



PROPERTY INFORMATION

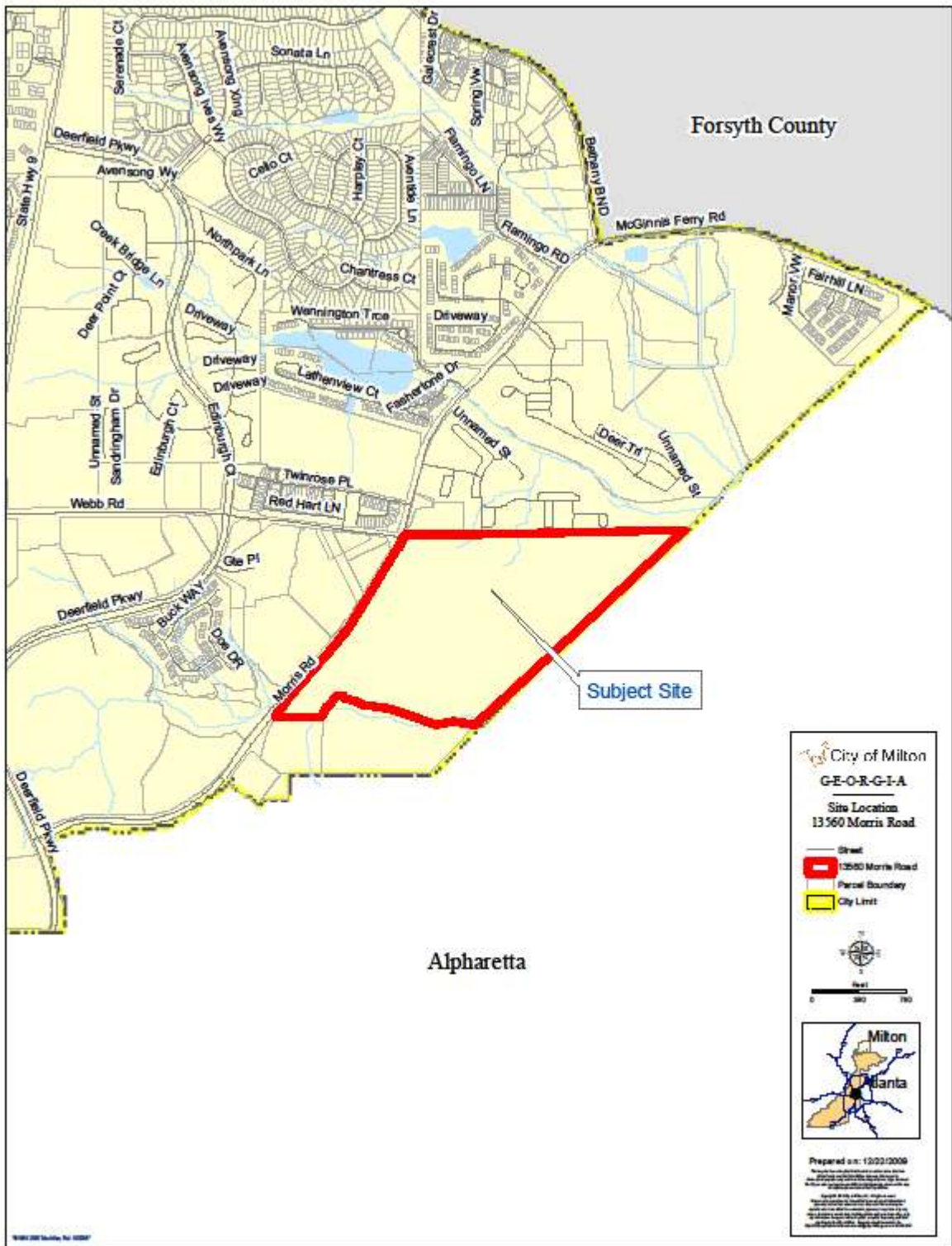
| | | | |
|------------------------------------|-------------------|----------------|-------|
| ADDRESS | 13560 MORRIS ROAD | | |
| DISTRICT, LAND LOT | 2/2, 1116 | | |
| OVERLAY DISTRICT | HIGHWAY 9 | | |
| EXISTING ZONING | O&I | ACREAGE | 65.95 |
| EXISTING USE | OFFICE | | |
| FUTURE LAND USE DESIGNATION | OFFICE | | |

