



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** August 14, 2012

FROM: John McDonough, City Manager

AGENDA ITEM: **ZM12-007** - 5995 Barfield Road, *Applicant: MidCity Real Estate Partners, Inc.*, To modify conditions 11 and 14 of Z80-0043 to allow redevelopment of the property

MEETING DATE: For Submission onto the August 21, 2012, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Zoning Modification Application

APPROVAL BY CITY MANAGER: JPM APPROVED

PLACED ON AGENDA FOR: 8/21/2012

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: SMY

REMARKS:

MAYOR AND CITY COUNCIL

ZM 12-007

5995 Barfield Road

MidCity Real Estate Partners, Inc



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development 

Date: August 9, 2012 For Submission onto the onto the August 21, 2012 City Council meeting

Agenda Item: **ZM12-007 5995 Barfield Road**, Request for a zoning modification to modify condition 11 and delete condition 14 of zoning case Z80-0043

CMO (City Manager's Office) Recommendation:

APPROVAL CONDITIONAL of the request for a zoning modification to the conditions of Fulton County zoning case Z80-0043.

Background:

The site is located at the northeast corner of Barfield Road and Hammond Drive. The property is zoned O-I (Office Institutional District) conditional under zoning case Z80-0043 and is currently developed with an office building.

Discussion:

The applicant is seeking approval to modify condition 11 and delete condition 14 of zoning case Z80-0043 as follows:

11. To the petitioner's agreement to landscape the setback along both Barfield Road and Hammond Drive. ~~as well as to provide a minimum 5-foot landscape strip along the northerly property line.~~
14. To the ~~petitioner's agreement to limit the signage to one project identification monument on Barfield Road and on Hammond Drive, both of which shall be restricted to a maximum height of 8 feet and a maximum size of 20 square feet in surface area, and further to the petitioner's agreement that there will be no wall or roof signs.~~

Concurrent Review:

The staff held a Focus Meeting the week of July 2, 2012 at which the following city departments provided comments:

- Building and Development Division
- Code Enforcement
- Fire Department
- Transportation Division

In addition, the following external departments were contacted for comment:

- Atlanta Regional Commission
- Fulton County Board of Education
- Fulton County Department of Environment and Community Development (*comments received*)
- Fulton County Department of Public Works
- Fulton County Environmental Health Services
- Sandy Springs Council of Neighborhoods
- Sandy Springs Revitalization Inc.
- Georgia Department of Transportation
- City of Atlanta Department of Watershed Management
- U.S. Postal Service Address Management Systems
- MARTA
- Fulton County Emergency Management



Zoning Modification Petition No. ZM12-007

HEARING & MEETING DATES

Community Zoning Information Meeting
June 26, 2012

Mayor and City Council Hearing
August 21, 2012

APPLICANT/PETITIONER INFORMATION

Property Owners

CP Sandy Springs, LLC

Petitioner

MidCity Real Estate Partners, Inc.

Representative

William Woodson
Galloway

PROPERTY INFORMATION

Address, Land Lot, and District 5995 Barfield Road
Land Lots 36, District 17

Council District 5

Frontage and Area Approximately 267.64 feet of frontage on Barfield Road and 186.73 feet of frontage on Hammond Drive.
Approximately area of 89,398 square feet.

Existing Zoning and Use O-I (Office Institutional District) conditional under zoning case Z80-043 and is currently developed with an office building.

Overlay District Perimeter Center Improvement District

2027 Comprehensive Future Land Use Map Designation LWC (Living-Working Community)

Existing Use Office

INTENT

MODIFICATION OF CONDITIONS 11 AND 14 OF Z80-0043 APPROVED BY THE FULTON COUNTY BOARD OF COMMISSIONERS ON MAY 7, 1980.

