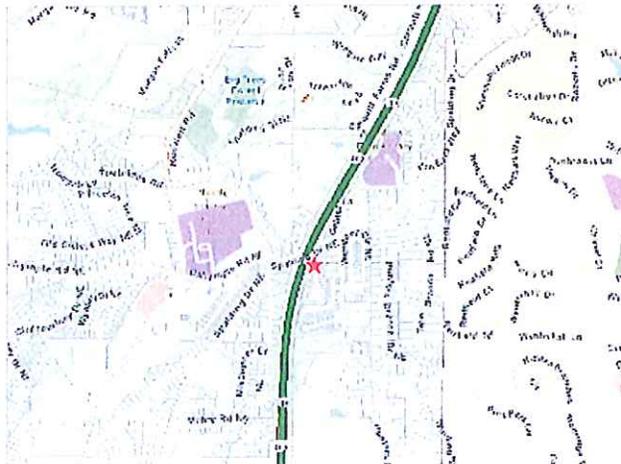
Oblique Aerial View (looking north)



Property Map



Vicinity Map





7365 Talbot Colony (Tree House + shed)



7375 Talbot Colony



7355 Talbot Colony



7355 Talbot Colony



7345 Talbot Colony



7345 Talbot Colony



GA 400 Buffer

REC'D

October 17, 2013

Department of Community Development  
City of Sandy Springs  
Ms. Patrice Dickerson  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia, 30350  
Re: Zoning Modification – Letter of support

PERMITS

I, Cynthia A. Wilkins owner of the house located at:

7375 Talbot Colony NE, Sandy Springs, GA, 30328.

Have no objection to the the zoning modification and variance application number 201302856, as further described below:

This application ask for a modification to the condition 9 of Fulton county zoning case Z79-008 to reduce the stream buffer from 25 feet to 0 for the construction of a tree house, shed and sunroom, with a concurrent variance.

The following is a description provided by Mr. Celedon of the structures proposed:

The structure proposed for the elevated tree house has an area of 183 square feet including a stair 3 feet wide for access; the structure is supported by 6 posts, the floor of the structure will be at around 8 feet high. The roof of the structure will have an average high of 15 feet from the ground level.

