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APR 12 2010

**MODIFICATION/CONCURRENT VARIANCE APPLICATION** City of Sandy Springs  
Community Development

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

**APPLICANT'S CHECKLIST**

AM10-003

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 \$150	See attached schedule	
5. ✓	Site Plan (drawn to scale) <i>one plan to scale</i>	3 copies; one of the required copies must be 8 1/2" x 11"	
6. N/A	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	

- 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. \_\_\_\_\_

CONDITION(S) TO BE MODIFIED: 3a (296-0120)

REQUEST: Reduce Rear setback to allow for new addition

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

REQUEST: \_\_\_\_\_

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

REQUEST: \_\_\_\_\_

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

REQUEST: \_\_\_\_\_

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Community Development

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

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

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

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

City of Sandy Springs  
Community Development

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

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

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

**OWNER INFORMATION:**

Phillip and Deborah Rubin

TYPE OR PRINT OWNER'S NAME

515 Redding View Ct.

ADDRESS

Atlanta, GA 30328

CITY & STATE ZIP CODE

Deborah S. Rubin

OWNER'S SIGNATURE

404 257-2296

PHONE NUMBER

Sworn to and subscribed before me this the

9th Day of April

Adriana Filip

NOTARY PUBLIC



Sworn to and subscribed before me this the

Day of 20

NOTARY PUBLIC

**APPLICANT INFORMATION:**

TYPE OR PRINT PETITIONER'S NAME

ADDRESS

CITY & STATE ZIP CODE

APPLICANT'S SIGNATURE

PHONE NUMBER

**ATTORNEY/AGENT INFORMATION:**

Check One:  Attorney  Agent

TYPE OR PRINT ATTORNEY / AGENT NAME

SIGNATURE OF ATTORNEY/AGENT

ADDRESS

CITY & STATE ZIP

PHONE NUMBER

PETITIONER'S SIGNATURE

**DISCLOSURE REPORT**

<b>Office use only</b>	
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.

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1. CIRCLE ONE:                      Party to Petition                      In Opposition to Petition

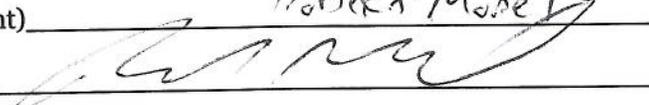
If party to petition, complete sections 2, 3 and 4 below.  
If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

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) Robert + Moore  
 Signature:                       Date: 4/9/10

## 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



April 19, 2010

Phil and Debbie Rubin  
515 Redding View Court  
Sandy Springs, GA 30328

Re: AM10-003 – An Administrative Modification Request for 515 Redding View Court

Dear Mr. and Mrs. Rubin:

The subject application indicates that you are requesting an Administrative Modification for property located at 515 Redding View Court. The subject property is zoned CUP (Community Unit Plan District) conditional, under Fulton County zoning case Z96-120.

The request 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 is within that allowed by administrative approval by the Zoning Ordinance. Additionally, you have provided the needed documentation, including letters of no objection from adjacent property owners, to gain approval for the Administrative Modification.

Based on the material that you have provided, the Administrative Modification to reduce the required thirty (30) foot minimum rear yard setback to twenty-three (23) feet along the southwest rear property line is hereby approved. The revised conditions shall read as follows:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Single family detached dwelling and accessory uses and structures.
  - b. No more than 39 total dwelling units at a maximum density of 2.56\* dwelling units per acre, whichever is less, based on the total acreage zoned.
  - c. All lots adjacent to R-3 (Residential) and R-4 (Residential) districts shall be a minimum of 12,000 square feet.
  - d. All interior lots and lots adjacent to Johnson Ferry Road shall be a minimum of 8,500 square feet.
  - e. The minimum heated floor area per dwelling unit shall be 2,200 square feet.
2. To the owner's agreement to abide by the following:
  - a. To revised site plan received by the Development Services Department on January 24, 1997. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Regulation and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