The applicant is seeking approval to modify condition 11 and delete condition 14 of zoning case Z80-0043 as follows:

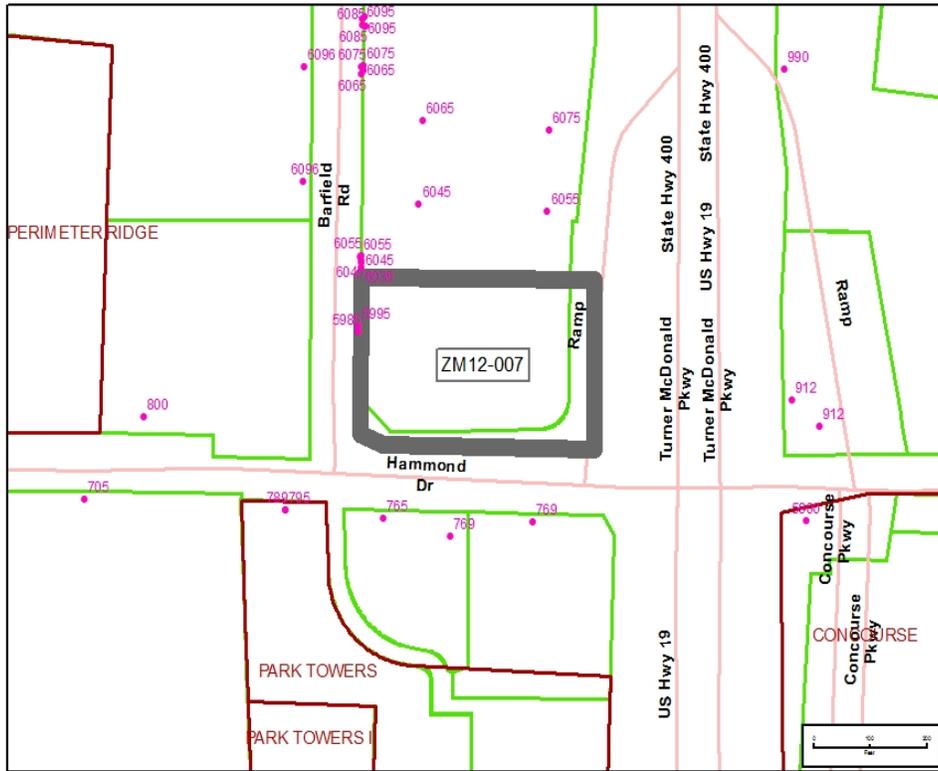
- 11. To the petitioner's agreement to landscape the setback along both Barfield Road and Hammond Drive, as well as to provide a minimum 5 foot landscape strip along the northerly property line.
- 14. To the ~~petitioner's agreement to limit the signage to one project identification monument on Barfield Road and on Hammond Drive, both of which shall be restricted to a maximum height of 8 feet and a maximum size of 20 square feet in surface area, and further to the petitioner's agreement that there will be no wall or roof signs.~~

