



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development

A handwritten signature in black ink, appearing to be "AP", is written over the name Angela Parker.

Date: July 2, 2013 for submission onto the July 16, 2013 City Council meeting

Agenda Item: **201300991 211 Mount Vernon Highway** a request to rezone the subject property from R-1 (Single Family Dwelling District) to R-2A (Single Family Dwelling District) to allow for the development of 2 single family lots.

Department of Community Development Recommendation:

APPROVAL of a request to rezone the subject property from R-1 (Single Family Dwelling District) to R-2A (Single Family Dwelling District) to allow for the development of 2 single family lots.

Background:

The subject site is located in the north side of Mount Vernon Hwy. The properties are currently zoned R-1 (Single Family Dwelling District). The property contains approximately 1.9371 acres.

Discussion:

The applicant proposing two (2) single family lots at a density of 1.03 units an acre. The Comprehensive plan recommends 1-2 units per acre. Staff is recommending the approval be subject to the R-2A regulations in the Sandy Springs Zoning Ordinance and the Sandy Springs Code of Ordinances.

The petition was heard at the June 20, 2013 Planning Commission Meeting. The Commission recommended approval (4-0, Tart, Nickels, Squire, Maziar for; Frostbaum absent; Porter Recused; Duncan not voting).



Rezoning Petition No. 201300991

PROPERTY INFORMATION	
Address, Land Lot, and District	211 Mount Vernon Highway Land Lot 123, District 17 th
Council District	3
Frontage	264.2 feet
Area	1.9371
Existing Zoning and Use	R-1 (Single Family Dwelling District) developed with a Single Family Homes
Overlay District	N/A
2027 Comprehensive Future Land Use Map Designation	R1-2 (1 to 2 units per acre)
Proposed Zoning	R-2A (Single Family Dwelling District)

APPLICANT/PETITIONER INFORMATION		
Property Owner Santford F. Martin	Petitioner Chris A. Weather	Representative Chris A. Weathers

HEARING & MEETING DATES			
Community Zoning Information Meeting April 23, 2013	Community Developer Resolution Meeting May 30, 2013	Planning Commission Hearing June 20, 2013	Mayor and City Council Hearing July 16, 2013

INTENT
To rezone the subject property from R-1 (Single Family Dwelling District) to R-2A (Single Family Dwelling District) to allow for the development of 2 single family lots.

**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION
201300991- APPROVAL**

**PLANNING COMMISSION
201300991- RECOMMENDED APPROVAL**

The petition was heard at the June 20, 2013 Planning Commission Meeting. The commission **recommended approval** (4-0, Tart, Nickels, Squire, Maziar for; Frostbaum absent; Porter Recused; Duncan not voting).

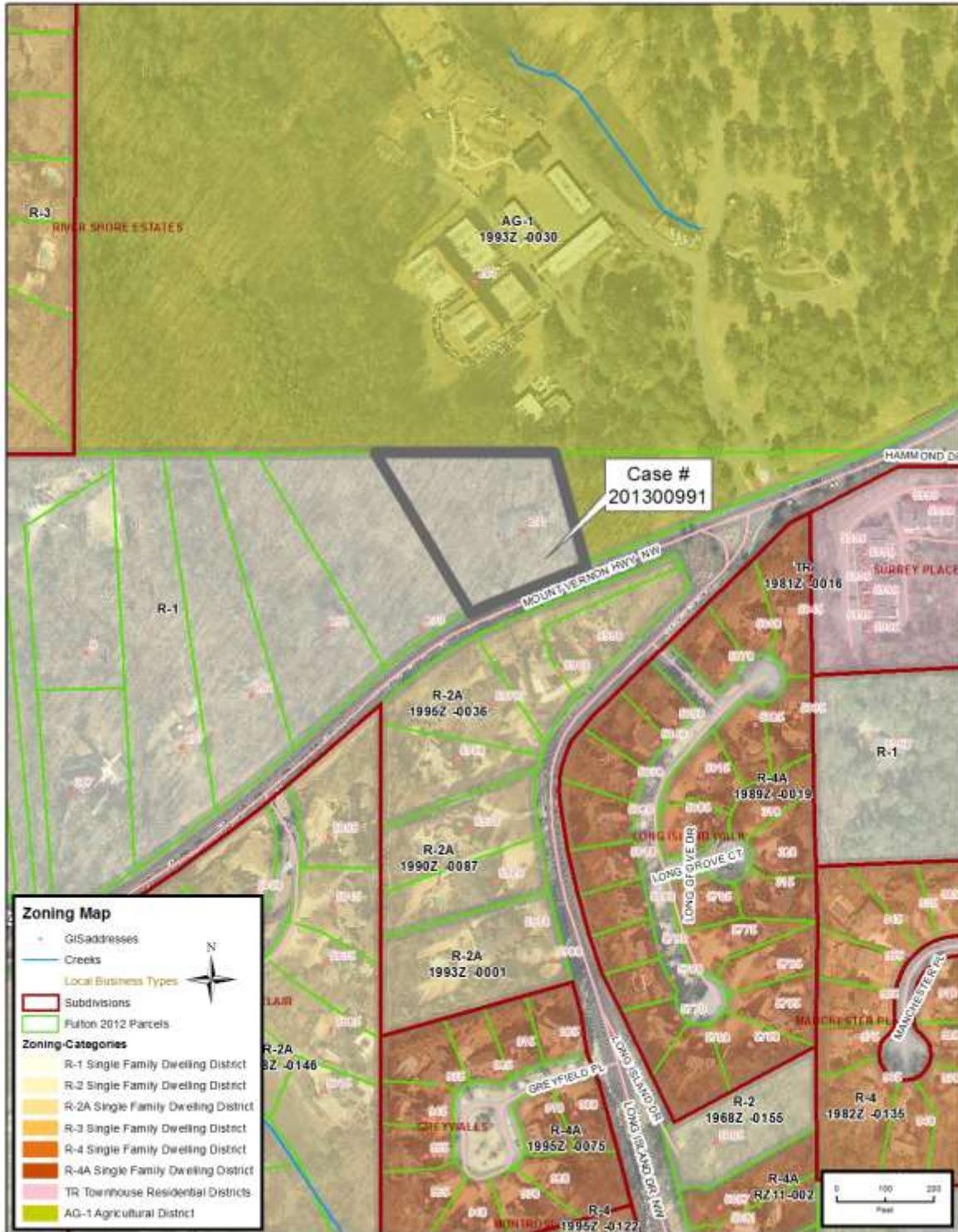
EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES					
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SUBJECT PETITION 201300991	Requested Zoning	Proposed Use	Land Area (Acres)	Units	Density (Units per Acre)
	R-2A	Single Family	1.94	2	1.03 units/ac

Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North & East	AG-1 Z93-0030	Arlington Cemetery	122.22	-	-
South	R-2A Z95-0036	Single Family Homes	3.6	4	1.11 units/ac
West	R-1	233 Mount Vernon Hwy	2.13	1	0.47 units/ac
West	R-1	251 Mount Vernon Hwy	2.17	1	0.46 units/ac

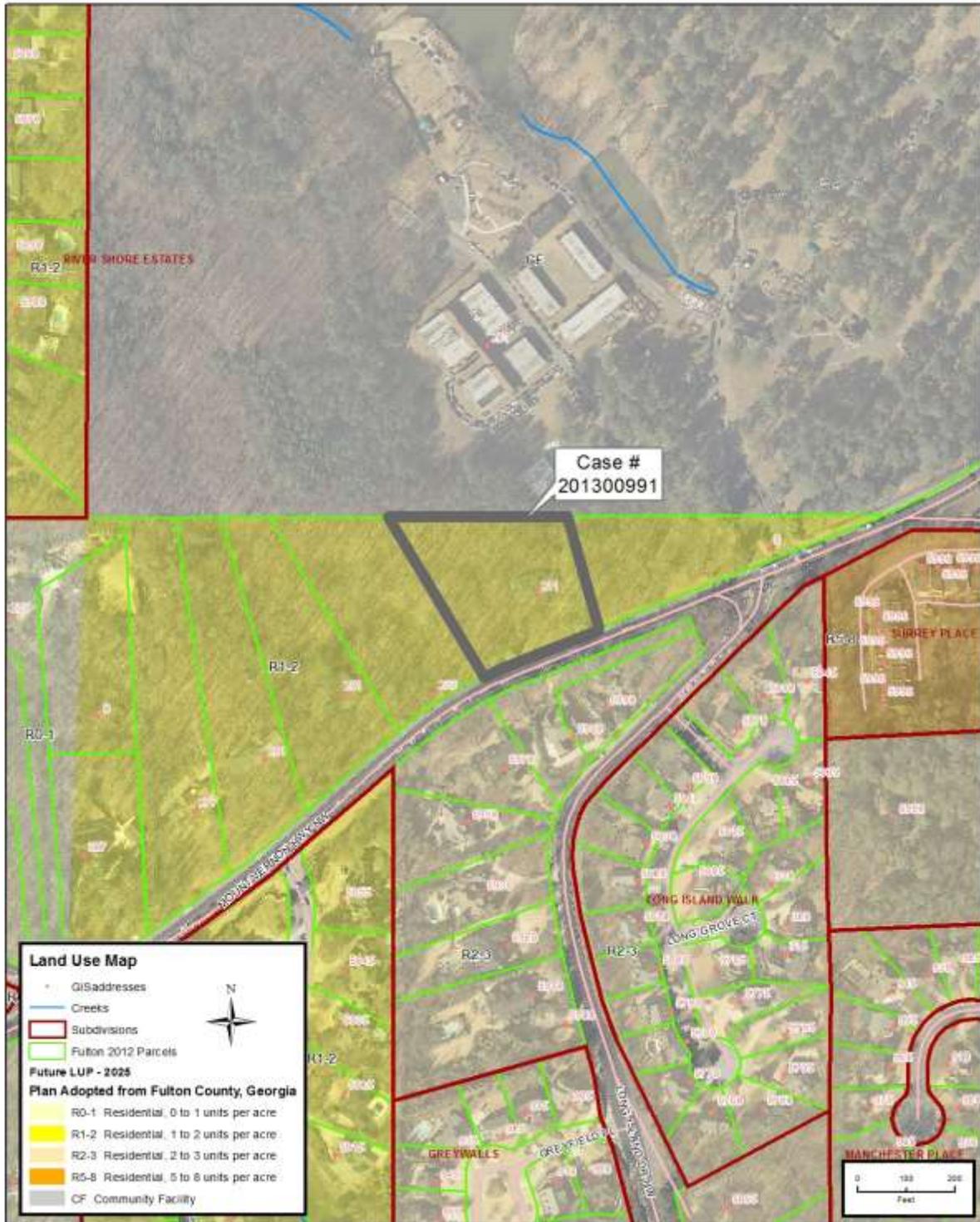
Zoning Map

211 Mount Vernon Highway NW



Future Land Use Map

211 Mount Vernon Highway NW



ZONING IMPACT ANALYSIS

To rezone the subject property from R-1 (Single Family Dwelling District) to R-2A (Single Family Dwelling District) to allow for the development of 2 single family lots.

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

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

Findings: The staff is of the opinion that the proposed use is suitable in view of the use and development of adjacent and nearby property. The surrounding area consists of: AG-1 (Agricultural District) -Arlington Cemetery to the north and east, R-2A to south and R-1 to the west.

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

Findings: The staff is of the opinion that the proposal if approved will not have an adverse impact on the use or usability of adjacent or nearby properties because the use would be consistent with adjacent properties. The proposal is for a density of 1.03 units/acre. The proposed density is consistent with the Comprehensive Plan density of 1-2 unit/acre and consistent with the densities of the surrounding area.

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 proposal is consistent with the Future Land Use Map, which designates the property as R1-2 (1 to 2 units per acre). The applicant is proposing 1.03 units per acre. The proposal is consistent with the surrounding properties. The cemetery is to the north and east. The properties on the south side of Mount Vernon Hwy are zoned R-2A (Single Family Dwelling District) with a density of 1.11 units per acre. The proposal is consistent with the intent of the Comprehensive Plan.

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

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

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

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

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on May 1, 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).

