

To: John McDonough, City Manager

From: Blake J. Dettwiler, AICP, Director of Community Development BD

Date: December 7, 2010 For Submission onto the onto the December 21, 2010 City Council meeting

Agenda Item: **ZM10-009/CV10-012 315 Towergate Place**, Request for a zoning modification to the conditions of Fulton County zoning case Z82-122.

Director of Community Development Recommendation:

DENIAL of the request for a zoning modification to the conditions of Fulton County zoning case Z82-122.

Background:

The site is located approximately 340 feet northeast of Hightower Trail, between Wing Street and Towergate Place. The property is zoned TR (Townhouse residential District) conditional under Z82-122, currently developed with fee-simple townhomes. The City is not aware of an active home owners' association for the Towergate Subdivision.

A Stop Work Order and Notice of Violation were issued to the owner on 9/7/2010 with the direction to legalize the deck or take it down.

Discussion:

The applicant is requesting a zoning modification to the conditions of Fulton County zoning case Z82-122 as follows:

3. To the owner's agreement to the following site development considerations:
 - a. Prior to the issuance of any Certificate of Occupancy in Phases II and III, or the connection of permanent power, the developer shall provide a remedial landscape plan to the Director of ~~Planning and~~ Community Development for his review and approval; said plan shall apply to all Phases as required by Z-81-94 FC and shall address the 25 foot wide buffer along the westerly property line; the 20 foot wide buffer on the north property line, and shall show in specific detail the plant types and sizes necessary to densify that planting which exists. For lot 60 (property numbered 315 Towergate Place), the aforementioned 25 foot wide buffer may be encroached upon by a deck as shown on the site plan received by the Department of Community Development on October 7, 2010.

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

1. For lot 60 (property numbered 315 Towergate Place), variance from Section 7.2.3.H.1 of the Zoning Ordinance to reduce the minimum perimeter front yard setback from forty (40) feet to

approximately ten (10) feet as shown on the site plan received by the Department of Community Development on October 7, 2010.

Concurrent Review:

The staff held a Focus Meeting on November 3, 2010 at which the following city departments provided comments:

- Building and Development Division
- Fire Department
- Transportation Division

In addition, the following external departments were contacted for comment:

- Atlanta Regional Commission
- Fulton County Board of Education
- Fulton County Department of Environment and Community Development (*comments received*)
- Fulton County Department of Public Works
- Fulton County Environmental Health Services (*comments received*)
- Sandy Springs Council of Neighborhoods
- Sandy Springs Revitalization Inc.
- Georgia Department of Transportation
- City of Atlanta Department of Watershed Management
- U.S. Postal Service Address Management Systems
- MARTA
- Fulton County Emergency Management

Zoning Modification Petition No. ZM10-009/CV10-012

HEARING & MEETING DATES

Community Zoning Information Meeting
October 24, 2010

Mayor and City Council Hearing
December 21, 2010

APPLICANT/PETITIONER INFORMATION

Property Owner	Petitioner	Representative
Miriam Rinkavage	Miriam Rinkavage	Miriam Rinkavage

PROPERTY INFORMATION

Address, Land Lot, and District	315 Towergate Place Land Lot 363, District 6
Council District	2
Frontage and Area	25 feet frontage along Towergate Place and 25 feet frontage along Wing Street. The subject property has a total area of approximately 0.074 acres (3,261 square feet).
Existing Zoning and Use	TR (Townhouse Residential District) conditional under Z82-122 currently developed with fee-simple townhomes.
Overlay District	N/A
2027 Comprehensive Future Land Use Map Designation	Living-Working Neighborhood (LWN), Node 14: Northeast Corner of the Roswell Road and Dunwoody Place Intersection.
Proposed Use	Fee-simple townhome

INTENT

MODIFICATION OF CONDITION 3.A. OF PETITION Z82-122 (APPROVED BY THE FULTON COUNTY BOARD OF COMMISSIONERS ON NOVEMBER 3, 1982).

The applicant is requesting a zoning modification to the conditions of Fulton County zoning case Z82-122 as follows:

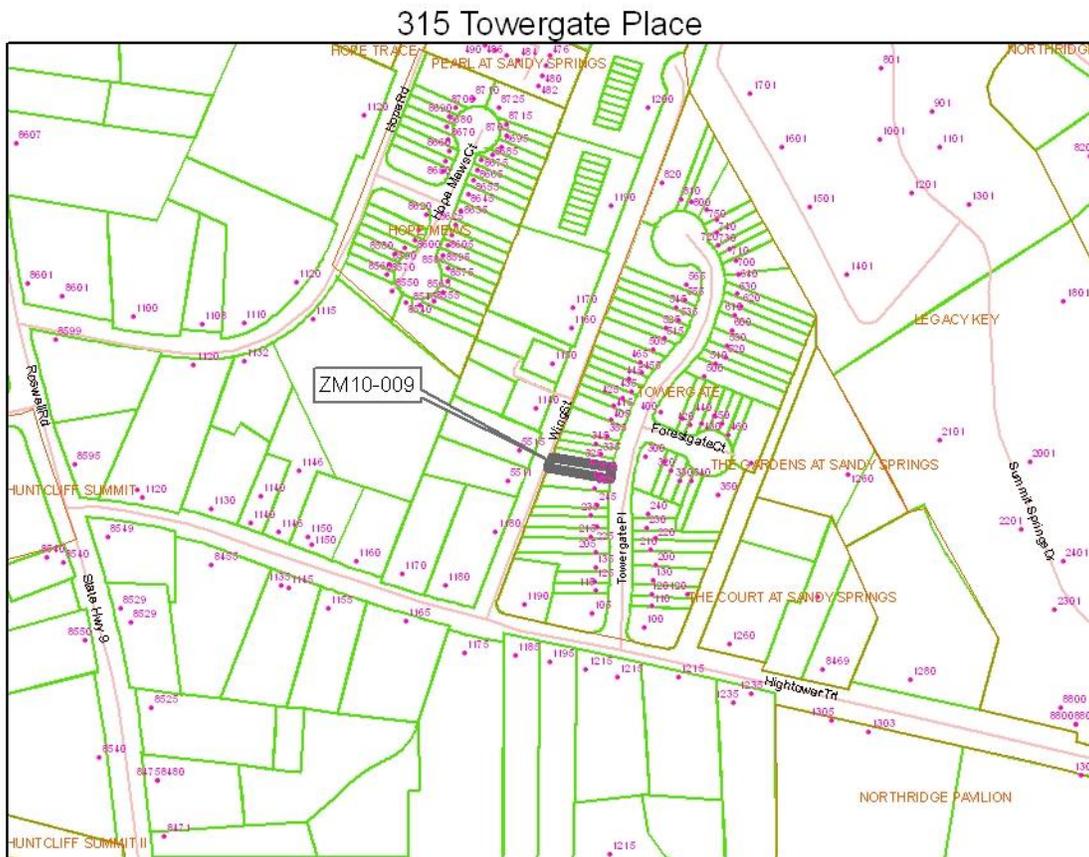
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DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION
ZM10-009 - DENIAL
CV10-012 - DENIAL