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

ZM12-007 - APPROVAL CONDITIONAL

Location Map

5995 Barfield Road



BACKGROUND

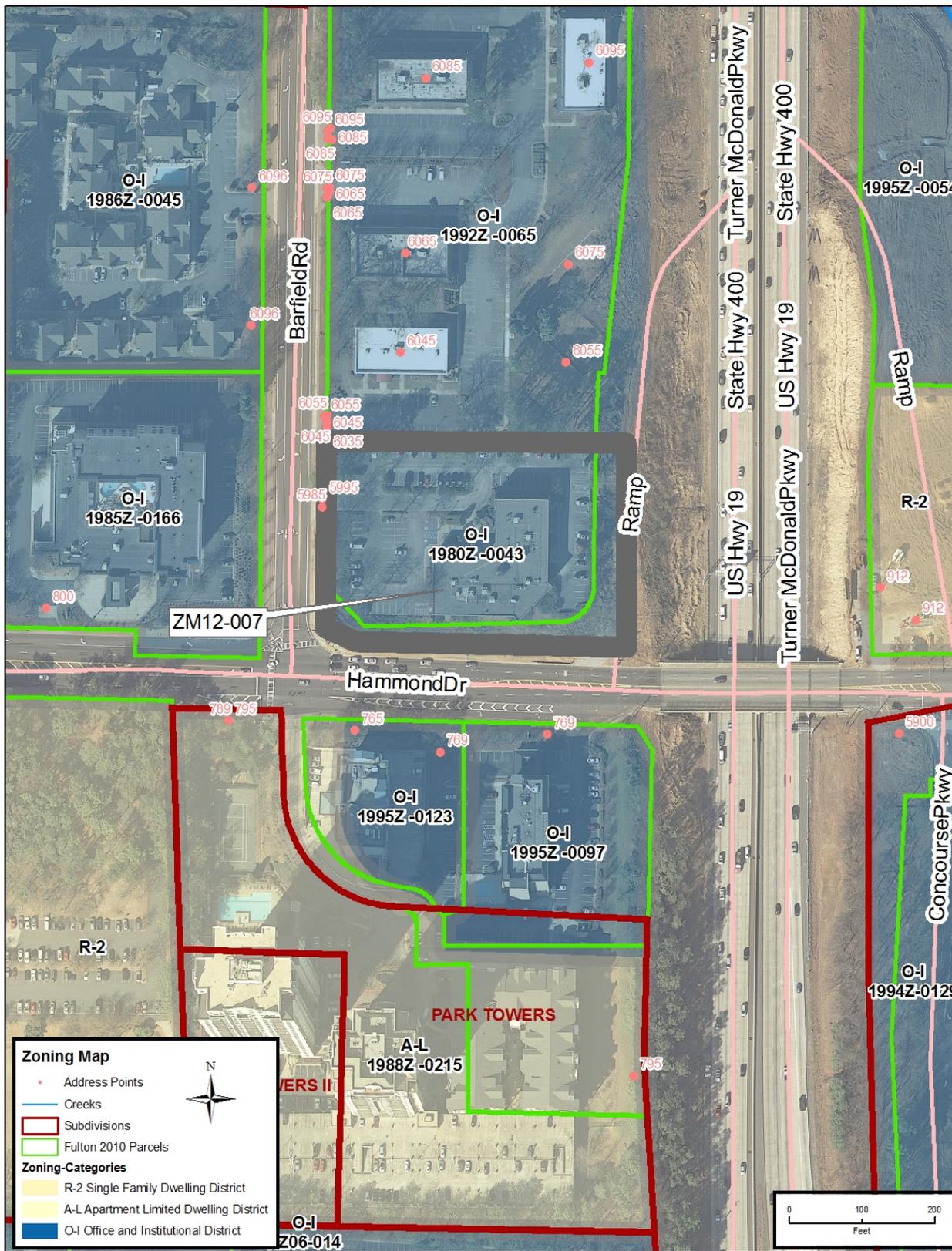
The site is located at the northeast corner of Barfield Road and Hammond Drive. The property is zoned O-I (Office Institutional District) conditional under zoning case Z80-0043 and is currently developed with an office building and parking lot.

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY

SUBJECT PETITION ZM12-07	Existing Use		Land Area (Acres)	Square Footage	Density (Square Footage per Acre)
		Office		2.052	27,200 S.F.
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Units or Square Footage	Density (Units or Square Footage Per Acre)
North	O-I conditional Z92-0065	6045 Barfield Road	6.419	276,000 S.F.	42,997 S.F./ Acre
East		GA 400			
South	O-I conditional Z95-0123	765 Hammond Drive	.8982	106 Units	118 Units/ Acre
South	O-I conditional Z95-0097	769 Hammond Drive	1.8	131 Units	72.78 Units/ Acre
West	O-I conditional Z85-0166	800 Hammond Drive	3.08	143 Units	46.43 Units/ Acre