Transportation Planner	<p>As shown, dedicate 40 feet of right-of-way from centerline of Mt. Vernon Highway along entire property frontage. Note the minimum pavement width for Mt. Vernon Highway is 12 feet per lane.</p> <p>Proposed driveways shall meet sight distance requirements in accordance with Section 103-77 of the Development Ordinance. The minimum sight distance shall be based on a speed of 35 miles per hour for Mt. Vernon Highway.</p> <p>Mt. Vernon Highway is included in the Sidewalk Master Plan.</p> <p>The <i>Transportation Master Plan</i> recommended the following two projects along Mt. Vernon Highway: Project C13: Improve Mount Vernon Highway between Northside Drive and Peachtree Dunwoody Road to maintain two through lanes with intersection turn lanes, sidewalks and bicycle lanes and E17: Incorporate bike lane construction in other projects to provide cohesive and connected bicycle network, including Mount Vernon Highway, Northside Drive/Chattahoochee National Recreation area to Peachtree Dunwoody Road.</p>
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PUBLIC INVOLVEMENT

Public Comments

- Lowering density zoning along Mt. Vernon Hwy
- Number of Curb cuts
- Properties under an acre

CONCLUSION TO FINDINGS

It is the opinion of the staff that the proposal is in conformity with the intent of the Comprehensive Plan Policies. The proposed density of 1.03 units per acre falls within the range recommended by the Future Land Use Map. The proposal is consistent with the surrounding properties. Therefore, based on these reasons, the staff recommends **APPROVAL** of the rezoning petition. Should the Mayor and City Council decide to rezone the subject property from R-1 (Single Family Dwelling District) to R-2A (Single Family Dwelling District), the staff recommends the approval be subject to the R-2A regulations in the Sandy Springs Zoning Ordinance and the Sandy Springs Code of Ordinances.

Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council Meeting July 16, 2013

Attachments

- Letter of Intent received April 1, 2013
- Site Plan dated received April 1, 2013
- Site Photographs
- Additional comments from the Fulton County Department of Water Resources, Fulton County Department of Health Services

201300991
RECEIVED

APR 01 2013

City of Sandy Springs
Community Development

CHRIS A. WEATHERS
6100 LAKE FORREST DRIVE
SUITE 130
SANDY SPRINGS, GA 30328
Phone 404-256-2127
Fax 404-256-3863

March 27, 2013

Mayor and City Council
City of Sandy Springs
7840 Roswell Road
Building 500
Sandy Springs, GA 30350

Re: Rezoning of 211 Mount Vernon Highway from R-1 to R-2A

Dear Mayor and City Council:

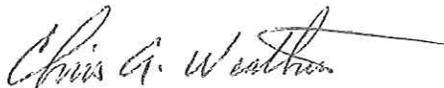
I am requesting that you rezone 1.94 acres located at 211 Mount Vernon Highway from R-1 to the R-2A zoning classification to allow for the subdivision of the property into two approximate 1 acre lots for the construction of two new homes.