Location Map



BACKGROUND

The site is located approximately 340 feet northeast of Hightower Trail, between Wing Street and Towergate Place. The property is zoned TR (Townhouse residential District) conditional under Z82-122, currently developed with fee-simple townhomes. The City is not aware of an active home owners' association for the Towergate Subdivision.

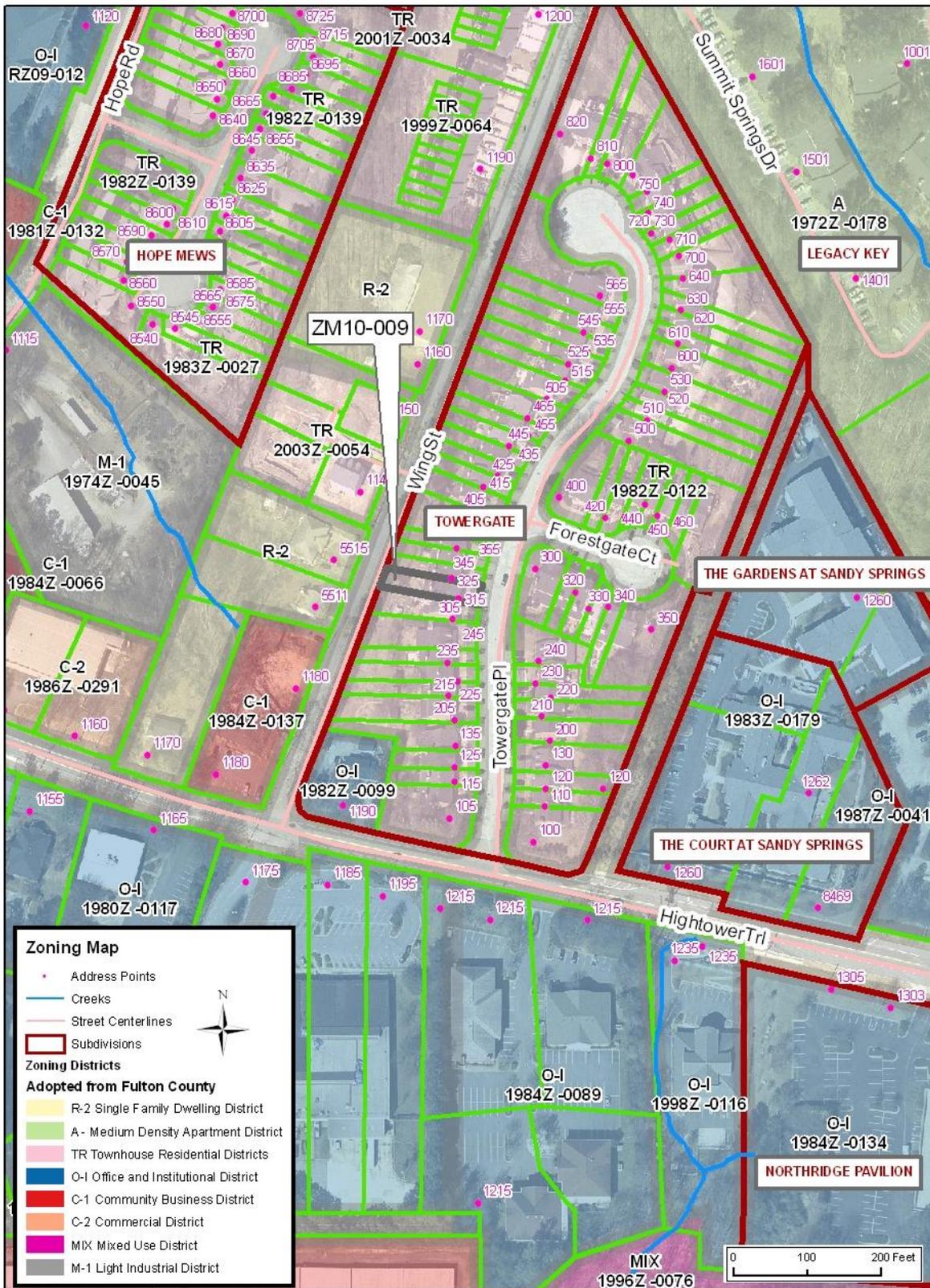
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EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION ZM10-009/ CV10-012	Proposed Use		Land Area (Acres)	Square Feet or Units	Density (Square Feet per Acre or Units per Acre)
		Fee-simple Townhomes (Towergate Subdivision)		8.64 acres	70 units
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Feet or Units	Density (Square Feet per Acre or Units per Acre)
North	TR Conditional Z82-122	Fee-simple Townhomes (Towergate Subdivision)	8.64 acres	70 units	8.10 units/acre
East	TR Conditional Z82-122	Fee-simple Townhomes (Towergate Subdivision)	8.64 acres	70 units	8.10 units/acre
South	TR Conditional Z82-122	Fee-simple Townhomes (Towergate Subdivision)	8.64 acres	70 units	8.10 units/acre
West	R-2	Single-family Residential (5515 Wing Street)	0.42 acres	1 unit	2.38 units/acre