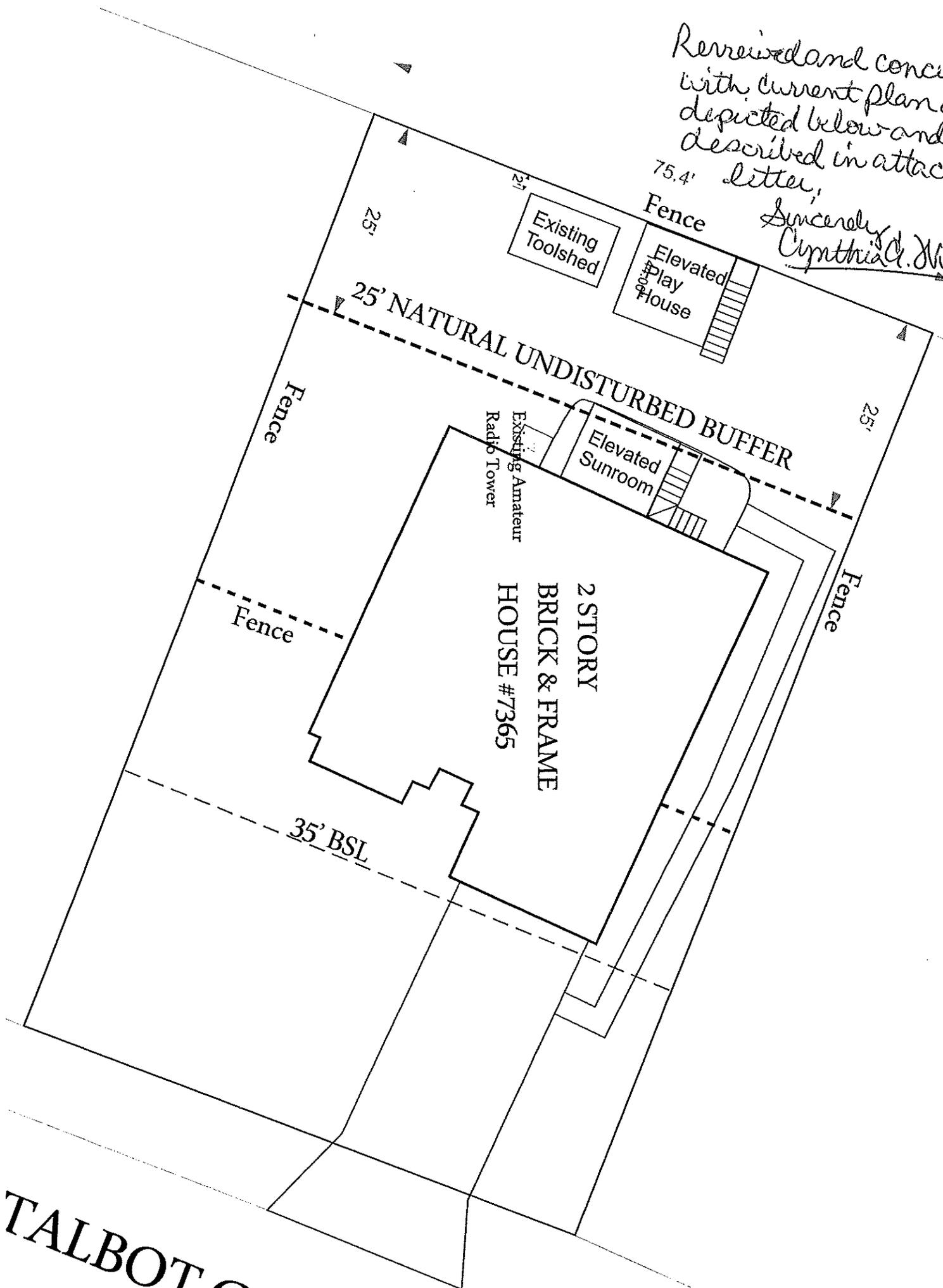
A second structure proposed is attached to the house; it is an elevated, meshed deck with and area of 142 square feet including an access stair of 3 feet wide. This structure will encroach in the "Natural Undisturbed buffer" 2 feet in one end and 1 foot at the other end, the encroached area will be less than 20 square feet. The post required to erect this structure require digging 3 holes 18 inches wide x 3 feet deep under the existing concrete pad with hardly any impact to the buffer.

The third structure is an existing tool shed 12 feet wide by 8 feet deep; the shed is mounted on a sled and has been located in this location since the fall of 2005 before the incorporation of the city of Sandy Springs.

Mr. Celedon has also showed me a copy of the proposed plans that were given to the city.

Reviewed and concur  
with current plan as  
depicted below and as  
described in attached  
75.4' letter,

Sincerely,  
Cynthia A. Wilkin



TALBOT C

RECEIVED

OCT 23 2013

PERMITS

October 17, 2013

Department of Community Development

City of Sandy Springs

Ms. Patrice Dickerson

7840 Roswell Road, Building 500

Sandy Springs, Georgia, 30350

Re: Zoning Modification – Letter of support

October 17, 2013

I, Richard D. Quatrone owner of the house located at:

7355 Talbot Colony NE, Sandy Springs, GA, 30328.

concur with out reservation to the the zoning modification and variance application number 201302856.

Richard D. Quatrone

This application ask for a modification to the condition 9 of Fulton county zoning case Z79-008 to reduce the stream buffer from 25 feet to 0 for the construction of a tree house, shed and sunroom, with a concurrent variance.

