
CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: August 6, 2010

FROM: John McDonough, City Manager

AGENDA ITEM: **AM10-007** - 9365 Huntcliff Trace, *Applicant: Steve Askari*, To modify condition 4.d. of Z79-049 by reducing the required fifteen (15) foot minimum side yard setback to seven feet and six inches (7.5').

MEETING DATE: For Submission onto the August 17, 2010, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Modification Application

APPROVAL BY CITY MANAGER:  APPROVED

_____ NOT APPROVED

PLACED ON AGENDA FOR: 8/17/10

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: 

REMARKS:



To: John McDonough, City Manager

From: Nancy J. Leathers, AICP, Director of Community Development 

Date: August 10, 2010 for submission onto the August 17, 2010 City Council meeting

Agenda Item: **Confirmation of Administrative Modifications**

Director of Community Development Recommendation:

Confirmation by the Mayor and City Council of the Department of Community Development Administrative Modification decisions.

Background:

Per Section 22.11, *Administrative Modification*, an Administrative Modification application may be filed if the Director of the Department of Community Development determines that the request is not prohibited by Section 22.2.4, *Limitation on Authority* and, will constitute only a technical change to the approved conditions of zoning and does not involve significant public interest, or public interest has been addressed by letters expressing no objections from property owner(s) with standing and/or neighborhood associations. Rendered Administrative Modification decisions are required to be sent to the City Council for Confirmation.

Discussion:

The following is a list of Administrative Modifications to conditions of zoning, which have been acted upon by the Department of Community Development. Said Administrative Modifications are now submitted for review and confirmation by the City Council.

ITEMS FOR CONSENT AGENDA				
ADMINISTRATIVE MODIFICATIONS				
Agenda Item		Council District	Staff Action	Action Date
1.	AM10-007 9365 Huntcliff Trace <i>Applicant: Steve Askari</i> ▪ To modify condition 4.d. of Z79-049 by reducing the required fifteen (15) foot minimum side yard setback to seven feet and six inches (7.5').	2	AM10-007 – Approved	06/14/10
2.	AM10-008 3802 Teesdale Court <i>Applicant: John Wieland Homes and Neighborhoods</i> ▪ To modify condition 3.a. of Z05-020 by reducing the required fifteen (15) foot minimum side yard setback to 13.94 feet (approximately 14 feet) along the southeast property line for the construction of a single-family home.	1	AM10-008 – Approved	06/23/10
3.	AM10-009 510 Mount Vernon Highway NE <i>Applicant: Mount Vernon Presbyterian School</i> ▪ To revise the right-of-way conditions related to the development pursuant to the requirements of the Public Works Department.	3	AM10-009 – Approved	07/07/10

MODIFICATION/CONCURRENT VARIANCE APPLICATION

ALL APPLICABLE ITEMS ARE DUE AT THE TIME OF FILING. AN INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.

APPLICANT'S CHECKLIST AM16-007

ITEM #	REQUIRED ITEM	NUMBER OF COPIES	CHECK
1.	Pre-Application Review Form	1 copy	✓
2.	Application	1 original	✓
3.	Disclosure Form	1 original	✓
4.	Fee	See attached schedule	✓
5.	Site Plan (drawn to scale)	3 copies; one of the required copies must be 8 1/2" x 11"	✓
6.	Survey with Topography and Trees Proposed For Removal	1 copy	✓
7.	Legal Description of Property	1 copy	✓
8.	Letter of Intent	1 original	✓
9.	Adjacent Property Owner Letters (Administrative Modifications)	1 original of each	✓
10.	Departmental Sign-off Letters (if applicable)	1 original	✓

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City of Sandy Springs
Community Development