The property backs up to Arlington Cemetery, is across the street from existing R-2A zoning and is recognized in the Comprehensive Land Use Plan for 1-2 units per acre. The rezoning would provide for a density of 1.03 units per acre which is well within the recommended density in the Comprehensive Land Use Plan.

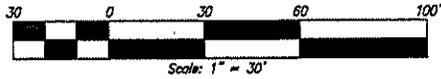
The property has 260' of road frontage on Mount Vernon Highway and becomes wider toward the rear property line. The new houses to be constructed will be sited well off of Mount Vernon Highway, in keeping with other homes located along Mount Vernon Highway.

Thank you for your consideration.

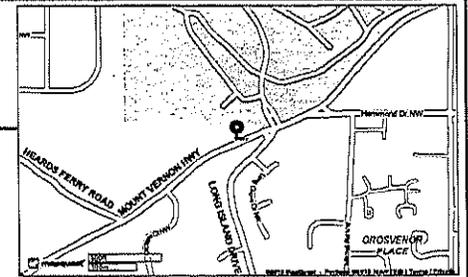
Sincerely,



Chris A. Weathers, Applicant



N/F
 EXECUTIVE EQUITIES, INC.
 TAX I.D.# 17 0124 LL154
 ZONED: AG-1



LOCATION MAP

N/F
 THE EO CORP. PROPERTY TAX DEPT.
 TAX I.D.# 17 0123 LL118
 ZONED: AG-1

RECEIVED

APR 01 2013

City of Sandy Springs
 Community Development
 201300991

N/F
 WESTWOOD PROPERTY
 DEVELOPMENT TRUST
 TAX I.D.# 17 0124 LLO34
 ZONED: R-1

EXISTING ZONING: R-1
 SETBACKS:
 FRONT - 60 FEET
 SIDE - 25 FEET
 REAR - 50 FEET

PROPOSED ZONING: R-2A
 SETBACKS:
 FRONT - 60 FEET
 SIDE - 15 FEET
 REAR - 40 FEET

AREA SUMMARY
 EXISTING AREA: 84,382 SQ. FT. = 1.9371 ACRES
 ESS 15' R/W DEDICATION: -3,970 SQ. FT. = 0.0911 ACRES
 = 80,412 SQ. FT.
 + 2 = 0.923 ACRES PER LOT

FLOOD STATEMENT
 THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD
 AREA ACCORDING TO F.I.R.M. PANEL #13121C0142 E,
 LAST REVISED ON JUNE 22, 1998.

WEYED G.I.S.
 UNCLUTATED REG. RAM
 UNYX REG. RAM
 NAME MOUNT VERNON 211
 TR MARCH 25, 2013

SITE WORKS
 SURVEYS & PLANNING
 7000 PEACHTREE DUNWOODY ROAD
 BUILDING 6, SUITE 250
 ATLANTA, GEORGIA 30328
 PHONE: 770-396-8011 FAX: 770-396-2379
 e-mail: gudgersurveying@bellsouth.net

RONALD E. GUDGER, LS
 404-731-8896

REZONING PLAN FOR
 211 MOUNT VERNON HIGHWAY
 LOT 6
 SUBDIVISION OF B.M. GRANT COMPANY

LL 123, DISTRICT 17
 CITY OF SANDY SPRINGS
 FULTON COUNTY, GEORGIA

N/F
 NEVILLE SMITH
 TAX I.D.# 17 0123 LL1963
 ZONED: R-2A



Know what's below.
 Call before you dig.

NO.	DATE	REVISION











MEMORANDUM

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: May 6, 2013

SUBJECT: Zoning Comments for June 2013

AGENDA ITEM	ZONING COMMENTS
201300991	<p>If a plat is required, the Fulton County Department of Health and Wellness requires that the plat be submitted for review and approval regarding water supply and sewage disposal prior to the approval by the appropriate jurisdiction and recording. The owner may not sell, offer for sale, lease, begin construction or begin physical improvements of a residential development, nor shall a building permit be issued until this Department has reviewed and approved the plat.</p> <p>If public sanitary sewer is available to the site, the Fulton County Department of Health and Wellness will require mandatory connection. Public sanitary sewer is considered available if it is within 200 feet of the nearest property line or within 500 feet of the dwelling, such distances being measured along the appropriate natural drainage course (gravity flow).</p> <p>If public sewer is unavailable to the site, this Department will require that each lot be a minimum of 43,560 square feet and have 30,000 square feet minimum usable area to be considered for use of onsite sewage management systems. This Department will require all necessary percolation and soil data, required layouts, and supportive data be submitted for review and determined acceptable prior to preliminary plat and/or Land Disturbance Permit (LDP) approval.</p> <p>Since public water is available to the site, the Department of Health and Wellness will require mandatory connection.</p> <p>Since any future development of this property would constitute a premise where people walk, live or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p> <p>If the site includes an existing individual onsite sewage management system(s) and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinance and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XI – Sewage Disposal.</p> <p>If this proposed development includes an existing individual onsite water supply system(s), and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article IV – Drinking Water.</p>

