



To: John McDonough, City Manager

From: Ginger Sottile, Planning & Zoning Manager

Date: August 31, 2016, for submission onto the September 6, 2016 City Council meeting

Agenda Item: **Application RZ16-0102 (City-Initiated) for the rezoning of the property known as Peachtree Manor (Manorwood Court) from TR (Townhouse Residential) to TR**

Council to Initiate Rezoning Request for a rezoning from TR to TR for the property known as Peachtree Manor.

Background:

The subject development was approved conditional under a Fulton County decision #01Z-0116, wherein 12 townhomes were permitted on a 2.3-acre site, with condo-type ownership. Over the past several years, issues with title have arisen and staff, along with legal counsel, have determined the most efficient and expedient method of handling these technical problems is through the rezoning process.

Discussion:

The current homeowners are having difficulty securing financing because of issues with title, which appears to be related to the property description and the existing final plat map. As a result of flaws or errors and omissions with the existing plat map filed with Fulton County, the recommendation of the City is to have a new final plat filed, showing each of the existing 12 homes on their own parcel.

A review of the proposed re-platting of the 12 townhomes revealed scores of variances, because what was once one lot, is now being split up into 12 individual lots, each having to meet current standards of our Zoning Ordinance. Therefore, in conjunction with the rezoning request, the approval of the plat map will entail the approval of 60 or so concurrent variances.

COMMUNITY DEVELOPMENT

7840 Roswell Road, Building 500 • Sandy Springs, Georgia 30350 • 770.730.5600 • SandySpringsGA.gov

DRAINAGE

"The owner of record, on behalf of himself (itself) and all successors in interest, specifically releases Fulton County from any and all liability and responsibility for flooding or erosion from storm drains or from flooding from high water of natural creeks, rivers or drainage features. A drainage easement is hereby established for the sole purpose of providing for the emergency protection of the free-flow of surface waters along all watercourses as established by these Regulations and the Director of the Department of Public Works. The Director of the Department of Public Works may conduct emergency maintenance operations within this easement where emergency conditions exist. Emergency maintenance shall be the removal of trees and other debris, excavation, filling and the like, necessary to remedy a condition, which in the judgement of the Director of Public Works, is potentially injurious to life, property or the public road or utility system. Such emergency maintenance, conducted for a common good shall not be construed constituting a continuing maintenance obligation on the part of Fulton County, nor an abrogation of Fulton County's right to seek reimbursement for expenses from the owner or the properties or the lands that generated the conditions."

**OWNER'S ACKNOWLEDGEMENT;
(STATE OF GEORGIA)
(COUNTY OF FULTON)**

The owner of record of the land shown on this plat and whose name is subscribed thereto, in person or through a duly authorized agent, hereby acknowledges that this plat was made from an actual survey, dedicated to Fulton County, the complete ownership and use of all water and sewer improvements constructed or to be constructed in accordance with this plat, and dedicates to the use of the public forever the following:

- Public Streets _____ 0.0 _____ acres
- Public Sewer Easements _____ 0.43 _____ acres
- Public Drainage Easements _____ 0.0 _____ acres
- Public Parks/Open Space _____ 0.0 _____ acres

ORIGINAL SIGNATURES ON PLAT BOOK 258, PAGE 30-33

Typed Name of Subdivider _____ Typed Name of Owner of Record _____
 Signature of Subdivider _____ Signature of Owner of Record _____
 Date _____ Date _____

Certification As to Recording

This is to certify that this plat has been recorded in Plat Book _____ Page _____ of Fulton County Records on _____ 2004.

Clerk, Superior Court
Fulton County, Georgia

FINAL PLAT APPROVAL

The Director of the Department of Environment and Community Development of Fulton County, Georgia, certifies that this plat complies with the Fulton County Zoning Resolution, Conditions of Zoning, and the 2003 Fulton County Subdivision Regulations as amended.