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- ITEM 1. **PREAPPLICATION REVIEW MEETING AND FORM:** Prior to submitting an application, all applicants are required to meet with a current planner who will review the applicant's proposal and site plan and complete a Pre-application Review Form. This meeting must be completed by the Friday before Tuesday's filing deadline. Applicants are required to bring the site plan and tax parcel identification number(s) to the meeting. Call 770-730-5600 to schedule an appointment.
- ITEM 2. **APPLICATION FORM:** Original and notarized signatures of the property owner(s) and applicant(s) or notarized statement by the applicant as to ownership are required.
- ITEM 3. **DISCLOSURE FORM:** If the owner, applicant and/or applicant's representative has made a campaign contribution to the Mayor or any member of the City Council for \$250.00 or more within the past 2 years, Sections 1 through 4 of the Disclosure Form (Form C) must be completed. If no contributions have been made, *No* should be circled and Section 4 of the form completed.
- ITEM 4. **FEE:** See attached fee schedule.
- ITEM 5. **SITE PLAN:** Site plans should be no larger than 30" x 42" (one should be 8 1/2" x 11") and drawn to scale.
- ITEM 6. **SURVEY WITH TOPOGRAPHY AND TREES PROPOSED FOR REMOVAL:** Survey plans should be no larger than 30" x 42" (one should be 8 1/2" x 11") and drawn to scale.
- ITEM 7. **LEGAL DESCRIPTION:** The legal description must be a *metes and bounds* description of the property that establishes a point of beginning and gives directions (bounds) and distances (metes) of property lines. If the property consists of more than one parcel, all parcels must be combined into one legal description.
- ITEM 8. **LETTER OF INTENT:** The Letter of Intent should explain the circumstances of the requested change in the condition of zoning. Include the reason why the development or use of the property cannot be accomplished without modification of the condition and identify the zoning/use permit case number
Zoning Modification Application page 1

and specific condition(s) being addressed.

ITEM 9. **ADJACENT PROPERTY OWNER LETTERS.** Letters from adjacent property owners/neighborhood associations are required if the request is for an administrative modification.

ITEM 10. **DEPARTMENTAL SIGN-OFF LETTERS.** If a request for an administrative modification requires sign-off by another Department or staff member, a letter from that Department or staff member is required at the time of filing.

SECTION I. TYPE OF MODIFICATION.

PLEASE CHECK TYPE OF MODIFICATION REQUESTED:

1) **ADMINISTRATIVE MODIFICATION:** A modification of conditions of zoning and/or use permit that does not require a public hearing. A decision will be made by the Director of the Department Community Development and confirmed by the Mayor and City Council.

2) **ZONING MODIFICATION:** A modification of conditions of zoning and/or use permit where public interest has been determined and therefore requires a public hearing by the Mayor and City Council. The Department of Community Development will make a recommendation to the Mayor and City Council. A concurrent variance may be requested in connection with a Zoning Modification request and may be considered if filed concurrently with the Zoning Modification petition.

3) **CONCURRENT VARIANCE:** A concurrent variance to standards of the Zoning Ordinance may be requested concurrently with a Zoning Modification.

SECTION II. DESCRIPTION OF MODIFICATION REQUEST. Please provide written details of the requested modification.

ADDRESS: _____ TAX PIN: _____

REZONING AND/OR USE PERMIT PETITION NO. 279-49

CONDITION(S) TO BE MODIFIED: 4. (d.) SIDE YARD SETBACK 7.5'

REQUEST: _____

CONDITION(S) TO BE MODIFIED: _____

REQUEST: _____

CONDITION(S) TO BE MODIFIED: _____

REQUEST: _____

CONDITION(S) TO BE MODIFIED: _____

REQUEST: _____

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Community Development

REQUESTED CONCURRENT VARIANCE(S): _____

ARTICLE: _____ SECTION: _____

REQUESTED CONCURRENT VARIANCE(S): _____

ARTICLE: _____ SECTION: _____ **RECEIVED**

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ARTICLE: _____ SECTION: **City of Sandy Springs
Community Development**

SECTION III. OWNER/APPLICANT/AGENT INFORMATION:

OWNER INFORMATION:

Mr. + Mrs. Petite
TYPE OR PRINT OWNER'S NAME
9365 Huntcliff Trace
ADDRESS
Atlanta, GA
CITY & STATE ZIP CODE
[Signature]
OWNER'S SIGNATURE

Sworn and subscribed before me this the

08 Day of June 2010
[Signature]
NOTARY PUBLIC
RACHID AISSAOUI
MY COMMISSION EXPIRES
DECEMBER 21, 2013
COBB COUNTY, GEORGIA

(404) 787-1305
PHONE NUMBER

APPLICANT INFORMATION:

Steve F. Askari
TYPE OR PRINT PETITIONER'S NAME
4880 Lower Roswell Rd. Ste 155
ADDRESS
Marietta, GA 30067
CITY & STATE ZIP CODE
[Signature]
APPLICANT'S SIGNATURE