The following is a description provided by Mr. Celedon of the structures proposed:

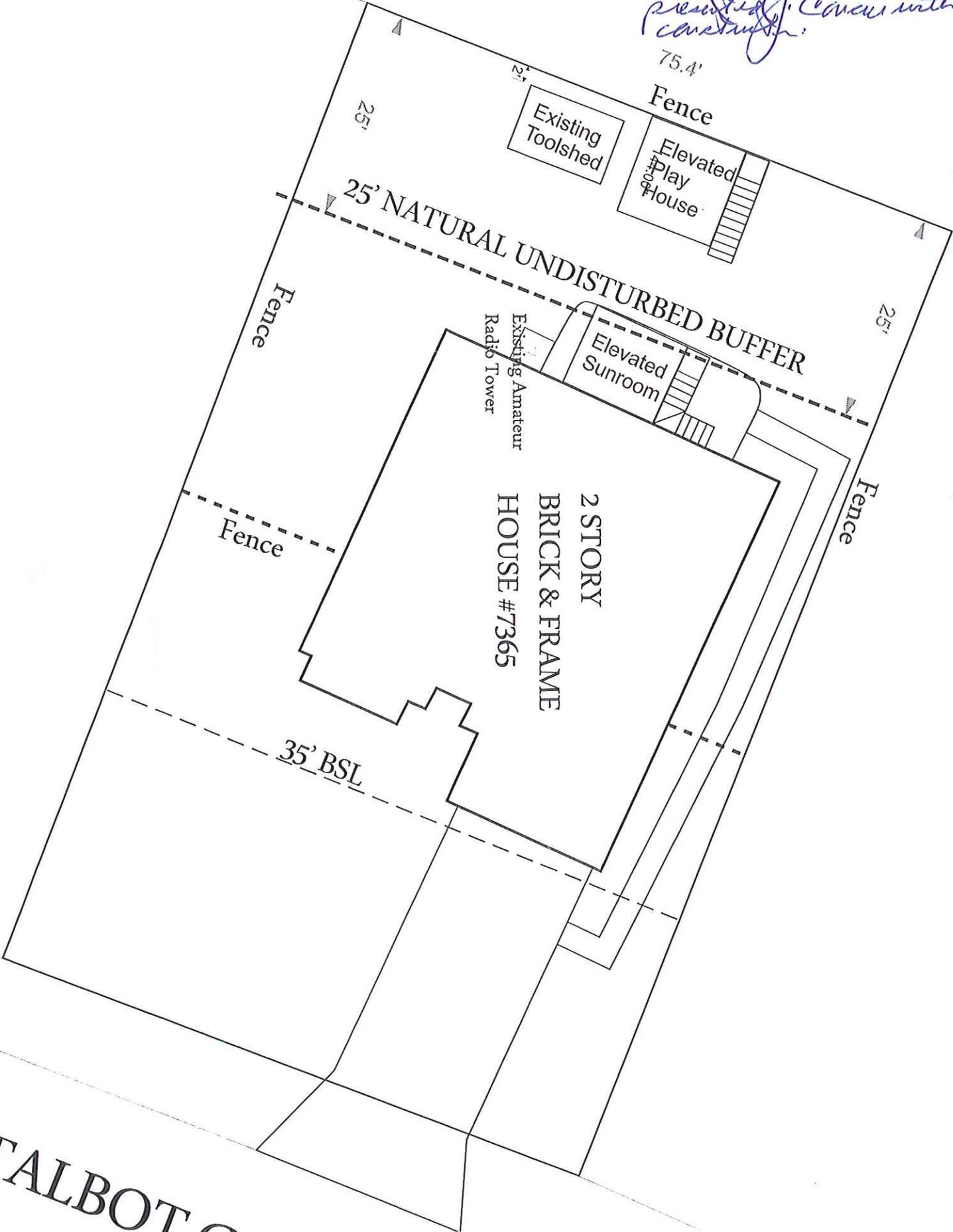
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A second structure proposed is attached to the house; it is an elevated, meshed deck with and area of 142 square feet including an access stair of 3 feet wide. This structure will encroach in the "Natural Undisturbed buffer" 2 feet in one end and 1 foot at the other end, the encroached area will be less than 20 square feet. The post required to erect this structure require digging 3 holes 18 inches wide x 3 feet deep under the existing concrete pad with hardly any impact to the buffer.

The third structure is an existing tool shed 12 feet wide by 8 feet deep; the shed is mounted on a sled and has been located in this location since the fall of 2005 before the incorporation of the city of Sandy Springs.

Mr. Celedon has also showed me a copy of the proposed plans that were given to the city.

CO 17, 2013  
No objections as presented. Concern with construction.



TALBOT