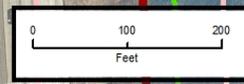
Zoning Map

5995 Barfield Road



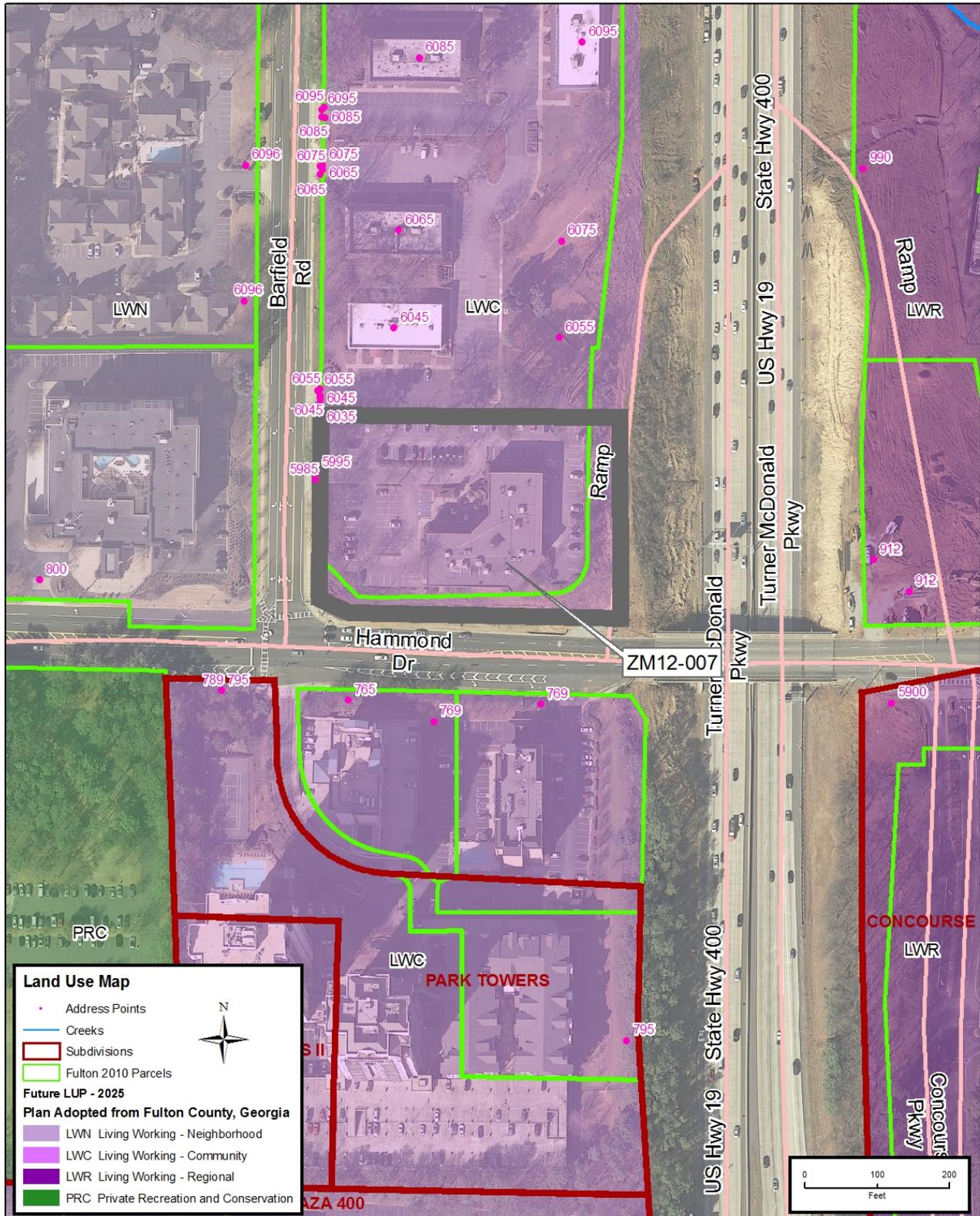
Zoning Map

- Address Points
 - Creeks
 - ▭ Subdivisions
 - ▭ Fulton 2010 Parcels
- Zoning-Categories**
- ▭ R-2 Single Family Dwelling District
 - ▭ A-L Apartment Limited Dwelling District
 - ▭ O-I Office and Institutional District



Future Land Use Map

5995 Barfield Road



Photographs



Subject Building



Existing Signage



Remaining Frontage



Northern Property Line



Modification Sign



Modification Sign

APPLICANT'S INTENT

The applicant is seeking approval to modify condition 11 and delete condition 14 of zoning case Z80-0043 as follows:

11. To the petitioner's agreement to landscape the setback along both Barfield Road and Hammond Drive, as well as to provide a minimum 5 foot landscape strip along the northerly property line.
14. ~~To the petitioner's agreement to limit the signage to one project identification monument on Barfield Road and on Hammond Drive, both of which shall be restricted to a maximum height of 8 feet and a maximum size of 20 square feet in surface area, and further to the petitioner's agreement that there will be no wall or roof signs.~~

The applicant has indicated that the request to delete the five (5) foot landscape strip along the northerly property line will allow for redevelopment of the subject parcel and the parcel to the north; stating that a redevelopment of this nature makes the landscape strip unnecessary and burdensome. Additionally, the application is requesting removal of Condition 14 so as to allow the property to be governed by the sign ordinance contained in the Sandy Springs Zoning Ordinance.