Sworn to and subscribed before me this the

08 Day of June 2010
[Signature]
NOTARY PUBLIC
RACHID AISSAOUI
MY COMMISSION EXPIRES
DECEMBER 21, 2013
COBB COUNTY, GEORGIA

(404) 444-8995
PHONE NUMBER

ATTORNEY/AGENT INFORMATION:

Check One: Attorney Agent

TYPE OR PRINT ATTORNEY / AGENT NAME

ADDRESS

CITY & STATE ZIP

PHONE NUMBER

SIGNATURE OF ATTORNEY/AGENT

PETITIONER'S SIGNATURE

DISCLOSURE REPORT

Office use only

PETITION #:

MAYOR AND CITY COUNCIL HEARING DATE:

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant or opponent for the rezoning petition, or an attorney or agent of the applicant or opponent for the rezoning petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to the Mayor or any member of the City Council.

CIRCLE ONE:

YES

NO

If the answer is YES, proceed to sections 1 through 4.
If the answer is NO, complete only section 4.

1. CIRCLE ONE:

Party to Petition

In Opposition to Petition

If party to petition, complete sections 2, 3 and 4 below.
If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition: Mr. David Petite - Mrs. Candida Petite

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
			<p>RECEIVED</p> <p>JUN 09 2010</p> <p>City of Sandy Springs Community Development</p>

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Steve Askari (Ambient Construction Co, Inc.)

Signature: [Handwritten Signature]

Date: 6-8-10

Planning and Zoning Fee Schedule

MODIFICATIONS	Any modification request	\$300 plus \$100 for each additional modification request on the same piece of property
CONCURRENT VARIANCES	Residential Districts: R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-5, R-5A, NUP, CUP, MHP	\$250 plus \$50 for each additional concurrent variance requested on the same piece of property
	AG-1, R-6, TR, A, A-L, O-I, C-1, C-2, M-1A, M-1, M-2, MIX and Nonresidential Uses in Residential Districts listed above	\$350 plus \$100 for each additional concurrent variance requested on the same piece of property
	All Signs	\$350 plus \$100 for each additional request

City of Sandy Springs Sign Posting Information

The Planner will provide sign pickup date and posting deadlines.

Once you are notified:

1. The sign(s) may be picked-up at the sign company.
2. The signs are roughly 16 square feet (4 x 4). Please be prepared to obtain some type of posts that will secure the signs in the ground.
3. The signs must be posted by 8:30 a.m. on the deadline day.
4. One sign for each public street frontage is required and shall be conspicuously posted on the subject property by the applicant.
5. Sign posting on trees and utility poles is not allowed.
6. **If signs are not posted by the deadline, the application will be removed from the agenda.**
7. Please be advised that the applicant is responsible for removing the posted sign (s) within forty-eight (48) hours after the case process is fully completed. A citation will be issued for signs not removed within the forty-eight (48) hours.

Please pick up signs from:

Sandy Springs Signs
 Centre Court Shopping Center
 6066 Sandy Springs Circle
 Phone: 404-250-1990 ask for Don or Charles
 The cost of each sign is \$94.51 including tax
 (If paying by check, make payable to: "Sandy Springs Signs")

9355 HUNTCIFF TRC

DONALD & DANNETTE DUCKWORTH

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JUN 09 2010

City of Sandy Springs
 Community Development

June 14, 2010

Steve Askari
4880 Lower Roswell Road, Suite 165
Marietta, GA 30068

Re: AM10-007 – An Administrative Modification Request for 9365 Huntcliff Trace, Sandy Springs,
Georgia 30350

Dear Mr. Askari:

The subject application indicates that you are requesting an Administrative Modification for property located at 9365 Huntcliff Trace. The subject property is zoned CUP (Community Unit Plan District) conditional, under Fulton County zoning case Z79-049.

The request to modify the condition 4.(d) of Z79-049 by reducing the required fifteen (15) foot minimum side yard setback is within that allowed by administrative approval by the Zoning Ordinance. Additionally, you have provided the needed documentation to gain approval for the Administrative Modification.