REQUESTED VARIANCE(S):

- To allow pre cast concrete as the main material (more than 75%) on the exterior walls of a non-residential building addition (Article 12G4.E.15)

PETITIONER(S) Erwin Thomas, Philips
ADDRESS 13560 Morris Road, Suite 200
Alpharetta, GA 30004
PHONE 770.510.1422

SITE LOCATION MAP



COMMUNITY DEVELOPMENT STAFF ANALYSIS

STAFF CONTACT: ANGELA RAMBEAU

678.242.2539

Background:

The site, 5304 Windward Parkway is a 550,076 square foot office building located on 65.95 acres. The property is zoned O&I, and is located in the Highway 9 Overlay.

The applicant, Erwin Thomas, is the Senior Director of the Customer Care Solutions Center which will be housed in the building, formerly owned by ALLTEL. In order to maintain 100 percent connectivity to its customers, Philips plans to install an additional generator with a 30'x 30' mechanical screen wall enclosure at the northeast corner of the building. The area is currently grassed, and is not visible from any adjoining right of ways. The building, built in 1999 is primarily pre cast concrete and glass. In April of 1999, Fulton County adopted the Highway 9 Overlay, which includes the Morris Road area. The City of Milton Adopted the Overlay in December of 2006. These standards apply to new construction as well as additions, as in this case.

Article 12G4.E.15 states that the exterior wall materials of all non-residential buildings shall consist of a minimum of 75 percent (per vertical wall plane) of the following: brick or natural stone. Section E.16 states that accent building materials for all non-residential buildings are limited to a maximum of 25 percent brick, tile, non-reflective glass, natural stone with weathered, polished or fluted face finish, textured traditional cement stucco architectural concrete masonry with fluted, split-face, or broken-face finish, Portland cement plaster and lath systems, architectural (either precast or tilt-up) concrete (fluted or with exposed aggregate finish), or Hardiplank. The applicant has requested the variance so that the addition can be constructed in the same materials that the original building is finished in—pre cast concrete.

ADDITIONAL DEPARTMENT COMMENTS

The staff held a Focus Meeting on January 4, 2009 at which the following comments were provided:

| | |
|--|------------------|
| BUILDING PLAN REVIEW STAFF CONTACT MELISSA HENDERSON 678.242.3292 | <i>NO ISSUES</i> |
| SITE PLAN REVIEW STAFF CONTACT JIMMY SANDERS 678.242.2543 | <i>NO ISSUES</i> |
| ARBORIST STAFF CONTACT MARK LAW 678.242.2552 | <i>NO ISSUES</i> |
| DOT/STORMWATER REVIEW STAFF CONTACT CARTER LUCAS 678.242.2559 | <i>NO ISSUES</i> |

Standards for Consideration:

The applicant has indicated a justification for variance based on the following factor(s):

- A. Relief, if granted would not offend the spirit or intent of the Ordinance;**
- B. There are such extraordinary and exceptional situations or conditions pertaining to the particular piece of property that the literal or strict application of the Ordinance would create an unnecessary hardship due to size, shape or topography or other extraordinary and exceptional situations or conditions not caused by the variance applicant;**
- C. Relief, if granted would not cause a substantial detriment to the public good and surrounding properties;**
- D. That the public safety, health and welfare are secured, and that substantial justice is done.**

The applicant states "the building owner and Philips would like to have the addition of this screen wall not alter the physical exterior appearance of the building. We feel strongly that the best solution to address the consistency of the physical exterior appearance is to match the pre-cast concrete panel material of the adjoining building."

