

AGENDA
Board of Zoning Appeals
June 17, 2008
7:00pm

VARIANCES

VARIANCES	
<i>Agenda item/Location/ Applicant</i>	<i>Request</i>
1. Call to order and pledge	
2. Election of officers	
3. Approval of May BZA meeting minutes	
4. V08-017 12635 Crabapple Road Elizabeth Riordan	1. To allow roof vents to be unscreened and visible from the right-of- way (Article 12H(1).5.B,7)
5. V08-018 765 & 785 Broadwell Road Sally Rich-Kolb	Staff request deferral until July.
6. Adjournment	



PETITION NUMBER(S):
V08-017

PROPERTY INFORMATION

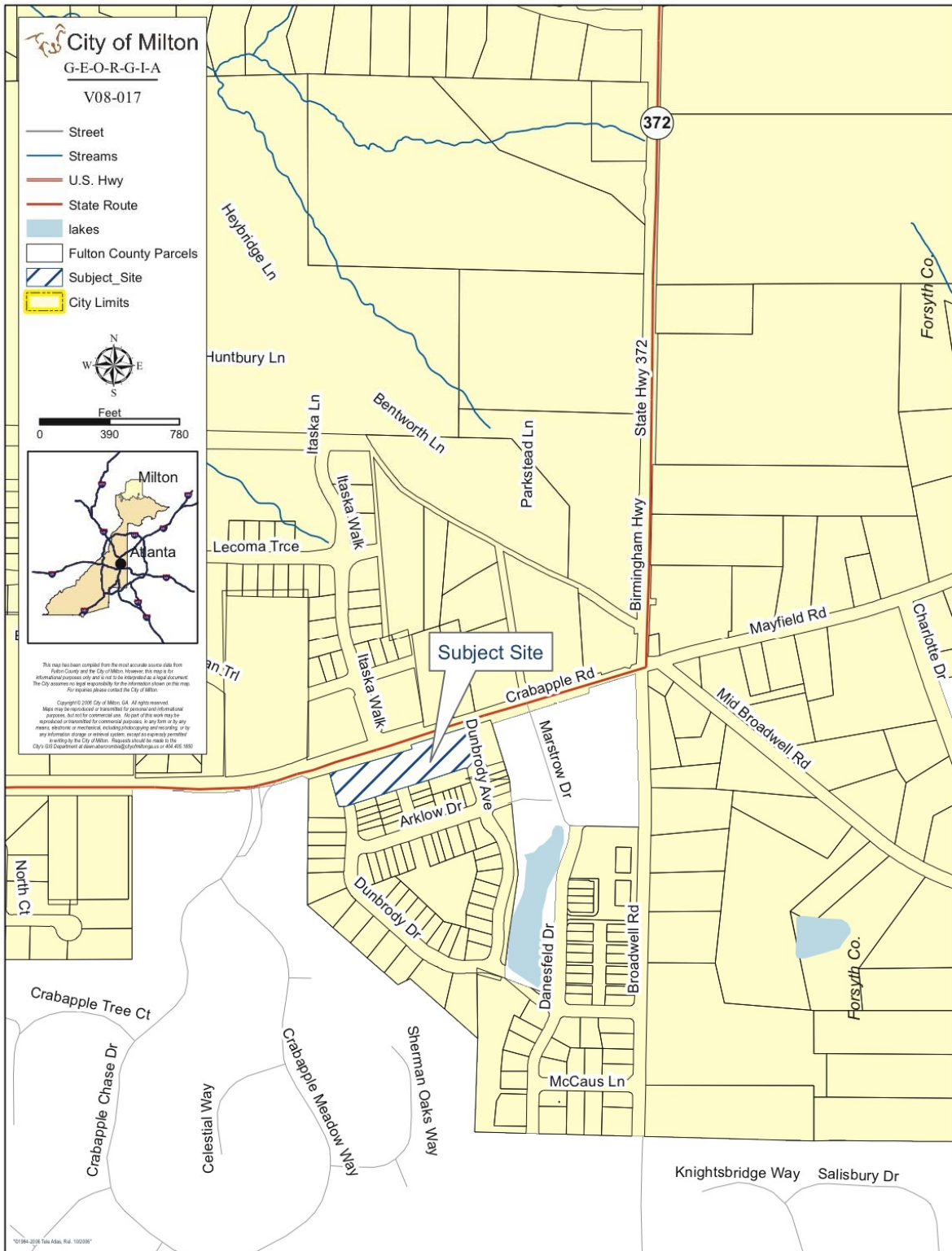
ADDRESS	12635 CRABAPPLE ROAD #320		
DISTRICT, LAND LOT	2/2, 1135, 1170		
OVERLAY DISTRICT	CRABAPPLE CROSSROADS		
EXISTING ZONING	MIX	ACREAGE	2.514
EXISTING USE	COMMERCIAL		
FUTURE LAND USE DESIGNATION	NEIGHBORHOOD LIVING WORKING		

