



***Board of Zoning Appeals Public Hearing
December 20, 2016 — 7:00 P.M***

CASE NUMBER:	V-16-034
PROPERTY LOCATION:	1 Ebix Way Johns Creek, GA 30097 1st District, 1st Section Land Lot 71 and 102
CURRENT ZONING:	O-I (Office Institutional) Conditional
PARCEL SIZE:	11.64 Acres
PROPERTY OWNER(S):	Darren Joseph
STAFF RECOMMENDATION:	Approval with Conditions

REQUEST

The applicant is requesting a variance to allow a wall sign to encroach into the required 10-foot setback from the right-of-way per Section 33.22.C of the zoning ordinance. The applicant would like to construct wall sign as part of a proposed retaining wall along Hospital Parkway. The applicant intends to replace an existing 12'.5" x 6' monument sign located three feet from the right-of-way as part of their entrance remodeling project. The proposed wall sign will be 4'.3" x 3'.6" for a total of 15-square feet in size. The wall sign will be pin-mounted to the face of the retaining wall.

BACKGROUND

The subject property located at 1 Ebix Way and is a part of the eleven-acre campus for the software company Ebix Incorporated. The proposed sign location is located at the northwestern part of the eleven-acre property. The proposed location has a gradual grade increase approximately twenty-two feet from the right-of-way towards the south of the property. The proposed located is currently under construction as the applicant is currently remodeling their northwest entrance, that includes a retaining wall, decorative fence, double-gated entry, and guard house. The applicant retaining wall permit application has been approved and permitted by the Community Development Department. The applicant intends to apply for a building permit for the construction of guard house and fence permit for the decorative fence.

The parcel was originally zoned O-I as part of bigger rezoning labeled Technology Park in 1990 by Fulton County.

ADJACENT ZONING AND LAND USES

Adjacent properties to the north and east are zoned MIX (Mixed use) Conditional pursuant to Fulton County zoning case Z-2001-0133 NFC(Johns Creek Village Shopping Center). The properties south and southeast are zoned O-I Conditional pursuant to Fulton County zoning case Z-1990-036 NFC (Johns Creek City Hall) and O-I Conditional pursuant to Johns Creek zoning case RZ-15-009 (Emory Memory Care). The properties to the west and southwest are zoned O-I Conditional pursuant to Fulton County zoning case Z-2006-050(Emory Johns Creek Hospital).

APPLICABLE CODE REQUIREMENTS

City of Johns Creek Zoning Ordinance; Article XXXIII: SIGNS; Section 33.22.C. Setback;

C. Setback. Unless otherwise noted in conditions of zoning or in this Article, all signs shall set back at least ten (10) feet from the right-of-way twenty (20) feet from the edge of pavement if a private street and no sign shall project over the right-of-way.

VARIANCE CONSIDERATIONS

The specific conditions that must be considered for a variance to be by the Board of Zoning Appeals are:

- A. The topography of the lot on which the sign is located or to be located renders it impossible to comport with the strict standards of this Article; or
- B. The natural features of the lot on which the sign is located or to be located, or of the land immediately adjacent to the Lot, impairs the visibility of the sign such that it cannot be seen.

STAFF RECOMMENDATION

The natural features of the lot on which the sign is located or to be located impairs the visibility of the sign such that it cannot be seen. Due to the increase in gradual slope of the topography and landscape buffer, constructing the wall sign approximately twenty-two feet from the right-of-way would make it illegible.

Therefore, the Community Development Department recommends **Approval with conditions** of this request, as the natural features of the lot on which the sign is located or to be located or the immediately adjacent to the Lot, impairs the visibility of the sign.

RECOMMENDED CONDITIONS

Based upon the findings and conclusions herein, Staff recommends APPROVAL WITH CONDITIONS of this request, subject to the following conditions of approval:

1. Applicant must obtain a Sign Permit from the Community Development Department.
2. The wall sign shall be constructed in general accordance with the site plan received by the Community Development Department on November 8, 2016.



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