The staff is of the opinion that the request to delete the five (5) foot landscape strip is warranted and is in harmony with the intent of the Zoning Ordinance. The staff is also of the opinion that the removal of Condition 14 is in harmony with the intent of the Zoning Ordinance. The Zoning Ordinance provides for a landscape strip for the installation of plant materials, which are provided elsewhere on site. Staff finds the deletion of the landscape strip is consistent with similar developments in the area. Additionally, the removal of Condition 14 brings the subject property further into compliance with the Zoning Ordinance. Therefore, based on these reasons the staff recommends APPROVAL CONDITIONAL of the modification of Condition 11 and deletion of Condition 14.

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist the week of July 2, 2012 at which no comments were provided.

STAFF RECOMMENDATION

The staff recommends **APPROVAL CONDITIONAL** of the zoning modification request. The staff recommends that the conditions be read as follows. Where these revisions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Mayor and City Council.

1. To the petitioner's site plan received by the Planning Department April 1, 1980 and to the petitioner's agreement to submit to the Director of Planning for his approval, prior to the issuance of a grading permit, a revised site plan incorporating the stipulations of the enumerated conditions listed below.
2. To the petitioner's agreement that the subject property will be used for a maximum of 27,200 gross square feet of floor area for offices.
3. To the petitioner's agreement to submit to the Director of Planning for his approval, prior to any defoliation of alteration to the site, a grading plan and such other engineering documents as may be required by the Department of Public Works including hydrological study to be submitted prior to grading, soil sedimentation and erosion controls while the project is under development, and provisions for water retention and the method of continuing maintenance of these facilities if required. This applies to the developer, to all builders, and to any and all sub-contractors, as well as material and equipment suppliers associated with development and building.
4. To the petitioner's agreement to submit to the Director of Planning for his approval, prior to the issuance of a Certificate of Occupancy or permanent power, a detailed landscape plan. And further, to the petitioner's agreement that said landscaping as approved by the Director of Planning shall be in place within six (6) months after the issuance of the Certificate of Occupancy or the connection of the permanent power.
5. To the petitioner's agreement that the exterior of all concrete blocks will be coated with an architectural treatment (i.e., epoxy, stucco, brick veneer, etc.) or an alternate solution that may be approved by the Director of Planning.
6. To the petitioner's agreement to pay all necessary tap-on fees, front footage assessment and pro-rated share of sewerage extensions as determined by the Fulton County Public Works Department.
7. To the petitioner's agreement to connect to metropolitan water and public sanitary sewer available to the site.
8. To the petitioner's agreement to apply for and received the necessary variances from the Fulton County Board of Zoning Appeals prior to any development activity occurring in order to perfect the zoning, and to the petitioner's understanding that if the required variances are not received, any development must be in accordance with all requirements of the zoning district.
10. To the petitioner's agreement to dedicate at no cost to Fulton County 50 feet of right-of-way from the existing centerline of Hammond Drive as well as to allow the necessary construction easements while that right-of-way is being improved.
11. To the petitioner's agreement to landscape the setback along both Barfield Road and Hammond Drive. ~~as well as to provide a minimum 5 foot landscape strip along the northerly property line.~~

