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MAY 10 2010



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

AM10-005

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	

- 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

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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: 6450 Barfield Road, Atlanta, GA 30328 TAX PIN: 17-0035-065-7

REZONING AND/OR USE PERMIT PETITION NO. U-90-63, AMP09-003

CONDITION(S) TO BE MODIFIED: No changes to conditions

REQUEST: Amend location of housing building on site plan.

CONDITION(S) TO BE MODIFIED: _____

REQUEST: _____

CONDITION(S) TO BE MODIFIED: _____

REQUEST: _____

CONDITION(S) TO BE MODIFIED: _____

REQUEST: _____

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REQUESTED CONCURRENT VARIANCE(S): _____

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

REQUESTED CONCURRENT VARIANCE(S): _____

ARTICLE: _____ SECTION: _____

REQUESTED CONCURRENT VARIANCE(S): _____

ARTICLE: _____ SECTION: _____

SECTION III. OWNER/APPLICANT/AGENT INFORMATION:

OWNER INFORMATION:

The Church of Jesus Christ of Latter-Day Saints
TYPE OR PRINT OWNER'S NAME

6450 Barfield Road, Atlanta, GA 30328
ADDRESS

Atlanta, GA 30328
CITY & STATE ZIP CODE

[Signature]
OWNER'S SIGNATURE

801-240-3340
PHONE NUMBER

Sworn to and subscribed before me this the

25 Day of February 20 10
Cindy Growcock
NOTARY PUBLIC



APPLICANT INFORMATION:

Matthew K. Brune
TYPE OR PRINT PETITIONER'S NAME

1852 Century Place, NE, Suite 202
ADDRESS

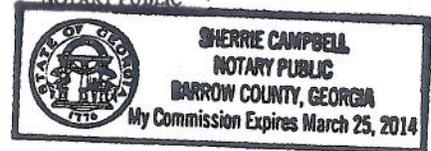
Atlanta, GA 30345
CITY & STATE ZIP CODE

[Signature]
APPLICANT'S SIGNATURE

678-287-4734
PHONE NUMBER

Sworn to and subscribed before me this the

10 Day of May 20 10
Sherrie Campbell
NOTARY PUBLIC



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

MAY 10 2010

DISCLOSURE REPORT

Office use only	City of Sandy Springs Community Development
PETITION #:	MAYOR AND CITY COUNCIL HEARING DATE:

AM10-005

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: _____

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) GARY L. HOLLAND Proj. Mgr. T&SP
 Signature: [Handwritten Signature] Date: 2/22/2010

May 12, 2010

Matthew Brune
1852 Century Place, Suite 202
Atlanta, GA 30345

Re: AM10-005 – An Administrative Modification Request for 6450 Barfield Road, Sandy Springs, Georgia 30328

Dear Mr. Brune:

The subject application indicates that you are requesting an Administrative Modification for property located at 6450 Barfield Road. The subject property is zoned A (Medium Density Apartment District) conditional, under Fulton County Use Permit U80-0063 and Modifications M87-0020.

The request 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 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 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 relocation of the residential building one hundred thirty (130) feet to the south is hereby approved. The administrative modification is approved subject to the following conditions:

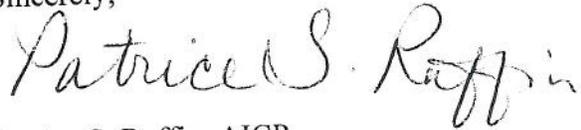
1. To the owner's agreement to limit use of the property to religious Temple and with support auxiliary structures including maintenance and garage facilities, a distribution center, and with a maximum of 25 residential units, and a chapel building or an additional 35 residential units.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated ~~April 15, 2009~~ May 10, 2010. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance 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 a Certificate of Occupancy.

3. To the owner's agreement to submit to the Director of Community Development for his approval, prior to any defoliation or alteration of this site, a grading plan and such other engineering documents as may be required by the Department of Community Development including a hydrological study to be submitted prior to, soil sedimentation and erosion control while the project is under development, and provisions for water retention, and the method of continuing maintenance of these facilities if required. This conditions applies to the developer, to all builders, any and all subcontractors as well and equipment suppliers associated with development and building.
4. To the owner's agreement to submit to the Director of Community Development for his approval, prior to the issuance of a grading permit, a detailed landscape plan. And further, to the owner's agreement that said landscaping approved by the Director of Community Development shall be in place prior to the issuance of the Certificate of Occupancy or connection of permanent power.
5. To the owner's agreement that the exterior of all concrete blocks will be coated with an architectural treatment (e.g., epoxy, stucco, brick veneer, etc.) or an alternate solution that may be approved by the Director of Community Development.
6. To the owner's agreement to provide a minimum 25 foot wide natural, undisturbed, buffer, replanted where sparsely vegetated, along the entire north and south property lines in addition to the 25 foot side yard setback.
7. To the owner's agreement that the entire 40 foot setback along the Barfield Road frontage shall be a landscaped strip; and to the owner's agreement to provide a minimum 100 foot landscape strip along the entire Glenridge Drive property frontage. Said landscape strip along Glenridge Drive shall be planted in conformance with the landscape plan received by the Department on April 15 2009, subject to approval of the Sandy Springs Arborist.
8. To the owner's agreement to connect to the metropolitan water and sanitary sewer as recommended by Fulton County Health Department.
9. To the owner's agreement to pay all necessary tap on fees, front footage assessment, and prorated share cost of sewerage extension as determined by Sandy Springs Department of Community Development.
10. To the owner's agreement to provide designated fire lanes adjacent to all structures as required by the Sandy Springs Fire Department.
11. To the owner's agreement to provide sufficient private fire hydrants that concentrate the required fire floor about any portion of the building with no hose line exceeding 500 feet in length.

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,

A handwritten signature in cursive script that reads "Patrice S. Ruffin". The signature is written in black ink and is positioned above the printed name.

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

PR/la
X:\CommunityDevelopment\Planning & Zoning\Modification - Administrative Modification\2010\AM10-005 6450 Barfield Road The Church of Jesus Christ of
Latter-Day Saints\Approval AM10-005.doc