Director, Department of Environment and Community Development _____ Date _____

PURPOSE OF PLAT

The purpose of this revised final plat is establish the lot boundaries and common areas following completion of the improvements in the community.

SURVEYOR'S ACKNOWLEDGMENT

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION.

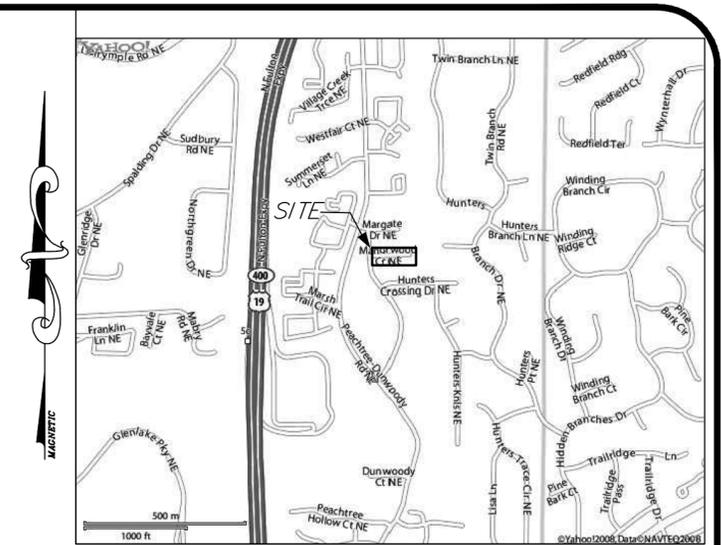
BY: _____
SEATON G. SHEPHERD, JR.
REGISTERED LAND SURVEYOR NO. 2136

DATE: _____

STREET SLOPE STATEMENT

This plat is approved with the understanding that easement is granted Fulton County along all road frontage for the purpose of sloping cuts and fills as follows:
 0' to 5' - not less than 3 to 1 slope
 5' to 10' depth - not less than 2 to 1 slope

Fulton County personnel and/or agents shall have free and total access to and across all easements.



VICINITY MAP (NTS)

FINAL PLAT FOR PEACHTREE MANOR S/D

CURRENT ZONING: TR DISTRICT SUBDIVISION
CONDITIONS - PETITION 01Z-0116
01VC0194FCN

1. ALL UTILITIES SHALL BE UNDERGROUND.
2. ALL STREET LIGHTING SHALL BE INSTALLED WITH AN UNDERGROUND FEED. THERE SHALL BE CONSIDERATIONS FOR LIGHTING SUCH THAT LIGHTS DO NOT SHINE IN ADJACENT HOMEOWNER'S HOUSES.
3. THERE SHALL BE A BRICK-SCREENING WALL CONSTRUCTED ALONG THE PROPERTY'S PEACHTREE DUNWOODY FRONTAGE (WEST PROPERTY LINE). THIS WALL SHALL BE A MINIMUM OF 5 FEET HIGH AND SHALL HAVE A SIMILAR DESIGN AS THE ROBERTS STATION WALL ALONG ROBERTS DRIVE OR THE SPALDING SPRINGS SUBDIVISION ON SPALDING DRIVE. THE AREA FROM THE WALL TO THE STREET SHALL BE LANDSCAPED WITH SHRUBS AND EVERGREENS AND/OR HARDWOOD TREES.
4. FRONT ENTRANCE SHALL BE DEEDED TO THE SUBDIVISION HOMEOWNER'S ASSOCIATION. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE FRONT ENTRANCE LANDSCAPING AND DETENTION POND(S). THE DEVELOPER SHALL INCLUDE IN THE HOMEOWNER'S ASSOCIATION COVENANTS THAT MEMBERSHIP IN THE ASSOCIATION IS MANDATORY FOR EACH HOMEOWNER.
5. THE DEVELOPER SHALL INSTALL CURB AND SIDEWALKS WITHIN THE RIGHT-OF-WAY ALONG THE WEST PROPERTY LINE.