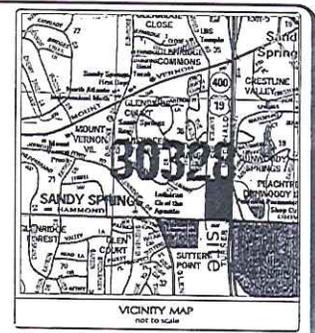
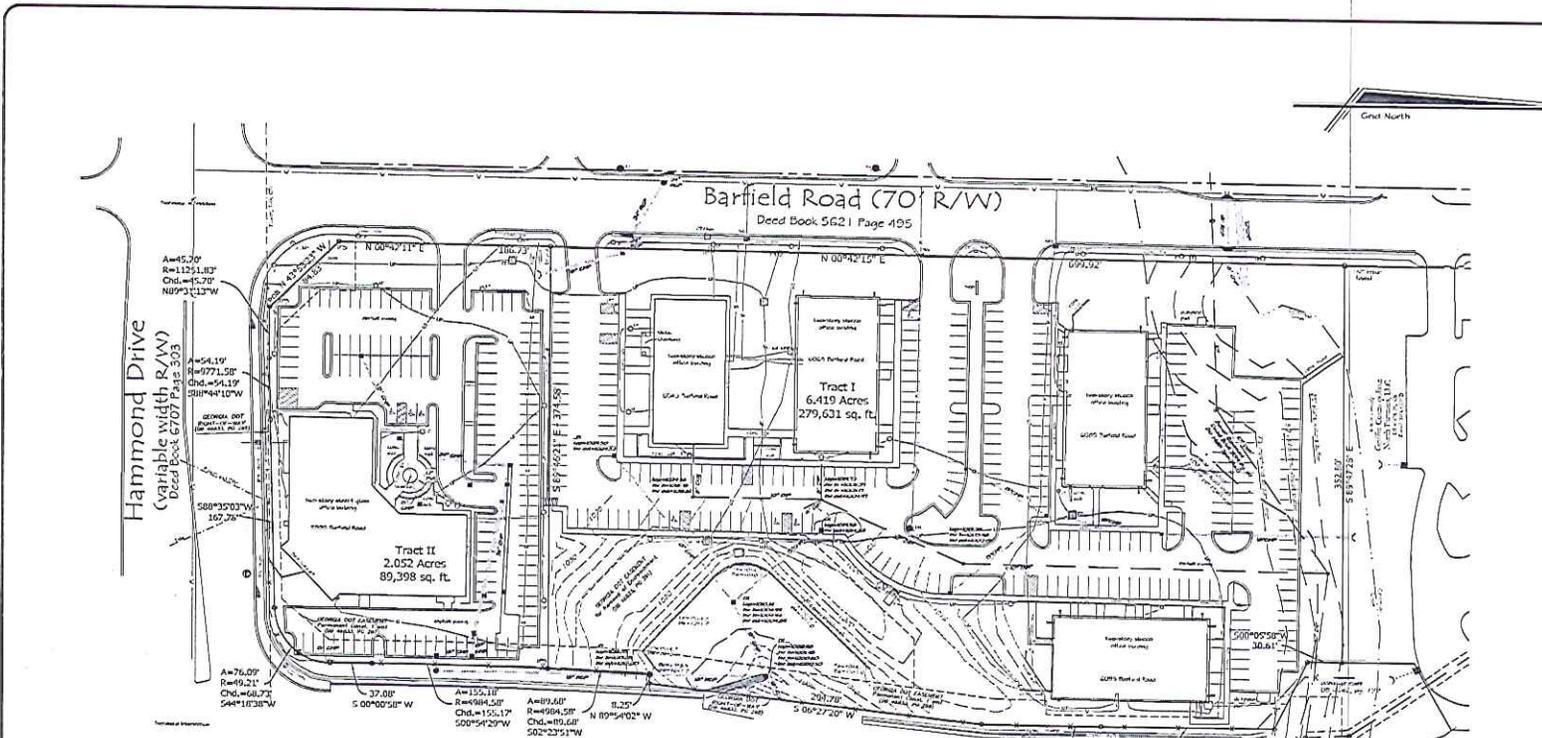
12. To the petitioner's agreement to provide a minimum 40-foot wide natural, undisturbed buffer, replanted where sparsely vegetated, adjacent to the Georgia Highway 400 right-of-way.
13. To the petitioner's agreement that the intensity of any lighting and advertising on this site shall not be more than 1.3 lumens measured at the property line.
14. ~~To the petitioner's agreement to limit the signage to one project identification monument on Barfield Road and on Hammond Drive, both of which shall be restricted to a maximum height of 8 feet and a maximum size of 20 square feet in surface area, and further to the petitioner's agreement that there will be no wall or roof signs.~~