Based on the material that you have provided, the Administrative Modification to reduce the required fifteen (15) foot minimum side yard setback to seven feet and six inches (7.5') as shown on the site plan received by the Community Development Department on June 9, 2010 is hereby approved. The revised condition shall read as follows:

4. To the petitioner's agreement that the minimum house size will be:

- (d) That the minimum side yard will be 15 feet except on the street side where it will be 30 feet and except for Lot 41 (9365 Huntcliff Trace) where it will be 7.5 feet from the northern side property line as shown on the site plan received by the Community Development Department on June 9, 2010 and as stipulated in a letter of support from the owners' of in the adjacent property to the north (Lot 40/9355 Huntcliff Trace) received by the Community Development Department on June 9, 2010, and that the minimum rear yard will be 40 feet.

Please include a copy of this letter as a part of any applications for permits that you may seek in accordance with this administrative modification.

Should you have any questions, please do not hesitate to contact me at (770) 730-5600.

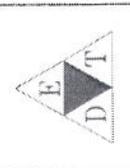
Sincerely,



Patrice S Ruffin, AICP
Assistant Director of Planning and Zoning

PSR/dt

Administrative Modification\Approval AM10-007.doc



ENGINEERING DESIGN TECHNOLOGIES, INC.
 1706 ENTERPRISE WAY
 SUITE 200
 MARLBETTA GA 30067
 PHONE (770) 968-1000
 FAX (770) 968-0500

CONSULTANTS:

 Ambient
 Construction Co. Inc.
 1000 Peachtree Industrial Blvd.
 Atlanta, GA 30329

SEAL

 PROJECT NAME:
PETITE RESIDENCE

NO. DATE: ISSUED FOR:

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SHEET TITLE:
SITE PLAN FOR PETITE RESIDENCE PATIO ADDITION

SCALE: 1" = 30'
PROJECT NUMBER: 2-1-2019
DATE:
ISSUED BY:
CHECKED BY:
DATE:
SHEET NUMBER:

C-101
 Sheet 1 of 6

- GENERAL NOTES**
1. INFORMATION REGARDING THE REPORTED INFILTRATION, THE CHARACTER AND EXTENT OF EXISTING INFILTRATION IS THE RESPONSIBILITY OF THE CLIENT. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS AND TESTS OF THE EXISTING INFILTRATION AND HAS FOUND THAT THE INFILTRATION IS OF A NATURE THAT REQUIRES THE INSTALLATION OF A PATIO ADDITION TO PREVENT FURTHER INFILTRATION. THE CLIENT SHALL VERIFY THE EXTENT AND CHARACTER OF THE INFILTRATION BY CONDUCTING VISUAL INSPECTIONS AND TESTS OF THE EXISTING INFILTRATION AT THE LOCATION INDICATED BY THE ENGINEER. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL HEALTH DEPARTMENT AND OTHER AGENCIES AS MAY BE REQUIRED.
 2. THE PATIO ADDITION SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL HEALTH DEPARTMENT AND OTHER AGENCIES AS MAY BE REQUIRED.
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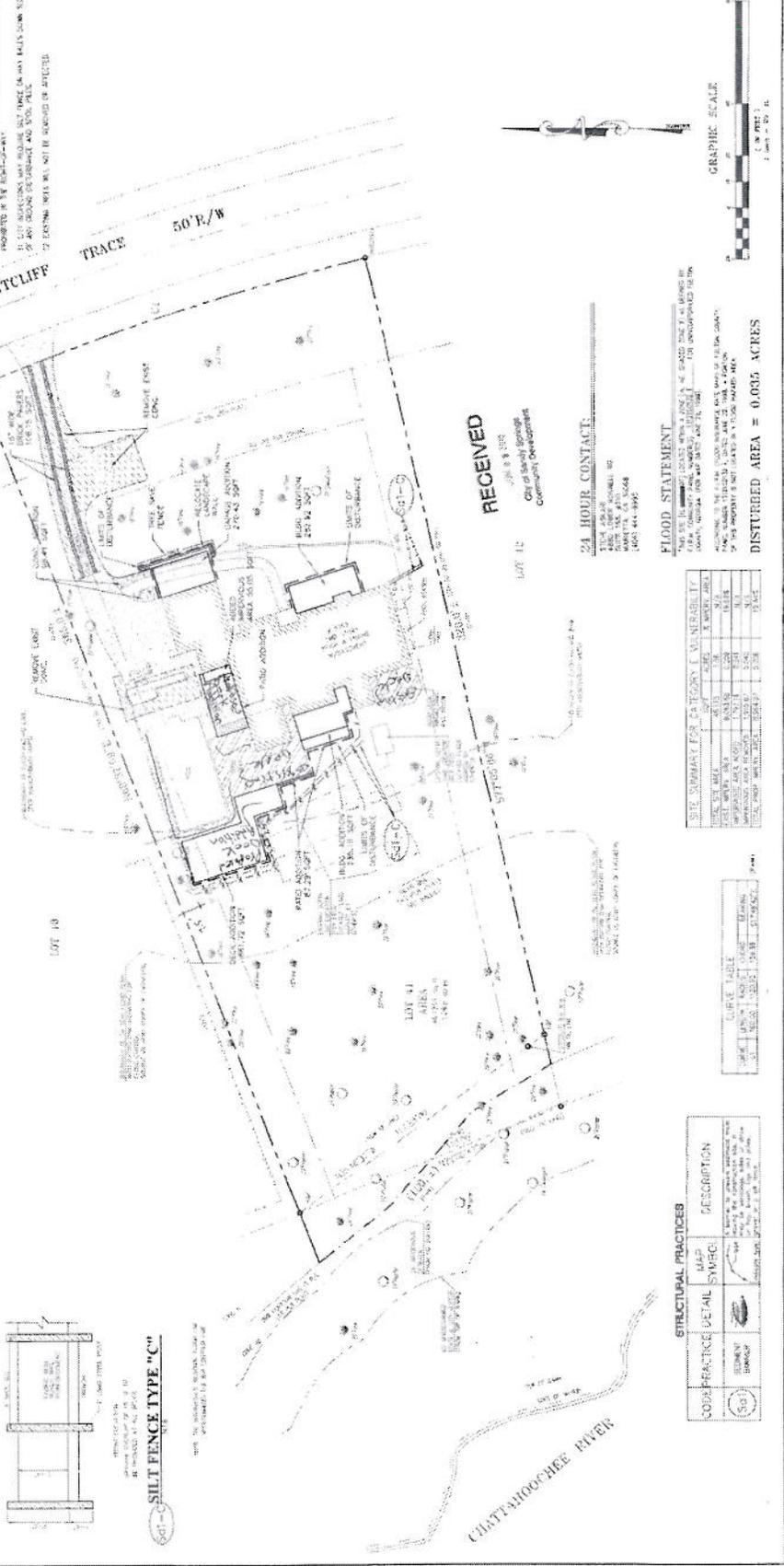
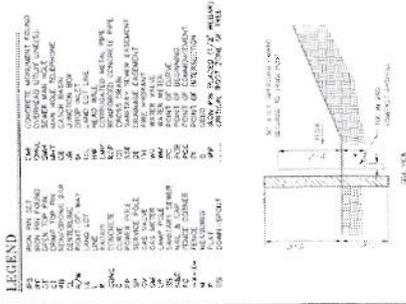
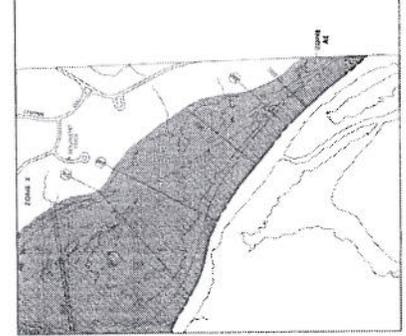
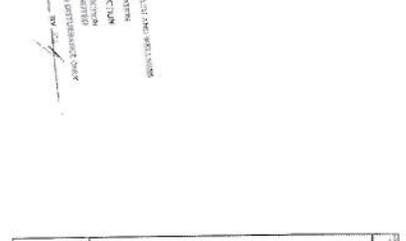
HUNTCLEFF TRACE 50' R/W

RECEIVED
 JUNE 12 2019
 City of Sandy Springs
 Community Development

24 HOUR CONTACT:
 NAME: JAMES W. WILSON
 PHONE: (770) 968-1000
 MARLBETTA, GA 30067
 (770) 968-0500

FLOOD STATEMENT:
 THIS SITE IS NOT LOCATED WITHIN A FLOOD HAZARD ZONE AS SHOWN ON THE FLOOD HAZARD ZONE MAP FOR MARLBETTA, GA. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL HEALTH DEPARTMENT AND OTHER AGENCIES AS MAY BE REQUIRED.