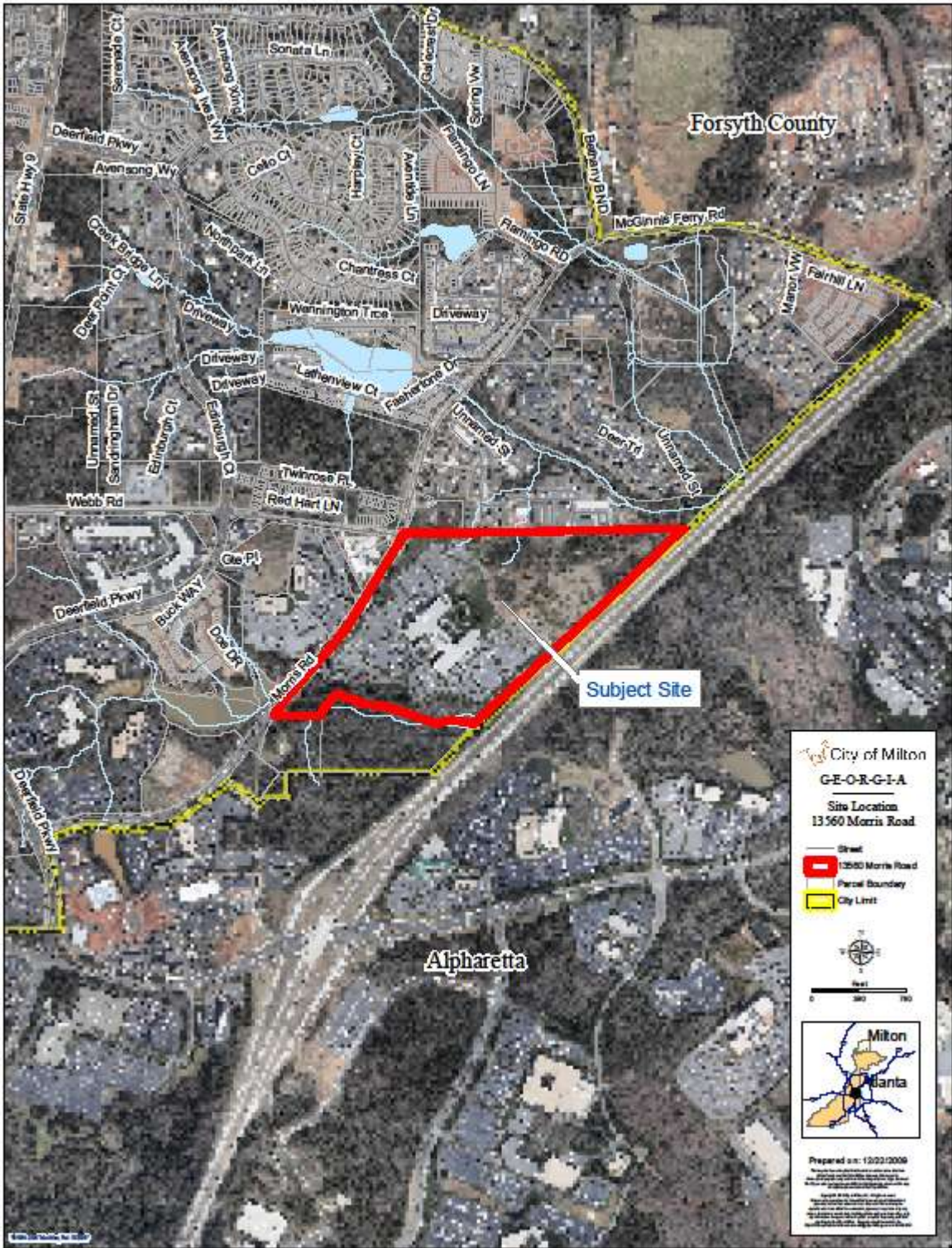
Recommended conditions:

Should the Board choose to approve the application, Staff recommends the following conditions(s):