REQUESTED VARIANCE(S)

1. To allow roof vents to be unscreened and visible from the road.

PETITIONER	Elizabeth Riordan
ADDRESS	2180 Lansdowne Dr Canton, GA 30115
PHONE	770-752-6833

LOCATION MAP



COMMUNITY DEVELOPMENT STAFF ANALYSIS

STAFF CONTACT: ANGELA RAMBEAU

678.242.2539

Background:

The site, 12635 Crabapple Road, is a restaurant in the Crabapple Station commercial center. It is located in the Crabapple Crossroads overlay district. The owners of the restaurant, Cantina Del Mar, have installed an air intake vent and an exhaust vent that are unscreened, and visible from the road. Therefore, the building does not comply with the zoning ordinance article 12H(1).5.B.7, and the applicants are seeking relief.

The applicants have stated that the roof vents are placed in their current position based on the layout of the building and the design of the roof. The dining area and kitchen were placed where they are due to Fire Marshall requirements. The applicants were advised by their engineer to vent the kitchen directly above the cook area. This location also allows access for maintenance and monthly cleaning. The applicant believes that the placement of the rooftop ventilation system is currently the best option, but is open to any suggestions.

This petition was reviewed by the City of Milton Design Review Board on June 3, 2008. The Board made the following suggestions:

1. Paint the vents to match the color of the roof/metal awnings.
2. Lower the gooseneck, air intake vent by 5 feet and/or remove the existing one and replace it with a unit that is more in keeping the Crabapple overlay district architectural requirements.

3. ADDITIONAL DEPARTMENT COMMENTS

The staff held a Focus Meeting on June 5, 2008 at which the following comments were provided:

BUILDING PLAN REVIEW STAFF CONTACT MELISSA HENDERSON 678.242.3292	<i>The vents were not shown on the submitted building plans. The work platform around the gooseneck vent is missing, as well. It may not be possible to lower the height due to building codes (requires further research). A different style vent may be possible. Possibly screen with a three sided enclosure faced with siding to match building (in lieu of variance).</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 JIM SEEBA 678.242.2559	<i>NO ISSUES</i>

Standards for Consideration:

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

- 1. 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.**

The applicant states that they were limited as to where they could place the vents due to the design and layout of the building. Painting the vents and lowering the air intake (gooseneck) vent will help the vents recede into the roof, and provide a more harmonious view from the street.

Recommended conditions:

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

1. Paint the vents to match the color of the roof/metal awnings.
2. Replace the gooseneck intake vent with a style that is lower in height, per approval of the Chief Building Official.
3. Add work platform to exhaust vent, as required by Code.

ATTACHMENTS: Letter of appeal, site plan, aerial view, pictures

LETTER OF APPEAL

RECEIVED

May 6, 2008

MAY 06 2008

City of Milton
Community Development

Dear Variance Committee,

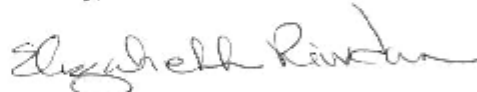
As proprietors of Cantina Del Mar, we are privileged to own a business in the new City of Milton. We understand that every new municipality has development and business regulations, and we want to comply with all expectations.

Unfortunately, due to the design of our building and roof elevation, it was virtually impossible to install a kitchen ventilation system that is not visible from Crabapple Rd. (Frontage Rd.)

The design and development of this space has been challenging, and the location of the kitchen in the restaurant is actually the rear of the building located on Crabapple Rd. The front of the restaurant faces away from Crabapple Rd. In order to shield the vents from view, the expense would be prohibitive at this time.