AGENDA ITEM	ZONING COMMENTS
201300996	<p>If a plat is required, the Fulton County Department of Health and Wellness requires that the plat be submitted for review and approval regarding water supply and sewage disposal prior to the approval by the appropriate jurisdiction and recording. The owner may not sell, offer for sale, lease, begin construction or begin physical improvements of a residential development, nor shall a building permit be issued until this Department has reviewed and approved the plat.</p> <p>If public sanitary sewer is available to the site, the Fulton County Department of Health and Wellness will require mandatory connection. Public sanitary sewer is considered available if it is within 200 feet of the nearest property line or within 500 feet of the dwelling, such distances being measured along the appropriate natural drainage course (gravity flow).</p> <p>If public sewer is unavailable to the site, this Department will require that each lot be a minimum of 43,560 square feet and have 30,000 square feet minimum usable area to be considered for use of onsite sewage management systems. This Department will require all necessary percolation and soil data, required layouts, and supportive data be submitted for review and determined acceptable prior to preliminary plat and/or Land Disturbance Permit (LDP) approval.</p> <p>Since public water is available to the site, the Department of Health and Wellness will require mandatory connection.</p> <p>Since any future development of this property constitutes a premise where people walk, live or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p> <p>If the site includes an existing individual onsite sewage management system(s) and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinance and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XI – Sewage Disposal.</p> <p>If this proposed development includes an existing individual onsite water supply system(s), and the system(s) will be abandoned, it shall be abandoned in accordance with Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article IV – Drinking Water.</p>

AGENDA ITEM	ZONING COMMENTS
201301000	<p>Since public sanitary sewer is available to the site, the Fulton County Department of Health and Wellness will require mandatory connection. Public sanitary sewer is considered available if it is within 200 feet of the nearest property line or within 500 feet of the dwelling, such distances being measured along the appropriate natural drainage course (gravity flow).</p> <p>Since public water is available to the site, the Department of Health and Wellness will require mandatory connection.</p> <p>Since this proposed development constitutes a premise where people walk, live or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This proposed mixed-use development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air.</p> <p>If this proposed development includes a food service facility as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article V – Food Service, the owner must submit kitchen plans for review and approval by this department before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.</p> <p>If this proposed development includes a public swimming pool as defined in the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XII – Swimming Pools and Natural Bathing Beaches including spas, whirlpools, etc., the owner or contractor must submit plans for review and approval by this department and must obtain a Department of Health and Wellness permit to construct before issuance of a building permit. Also, the owner of the facility must obtain a Department of Health Services permit to operate the pool prior to opening.</p> <p>This department is requiring that solid waste plans indicating the number and location of refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</p> <p>Research shows that childhood exposure to traffic exhaust when living near a freeway can lead to substantial deficits in lung function that can last a lifetime and can increase the risk of developing allergies and asthma. In addition, exposure to traffic noise increases blood pressure, and long-term exposure to air pollution is known to increase the risk of death from heart disease.</p>

COMMENTS ON PUBLIC SERVICES AND UTILITIES

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

WATER AND WASTEWATER (SEWER):

WATER:

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

This project is within the City of Atlanta water jurisdiction.

