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**CITY COUNCIL AGENDA ITEM**

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**TO:** Mayor & City Council

**DATE:** June 8, 2010

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** Confirmation of Administrative Modifications: AM09-008; AM10-001; AM10-003; AM10-004; AM10-005; AM10-006

**MEETING DATE:** For Submission onto the June 15, 2010, City Council Regular Meeting Agenda

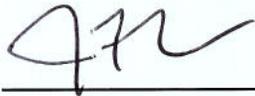
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**BACKGROUND INFORMATION:** (Attach additional pages if necessary)

See attached:

Memorandum  
Administrative Modifications

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**APPROVAL BY CITY MANAGER:**  APPROVED

\_\_\_\_\_ NOT APPROVED

**PLACED ON AGENDA FOR:** 6/15/10

**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: June 8, 2010 for submission onto the June 15, 2010 City Council meeting

Agenda Item: **Confirmation of Administrative Modifications**

***CMO (City Manager's Office) 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	Meeting Dates**	Staff Action
1. <b>AM09-008</b> 5430 Glenridge Drive <i>Applicant: Joseph Boveri</i> ▪ To delete conditions 3.h. and 3i. regarding signage.	5	MCC – 10/28/09	AM09-008 – Approved
2. <b>AM10-001</b> 6520 Roswell Road (SR 9) <i>Applicant: Cynthia A. Carson</i> ▪ To modify the Z67-161 conditions of approval as recommended by the Fulton County Planning Board, specifically conditions #2 and #3 regarding letters of intent related to perimeter fencing.	3	MCC – 01/21/10	AM10-001 – Approved
3. <b>AM10-003</b> 515 Redding View Court <i>Applicant: Phil and Debbie Rubin</i> ▪ To modify the condition 3.a. of Z96-120 by reducing the required thirty (30) foot minimum rear yard setback for the construction of an addition to a single-family home.	3	MCC – 04/19/2010	AM10-003 – Approved

4.	<b>AM10-004</b> 90 Johnson Ferry Road <i>Applicant: Maria D. Powell</i> <ul style="list-style-type: none"> <li>▪ To delete condition 4.d. of Z86-0090 restricting signage on the property.</li> </ul>	3	MCC – 04/29/10	AM10-004 – Approved
5.	<b>AM10-005</b> 6450 Barfield Road <i>Applicant: The Church of Jesus Christ of Latter-Day Saints</i> <ul style="list-style-type: none"> <li>▪ To delete condition 2, the overall concept plan in the original letter of intent of U80-0063 and M87-0020 by reference to the new site plan submitted to the Department of Community Development on May 10, 2010 to allow for the relocation of the residential building one hundred thirty (130) feet to the south.</li> </ul>	4	MCC – 05/12/10	AM10-005 – Approved
6.	<b>AM10-006</b> 3880 Spalding Drive <i>Applicant: Justin McKinney</i> <ul style="list-style-type: none"> <li>▪ To modify the condition 1.f. of Z82-146 by reducing the required fifty (50) foot minimum setback from the right-of-way of Spalding Drive for a storage shed.</li> </ul>	5	MCC - 11/17/09	AM10-006 – Approved

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City of Sandy Springs  
Community Development

## MODIFICATION/CONCURRENT VARIANCE APPLICATION

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

### APPLICANT'S CHECKLIST

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

- 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. **FEE:** See attached fee schedule.
- ITEM 4. **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 5. **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 6. **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.

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- ITEM 7. **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 and specific condition(s) being addressed.
- ITEM 8. **ADJACENT PROPERTY OWNER LETTERS.** Letters from adjacent property owners/neighborhood associations are required if the request is for an administrative modification.
- ITEM 9. **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: 5430 GLENRIDGE DRIVE TAX PIN: \_\_\_\_\_

REZONING AND/OR USE PERMIT PETITION NO. \_\_\_\_\_

CONDITION(S) TO BE MODIFIED: TO INCREASE ALLOWANCE OF MAXIMUM SQUARE FOOTAGE OF SIGN  
 REQUEST: FROM 8 SQ. FT. TO A MINIMUM OF 24 SQ. FT. FOR MAIN I.D. SIGN  
(MONUMENT TYPE).

