

STATE OF GEORGIA  
COUNTY OF FULTON

**AN ORDINANCE TO ALLOW AND EXPAND THE EXISTING PRIVATE SCHOOL  
WITHIN AN EXISTING OFFICE COMPLEX, WITH CONCURRENT VARIANCES.**

**BE IT ORDAINED** by the City Council for the City of Sandy Springs, Georgia while in regular session on August 16, 2011 at 6:00 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 8725 Dunwoody Place, consisting of a total of approximately 2.953 acres, be allowed a use permit under the O-I (Office and Institutional District) with conditions, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 368 of the 6<sup>th</sup> District, Fulton County, Georgia by the attached legal description; and

**SECTION 2.** 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 3.** 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 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**SECTION 6.** That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

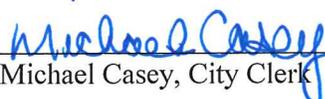
**SECTION 7.** This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

**APPROVED AND ADOPTED** this the 16<sup>th</sup> day of August, 2011.

Approved:

  
\_\_\_\_\_  
Eva Galambos, Mayor

Attest:

  
\_\_\_\_\_  
Michael Casey, City Clerk

(Seal)



## CONDITIONS OF APPROVAL

### **U11-001/CV11-003 8725 Dunwoody Place**

The City of Sandy Springs Mayor and City Council approved the use permit petition for property at 8725 Dunwoody Place. Use permit petition U11-001/CV11-003 was approved to allow and expand the existing Private School within an existing office complex, with a concurrent variance, by the Mayor and City Council at the August 16, 2011 hearing, subject to the following conditions:

1. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Community Development dated May 6, 2011. 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.
  - b. To locate a Private School, with associated accessory uses, on Tract B (a.k.a. 8725 Dunwoody Place/TaxPin# 06036800070030). The aforementioned Private School shall operate out of nine (9) classrooms and occupy a total of 5,100 square feet with the largest assembly area having 1,000 square feet.
  - c. To restrict the total number of enrolled students to no more than 48.
  - d. The applicant shall, by August 15<sup>th</sup> of every year, provide the City an annual affidavit detailing the total maximum enrollment for their academic year, subject to the approval of the Department of Community Development.
  - e. The subject Private School shall not have an outdoor playground.
  - f. The subject Private School shall not sequester common area for exclusive use in violation of the restrictive covenants of the North River Square Association, Inc.
2. To the owner's agreement to provide the following site development standards:
  - a. To reduce the zoning regulations to the extent necessary for all the existing non-conforming (grandfathered) structure(s) to comply in accordance with the site plan received by the Department of Community Development dated May 6, 2011.

All that tract or parcel of land lying and being in North River Square in Land Lot 368 of the 6th District, Fulton County, Georgia, as shown as Tract B on that Plat and Survey for North River Partners, LLC, Primary Capital Advisors, LC and Old Republic National Title Insurance; and R. Cobb & Son, LLC, Branch Banking and Trust Company and Old Republic National Title Insurance Company, prepared by A. S. Giometti & Associates, Inc., bearing the seal of August S. Giometti, Georgia Registered Land Surveyor No. 1125, dated August 24, 2000, last revised August \_\_, 2000, being more particularly described as follows:

To find the true point of beginning, begin at the intersection of the of North River Drive (60 foot right-of-way) and Dunwoody Place (65 foot right-of-way), thence 326.73 feet along the sixty-five (65) foot right-of-way of Dunwoody Place to an iron pin found; thence north 21 degrees 44 minutes 41 second east a distance of 18.06 feet to an iron pin found; thence north 33 degrees 08 minutes 42 seconds west a distance of 317.11 feet to a point on the northeasterly right-of-way of Dunwoody Place (variable right-of-way); thence north 36 degrees 25 minutes 34 seconds east a distance 61.74 feet to a point, said point being the True Point of Beginning for Tract B; thence north 33 degrees 08 minutes 43 seconds west a distance of 55.00 feet to a point; thence north 56 degrees 51 minutes 17 seconds east a distance of 45.00 feet to a point; thence north 33 degrees 08 minutes 43 seconds west a distance of 45 feet to a point; thence north 56 degrees 51 minutes 17 seconds east a distance of 60.00 feet to a point; thence south 33 degrees 08 minutes 43 seconds east a distance of 100.00 feet to a point; thence south 56 degrees 51 minutes 17 seconds west a distance of 105.00 feet to a point, said point being the True Point of Beginning of Tract B, containing 0.195 acres more or less.

RECEIVED

MAY 06 2011

City of Sandy Springs  
Community Development

U11-004CV11-003

EXHIBIT A-p.1

RECEIVED

Exhibit "A"

MAY 06 2011

[Metes and Bounds Legal Description]

City of Sandy Springs  
Community Development

All that tract or parcel of land lying and being in North River Square in Land Lot 368, 6<sup>th</sup> District, Fulton County, Georgia, and being further described as follows:

TO LOCATE THE TRUE POINT OF BEGINNING, commence at the intersection of North River Drive (60 foot right-of-way) and Dunwoody Place (65 foot right-of-way) thence run in a northwesterly direction along and coincident with said Dunwoody Place (65 foot right-of-way) a distance of 326.73 feet to a ½" Rebar found;

Thence run North 21 degrees 44 minutes 41 seconds East a distance of 18.06 feet to a ½" Rebar found;

Thence run North 33 degrees 08 minutes 42 seconds West a distance of 317.11 feet to a point located on the northeasterly right-of-way of Dunwoody Place, said point being the **TRUE POINT OF BEGINNING**;

From the **TRUE POINT OF BEGINNING** continue along and coincident with the variable width right-of-way of Dunwoody Place run North 33 degrees 08 minutes 43 seconds West a distance of 375.20 feet to a ½" Rebar found;

Thence leaving said variable width right-of-way of Dunwoody Place run North 61 degrees 14 minutes 25 seconds East a distance of 370.64 feet to a ½" Rebar found;

Thence run South 28 degrees 36 minutes 58 seconds East a distance of 347.82 feet to a ½" Rebar found;

Thence run South 56 degrees 50 minutes 02 seconds West a distance of 342.09 feet to point located on the northeasterly right-of-way of Dunwoody Place (variable width right-of-way), said point being the **POINT OF BEGINNING**.

Said tract contains 2.953 acres (128,634 sq.ft.) as the same is shown on a Plat and Survey for North River Partners, LLC, Primary Capital Advisors, LC and Old Republic National Title Insurance Company prepared by A.S. Giometti & Associates, Inc., certified by A.S. Giometti, Georgia Registered Land Surveyor No. 1125, dated August 24, 2000.

U11-001/CV11-003