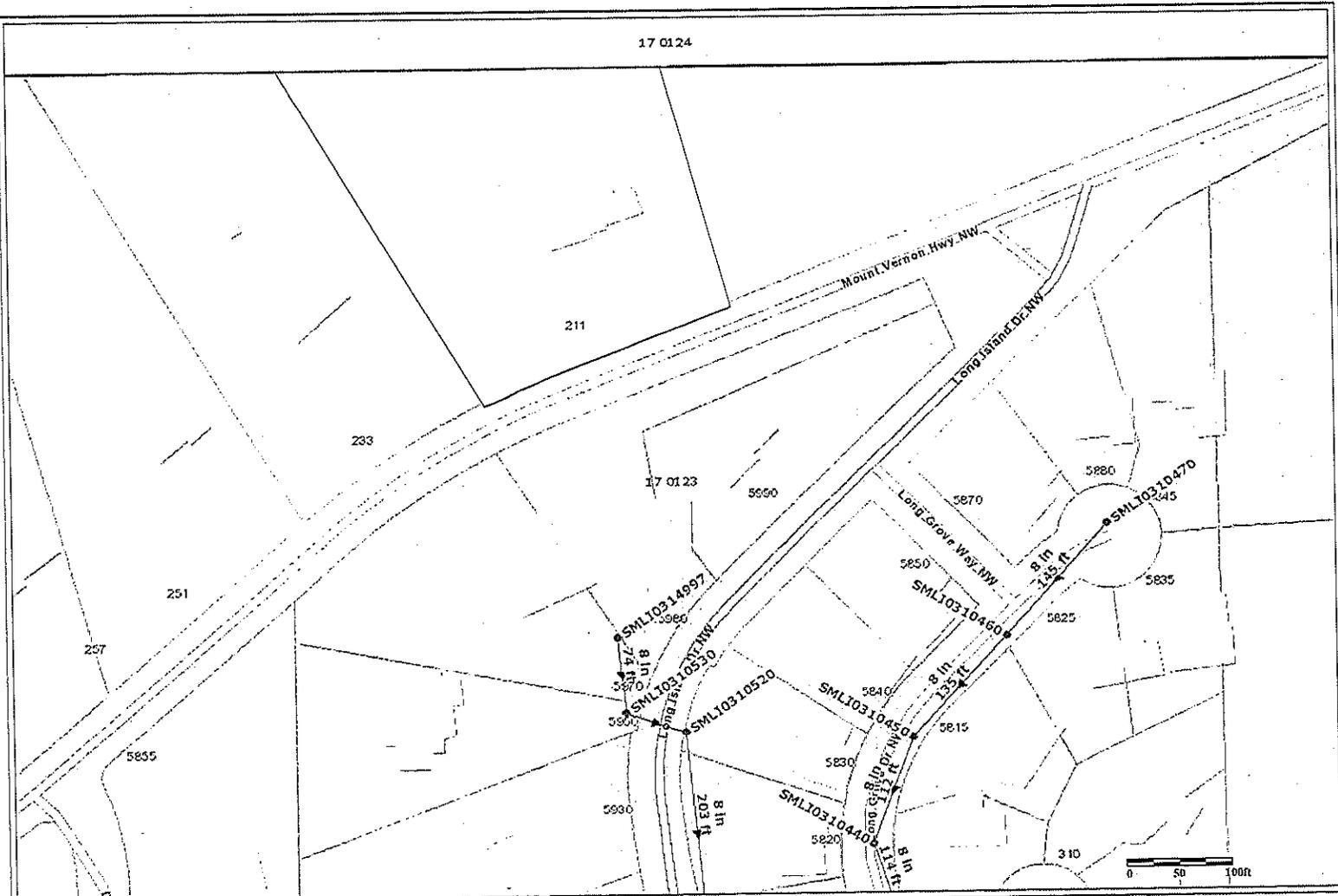
SEWER:

Basin: Long Island Creek
Treatment Plant: R.L. Sutton (Cobb County)
Anticipated sewer demand: 486 gallons per day

There is a wastewater manhole 390 feet south of the southwest property corner of 211 Mount Vernon Highway (SMLI0314997) located in Land Lot 123, District 17.

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

- Treatment Plant
 - ★ Re-Use
 - ★ Waste Water
 - ★ Water
- Waste Water System
 - Private Manhole
 - Pump Station
 - 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"
- Topography
 - Land/Lot
 -
- Counties
 -



