

STATE OF GEORGIA
COUNTY OF FULTON

**TO REZONE FROM R-1 (SINGLE-FAMILY DWELLING DISTRICT) TO R-5A
(SINGLE FAMILY DWELLING DISTRICT), WITH CONCURRENT VARIANCES,
PROPERTY LOCATED AT 5975 MITCHELL ROAD**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on December 18, 2012 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 5975 Mitchell Road, consisting of a total of approximately 2.365 acres, be changed from R-1 (Single-family dwelling District) to R-5A (Single Family Dwelling District) conditional, to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 123 of the 17th 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 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

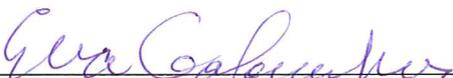
SECTION 4. That the official maps referred to, on file in the Office of the City Clerk, be changed to conform with the terms of this ordinance; and

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 That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

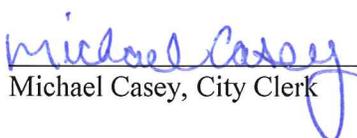
SECTION 6. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

APPROVED AND ADOPTED this the 18th day of December, 2012.

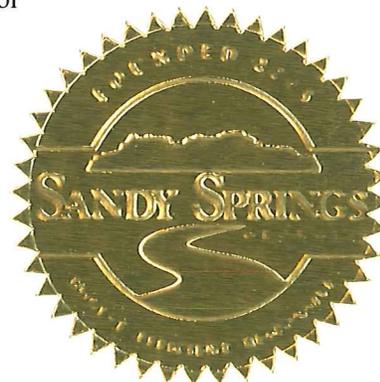
Approved:


Eva Galambos, Mayor

Attest:


Michael Casey, City Clerk

(Seal)



CONDITIONS OF APPROVAL

RZ12-004/CV12-004
5975 Mitchell Road

Please be advised, the City of Sandy Springs Mayor and City Council approved the rezoning of property owned by St. James Anglican Church located at 5975 Mitchell Road. Rezoning petition RZ12-004/CV12-004 was approved to rezone from R-1 (Single-family dwelling District) to R-5A (Single Family Dwelling District) conditional by the Mayor and City Council at the December 18, 2012 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. To a total of twelve (12) Single Family Dwelling Units at a density of no more than 5.07 units per acre, whichever is less.
2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development on December 4, 2012. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for 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 provide the following site development standards:
 - a. Variance from Section 6.9.3.F. of the Zoning Ordinance to reduce the required forty (40) foot perimeter setback to thirty-five (35) feet along the north property line and twenty (20) feet along the south property line.
 - b. Variance from Section 6.9.3.G.2. of the Zoning Ordinance to reduce the required fourteen (14) foot interior building separation to ten (10) feet.
 - c. Variance from Section 6.9.3.G.2. of the Zoning Ordinance to reduce the required twenty (20) foot side yard setback adjoining a local street to five (5) feet for lots #4 and #8.
 - d. Variance from Section 6.9.3.G.1. of the Zoning Ordinance to reduce the required twenty (20) foot front yard setback to fifteen (15) feet.