6. AN UNDISTURBED BUFFER AT THE REAR OF THE PROPERTY SHALL BE 40 FEET IN WIDTH AND 30 FEET AT THE SIDES. THE DEVELOPER IS TO SURVEY AND MARK THE BUFFER WITH YELLOW TAPE AND ORANGE CONSTRUCTION FENCING PRIOR TO THE START OF ANY CONSTRUCTION. ALL EROSION CONTROL SHALL BE OUTSIDE THE UNDISTURBED BUFFER. DEVELOPER SHALL REMAIN RESPONSIBLE FOR THE UPKEEP AND MAINTENANCE OF THE UNDISTURBED BUFFER, EVEN THOUGH HE HAS SOLD LOTS TO OTHER BUILDERS. ONCE A CERTIFICATE OF OCCUPANCY FOR THE HOME HAS BEEN OBTAINED FROM THE COUNTY, THE BUFFER REQUIREMENT SHALL BE ELIMINATE FOR THE LOT.
7. THE EXISTING DRIVEWAY THAT IS IN THE BUFFER AND ANY OTHER DISTURBED BUFFER SHALL BE REPLANTED TO A NATURAL STATE WITH HARDWOOD TREES SUCH AS RED MAPLE, POPLAR AND SWEET GUM OF AT LEAST 3" TO 4" CALIBER.
8. THE TOTAL DENSITY FOR THE DEVELOPMENT SHALL NOT EXCEED 5.22 UNITS (SINGLE FAMILY DETACHED HOMES) PER ACRE (MAXIMUM NUMBER OF 12 UNITS).
9. MINIMUM HOUSE SIZE SHALL BE 3,200 SQ. FT OF FINISHED HEATED SPACE AND MAXIMUM THREE FLOORS HIGH (INCLUDING ANY OUT OF GROUND BASEMENT WALLS).
10. EXTERIOR BUILDING MATERIAL SHALL BE PRIMARILY OF BRICK ON 4 SIDES SIMILAR TO THE DUNWOODY/WILLIAMSBURG STYLE. EXTERIOR FACADE ACCENTS MAY CONSIST OF WOOD OR PLANKING SIDING (NO GREATER THAN 6 INCHES), STONE, SHAKE SHINGLES OR STUCCO. THERE SHALL BE NO VINYL SIDING.

11. THE DEVELOPER SHALL PROVIDE AT LEAST TWO HARDWOOD TREES OF AT LEAST 3" TO 4" CALIBER IN THE FRONT YARD OF EACH HOME.
12. SET BACK LINES SHALL BE A MINIMUM OF 60 FEET IN THE REAR, 40 FEET ON THE SIDE AND 40 FEET IN THE FRONT. BUILDING SEPARATION SHALL BE IN LINE WITH THE STANDARD FOR THE COUNTY, AND THERE WILL BE NO VARIANCES FOR THIS.
13. ALL BUILDING SETBACK LINES SHALL BE ENCROACHED FOR PATIOS, DECKS, TERRACES, OR ANY OTHER STRUCTURE. ALL DECKS SHALL BE NOT BE ANY HIGHER THAN THE FIRST MAIN FLOOR OF LIVING SPACE.
14. DETENTION POND(S) - MINIMUM REQUIREMENTS OF FULTON COUNTY. THE SITE DEVELOPMENT CONSTRUCTION IS TO INCLUDE A BELOW GROUND DETENTION STRUCTURE. RUNOFF FROM THE DETENTION STRUCTURE SHALL BE PIPED UNDERGROUND TO A STORM SEWER SYSTEM. DEVELOPER TO ASSURE COUNTY THAT THE NEW PIPE AND CONNECTION IS SUFFICIENT TO HANDLE THE RUNOFF. THIS CONSTRUCTION OF THE UNDERGROUND RUNOFF PIPE SHALL NOT INTRUDE ON ANY ADJACENT HOMEOWNER'S PROPERTY WITHOUT THE OWNER'S CONSENT. ANY EXPOSED CONCRETE SURFACE FROM THE DETENTION POND SHALL RECEIVE A BRICK OR STONE FACADE.
15. FENCING SHALL BE CONSTRUCTED ON THE PROPERTY ADJACENT TO CURRENT HOMES ONLY THAT BORDER THE EXISTING DRIVEWAY AND TO BE A MINIMUM OF A 6' WOOD SHADOW BOX FENCE DESIGN FOR FIRST QUALITY WEATHER RESISTANT WOOD. PRIOR TO CONSTRUCTION, THE DEVELOPER AGREES TO MEET WITH ALL ADJACENT PROPERTY OWNERS TO DISCUSS THE PROPOSED CONSTRUCTION. (DEVELOPER SHALL SECURE THE PROPER VARIANCES FROM FULTON COUNTY FOR FENCING).