3. To the owner's agreement to the following site development considerations:
  - a. The minimum design standards for the site are:
    - Front Yard – 25 feet
    - Side Yard – 7.5 feet
    - Side Yard adjacent to R-4 (Residential) -25 feet
    - Side Yard adjacent to street – 20 feet
    - Rear Yard – 30 feet (except for Lot 22 (known as 515 Redding View Court) which shall have a minimum rear yard of twenty- three (23) feet as shown on the site plan received by the Department of Community Development dated April 12, 2009).
    - Minimum Lot Width at Building Line – 65 feet
    - Principal Building setback adjacent to R-3 (Residential) – 35 feet
  - b. Provide a 6-foot high 100% opaque, brick or masonry wall, subject to the approval of the ~~Fulton County~~ Sandy Springs Arborist and the Director of the ~~Development Services~~ Department of Community Development, outside the new right-of-way of Johnson Ferry Road. (except for approved access crossings). Said wall is to be located outside of any public right-of-way and setback from the property line so that any required landscape strips and/or buffers shall be between said fence/wall and the property line, or as may be approved by the Director of the ~~Development Services~~ Department of Community Development and the ~~Fulton County~~ Sandy Springs Arborist. The finished side of said wall shall face the exterior property lines. All walls shall require a separate building permit and, unless otherwise noted herein, compliance with all conditions associated with the construction of said wall shall be in place prior to the issuance of the first Certificate of Occupancy.
  - c. No more than one exit/entrance on Johnson Ferry Road to align with Bernard Place. Curb cut location and alignment are subject to the approval of the ~~Fulton County~~ Sandy Spring Traffic Engineer.
  - d. No lot shall be allowed direct access from Johnson Ferry Road.
  - e. All recreational and other areas which may be held in common shall be maintained by a mandatory Homeowners Association, who's proposed documents of incorporation shall be submitted to the Director of the ~~Development Services~~ Department of Community Development for review and approval prior to the recording of the first final plat.
4. To the owner's agreement to abide by the following requirements, dedication and improvements:
  - a. Dedicate at no cost of ~~Fulton County~~ Sandy Springs along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following right-of-way, and dedicate at no cost to ~~Fulton County~~ Sandy Springs such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road

improvements, as well as allow the necessary construction easements while the right-of-way are being improved.

55 feet from centerline of Johnson Ferry Road or as may be required by the Georgia Department of Transportation.

- b. Improve roadway along the entire property frontage with curb and gutter per ~~Fulton County~~ Sandy Springs Standards or as may be required by the Georgia Department of Transportation.
  - c. Provide a deceleration lane for each project entrance or as may be required by the ~~Fulton County~~ Sandy Springs Traffic Engineer.
  - d. Provide a left turn lane for each project entrance or as may be required by the ~~Fulton County~~ Sandy Springs Traffic Engineer.
5. To the owner's agreement to abide by the following:
- a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit with the ~~Development Services~~ Department of Community Development, to meet with the ~~Fulton County~~ Sandy Springs Traffic Engineer. A signed copy of the results of these meeting will be required to be submitted along with the application for a Land Disturbance Permit.
  - b. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit with the ~~Development Services~~ Department of Community Development, to arrange an on-site evaluation of the existing specimen trees/stands, buffers, and tree protection zone within the property boundaries with the ~~Fulton County~~ Sandy Springs Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
  - c. To maintain as a minimum, the tree density requirements as prescribed by the ~~Fulton County Tree Preservation Ordinance Administrative Guidelines~~ Sandy Springs Tree Conservation Ordinance, either through the retention of existing trees, or tree replacement, in perpetuity.
  - d. To contact the Director of Public Works, prior to the application for Land Disturbance Permit with the ~~Development Services~~ Department of Community Development, to arrange an on-site visit and evaluation as to the location of stormwater facilities, discharge path of detention/retention pond(s) and other downstream constraints with ~~Fulton County Drainage Basin~~ Sandy Springs Engineer. Prior to the application for a Land Disturbance Permit, the results of the on-site evaluation (downstream and upstream impact) by the Department of Public Works and the developer/engineer shall be incorporated within the

construction drawings submitted to the ~~Development Services~~ Department of Community Development.

- e. At the time of submittal for a Land Disturbance Permit and after the approval of the Preliminary Plat, the engineer/developer is required to provide written documentation verifying on-site evaluation and any other necessary downstream constraints.
- f. Provide documentation (cross-section, profile, etc) as to the existing conditions for all natural stream/creeks within the boundary of the project. Show, by documentation, the appropriate erosion protection of the stormwater conveyance system.

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/la

X:\CommunityDevelopment\Planning & Zoning\Modification - Administrative Modification\2010\AM10-003 515 Redding View C\Approval AM10-003.doc

