

RE: #Z90-0032 FCN, HIGHTOWER TRAIL - Application of Doris A. Wall, seeks to rezone from C-1 (Commercial) to C-2 (Commercial); property having a frontage of 218.6 feet along the northwesterly side of Hightower Trail, beginning at the intersection of the northwesterly side of Hightower Trail, with the westerly side of Roswell Road and running northwesterly; also having a frontage of 281.3 feet along Roswell Road and containing 0.637 acres and being in Land Lot 363 of the 6th District, Fulton County, Georgia. PROPOSED USE: Car Lot (Doris A. Wall, 4585 Wieuca Road, N.E., Atlanta, GA 30342)

The Fulton County Planning Commission, following fifteen days of public notice, as required by law, preliminary public hearing held Tuesday, April 17, 1990, and after careful study of the area, including inspection of the site by members of the Planning Commission, recommends the petition for denial.

Planning Department recommendation; for withdrawal.

Customary letters and findings are filed in the Clerk's Office as part of the petition.

There was no one present to speak in favor or in opposition to petition.

Ms. Avarita L. Hanson, Clerk, presented letter from Ms. Doris A. Wall, applicant, dated April 18, 1990:

New Georgia Development Company

Fulton County Zoning Department  
141 Pryor Street, Suite 8071  
Atlanta, Ga. 30303

RE: Property located 8600 Roswell Road  
Z90-032 NFC

Dear Mr. Linsey:

I would like to withdraw my request for C-2 zoning. Thank you for your cooperation.

Sincerely,

(s) Doris O. Wall  
Doris A. Wall

A motion to withdraw Petition #Z90-0032 was made by Chairman Lomax, seconded by Commissioner Hightower and passed by a vote of 5-0. Commissioner Roach was out and Commissioner King was absent.

Hearing no objections, Petition #Z90-0032 FCN was withdrawn.

(90RM221) PETITION #Z90-0043 FCN, RIVERSIDE ROAD - APPLICATION  
INITIATED BY THE BOARD OF COMMISSIONERS OF FULTON COUNTY,  
SINGLE FAMILY HOMES

Ms. Avarita L. Hanson, Clerk, presented an excerpt from a letter dated April 23, 1990, from Mr. Ed Morey, Chairman, Fulton County Planning Commission:

RE: #Z90-0043 FCN, RIVERSIDE ROAD - Application Initiated by the Board of Commissioner of Fulton County by Jean B. Woolard by Hvatt & Rhodes, P.C., by Seth G. Weissman, seeks to rezone from R-4A (Residential) conditional to R-3 (Residential); property having a frontage of 201.61 feet along the southerly side of Riverside Road beginning 312.7 feet southeasterly from the intersection of the southwesterly side of Riverside Road with the north Land Lot Line of Land Lot 575 and running southeasterly; also having a frontage of 201 feet along the banks of the Chattahoochee River and containing approximately 1 acre and being in Land Lot 575 of the 1st District, 2nd Section, Fulton County, Georgia. PROPOSED USE: Single Family Homes (Jean B. Woolard, 1395 Riverside Road, Roswell, GA 30076)

The Fulton County Planning Commission, following fifteen days of public notice, as required by law, preliminary public hearing held Wednesday, April 18, 1990, and after careful study of the area, including inspection of the site by members of the Planning Commission, recommends the petition for approval, conditional.

Planning Department recommendation; approval, conditional.

Customary letters and findings are filed in the Clerk's Office as part of the petition.

There was no one present to speak in favor or in opposition to this petition.

A motion to approve Petition #Z90-0043 was made by Chairman Lomax, seconded by Commissioner Hightower and passed by a vote of 5-0. Commissioner Roach was out and Commissioner King was absent.

Hearing no objections, Petition #Z90-0043 was approved subject to the following Resolution, Conditions and Legal Description:

A RESOLUTION TO AMEND THE 1955 ZONING RESOLUTION  
OF FULTON COUNTY

WHEREAS, proper notice of this amendment has been published once a week for two weeks in the newspaper in which the Sheriff's advertisements are published, which notice stated the nature of the proposed change and the date, hour, and place at which the Board of Commissioners of Fulton County would hold a public hearing on said amendment, said notice having been published on the following dates: April 2, and April 9, 1990; and,

WHEREAS, said proposed amendment was submitted to the Planning Commission, and said Planning Commission has held a public hearing thereon, and has made its recommendation to the Board of Commissioners of Fulton County;

NOW, THEREFORE, BE IT RESOLVED that the 1955 Zoning Resolution adopted by the Board of Commissioners of Fulton County on March 11, 1955, and recorded in Minute Book W-1, pages 180 continuous of the Minutes of the Board of Commissioners of Fulton County, and heretofore amended, be and the same is hereby further amended as follows:

CONDITIONS: PER PLANNING STAFF'S MEMORANDUM RECEIVED 5/8/90:

RECOMMENDED CONDITIONS

If this petition is approved by the Board of Commissioners it should be approved R-3 (Residential) CONDITIONAL subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. No more than two single detached dwellings and accessory uses and structures.
  - b. That no Certificate of Occupancy be issued on any structure until an exemption plat is approved and recorded pursuant to the Fulton County Subdivision Regulations.
2. To the owner's agreement to abide by the following:
  - a. To the Site Plan received by the Zoning Department on March 6, 1990 and to submit to the Director of Public Works for approval, prior to the approval of a Land Disturbance Permit, a revised Site Plan based on a certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval and meeting or exceeding the requirements of the Zoning Resolution.
3. To the owner's agreement to the following site development considerations:
  - a. No more than 1 exit/entrance on Riverside Road. Access for both homes shall be shared. Curb cut location and alignment are subject to the approval of the Fulton County Traffic Engineer.
4. To the owner's agreement to abide by the following requirements, dedication and improvements:
  - a. Dedicate at no cost to Fulton County along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide a minimum of 30 feet of right-of-way from the centerline of Riverside Road.
5. To the owner's agreement to abide by the following:
  - a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit, to arrange with the County Arborist an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries.
  - b. To maintain as a minimum, the tree density requirements as prescribed by the Fulton County Tree Preservation Ordinance Administrative Guidelines, either through the retention of existing trees, or tree replacement, in perpetuity.

CLERK'S NOTE: LEGAL DESCRIPTION FOR PETITION #290-0043 APPROVED BY THE BOARD OF COMMISSIONERS AT ITS REGULAR MEETING HELD MAY 2, 1990, IS IN SUPPLEMENT PORTION OF MINUTE BOOK J-12, PAGE 11.