16. THE DEVELOPER SHALL FOLLOW THE "BEST PRACTICE MANAGEMENT FOR EROSION CONTROL" GUIDELINES. PARTICULAR ATTENTION SHALL BE PAID TO AREAS NEXT TO THE MARGARET AND HUNTERS CROSSING SUBDIVISION. DEVELOPER IS TO REVIEW WITH ADJACENT HOMEOWNERS THE SEWAGE AND DRAINAGE DEVELOPMENT PLAN WITH SITE UTILITIES PRIOR TO CONSTRUCTION.
17. THERE SHALL BE NO WOOD BURNING FIREPLACES, ONLY GAS.
18. DURING CONSTRUCTION THERE SHALL BE NO ACTIVITY AFTER 7 P.M. AND NOT BEFORE 8 A.M. ON SATURDAY AND SUNDAY MORNING.
19. DURING CONSTRUCTION CARE SHOULD BE GIVEN TO NOT DISTURBING THE TREE ROOT SYSTEM OF TREES IN THE BUFFER AND ON THE BORDER.
20. DURING CONSTRUCTION THERE SHALL BE NO ON SITE BURNING.
21. DEVELOPER SHALL USE ITS BEST EFFORTS TO MINIMIZE THE DISRUPTION TO THE ADJACENT PROPERTY ASSOCIATED WITH THE INSTALLATION OF ANY OFF-SITE SEWER OR STORM WATER CONSTRUCTION. PRIOR TO CONSTRUCTION, THE DEVELOPER AGREES TO MEET WITH THE ADJACENT PROPERTY OWNERS TO DISCUSS THE PROPOSED CONSTRUCTION. DEVELOPER AGREES TO VIDEO TAPE THE EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND TO ENSURE THAT AFTER CONSTRUCTION, THE PROPERTY IS LEFT AS CLOSE AS POSSIBLE TO ITS ORIGINAL CONDITION. ALL BACKFILL WILL BE COMPACTED BACKFILL AND DEVELOPER WILL REPAIR ANY SEDIMENT FOR A PERIOD OF ONE YEAR AFTER LAST HOUSE CLOSING. THE DEVELOPER AGREES THAT THE OFF-SITE CONSTRUCTION ACTIVITIES, INCLUDING RE-LANDSCAPING, WILL BE COMPLETE WITHIN 30 DAYS FROM COMMENCEMENT OF OFF-SITE CONSTRUCTION.