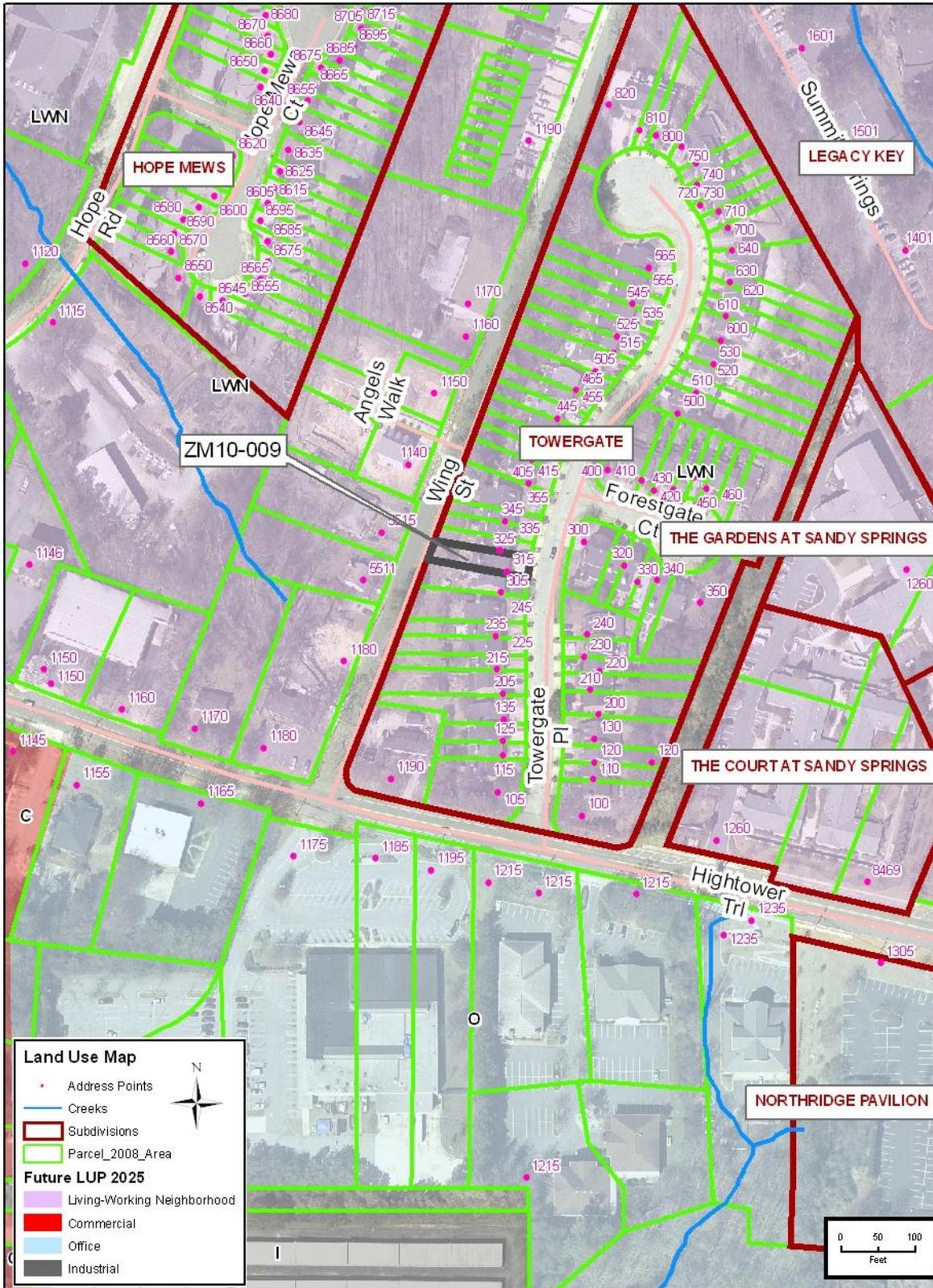
Zoning Map

315 Towergate Place



Future Land Use Map

315 Towergate Place





The subject property looking south



Neighboring property to the northeast



Subject Property



Subject Property



From Subject Property looking northeast, up Wing Street



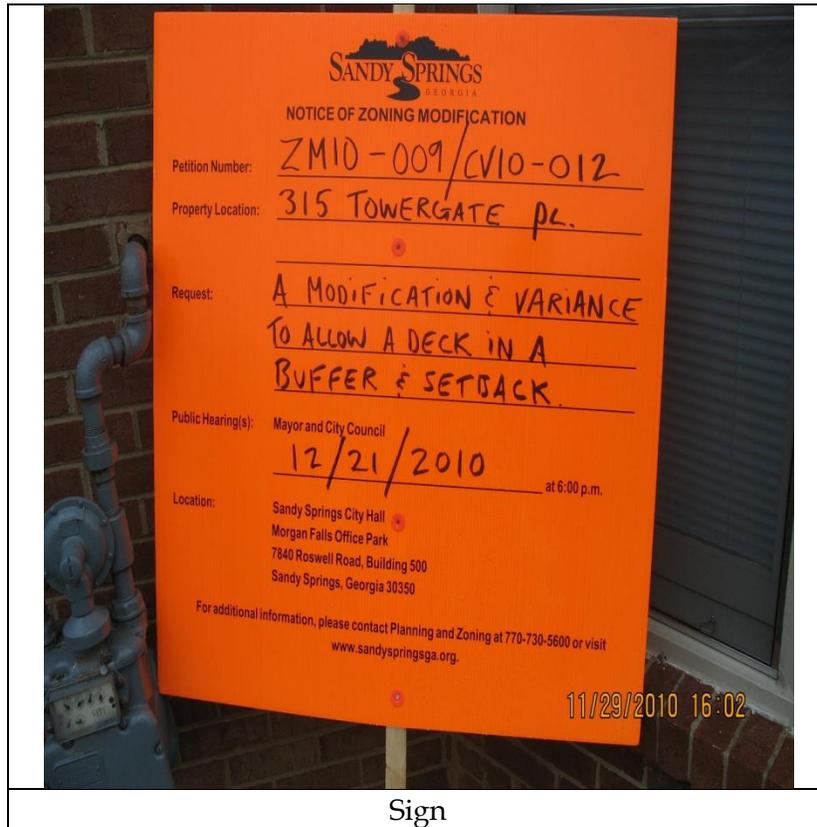
From Subject Property looking west, across Wing Street



From Subject Property looking southwest, down Wing Street



Sign



APPLICANT'S INTENT

The applicant is requesting a zoning modification to the conditions of Fulton County zoning case Z82-122 as follows:

3. To the owner's agreement to the following site development considerations:
 - a. Prior to the issuance of any Certificate of Occupancy in Phases II and III, or the connection of permanent power, the developer shall provide a remedial landscape plan to the Director of ~~Planning~~ and Community Development for his review and approval; said plan shall apply to all Phases as required by Z-81-94 FC and shall address the 25 foot wide buffer along the westerly property line; the 20 foot wide buffer on the north property line, and shall show in specific detail the plant types and sizes necessary to densify that planting which exists. For lot 60 (property numbered 315 Towergate Place), the aforementioned 25 foot wide buffer may be encroached upon by a deck and fence as shown on the site plan received by the Department of Community Development on October 7, 2010.