CONDITION(S) TO BE MODIFIED: \_\_\_\_\_  
 REQUEST: \_\_\_\_\_

CONDITION(S) TO BE MODIFIED: \_\_\_\_\_  
 REQUEST: \_\_\_\_\_

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REQUESTED CONCURRENT VARIANCE(S): \_\_\_\_\_

ARTICLE: \_\_\_\_\_ SECTION: \_\_\_\_\_

REQUESTED CONCURRENT VARIANCE(S): \_\_\_\_\_

ARTICLE: \_\_\_\_\_ SECTION: \_\_\_\_\_

**SECTION III. OWNER/APPLICANT/AGENT INFORMATION:**

**OWNER INFORMATION:**

Joseph F. Bovezzi, M.D.  
TYPE OR PRINT OWNER'S NAME

5430 Glenridge Dr  
ADDRESS

Atlanta GA 30342  
CITY & STATE ZIP CODE

[Signature]  
OWNER'S SIGNATURE

404-250-3600  
PHONE NUMBER

Sworn to and subscribed before me this the

28 Day of Sept. 20 09

[Signature]  
NOTARY PUBLIC

**APPLICANT INFORMATION:**

Southeastern Gyn Oncology Teesha Dawson  
TYPE OR PRINT PETITIONER'S NAME

5430 Glenridge Dr  
ADDRESS

Atlanta, GA 30342  
CITY & STATE ZIP CODE

[Signature]  
APPLICANT'S SIGNATURE

678-430-4100  
PHONE NUMBER

Sworn to and subscribed before me this the

28 Day of Sept 20 09

[Signature]  
NOTARY PUBLIC

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**ATTORNEY/AGENT INFORMATION:**

Check One:  Attorney  Agent

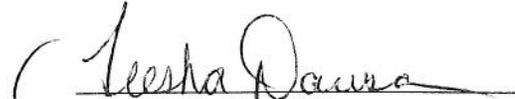
**AMERICAN SYSTEMS, INC. DBA SIMON SIGN SYSTEMS**  
 TYPE OR PRINT ATTORNEY / AGENT NAME **SIMON ROBINSON**

**3034 LAKEWOOD AVENUE SW**  
 ADDRESS

**ATLANTA GA** **30310-5003**  
 CITY & STATE ZIP

**404-966-5208**  
 PHONE NUMBER

  
 SIGNATURE OF ATTORNEY/AGENT

  
 PETITIONER'S SIGNATURE

**Planning and Zoning Fee Schedule**

<b>MODIFICATIONS</b>	Any modification request	\$300 plus \$100 for each additional modification request on the same piece of property
<b>CONCURRENT VARIANCES</b>	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")

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City of Sandy Springs  
 Community Development

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# SANDY SPRINGS

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October 28, 2009

Joseph Boveri  
5430 Glenridge Drive  
Atlanta, GA 303542

Re: AM09-008 – An Administrative Modification Request for 5430 Glenridge Drive  
Sandy Springs, Georgia 30350.

Dear Mr. Boveri:

The subject application indicates that you are requesting an Administrative Modification for property located at 5430 Glenridge Drive. The subject property is zoned O-I (Office Institutional District) conditional, under Fulton County zoning case Z83-0113.

The request to delete conditions 3.h. and 3i., regarding signage 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 delete conditions 3.h. and 3i., of Z83-0113 is hereby approved. The administrative modification is approved subject to deletion of the following condition:

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

- ~~h. Limit the project identification signage for each structure to no more than one unlighted, double faced, monument sign adjacent to Glendrige Drive and not more than 8 square feet of surface area per face and further not to exceed a height of 4 feet from finished grade measured from the base of the sign structure. Said monument shall be no closer than 20 feet from the access point and not further than 50 feet away from the access point.~~
- ~~i. No roof signs/wall signs are permitted.~~

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.