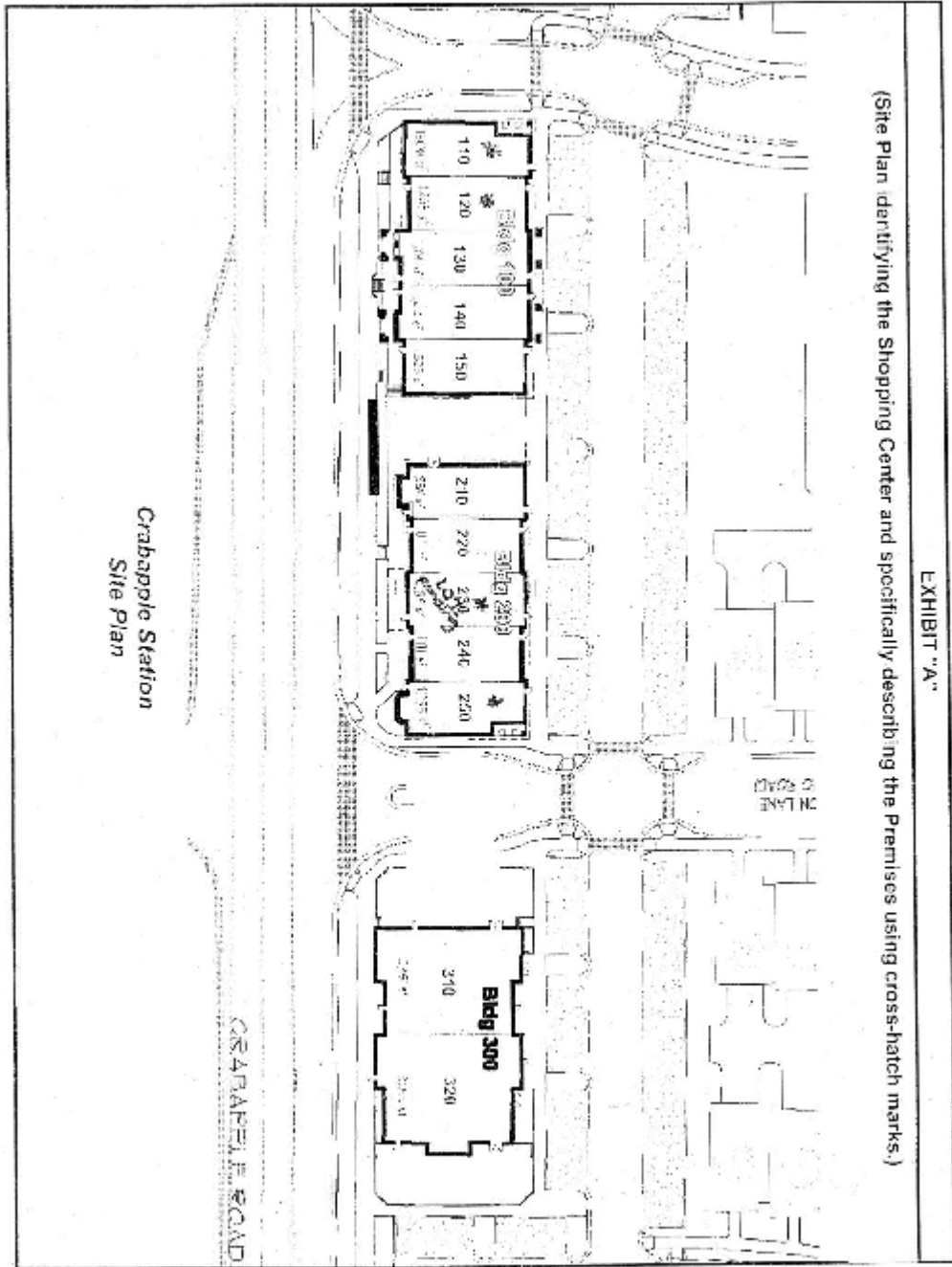
Please consider our appeal for a variance, and we look forward to many successful years in the City of Milton.

Sincerely,



Elizabeth Riordan

SITE PLAN for V08-017
Submitted 5/6/08



AERIAL VIEW OF SUBJECT SITE



SITE PHOTOS



PICTURE #1 FACING NORTH ON CRABAPPLE ROAD



PICTURE #2: ROOFTOP VENTILATION SYSTEM AS SEEN LOOKING NORTH ON CRABAPPLE ROAD