Though the approved density under zoning case Z82-122 is not changing, the proposal is not completely in harmony with the development existing within the subject property's subdivision. The staff is of the opinion that the applicant's request to modify conditions of zoning as indicated above may adversely affect adjacent or nearby properties. The deck is inconsistent with other properties in the development and impacts adjacent or nearby residential properties outside the subdivision. The staff has received a notice/letter of opposition from the adjacent neighbor living at 1170 Wing Street. Therefore, the staff recommends DENIAL of this modification request.

Should the Mayor and City Council decide to approve the request, Staff recommended condition 3.g. would ensure the underside of the required zoning buffer would be replanted and maintained to buffer standards and the underside of the deck would be screened from view using suitable sized evergreens subject to the approval of the City Arborist. Additionally, staff recommended condition 3.h. would ensure the underside of the deck would be screened from view using suitable lattice material subject to the approval of the Director of Community Development.

VARIANCE CONSIDERATIONS

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

- A. 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,
- B. 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,
- C. Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

The applicant is requesting one (1) concurrent variance as follows:

1. Variance from Section 7.2.3.H.1 of the Zoning Ordinance to reduce the minimum perimeter front yard setback from forty (40) feet to approximately ten (10) feet as shown on the site plan received by the Department of Community Development on October 7, 2010.

The applicant has indicated this variance will not result in any harm to the health and safety of the general public and that application of the requirement would place a hardship on the applicant. The applicant has indicated that this variance is in harmony with the area and in harmony with the general purpose and intent of the Zoning Ordinance.

Due to the development existing within the subject property's subdivision, the staff is of the opinion the variance request is not completely in harmony with the intent of the Zoning Ordinance and the proposal may pose a detriment to the public. Though the subject property is fee-simple and sloping toward Wing Street, the staff is of the opinion the variance request is not completely in harmony with the intent of the Zoning Ordinance and the proposal may pose a detriment to the public. Therefore, based on these reasons, the staff recommends **DENIAL** of the variance to reduce the minimum perimeter front yard setback from forty (40) feet to approximately ten (10) feet as shown on the site plan received by the Department of Community Development on October 7, 2010.

Should the Mayor and City Council decide to approve the request, Staff recommended condition 3.g. would ensure the underside of the required zoning buffer would be replanted and maintained to buffer standards and the underside of the deck would be screened from view using suitable sized evergreens subject to the approval of the City Arborist. Additionally, staff recommended condition 3.h. would ensure the underside of the deck would be screened from view using suitable lattice material subject to the approval of the Director of Community Development.

DEPARTMENT COMMENTS

The staff held a Focus Meeting on November 3, 2010 at which the following departmental comments were provided:

BUILDING & DEVELOPMENT DIVISION	Sandy Springs Building Officer	<ul style="list-style-type: none"> The applicant is required to obtain a building permit in compliance with the 2006 IRC building code.
	Sandy Springs Chief Engineer	<ul style="list-style-type: none"> No apparent site development issues noted.
	Sandy Springs Landscape Architect/Arborist	<ul style="list-style-type: none"> Should the Mayor and City Council decide to approve the application a condition could be applied to the request that the underside of the buffer be replanted to buffer standards and the underside of the deck be screened from view using suitable sized evergreens.
FIRE DEPT.	Sandy Springs Fire Protection Engineer	<ul style="list-style-type: none"> There are no Fire Department requirements that need to be addressed at this time.
TRANSPORTATION	Sandy Springs Transportation Planner	<ul style="list-style-type: none"> Public Works does not anticipate that the proposed zoning modification will cause an excessively burdensome use of existing streets or transportation facilities.
	Georgia Department of Transportation	<ul style="list-style-type: none"> There are no GDOT requirements that need to be addressed at this time.

The staff has not received any additional comments from the Fulton County Board of Education or the Fulton County Emergency Services Department.

STAFF RECOMMENDATION

The staff recommends **DENIAL** of the zoning modification request. However, should the Mayor and City Council decide to approve the request, the staff recommends that the conditions of Fulton County zoning case Z82-122 be modified to be read as follows. Where these revisions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Mayor and City Council.

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. No more than 70 total dwelling units at a maximum density of 8.1 dwelling units per acre based on the total acreage zoned.
 - b. For lot 60 (property numbered 315 Towergate Place), variance from Section 7.2.3.H.1 of the Zoning Ordinance to reduce the minimum perimeter front yard setback from forty (40) feet to approximately ten (10) feet as shown on the site plan received by the Department of Community Development on October 7, 2010 (CV10-012).

2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Zoning Department on September 21, 1982 and to submit to the Director of ~~Planning and~~ Community Development for his approval, prior to the approval of a Land Disturbance Permit, a revised Site Plan based on a certified boundary survey of the property, incorporating the stipulations of these conditions of approval, and meeting or exceeding the requirements of the Zoning Resolution.
 - b. To submit to the Director of ~~Planning and~~ Community Development for his approval, prior to any defoliation or alteration of the site, a Grading Plan and such other engineering documents as may be required 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. This condition applies to all builders, to the developer, and to any and all subcontractors as well as material and equipment suppliers associated with development and building.
 - c. To submit to the Director of ~~Planning and~~ Community Development for his approval, prior to the issuance of a Land Disturbance Permit, a detailed landscape plan. And further, to the owner's agreement that said landscaping for each phase as shown on the landscape plan and as approved by the Director shall be in place within 90 days after the issuance of a Certificate of Occupancy or the connection of permanent power for each phase, provided however that all landscaping shall be in place prior to the issuance of a Certificate of Occupancy or connection to permanent power for the final phase of the development.

