

**AN ORDINANCE TO REZONE PROPERTY FROM THE CUP (COMMUNITY UNIT PLAN)
DISTRICT CONDITIONAL TO THE R-3 (SINGLE FAMILY DWELLING) DISTRICT,
PROPERTY LOCATED AT 9670, 9680, AND 9710 ROBERTS DRIVE**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on January 15, 2008 at 7:00 p.m. as follows:

SECTION 1. That the Zoning Ordinance of the City of Sandy Springs be amended, and the official maps established in connection therewith be changed so that the following property located at **9670, 9680, and 9710 Roberts Drive**, consisting of a total of approximately 3.20 acres, be changed from the CUP (Community Unit Plan) District conditional to the R-3 (Single Family Dwelling) District with conditions, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 367 of the 6th District, Fulton County, Georgia by the attached legal description; and

SECTION 2. That the property shall be developed in compliance with the conditions of approval, as attached to this ordinance. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations; and

SECTION 3. That the official maps referred to, on file in the Office of the City Clerk, be changed to conform with the terms of this ordinance; and

SECTION 4. That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

SECTION 5. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

ORDAINED this the 15th day of January, 2008.

Approved:



Eva Galambos, Mayor

Attest:



Christina Rowland, CMC, City Clerk

(Seal)



CONDITIONS OF APPROVAL

RZ07-042

9670, 9680, and 9710 Roberts Drive

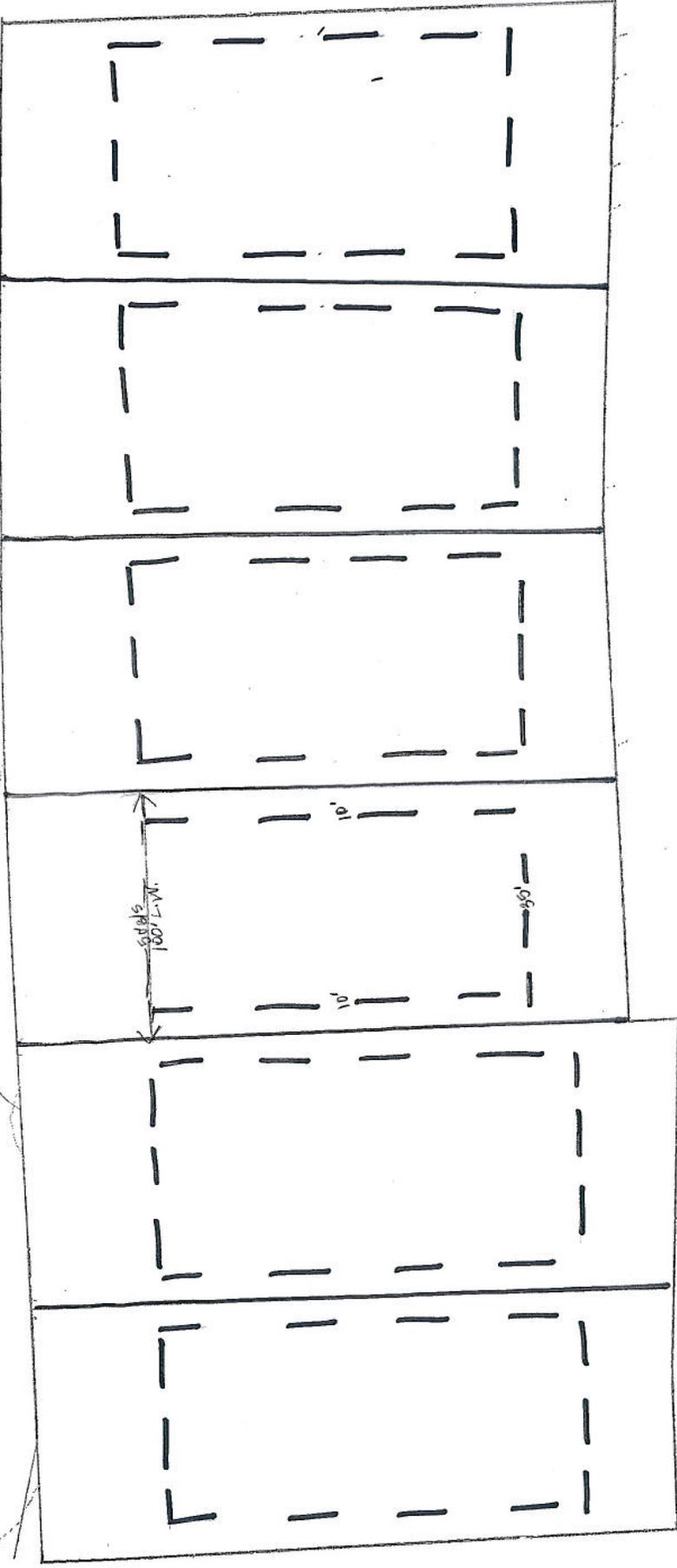
The City of Sandy Springs Mayor and City Council approved the rezoning of property owned by Lefko Investments, LLC and Katz Capital, LLC located at 9670, 9680, and 9710 Roberts Drive. Rezoning petition RZ07-042 to rezone the subject property from CUP (Community Unit Plan) District conditional to the R-3 (Single Family Dwelling) District was approved by the Mayor and City Council at the January 15, 2008 hearing, subject to the following conditions:

1. Six (6) single family residential lots at a density of 1.88 units per acre.
2. The minimum heated floor area per dwelling unit shall be 4,000 square feet.
3. To the site plan proposed by the Department of Community Development dated December 13, 2007. 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.
4. The owner/developer shall dedicate thirty (30) feet of right-of-way from centerline of Roberts Drive Road along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.
5. All six (6) single family residences should appear as only two (2) stories high from Roberts Drive.
6. All six (6) single family residences shall be oriented with their fronts facing Roberts Drive.
7. The owner/developer shall provide buffered, irrigated, landscape strips along Roberts Drive, the east property boundary and the south property boundary. Said landscape strips shall be subject to the approval of the Sandy Springs Arborist.
8. Subject to the approval of the Sandy Springs Arborist, the owner/developer shall attempt to maintain as much of the existing tree canopy as possible.
9. All utilities shall be installed underground. Placement of said utilities shall be subject to the approval of the Department of Public Works at the time of application for a Land Disturbance Permit.
10. Should a retention structure be required, no exposed steel, untreated, or unpainted concrete shall be permitted.
11. No access from North River Parkway shall be permitted.

600' FRONTAGE

ROBERTS DRIVE 35 mph
(50' R/W)

-UTP



R-3
6 LOTS @ 1.00 U/AC
-NO VARIANCES

City of Sandy Springs
Community Development

Scale: 1 inch = 40 feet

R207-042

LEGAL DESCRIPTION FOR BOUNDARY
9680 ROBERTS DRIVE

ALL THAT TRACT OR PARCEL OF LAND LAYING AND BEING IN LAND LOT 385 OF THE 14th DISTRICT OF FULTON COUNTY, STATE OF GEORGIA; SAID TRACT OR PARCEL OF LAND BEING MORE DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT AT THE SOUTHEAST MOST INTERSECTION OF THE RIGHT OF WAY OF ROBERTS DRIVE AND ROSWELL ROAD,
THENCE RUNNING SOUTH 84 DEGREES 21 MINUTES 58 SECONDS EAST, A DISTANCE OF 550.44 FEET
TO A POINT, BEING THE TRUE POINT OF BEGINNING.

THENCE SOUTH 80 DEGREES 15 MINUTES 57 SECONDS EAST A DISTANCE OF 199.84 FEET TO A POINT;

THENCE SOUTH ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 201.13 FEET (SAID ARC HAVING A RADIUS OF 3871.85 FEET AND A CHORD BEARING OF SOUTH 78 DEGREES 44 MINUTES 00 SECONDS EAST A DISTANCE OF 201.11 FEET)

THENCE SOUTH 77 DEGREES 41 MINUTES 21 SECONDS EAST A DISTANCE OF 200.03 FEET TO A POINT;

THENCE SOUTH 10 DEGREES 23 MINUTES 01 SECONDS WEST A DISTANCE OF 230.48 FEET TO A POINT;

THENCE NORTH 76 DEGREES 18 MINUTES 44 SECONDS WEST A DISTANCE OF 200.62 FEET TO A POINT;

THENCE NORTH 79 DEGREES 44 MINUTES 53 SECONDS WEST A DISTANCE OF 198.96 FEET TO A POINT;

THENCE NORTH 09 DEGREES 56 MINUTES 48 SECONDS EAST A DISTANCE OF 18.20 FEET TO A POINT;

THENCE NORTH 76 DEGREES 23 MINUTES 45 SECONDS WEST A DISTANCE OF 134.85 FEET TO A POINT;

THENCE NORTH 79 DEGREES 22 MINUTES 52 SECONDS WEST A DISTANCE OF 65.01 FEET TO A POINT;

THENCE NORTH 09 DEGREES 53 MINUTES 00 SECONDS EAST A DISTANCE OF 237.30 FEET TO A POINT BEING
THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 3.2 ACRES.
THIS SURVEY IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAW.
SURVEY PREPARED BY ESTES SHIELD ENGINEERING INC.