

**AN ORDINANCE TO REZONE PROPERTY FROM THE C-1 (COMMUNITY BUSINESS DISTRICT) CONDITIONAL AND M-1 (LIGHT INDUSTRIAL DISTRICT) CONDITIONAL TO C-1 (COMMUNITY BUSINESS DISTRICT), PROPERTY LOCATED AT 8457 ROSWELL ROAD (SR 9)**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, Georgia while in regular session on May 20, 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 **8457 Roswell Road (SR 9)**, consisting of a total of approximately 4.38 acres, be changed from the C-1 (Community Business District) conditional and M-1 (Light Industrial District) conditional to C-1 (Community Business District) with conditions, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 25 of the 17<sup>th</sup> District, Fulton County, Georgia by the attached legal description; and

**SECTION 2.** That the variance(s), as listed in the attached conditions of approval, be approved under the provisions of Section 22.9 of the Zoning Ordinance of the City of Sandy Springs; and

**SECTION 3.** That the use permit(s), as listed in the attached conditions of approval, be approved under the provisions of Section 19.2.3 of the Zoning Ordinance of the City of Sandy Springs; and

**SECTION 4.** 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 5.** 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**SECTION 6.** That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

**SECTION 7.** This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

**ORDAINED** this the 20<sup>th</sup> day of May, 2008.

Approved:



Eva Galambos, Mayor

Attest:



Christina Rowland, CMC, City Clerk  
(Seal)



CONDITIONS OF APPROVAL

**RZ07-044/U07-032/CV07-032**  
**8457 Roswell Road (SR 9)**

The City of Sandy Springs Mayor and City Council approved the rezoning of property owned by SecurCare Properties II, LLC located at 8457 Roswell Road (SR 9). Rezoning petition RZ07-044 to rezone the subject property from C-1 (Community Business District) conditional and M-1 (Light Industrial District) conditional to C-1 (Community Business District) to allow the existing storage facility to remain was approved by the Mayor and City Council at the May 20, 2008 hearing. Additionally, the Mayor and City Council approved use permit petition U07-032 to allow for the existing storage facility in the C-1 district and approved concurrent variance petition CV07-032 to allow the existing storage facility within the Sandy Springs Overlay District. Petitions RZ07-044/U07-032/CV07-032 were approved subject to the following conditions:

1. The existing on-site manager's apartment shall be removed.
2. To carry forward the site plan and zoning conditions under Fulton County zoning case Z79-0037 and Z79-0038 approved by the Fulton County Board of Commissioners on June 6, 1979.

## LEGAL DESCRIPTION

### Tract I

All that tract or parcel of land lying and being in Land Lot 26 of the 17th District of Fulton County, Georgia and being more particularly described as follows:

Beginning at a point on the eastern Land Lot Line of Land Lot 26 at the intersection with the Land Lot Line common to Land Lots 385 and 386; proceeding running north along aforesaid Land Lot Line of Land Lot 26 a distance of 178.15 feet to a point and THE TRUE POINT OF BEGINNING:

Thence proceeding South 88 degrees 30 minutes 00 seconds West for a distance of 389.80 feet to an iron pin; thence proceeding South 88 degrees 24 minutes 00 seconds West for a distance of 58.50 feet to an iron pin; thence proceeding South 88 degrees 13 minutes 30 seconds West for a distance of 242.10 feet to an iron pin; thence proceeding North 01 degree 32 minutes 41 seconds West for a distance of 152.62 feet to an iron pin; thence proceeding South 88 degrees 47 minutes 06 seconds West for a distance of 275.76 feet to an iron pin located on the Eastern Right-of-Way of Roswell Road (State Road 9 and U.S Highway 19); thence proceeding along said Right-of-Way North 07 degrees 04 minutes 04 seconds West for a distance of 63.43 feet to an iron pin; thence proceeding North 86 degrees 20 minutes 00 seconds East for a distance of 185.85 feet to an iron pin; thence proceeding North 89 degrees 42 minutes 20 seconds East for a distance 352.24 feet to an iron pin; thence proceeding North 88 degrees 24 minutes 00 seconds east for a distance of 213.85 feet to an iron pin; thence proceeding North 88 degrees 14 minutes 00 seconds East for a distance of 223.77 feet to an iron pin located on the Eastern Line of Land Lot 26; thence proceeding along said Land Lot Line South 00 degrees 25 minutes 00 seconds East for a distance of 112.10 feet to an iron pin; thence proceeding South 00 degrees 32 minutes 30 seconds East for a distance of 104.85 feet to an iron pin and THE TRUE POINT OF BEGINNING.

Together with and subject to Covenants, Easements and Restrictions of Record. Said property containing 169,328 square feet or 3.887 acres.

### Tract II

All that tract or parcel of land lying and being in Land Lot 26 of the 17th District of Fulton County, Georgia and being more particularly described as follows:

Beginning at a point on the eastern Land Lot Line of Land Lot 26 at the intersection with the Land Lot Line common to Land Lots 385 and 386; proceeding running north along aforesaid Land Lot Line of Land Lot 26 a distance of 128.03 feet to a point and THE TRUE POINT OF BEGINNING:

Thence proceeding North 00 degrees 49 minutes 58 seconds West for a distance of 53.12 feet to an iron pin; thence proceeding South 88 degrees 30 minutes 00 seconds West for a distance of 389.80 feet to an iron pin; thence proceeding South 88 degrees 24 minutes 00 seconds West for a distance of 58.50 feet to an iron pin; thence proceeding South 20 degrees 07 minutes 37 seconds West for a distance of 45.09 feet to an iron pin; thence proceeding North 89 degrees 52 minutes 1 seconds East for a distance of 464.41 feet to an iron pin and THE TRUE POINT OF BEGINNING.

Together with and subject to Covenants, Easements and Restrictions of Record. Said property containing 21,723 square feet or 0.499 acres.

Note: The above legal description describes the same property as Lawyers Title Insurance Corporation commitment number 53862.04 with an effective date of June 18, 2007.

RECEIVED

City of Sandy Springs  
Community Development