3. To the owner's agreement to the following site development considerations:
 - a. Prior to the issuance of any Certificate of Occupancy in Phases II and III, or the connection of permanent power, the developer shall provide a remedial landscape plan to the Director of ~~Planning and~~ Community Development for his review and approval; said plan shall apply to all Phases as required by Z-81-94 FC and shall address the 25 foot wide buffer along the westerly property line; the 20 foot wide buffer on the north property line, and shall show in specific detail the plant types and sizes necessary to densify that planting which exists. For lot 60 (property numbered 315 Towergate Place), the aforementioned 25 foot wide buffer may be encroached upon by a deck and fence as shown on the site plan received by the Department of

Community Development on October 7, 2010.

- c. Provide a landscape strip adjacent to the following property lines and in the widths provided.
 - 20 feet wide on the south property line
 - 10 feet wide on the east property line
 - c. Any exterior illumination on the site will not exceed 1.2 footcandles at the property line, nor will the light source be directly visible from adjoining properties.
 - d. No more than 1 exit/entrance for the townhome development.
 - e. The exterior of all concrete blocks shall be coated with an architectural treatment (i.e., epoxy, stucco, brick veneer, etc.) or an alternate solution that may be approved by the Director of ~~Planning and~~ Community Development.
 - f. Limit the project identification signage on the entire property to no more than one unlighted, double-faced, free-standing monument sign adjacent to Hightower Trail, said sign not to exceed a height of 4 feet from finished grade measured from the base of the sign structure.
 - g. For lot 60 (property numbered 315 Towergate Place), the underside of the required zoning buffer shall be replanted and maintained to buffer standards and the underside of the deck shall be screened from view using suitable sized evergreens subject to the approval of the City Arborist.
 - h. For lot 60 (property numbered 315 Towergate Place), the underside of the deck shall be screened from view using suitable lattice material subject to the approval of the Director of Community Development.
4. To the owner's agreement to abide by the following requirements, dedications and improvements:
- a. Pay for the materials necessary for the construction of sidewalks along existing public roads by the Department of ~~Planning and~~ Community Development/**Public Works Department** if they are constructed within five years of this approval.
 - b. Connect to metropolitan water and public sanitary sewer available to the site as well as pay all necessary tan-on fees, front footage assessments, and the pro-rated share of the cost of sewerage extensions as determined by the **Director of** ~~Department of Planning and~~ Community Development.
 - c. Provide designated fire lanes adjacent to all structures and provide water mains, fire hydrants, and access for fire-fighting equipment as required by the ~~Fulton County~~ **City of sandy Springs** Fire Department.

Attachments

Letters of Intent dated received October 7, 2010

Site Plan received October 7, 2010

Photos received October 7, 2010

Letter of Opposition received October 25, 2010

Letters of Support received October 7, 2010

Letter Fulton County Dept. of Health Services received November 24, 2010

Letter Fulton County Dept. of the Environment and Community Development received November 24, 2010

INSTRUMENT USED:
NIKON DTM-520 TOTAL STATION

NO PORTION OF THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY "F.I.A. OFFICIAL FLOOD HAZARD MAP PANEL # 13121C0151F DATE 6-18-2010

REFERENCE USE: PLAT BOOK 126 PAGE 94

GRAPHIC SCALE

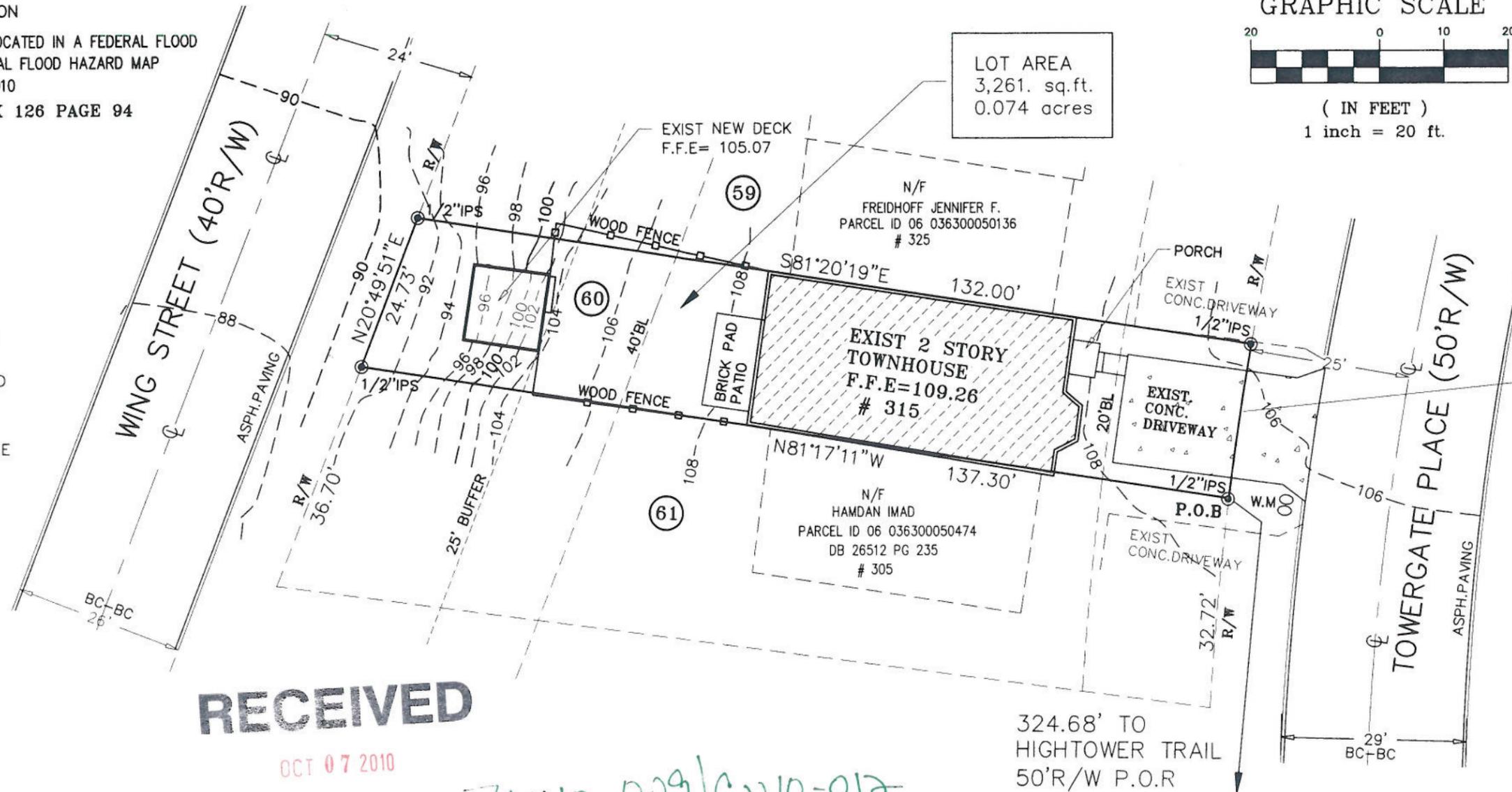


(IN FEET)
1 inch = 20 ft.



LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- I.P.S. 1/2" IRON PIN SET
- I.P.F. 1/2" IRON PIN FOUND
- P.P. POWER POLE
- L.L.L. LAND LOT LINE
- O.H.P. OVERHEAD POWER LINE
- C.L. CENTER LINE
- (X) LOT NUMBER
- WM WATER METER
- ← GUY WIRE



CURVE DATA
S87°54'12"W
L= 24.30'
ARC=24.30
R= 495.88

RECEIVED

OCT 07 2010

City of Sandy Springs
Community Development

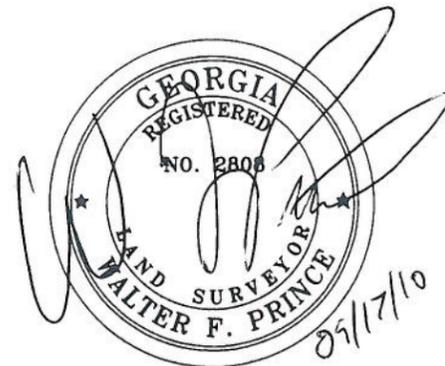
24-10-009/CV10-012

324.68' TO
HIGHTOWER TRAIL
50'R/W P.O.R

NOTE:

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 65,580 FEET AND AN ANGULAR ERROR OF 00 00'06" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1: 293,383 FEET

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION: THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN:



HURD PRINCE & ASSOCIATES, INC.

Consulting Engineers & Surveyors
110 North Berry Street
Stockbridge, Georgia 30281-3424

Phone (770)4741487 Fax (770)4747487

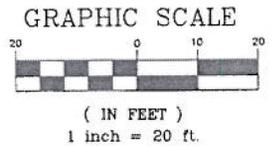
BOUNDARY SURVEY FOR:
GOLD STAR MANAGEMENT TEAM LLC

TOWERGATE TOWNHOMES, INC

315 TOWERGATE PLACE
ATLANTA, GA 30350-2990
PARCEL ID 06 036300050128
LAND LOT; 363 6TH DISTRICT
FULTON COUNTY, GEORGIA
SCALE 1=20" SEPTEMBER 17, 2010

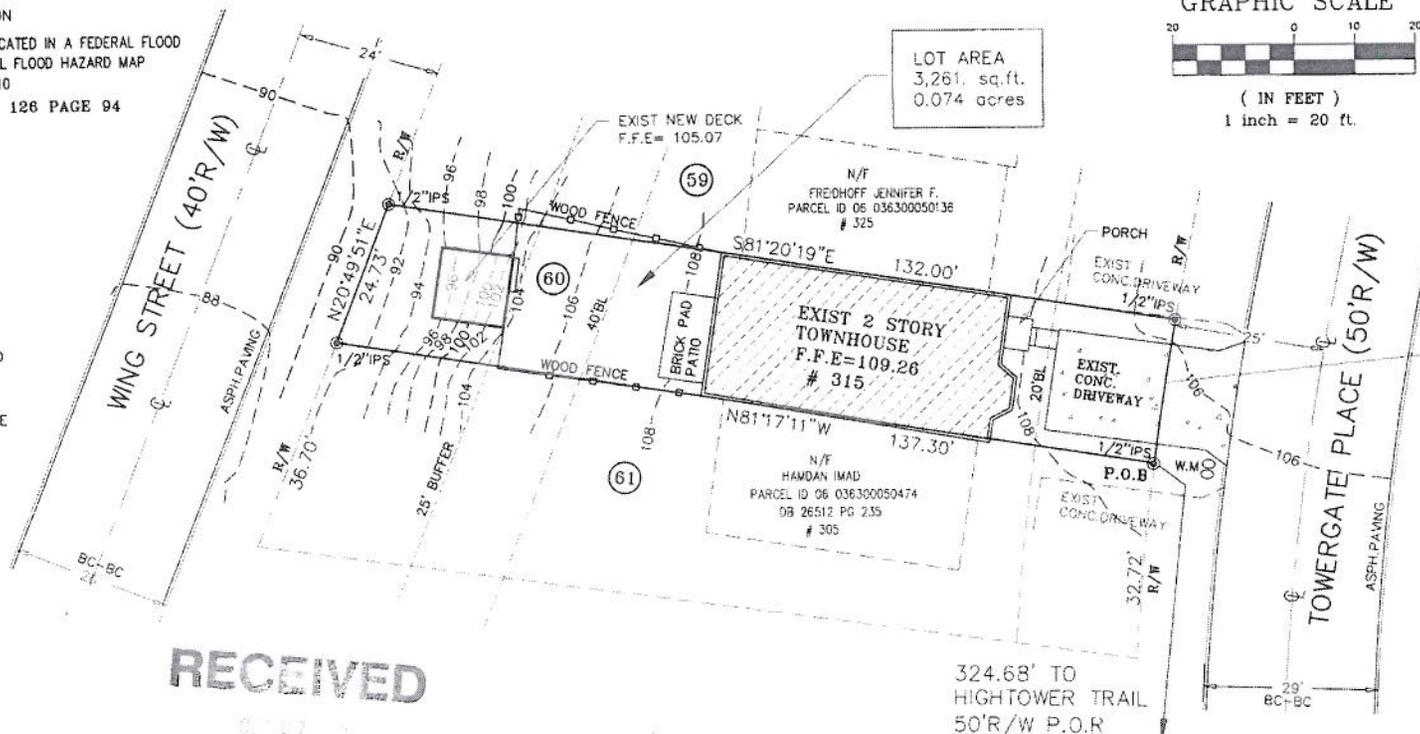
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REFERENCE USE: PLAT BOOK 126 PAGE 94