Attachments

Letter of Intent received dated June 5, 2012

Site Plan received dated June 5, 2012

Letter from Fulton County Dept. of the Environment and Community Development received August 7, 2012



SURVEY NOTES

1. Site area = 1.6419 acres; Tract II = 2.052 acres.
2. This map or plat has been calculated for closure and is found to be accurate within 1 foot in 100,000 feet.
3. This plat has been prepared using a TOPCON GTS-112 Total Station for angle and distance measurements.
4. The field data upon which this map or plat is based has a closure precision of one (1) foot in 60,000 feet and an average angular error of 0.8 seconds per angle point, and was adjusted using least squares.
5. A portion of this property does lie within a 100-year flood hazard zone (Zone D) as defined by the F.E.M.A. Insurance Rate Map of Fulton County, Georgia, Community Flood Number 1512 (CEM1 E, dated June 21, 1996).
6. The surveyor makes no certification as to matters of title.
7. Utility lines shown for buildings 800A, 800L, and 800V Barfield Road include overhead, gas, water, and 200-volt regular service lines, and telephone lines.
8. The utility meter serving 800V Barfield Road was removed during the construction of the Hammond Drive and ranges from 66.14' to 66.14'. The sewer line shown is shown in the event of utility relocation. The owner, reviewer, approver, planner, consultant and other interested parties shall remain entirely responsible for the correctness or sufficiency of this information.

NOTE: Information regarding the reduced presence, size, character and location of existing underground utilities and structures is shown for reference. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this information. The location and arrangement of underground utilities and structures are shown for reference only. The owner, reviewer, approver, planner, consultant and other interested parties shall remain entirely responsible for the correctness or sufficiency of this information.

REFERENCED DOCUMENTS

1. Subdivided Lots for Condo Properties, Inc. Barfield Road (S) prepared by Terracon Land Services, Inc., last revised 3/8/07.
2. Limited Warranty Deed, Deed Book 4336, page 87.
3. Gift Deed, Deed Book 4336, page 87.
4. G.O.D. 8/9/ Deed, Deed Book 4623, page 387.
5. W/D Deed (S), page 967.
6. W/D Deed (S), page 967.

GRAPHIC SCALE - IN FEET

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Title References
First American Title Insurance Company
Commitment No. 21104111
Effective Date: May 21, 2012 at 5:00 PM

Schedule D-Section 2

1. (B) Easement from Mrs. Susan P. Oswald to Georgia Power Company, dated August 21, 1979, recorded in Deed Book 2699, page 87, Fulton County, Georgia (hereinafter "easement") and all amendments thereto, including but not limited to amendments recorded on the 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 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856th, 857th, 858th, 859th, 860th, 861st, 862nd, 863rd, 864th, 865th, 866th, 867th, 868th, 869th, 870th, 871st, 872nd, 873rd, 874th, 875th, 876th, 877th, 878th, 879th, 880th, 881st, 882nd, 883rd, 884th, 885th, 886th, 887th, 888th, 889th, 890th, 891st, 892nd, 893rd, 894th, 895th, 896th, 897th, 898th, 899th, 900th, 901st, 902nd, 903rd, 904th, 905th, 906th, 907th, 908th, 909th, 910th, 911st, 912nd, 913th, 914th, 915th, 916th, 917th, 918th, 919th, 920th, 921st, 922nd, 923rd, 924th, 925th, 926th, 927th, 928th, 929th, 930th, 931st, 932nd, 933rd, 934th, 935th, 936th, 937th, 938th, 939th, 940th, 941st, 942nd, 943rd, 944th, 945th, 946th, 947th, 948th, 949th, 950th, 951st, 952nd, 953rd, 954th, 955th, 956th, 957th, 958th, 959th, 960th, 961st, 962nd, 963rd, 964th, 965th, 966th, 967th, 968th, 969th, 970th, 971st, 972nd, 973rd, 974th, 975th, 976th, 977th, 978th, 979th, 980th, 981st, 982nd, 983rd, 984th, 985th, 986th, 987th, 988th, 989th, 990th, 991st, 992nd, 993rd, 994th, 995th, 996th, 997th, 998th, 999th, 1000th.
2. (B) Easement from Mrs. Susan P. Oswald to Georgia Power Company, dated August 21, 1979, recorded in Deed Book 2699, page 87, Fulton County, Georgia (hereinafter "easement") and all amendments thereto, including but not limited to amendments recorded on the 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 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RECEIVED**APPLICATION FOR MODIFICATION OF ZONING CONDITIONS** JUN 05 2012**LETTER OF INTENT**City of Sandy Springs
Community Development