211 MOUNT VERNON HWY
 Fulton County, Georgia
 5-14-2013

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Treatment Plant

- ★ Raw Water
- ★ Wastewater
- ★ Water

Waste Water System

Private Manhole

- Manhole
- Accessible
- Not Accessed
- Problem

Pump Station

- Pump Station

Lined Pipe

-

Force Main

-

Creek Crossing

-

Waste Water Pipe Flow

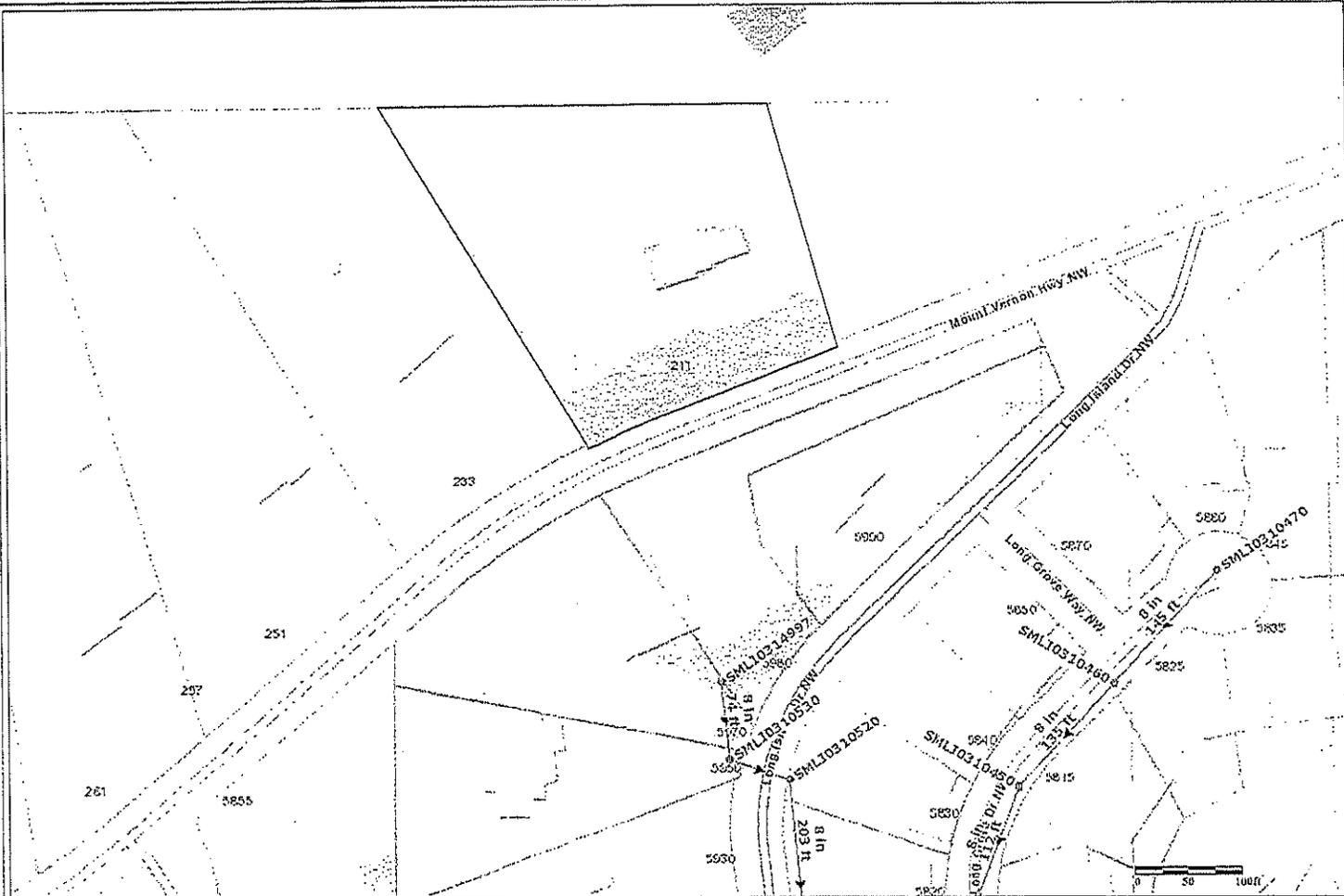
- UNK
- 4" - 6"
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- 18" - 24"
- 30" - 48"
- Greater than 48"

Waste Water Pipe

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

Courtesy

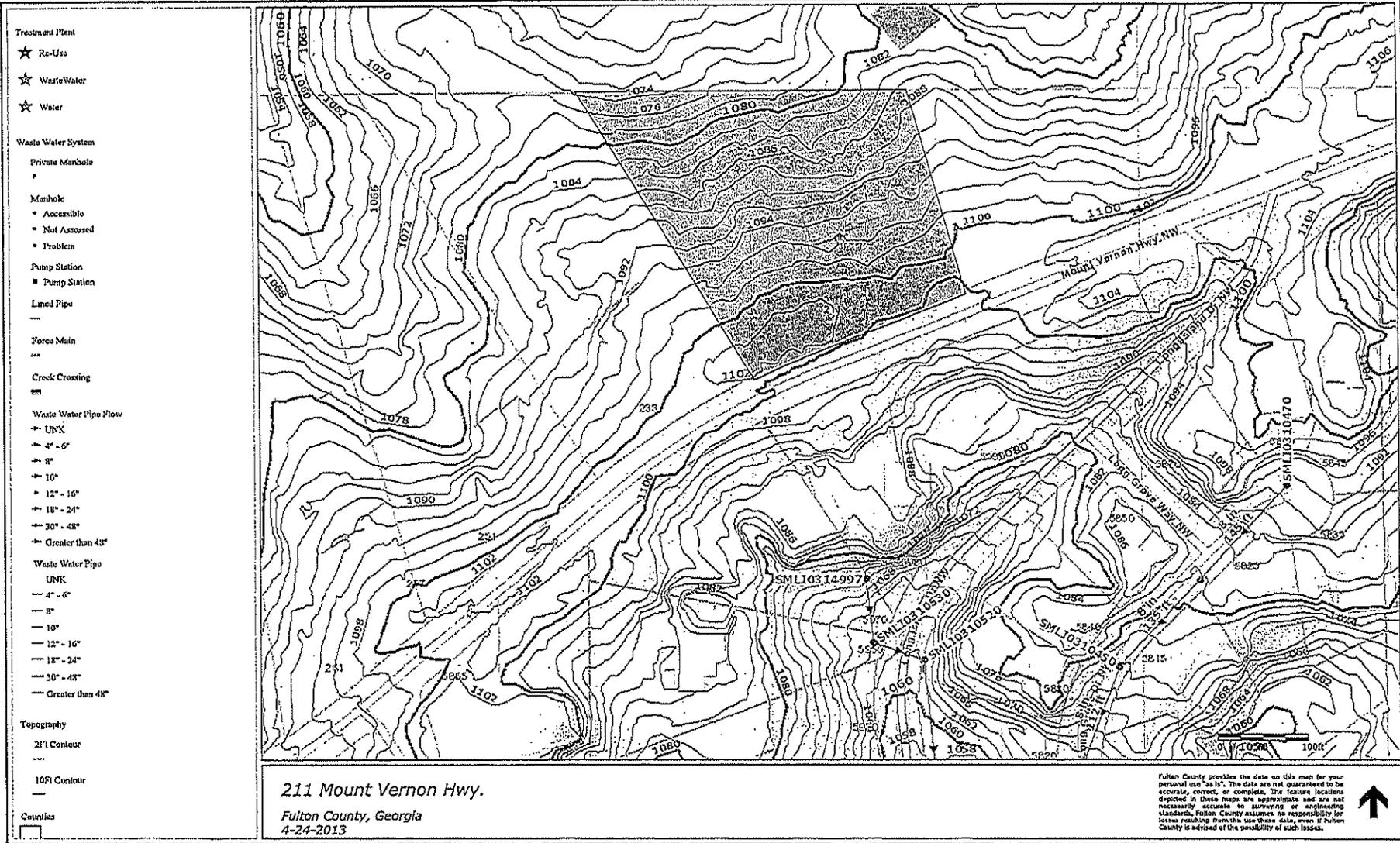
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211 Mount Vernon Hwy.
 Fulton County, Georgia
 4-24-2013

