

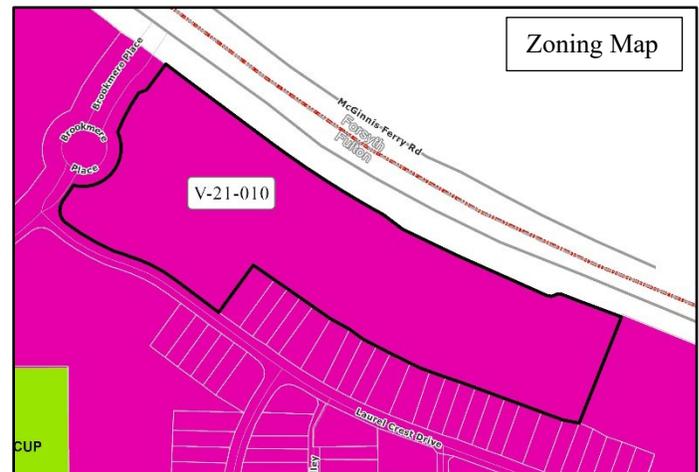
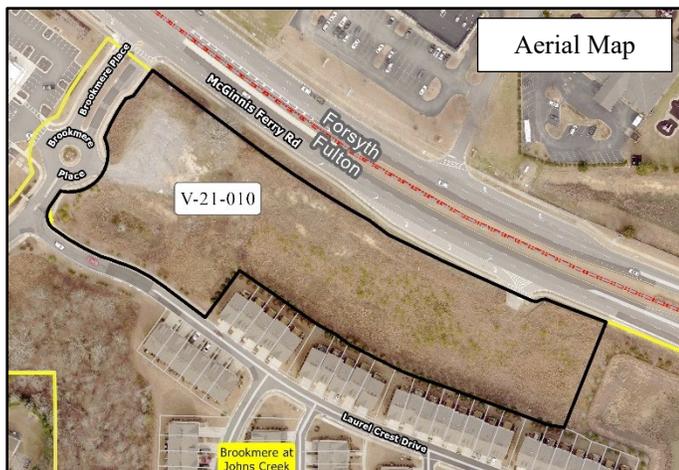


**Board of Zoning Appeals Meeting  
October 19, 2021**

<b>CASE NUMBER:</b>	<b>V-21-010</b>
<b>PROPERTY LOCATION:</b>	<b>7895 McGinnis Ferry Road, Johns Creek, GA 30024</b>
<b>CURRENT ZONING:</b>	<b>MIX (Mixed Use District) Conditional</b>
<b>PARCEL SIZE:</b>	<b>3.812 Acres</b>
<b>PROPERTY OWNERS:</b>	<b>Timberton Properties, LLC</b>
<b>VARIANCE REQUEST:</b>	<b>Reduce the 40-foot landscape strip along McGinnis Ferry Road to 20 feet</b>
<b>STAFF RECOMMENDATION:</b>	<b>APPROVAL WITH CONDITIONS</b>

**Background**

The subject property is located east of the intersection of McGinnis Ferry Road and Bell Road, and bounded by Brookmere subdivision to the south and a shopping center to the west. The site is zoned MIX (Mixed Use District) Conditional as part of a 52-acre mixed-use development, which includes Brookmere subdivision and the adjacent shopping center.



**Applicable Code Requirement**

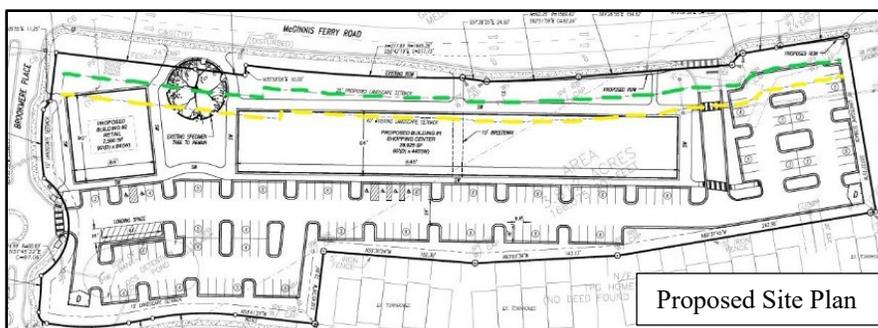
City of Johns Creek Code of Ordinances, Appendix A – Zoning, Article IV. General Provisions, Section 4.23.2. – Minimum Landscape Strips. The code section is excerpted below for reference:

**4.23.2.A.1.:** A minimum 40-foot wide landscape strip shall be provided along the rights-of-way of Georgia Highway 141 (a.k.a. Medlock Bridge Road), Highway 120 (including the portion of Kimball Bridge Road and Abbotts Bridge Road), McGinnis Ferry Road and Old Alabama Road.

**Community Development**

## Variance Request

In order to locate the buildings closer to McGinnis Ferry Road, the Applicant is requesting a variance to reduce the 40-foot landscape strip (shown in yellow) along McGinnis Ferry Road to 20 feet (shown in green).



## Variance Review Criteria

Zoning Ordinance Section 22.3.1. lists the following considerations for granting a variance:

- a. Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or
- b. The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

## Staff Analysis

The intent of landscape strips is to provide vegetative screening and physical separation of a parking lot from the roadway. In this case, the parking is proposed along the rear of the property with the proposed buildings fronting McGinnis Ferry Road, promoting a greater sense of walkability by creating a more inviting entrance to the buildings and more desirable development plan, which would further lessen potential visual and noise impacts generated from the site to the townhomes to the south. It is the opinion of staff that the request, if granted, would be in harmony with the general purpose and intent of the Zoning Ordinance.

## Staff Recommendation

Based upon the findings and conclusions herein, Staff recommends **APPROVAL** of V-21-010, **subject to the following conditions:**

- 1) The site shall be developed in general accordance with the site plan received and stamped by the City on September 13, 2021, subject to the approval of the Community Development Director.
- 2) Owner/developer shall replant the landscape strip along McGinnis Ferry Road, in compliance with the Tree Preservation Administration Guidelines, with additional requirements below:
  - a. Provide a minimum of one tree for every 20 linear feet of landscape strip; and
  - b. Provide at least 75% coverage in trees and shrubs, with no more than 25% coverage in grass or ground cover.