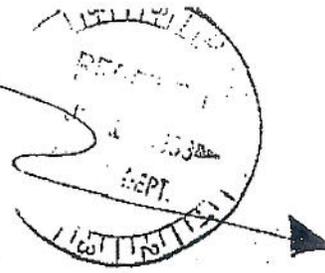
Sincerely,



Patrice S. Ruffin, AICP  
Assistant Director of Planning & Zoning

PR/en

X:\CommunityDevelopment\Planning & Zoning\Modification - Administrative Modification\2009\AM09-008 5430 Glenridge Drive\Approval AM09-006.doc



EXISTING OFFICE ZONING

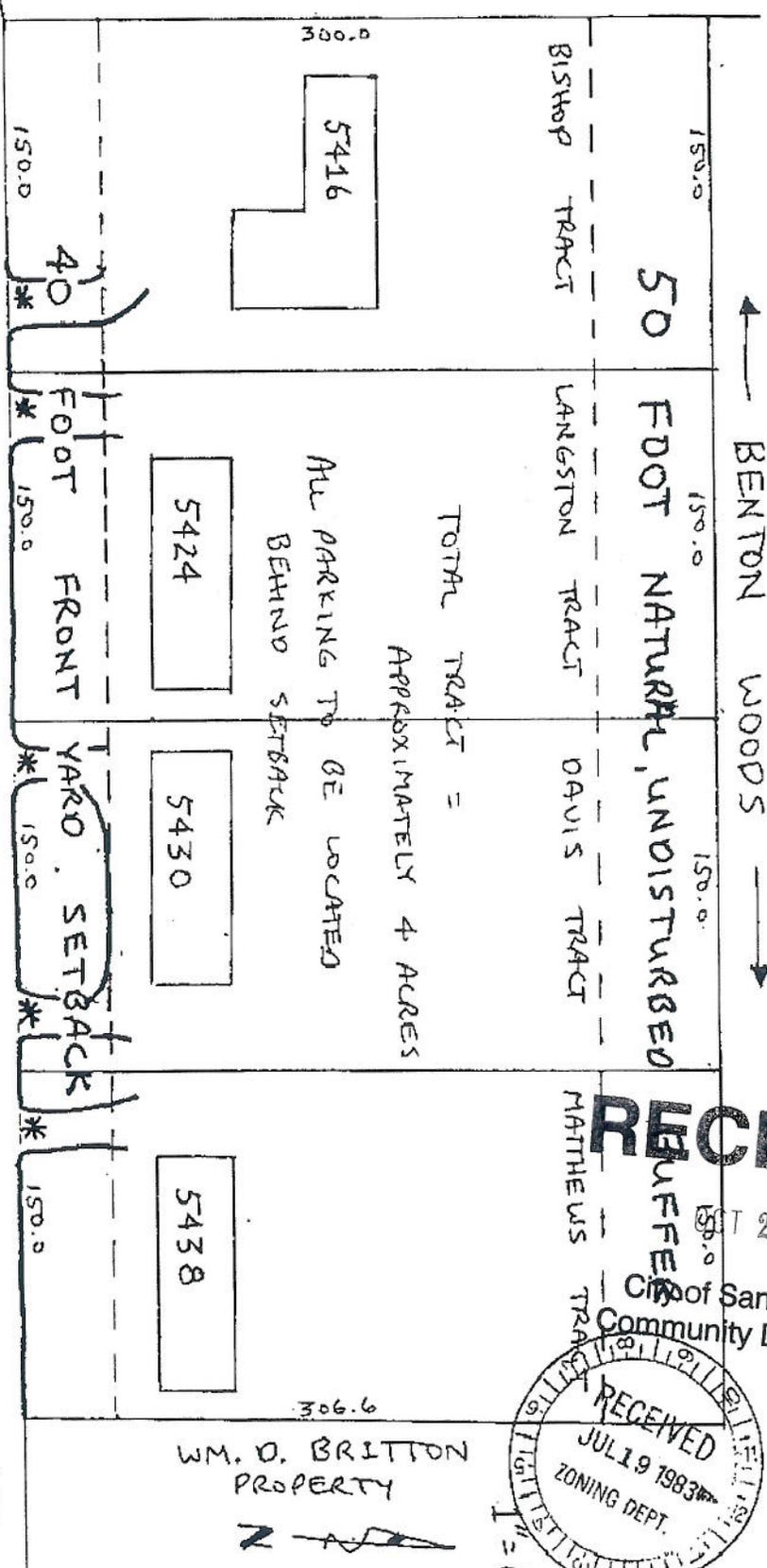
GLENRIDGE CONDOMINIUMS

WILLOW GLEN CONDOMINIUMS

TENNIS COURTS CLUBHOUSE

GLENRIDGE DRIVE

283-113



BENTON WOODS

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AUG 20 2009

City of Sandy Springs Community Development



\* EXISTING/PLANNED CURB CUTS TO REMAIN AND/OR BE IMPROVED

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