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- Treatment Plant
- ★ Re-Use
 - ★ WasteWater
 - ★ Water

Waste Water System

- Private Manhole
- Manhole
 - ▼ Accessible
 - ▼ Not Assessed
 - ▼ Problem
- Pump Station
 - Pump Station
- 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"

Topography

- 2ft Contour
- 10ft Contour

Courtesy

211 Mount Vernon Hwy.
 Fulton County, Georgia
 4-24-2013

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Property Profile for 211 Mount Vernon Hwy NW

Property Tax Information

Tax Year 2012
 Parcel ID 17 0123 LL0502
 Property Address 211 Mount Vernon Hwy Nw
 Owner Martin Santford F & Cordes Miriam M
 Mailing Address 507 Twin Dr Spartanburg Sc 29302 2743
 Total Appraisal \$283,600
 Improvement Appraisal \$214,800
 Land Appraisal \$68,800
 Assessment \$113,440
 Tax District 59
 Land Area 1.9 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 SS06
 Poll Location Sandy Springs Library, 395 Mount Vernon Hwy Ne
 Congressional District 006
 State Senate District 006
 State House District 052

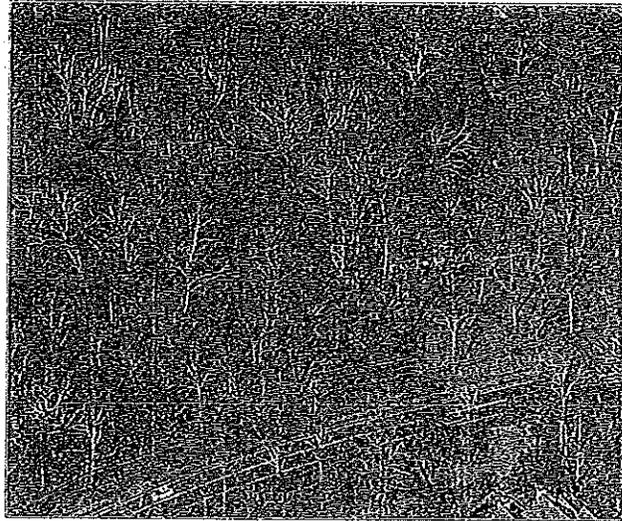
School Zones

Elementary School Heards Ferry
 Middle School Ridgeview
 High School Riverwood

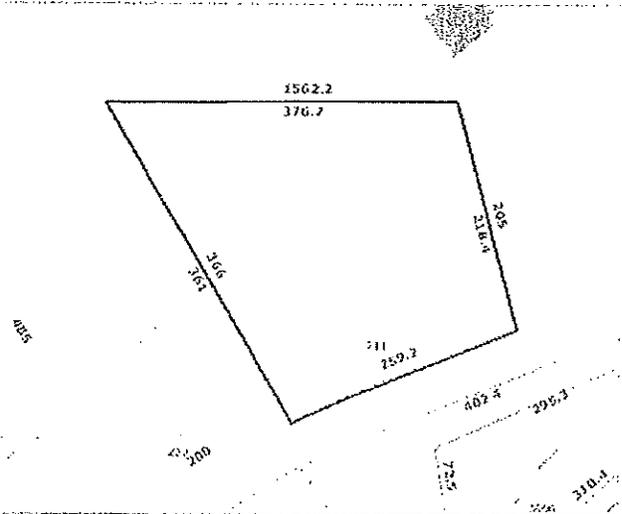
Other Information

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

Oblique Aerial View (looking north)



Property Map



Vicinity Map

