



City of South Fulton Department of Community Development Services

5440 Fulton Industrial Blvd, S.W.

Atlanta, GA 30336

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www.CityofSouthFultonGA.gov

Mayor: William "Bill" Edwards

Interim Director: Shayla Reed

MEMORANDUM

TO: Zoning Board of Appeals
FROM: Planning and Zoning Division
SUBJECT: **V17-010 for 100 Lakeview Court SW**
MEETING DATE: February 15, 2018

The application by United Natural Foods seeks a variance to reduce the required undisturbed buffer between the subject property and the adjacent R-4-zoned property from 100 feet to 50 feet in order to expand the freezer and cooler capacity of the existing building.

STAFF RECOMMENDATION: APPROVAL

cc: Mark Massey, City Clerk



APPLICATION INFORMATION

Applicant Information:	United Natural Foods 100 Lakeview Ct SW South Fulton, GA 30336
Status of Applicant:	Property owner
Location:	The property requesting variance fronts Lakeview Court SW and is located north of Boat Rock Rd and west of Camp Creek Pkwy.
City Council District(s):	Council District 1
Parcel ID Number:	07 280101670233
Area of Property:	The property is composed of approximately 19.63 acres.
Existing Zoning:	M-1A (Industrial Park District) Conditional
Current/Past Use of the development:	The property is currently developed with a building occupied by the applicant.
Prior Zoning Cases/History (Fulton County):	<p>Z76-060, request to rezone property from A-1 (Apartment Dwelling District) & R-3 (Single-Family Dwelling District) to M-1A (Industrial Park) – DENIED</p> <p>Z78-088, request to rezone property from A-1 (Apartment Dwelling District) & R-3 (Single-Family Dwelling District) to M-1A (Industrial Park) – APPROVED WITH CONDITIONS</p> <p>Z95-091, request to rezone property from C-1 (Community Business District), R-3 (Single-Family Dwelling District), & M-1A (Industrial Park) to M-1A (Industrial Park) – APPROVED WITH CONDITIONS</p> <p>M01-016, request that the building setback line from Fulton Industrial Blvd and Camp Creek Pkwy be minimum 100 feet – APPROVED</p> <p>M02-033, request to reduce the minimum undisturbed setback along Boat Rock Rd from 100 feet to 50 feet; request to prohibit tractor trailer access along Boat Rock Rd – APPROVED</p> <p>V03-199, request to eliminate the requirement for sidewalk along Boat Rock Rd – APPROVED</p>

SPECIFIC INFORMATION

REQUEST

The applicant seeks a variance to reduce the required undisturbed buffer between the subject property and the adjacent R-4-zoned property from 100 feet to 50 feet in order to expand the freezer and cooler capacity of the existing building. The applicant does not request a variance to the duly required 10-foot improvement setback.



BACKGROUND

The subject property is located at 100 Lakeview Court SW. The applicant's 311,715-square-foot warehouse structure was constructed in 2004, after the applicant outgrew their previous building in the City of Atlanta. There exists market demand to increase services, therefore the applicant plans to increase the capacity of their existing location in the City of South Fulton by adding 76,800 square feet to the rear of the building.

ADJACENT ZONING AND LAND USES

The properties to the north and west are subject to the zoning cases listed above pertaining to the subject property within the M-1A (Industrial Park) zoning district. Boat Rock Rd and Camp Creek Pkwy abut the subject property to the south and east, respectively. An undeveloped R-3 (Single-Family Dwelling District) property abuts the subject property to the southeast.

APPLICABLE CODE REQUIREMENTS

Fulton County Code; Subpart B; Appendix B; Article IV:

4.23.B. Zoning buffers shall be provided along all lot lines, as specified in Table 4.23.1. adjacent to properties zoned AG-1, R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-5, R-5A, R-6, TR, A, A-L, NUP, CUP and MIX with residential components, and adjacent to all single family residential uses in all zoning districts. (See Illustration 4.23.1.)

The R-3 property is considered to the rear of the subject M-1A property, so Illustration 4.23.1. requires a 100-foot buffer.

VARIANCE CONSIDERATIONS

Staff is including the specific conditions that must be considered for a variance to be granted in an effort to assist the Zoning Board of Appeals in considering the application and its merits. These considerations include:

- (i) 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 Resolution; or,
- (ii) The application of the particular provision of the Zoning Resolution 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; or,
- (iii) Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

STAFF RECOMMENDATION

The proposed expansion from 311,715 square feet to 388,515 square feet is not possible without the reduction of the undisturbed buffer. This buffer along the southeast corner of the site is the only segment of the property's perimeter that requires a buffer as large as 100 feet; the other buffers are a maximum of 50 feet. The thick treeline and steep slope separating the subject building from all of Boat Rock Rd, the R-4 property, and Camp Creep Pkwy would remain, thus causing no visual detriment to the members of the public who traverse the roads or the R-4 property. The 2035 Fulton County Comprehensive Plan designates the future land use of both the subject property and the R-4 property as "Industrial Marketplace" which supports the project proposal. The R-4 property is located directly at the major intersection of Camp Creek Pkwy and Boat Rock Rd, thus single-family dwelling development of the R-4 property may be unlikely due to potential safety and noise concerns. Due to the feasibility of the R-4 property's development as a single-family dwelling, the industrial future land use designation by the Comprehensive Plan and the fact that the R-4 property requires the buffer despite being developed as such, presents an unnecessary hardship for the owner. Based on these findings, Staff recommends approval.

REVIEWED BY:

Brianna Rindge, AICP