DISTURBED AREA = 0.035 ACRES



LEGEND

100	CONCRETE WALL
101	MASONRY WALL
102	FOUNDATION
103	FOOTING
104	SLAB
105	ROOF
106	CEILING
107	FLOOR
108	WALL
109	COLUMN
110	BEAM
111	JOIST
112	TRUSS
113	RAFTER
114	GABLE
115	DORMER
116	CHIMNEY
117	TOWER
118	STAIR
119	ELEVATOR
120	MECHANICAL ROOM
121	ELECTRICAL ROOM
122	PLUMBING ROOM
123	HATCH
124	STAIRCASE
125	ELEVATOR SHAFT
126	MECHANICAL SHAFT
127	ELECTRICAL SHAFT
128	PLUMBING SHAFT
129	ROOF DRAIN
130	DOWNSPOUT
131	GUTTER
132	FLASHING
133	DRAINAGE
134	VENTILATION
135	EXHAUST
136	INTAKE
137	SCREEN
138	GRATE
139	SLIP RESISTANT
140	ANTI-SLIP
141	SAFETY SURFACING
142	TRIP AND FALL PREVENTION
143	SLIP RESISTANT SURFACING
144	ANTI-SLIP SURFACING
145	SAFETY SURFACING
146	TRIP AND FALL PREVENTION

STRUCTURAL PRACTICES

CODE	PRACTICE DETAIL	MAP SYMBOL	DESCRIPTION
100	CONCRETE WALL	[Symbol]	CONCRETE WALL
101	MASONRY WALL	[Symbol]	MASONRY WALL
102	FOUNDATION	[Symbol]	FOUNDATION
103	FOOTING	[Symbol]	FOOTING
104	SLAB	[Symbol]	SLAB
105	ROOF	[Symbol]	ROOF
106	CEILING	[Symbol]	CEILING
107	FLOOR	[Symbol]	FLOOR
108	WALL	[Symbol]	WALL
109	COLUMN	[Symbol]	COLUMN
110	BEAM	[Symbol]	BEAM
111	JOIST	[Symbol]	JOIST
112	TRUSS	[Symbol]	TRUSS
113	RAFTER	[Symbol]	RAFTER
114	GABLE	[Symbol]	GABLE
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118	STAIR	[Symbol]	STAIR
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130	DOWNSPOUT	[Symbol]	DOWNSPOUT
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141	SAFETY SURFACING	[Symbol]	SAFETY SURFACING
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143	SLIP RESISTANT SURFACING	[Symbol]	SLIP RESISTANT SURFACING
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145	SAFETY SURFACING	[Symbol]	SAFETY SURFACING
146	TRIP AND FALL PREVENTION	[Symbol]	TRIP AND FALL PREVENTION

GRAPHIC SCALE
 1" = 30'

24 HOUR CONTACT:
 NAME: JAMES W. WILSON
 PHONE: (770) 968-1000
 MARLBETTA, GA 30067
 (770) 968-0500

FLOOD STATEMENT:
 THIS SITE IS NOT LOCATED WITHIN A FLOOD HAZARD ZONE AS SHOWN ON THE FLOOD HAZARD ZONE MAP FOR MARLBETTA, GA. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL HEALTH DEPARTMENT AND OTHER AGENCIES AS MAY BE REQUIRED.

DISTURBED AREA = 0.035 ACRES

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HUNTCLEFF TRACE 50' R/W

AMBIENT CONSTRUCTION CO. INC.
 1000 PEACHTREE INDUSTRIAL BLVD.
 ATLANTA, GA 30329
 (770) 968-1000

ENGINEERING DESIGN TECHNOLOGIES, INC.
 1706 ENTERPRISE WAY
 SUITE 200
 MARLBETTA GA 30067
 PHONE (770) 968-1000
 FAX (770) 968-0500

CONSULTANTS:

 Ambient
 Construction Co. Inc.
 1000 Peachtree Industrial Blvd.
 Atlanta, GA 30329

SEAL

 PROJECT NAME:
PETITE RESIDENCE

NO. DATE: ISSUED FOR:

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