NOTE:
THIS PLAT SUPERSEDES:
PLAT BOOK 258 PAGES 30-33
PLAT BOOK 274 PAGES 54-56
PLAT BOOK 274 PAGES 87-88

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND THIS DRAWING WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67, AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22



LOCATED IN
PEACHTREE MANOR S/D
LAND LOT 21, 17TH DISTRICT
FULTON COUNTY, GEORGIA
DATE: MARCH 22, 2013
SCALE: 1" = 40'
JOB NO.: 13-03-230

REV.	DESCRIPTION
1.	update owners
2.	12/6/13 update owners
3.	1/27/14 client comments
4.	1/20/15 client comments

FINAL PLAT
FOR
PEACHTREE MANOR
TAX PARCEL ID #017-021-04-012

GRANT SHEPHERD & ASSOCIATES, INC.
LAND SURVEYING • PLANNING
735 LONGLEAF BLVD SUITE A
LAWRENCEVILLE, GEORGIA 30046
OFFICE: 770-418-9823
FAX: 770-418-9289
EMAIL: grant@gsasurveying.com
www.gsasurveying.com SHEET: 1 OF 3

SURVEYORS NOTES:

1. THE FIELD DATA FOR THIS SURVEY WAS OBTAINED WITH A TOPCON GTS-303 TOTAL STATION.
2. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 21,639 FEET AND AN ANGULAR ERROR OF 02 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.
3. THIS PLAT OR MAP HAS BEEN CALCULATED FOR CLOSURE AND HAVE A CLOSURE PRECISION RATIO OF 1' IN +46.813'
4. A PORTION OF THE PROPERTY DEPICTED HEREON DOES LIE WITHIN A FLOOD HAZARD AREA ACCORDING TO THE FLOOD INSURANCE RATE MAP PANEL 13121C0153 E DATED: JUNE 22, 1998
5. UNDERGROUND UTILITIES AS SHOWN BY THIS SURVEY ARE APPROXIMATE AND SHOULD BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.

ENCROACHMENTS

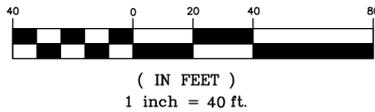
- 1 BUILDING #1005 ENCLOSES INTO 20' DRAINAGE EASEMENT
- 2 30x30 EASEMENT FOR WATER VAULT ENCLOSES INTO NEW RIGHT OF WAY

LEGEND

- FENCE
- RAILROAD
- GAS LINE
- WATER LINE
- UNDER GROUND POWER LINE
- AERIAL POWER LINE
- UNDER GROUND SOUTHERN BELL
- AERIAL SOUTHERN BELL
- POWER POLE
- LIGHT POLE
- GUY WIRE
- WATER VALVE
- WATER METER
- GAS VALVE
- GAS METER
- FIRE HYDRANT
- CRIMP TOP PIPE
- OPEN TOP PIPE
- REINFORCING BAR
- TEMPORARY BENCHMARK
- CURB INLET
- HEADWALL
- SINGLE WING CATCH BASIN
- DOUBLE WING CATCH BASIN
- IRON PIN FOUND/SET
- COMPUTED POINT
- EXISTING SPOT ELEVATION
- PROPOSED SPOT ELEVATION
- STORM SEWER MANHOLE
- SANITARY SEWER MANHOLE
- GEORGIA POWER MANHOLE
- RIGHT OF WAY MONUMENT
- CORRUGATED METAL PIPE
- REINFORCED CONCRETE PIPE
- DUCTILE IRON PIPE
- POLYVINYL CHLORIDE
- IRON PIN SET - 1/2" RB
- IRON PIN FOUND
- PROPOSED PROP. LINES

CURRENT OWNERS UNIT/ADDRESS	DATE
#1000 Linda J. and Steven N. Sandler	
#1005 Kiran Chahar	
#1010 The Dandalides Family Trust	
#1015 Robert J. Gronek & Veronica T. Gronek	
#1020 Fred J. Griffin	
#1025 Jun Yin and Jia Wei	
#1030 Willie J. & Lee T. Locust	
#1035 Maureen E. De Blois & Larry W. Haldeman	
#1040 Marla Abramsom Rich	
#1045 Alexander Razumovski & Natalie Razumovski	
#1050 Andrea Saffran Engelman and Luba Webin Saffran	
#1055 Steven E. & Nancy B. Levin	