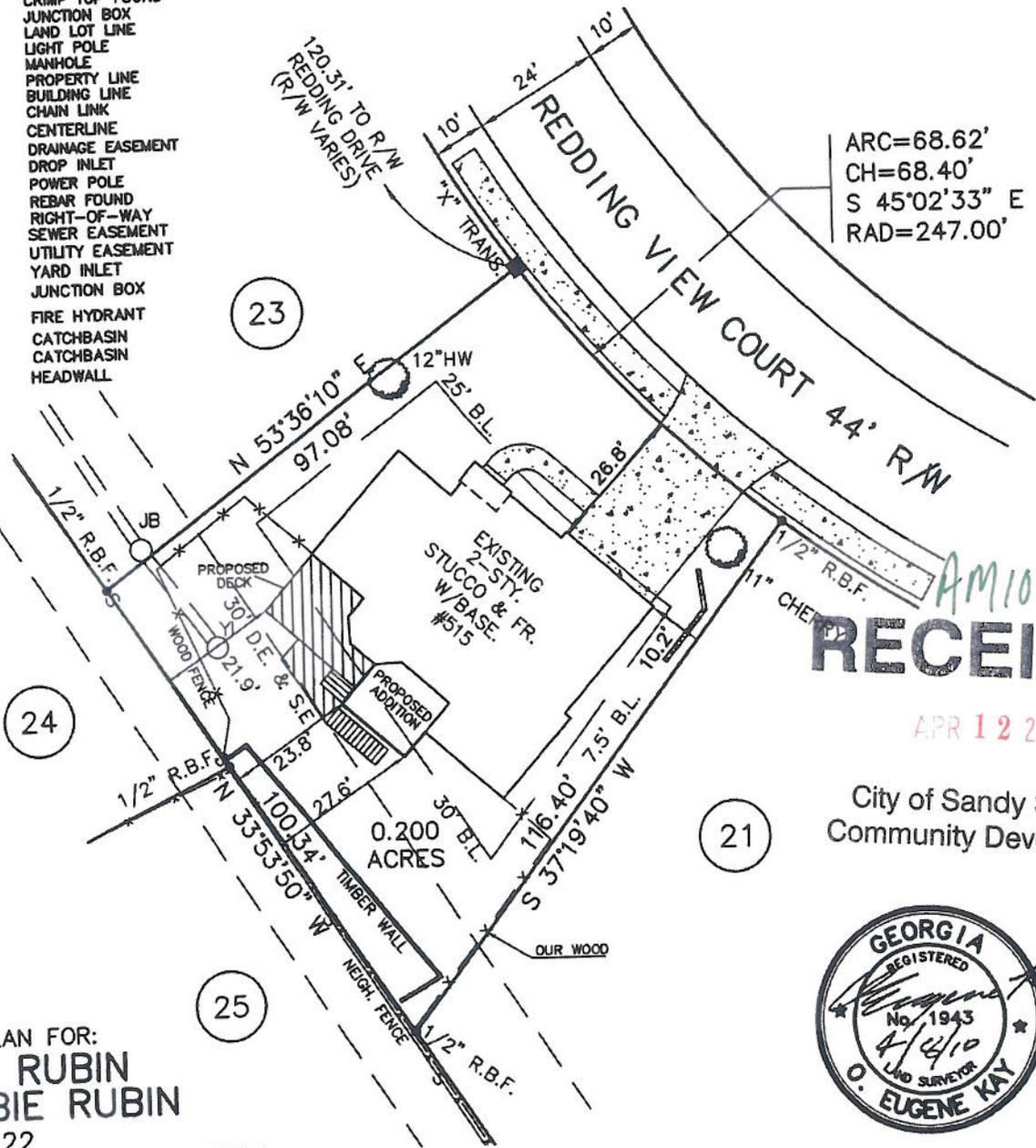
50149

**LEGEND**

- IPF IRON PIN FOUND (1/2" REBAR)
- IPS IRON PIN SET (1/2" REBAR)
- OTF OPEN TOP FOUND
- CTF CRIMP TOP FOUND
- JUNCTION BOX
- LL LAND LOT LINE
- LIGHT POLE
- ⊗ MANHOLE
- ⊕ PROPERTY LINE
- ⊖ BUILDING LINE
- ⊙ CHAIN LINK
- ⊘ CENTERLINE
- ⊚ DRAINAGE EASEMENT
- ⊛ DROP INLET
- ⊜ POWER POLE
- ⊝ REBAR FOUND
- ⊞ RIGHT-OF-WAY
- ⊟ SEWER EASEMENT
- ⊠ UTILITY EASEMENT
- ⊡ YARD INLET
- ⊢ JUNCTION BOX
- ⊣ FIRE HYDRANT
- ⊤ CATCHBASIN
- ⊥ CATCHBASIN
- ⊦ HEADWALL

THIS SURVEY HAS BEEN CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND FOUND ACCURATE TO WITHIN ONE FOOT IN 129,042 FEET.

NOTE: FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE OR STRUCTURE.



ARC=68.62'  
CH=68.40'  
S 45°02'33" E  
RAD=247.00'

AM10-003

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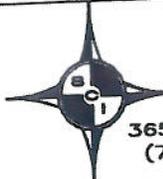
City of Sandy Springs  
Community Development



SITE PLAN FOR:  
**PHIL RUBIN**  
**DEBBIE RUBIN**

LOT 22  
SUBDIVISION: WOODCLIFF  
LAND LOT 126 17th DIST.  
FULTON COUNTY, GEORGIA  
SCALE: 1"= 30' APRIL 8, 2010  
REC. IN PLAT BOOK 203, PG. 81

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



# SCI Development Services

ENGINEERS - SURVEYORS - LAND PLANNERS  
3655 HEWATT ROAD - SUITE E - SNELLVILLE, GEORGIA 30039  
(770) 736-7666 FAX (770) 736-4623  
MAIL@SURVEYCONCEPTS.NET