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City of Sandy Springs
Community Development

10-009 / C010-02



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110 North Berry Street
Stockbridge, Georgia 30281-3424
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**BOUNDARY SURVEY FOR:
GOLD STAR MANAGEMENT TEAM LLC**

TOWERGATE TOWNHOMES, INC

315 TOWERGATE PLACE
ATLANTA, GA 30350-2990
PARCEL ID 06 036300050128
LAND LOT; 363 6TH DISTRICT
FULTON COUNTY, GEORGIA
SCALE 1=20" SEPTEMBER 17, 2010

JOB # 25118

315 Towergate townhouse



← want
to put up
trellis,
pinestraw,
& plants

3 back posts (6 x 6 posts) put into cement
going down 3 ft., used round cardboard cylinder +
filled with cement, then bolted, dried, then metal cleat
with nut



6x6 rear posts were pressure treated supports
Deck stands about 6 ft. high



add lattice sheets at back side
+ some plants in front



steep
rear
yard

315 Towergate

townhouse

rear yard: 2 sides partial
fenced - continued fence +
built 10'x12' deck to
protect property + keep
dog inside

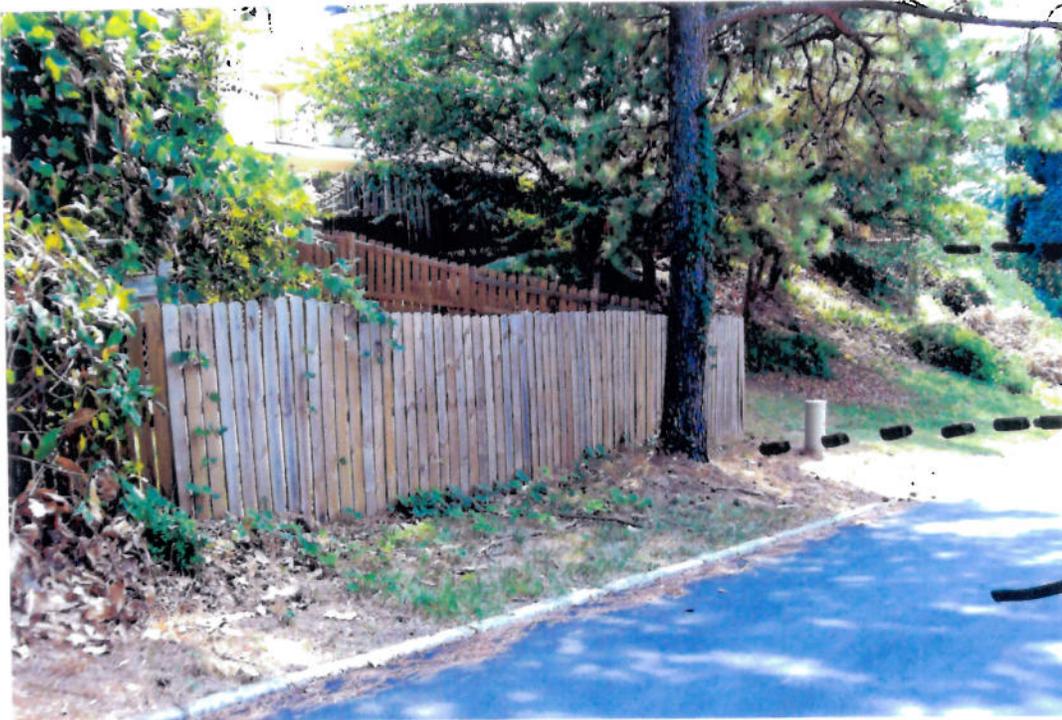


Neighbors Rear Yards ON Wing Street



End deck at
315 Towergate

Neighbors fence end



315 Towergate
rear deck

Neighbors' fence

Wing Street

Neighbor Rear Yard - Wing St



Deck enclosure

Fence

Wing St

RINKAVAGE
315 Towergate Place
Sandy Springs, GA 30350

HARDSHIP LETTER

When searching to purchase a property in Sandy Springs for my move back from San Diego, I wanted a home that had a yard. A yard is an essential element for me as I have a dog who requires a yard to play outside, and I like to have a yard for grilling and other outside activities. Part of the reason I decided on this particular neighborhood, was because of the size of the yards; it seems as though few townhomes in Sandy Springs have yards. Most places instead have patios or decks.

The home I purchased was a foreclosure and had been vacant for at least a year I was informed. The growth in the yard was hideous and it was a horrendous eyesore. I asked my contractor to have the ridiculous amounts of kudzu cut down so that a fence could be put up on the back yard. Upon removing the growth, we discovered that the land actually dropped drastically about four feet towards the back half of the yard. We were not aware of this prior to the bushes and such being cut down.

I was tremendously disappointed in that fact that having a fence covering my entire yard would be unsafe. The drop in land would undoubtedly be the cause of an injury for perhaps me and any visitors to my place and certainly my dog.

In order to maximize my land space and improve the quality of my yard, I had a deck built. The deck is aesthetically pleasing, is secure, and if allowed, I will have lattice put up around the outside as well as plants staggered below it. When decided on the length of the deck (how far away from the street it would be), we looked at other neighbors yards to see how far back they went. There is another property on my street that has a fence near the street behind (Wing St.). We made sure the deck would not be even close to that length but apparently wrongly assumed that because they had a fence that low that we could put a deck in the back.

I truly believe that the deck is an asset to my property and allows me to greater enjoy my yard and overall enhances the quality of my townhome.

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OCT 07 2010

City of Sandy Springs
Community Development

M 10-009 / CV 10-012

LETTER OF INTENT -- REQUESTING VARIANCE FOR DECK

Following the death of my husband earlier this year, my daughter decided she would move back to the Atlanta area to help me. She asked if I could try to find a townhouse for her which had a rear yard for her dog. Her dog is like her child. After a lot of searching, I found the townhouse at 315 Towergate Place which my daughter purchased this August.