GRAPHIC SCALE



CURVE TABLE

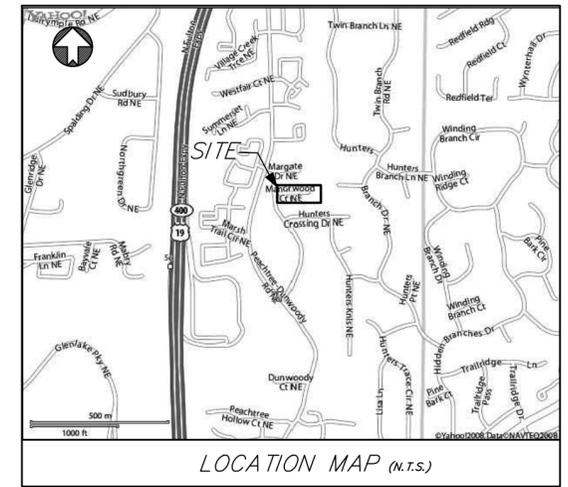
CURVE	LENGTH	RADIUS	BEARING	CHORD	DELTA
C1	10.21	32.93	S67°41'48"E	10.17	42°53'17"
C2	14.01	49.47	S83°34'18"E	13.96	16°13'30"
C3	20.25	31.17	N73°43'30"E	19.90	37°13'58"
C5	27.55	25.27	N49°59'16"W	26.21	62°28'05"
C6	23.82	25.90	N41°47'46"E	22.99	52°42'17"
C7	28.08	47.96	N89°02'09"E	27.68	33°32'45"
C8	20.91	86.60	S68°40'22"E	20.86	13°50'05"
C9	13.13	24.24	N80°05'26"W	12.97	31°02'17"
C10	13.75	33.50	S69°47'54"W	13.65	46°32'09"
C11	15.96	25.50	N01°06'57"W	15.70	35°51'36"

SITE SPECIFIC SETBACK ZONING AND SITE INFORMATION:

1. PRESENT ZONING: TR
2. SETBACKS:
FRONT: 40' BL
SIDE: 7' OR 14' BETWEEN STRUCTURES
REAR: 10' BL

LINE TABLE

LINE	LENGTH	BEARING
L1	76.57	N01°54'17"W
L2	21.99	S88°19'05"W
L3	20.38	S88°19'05"W
L4	13.14	N88°45'07"E
L5	14.68	S89°40'56"W
L6	15.77	S88°08'33"W
L7	32.51	S88°04'35"W
L8	75.03	S01°54'17"E



NOTE
ORIGINAL P.O.B. - 3003.0' ALONG THE ORIGINAL EASTERLY 40' R/W OF PEACHTREE DUNWOODY ROAD TO THE INTERSECTION OF SAID R/W AND THE SOUTHERLY ORIGINAL R/W OF SPALDING ROAD (PER DEED BOOK 23563, PAGE 107)

F-351
N=1432184.603
E=2231887.826
ELEV.=959.020

S 60°37'09" W, 9110.58'
TO GPS MARKER F-351

S 51°22'05" W, 7120.91'
TO GPS MARKER F-451 AZMK

F-451 AZMK
N=1432208.622
E=2234263.973
ELEV.=949.919

UNDERGROUND DETENTION FLOOD INFORMATION

NOTE:
THIS PLAT SUPERSEDES PLAT BOOK 258 PAGES 30-33
PLAT BOOK 274 PAGES 54-56
PLAT BOOK 274 PAGES 87-88

TOTAL SITE AREA
2.32 ACRES
100,851 SQ.FT.

AREA WITHIN OLD RIGHT-OF WAY TO BE DEDICATED 1908.87 S.F.

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LAND SURVEYING • PLANNING
735 LONGLEAF BLVD SUITE A
LAWRENCEVILLE, GEORGIA 30046
OFFICE: 770-418-9823
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