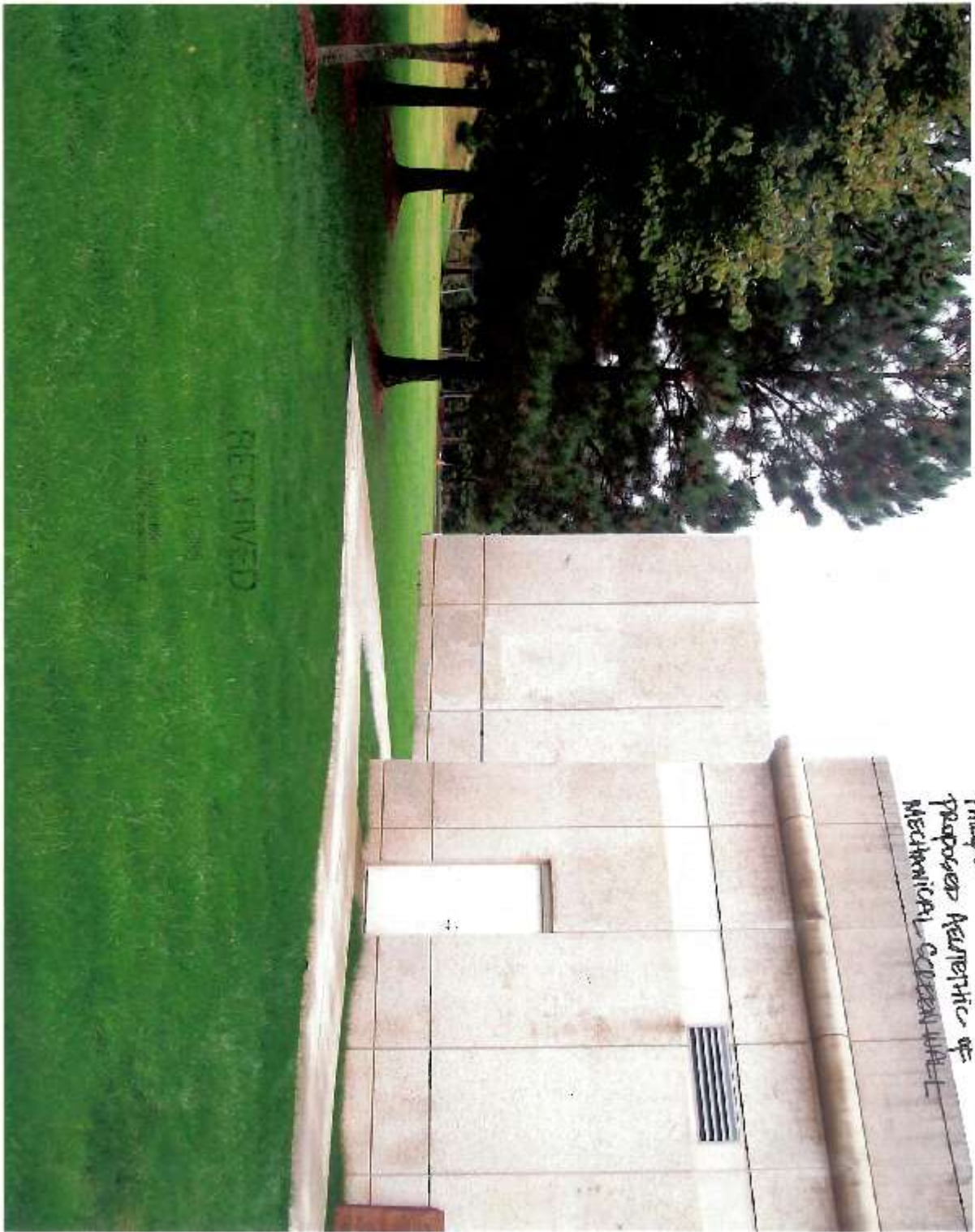
- Staff has no conditions at this time.



ATTACHMENTS: Site plan, letter of appeal, aerial view, pictures



Prepared by the Community Development Department for the Board of Zoning Appeals meeting on January 27, 2010



LETTER OF APPEAL

November 24, 2009

City of Milton
13000 Deerfield Parkway
Suite 107F
Milton, GA 30004

DEC 1 2009
[Handwritten signature]

Letter of Appeal

To Whom it May Concern:

In providing a mechanical screen wall for the new generator and condenser unit for our office location, we were informed by the City of Milton's zoning department that we would have to comply with the Milton Zoning Ordinance, Section O. Building Materials, Item 1. The hardship in complying with this article is that the proposed mechanical screen wall will be adjoining the existing One Deerfield Centre building that is composed of pre-cast concrete panels and curtain wall. We would like to ask for a variance from the ordinance requiring 60% (per vertical wall plane) exterior wall material of all buildings to have brick, stone, stucco, EIFS, solid planks, cementitious plank, or horizontal clapboard siding. The building owner and Philips would like to have the addition of this screen wall not alter the physical exterior appearance of the building. We feel strongly that the best solution to address the consistency of the physical exterior appearance is to match the pre-cast concrete panel material of the adjoining building. Thank you for this consideration.

Best Regards,

[Handwritten signature]

Erwin Thomas
Senior Director, Customer Care Solutions Center
Philips Healthcare, GSS-NA
Atlanta, GA



RECEIVED

DEC 01 2009

City of Milton
Community Development

PICTURES
PROPOSED LOCATION OF ADDITION



ANOTHER VIEW OF THE LOCATION OF THE PROPOSED ADDITION



BUILDING FACADE



AN EXISTING MECHANICAL SCREEN WALL