The house had been foreclosed upon and was now owned by a bank and probably had been vacant for a long time. Because of the extreme overgrowth of kudzu and other vines, I arranged for this overgrowth to be removed so the remaining part of a fence could be installed...both for her safety and that of her dog. Once this overgrowth was removed, it was discovered that the yard had an extreme slope down and would be unsafe as it was. It was determined that the best solution to create a safe backyard was to install a deck. Mere fencing would have been an insufficient alternative. Adding fill-dirt to build up the gap could have posed a mudslide threat, created a haven for rodents and insects, and would not have been a permanent solution. This sudden dropoff posed such a danger that we would have had to refrain from using the back yard entirely. Of course this defeated the whole point of buying a house with a yard. This situation was not evident before and would have made the yard unusable. Thus a deck was installed that would enclose the area, be safe for my daughter and her dog, and improve the appearance of the neighborhood.

Neighbors on either front side of the townhouse have signed statements saying they are in agreement that the variance should be given. There are 3 neighbors in back across the street: one house boarded up, a duplex, and a new, vacant house. There were no responses at any of these houses after repeated visits.

The deck installed is 10' X 12' and used 2 X 10 framing and 1 X 6 flooring with three 4 X 4 front posts and three 6 X 6 rear posts and used pickets 3" apart as by code. The rear posts were settled 3' down in cement, bolted and once dried, secured with metal cleats and nuts. It is planned to add decorative trellis at the back, pine straw and plants.

To summarize, I believe we chose the only safe method for making the backyard available for use, given the dangerous sloping of the back of the property, and we request approval of the variance for the deck at 315 Towergate Place.

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OCT 07 2010

City of Sandy Springs
Community Development

10-10-009 / CV 10-012

VARIANCE APPLICATION FOR DECK AT REAR OF TOWERGATE
TOWNHOUSE

We understand that the owner of the 315 Towergate townhouse has put up a deck in the back yard. We also understand that the deck when completed will have decorative trellis in back with pine straw and plants.

We are in support of this Variance Application.

Signed by neighbor:

Imad Hamde

Name and Address

305 Towergate place, Atl, GA 30350

Name and Address

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OCT 07 2010

City of Sandy Springs
Community Development

2010-009 / CV10-012

VARIANCE APPLICATION FOR DECK AT REAR OF TOWERGATE
TOWNHOUSE

We understand that the owner of the 315 Towergate townhouse has put up a deck in the back yard. We also understand that the deck when completed will have decorative trellis in back with pine straw and plants.

We are in support of this Variance Application.

Signed by neighbor:

Randy Murphy 325 Towergate Pl Atlanta, GA 30350
Name and Address

Name and Address

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Community Development

2010-009 / CV10-012

October 21, 2010

To: Dianne Fries
City Commissioner District 2
City Hall
7840 Roswell Road
Building 500
Sandy Springs, GA 30350

From: Trecia H. Sappington
1170 Wing Street
Sandy Springs, GA 30350

RE: Back Deck at 315 Towergate Place
ZM10-009/CV10-012

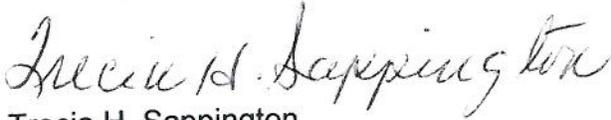
I, Trecia H. Sappington, do hereby state that I am emphatically opposed to the poorly constructed and oversized deck located at 315 Towergate Place. I have lived at the above residence since 1965 and have never encountered such a gross disregard for neighborhood beauty. Not only is this esthetically very unpleasing and unattractive -but in violation of building and setback codes.

In question; Was there a proper permit obtained and approval of HOA?

I will be out of town (due to family illness) on 10/26/2010 and unable to attend. This letter is to inform you of my extreme dissatisfaction of the unsightly and distorted deck.

I look forward to the immediate solution of modifying the appearance and size of the deck located at 315 Towergate Place.

Best Regards,


Trecia H. Sappington

cc: Doug Tretten

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OCT 25 2010

City of Sandy Springs
Community Development



Department of the Environment and Community Development
Fulton County Government Service Center at Fulton Industrial
5440 Fulton Industrial Boulevard
Atlanta, GA 30336

November 19, 2010

Patrice S. Ruffin, AICP, Assistant Director Planning & Zoning
City of Sandy Springs
Department of Community Development
Planning and Zoning Division
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350

Dear Ms. Ruffin:

I am in receipt of your zoning package soliciting comments on the upcoming City of Sandy Springs zoning agenda for the December Planning Commission and January Mayor and City Council Meetings. I have reviewed all items within the package and find none of them have a significant impact on Unincorporated Fulton County. Thank you for the opportunity to review the requests.

Sincerely,

Randy Beck,
Deputy Director, E&CD

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City of Sandy Springs
Community Development



MEMORANDUM

TO: Patrice S. Ruffin, Assistant Director of Planning & Zoning
City of Sandy Springs, Department of Community Development

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

DATE: November 23, 2010

SUBJECT: Zoning Comments for December 12, 2010 Planning Commission

AGENDA ITEM	ZONING COMMENTS
RZ10-011	<p>The Fulton County Department of Health Services recommends that the applicant be required to connect the proposed daycare and office/medical buildings to public water and public sanitary sewer available to the site.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>These facilities must comply with the Georgia Smokefree Act of 2005.</p> <p>Since the proposed plans for the development indicate a courtyard/playground between the daycare and office/medical buildings, the Fulton County Department of Health Services recommends that the owners of both buildings develop and implement a 100% Tobacco Free policy to promote and protect the health and wellbeing of children and staff of the proposed daycare facility from the affects of tobacco use. Such a policy would prohibit cigarette, cigar, and pipe smoking, and smokeless tobacco use by staff and visitors of the day care as well as workers and visitors of the office/medical building, on the grounds, and in vehicles used to transport the children.</p> <p>Due to the location of the proposed daycare in close proximity to I-285 and to the roadway, the Fulton County Department of Health Services recommends that further consideration is taken in designing the layout and use of the property in a manner that protects children attending the proposed daycare from environmental triggers of asthma and other potential health impacts of outdoor air pollutants. It is recommended that playgrounds are sited away from high-traffic roads and freeways.</p> <p>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.</p>
ZM10-009/ CV10-012	<p>The Fulton County Department of Health Services does not anticipate any health problems with this proposed zoning modification to allow a deck in a buffer and setback, with concurrent variances on the property of the existing fee-simple townhome.</p>

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