The Applicant, MidCity Real Estate Partners, Inc. seeks a Modification of Zoning Conditions for 2.052 acres of land located at 5995 Barfield Road in the northeast quadrant of the intersection of Hammond Drive and Barfield Road ("the Property"). Pursuant to Z-80-0043-FC and M95-0059, the Property is zoned to the O-I classification and is subject to a series of zoning conditions, which allow office uses on the Property. The Applicant seeks to modify two of the existing zoning conditions.

Specifically, the Applicant seeks to modify Condition Number 11 to delete that portion of the condition, which requires a five (5) foot landscape strip along the northern property line. The Applicant intends to develop this Property in conjunction with the property located to the North of the site, thereby making the five (5) foot landscape strip unnecessary and burdensome. The Applicant also seeks to modify the existing conditions by deleting Condition Number 14 regarding signage. The Applicant requests that this condition be removed to allow signage for the Property to be governed by the signage regulations contained in the Sandy Springs Zoning Ordinance.

Georgia Law and the procedures of Sandy Springs require that we raise Federal and State Constitutional objections to a denial of a modification request during the application process.

Accordingly, the Applicant respectfully files the following constitutional challenge. Any denial of this Application as proposed by the Applicant, would be unconstitutional in that it would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of

1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any denial of this Application as proposed by the Applicant would be unconstitutional, illegal, null and void because such a denial would constitute a taking of the Applicant's property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I, of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States, because such a decision would deny the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the City Council of Sandy Springs without any rational basis, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the City Council of Sandy Springs to amend the Official Zoning Map of the City of Sandy Springs, as proposed by the Applicant, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and the owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any change in the Official Zoning Map of the City of Sandy Springs designation of the Property that subjects the Property to conditions that are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the Property, would also

constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional category and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

Accordingly, the Applicant respectfully requests that this Application be granted and that the zoning conditions be modified as requested by the Applicant.

Respectfully submitted,

THE GALLOWAY LAW GROUP, LLC

By: 
William Woodson Galloway
Attorney for Applicant

3500 Lenox Road, N.E.
Suite 760
Atlanta, GA 30326
404-965-3681



MEMORANDUM

TO: Patrice S. Dickerson, Manager of Planning & Zoning
 City of Sandy Springs, Department of Community Development

FROM: Monica Robinson, B.S., M.B.A., Environmental Planner
 Department of Health Services, Office of the Director

DATE: July 31, 2012

SUBJECT: Zoning Comments for August 2012

RECEIVED

AUG 07 2012

*City of Sandy Springs
 Community Development*

AGENDA ITEM	ZONING COMMENTS
RZ12-008	<p>This proposed cleaning service must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air.</p> <p>The Fulton County Health Department recommends that the existing internal plumbing within this facility be inspected for adequacy for the capacity and the intended use.</p> <p>This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</p>
RZ12-009/ CV12-011	<p>The Fulton County Department of Health Services recommends that the applicant be required to connect the proposed senior living facility to public water and public sanitary sewer available to the site.</p> <p>Since this proposed development constitutes a premise where people work, live, or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>This proposed facility must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air.</p> <p>If this proposed development includes a food service facility, the owner must submit kitchen plans for review and approval by this department before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.</p> <p>If this proposed development includes a public swimming pool as defined in the regulations including spas, whirlpools, etc., the owner or contractor must submit plans for review and approval by this department and must obtain a Department of Health Services permit to construct before issuance of a building permit. Also, the owner of the facility must obtain a Department of Health Services permit to operate the pool prior to opening.</p> <p>This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</p> <p>The Department recommends that this property be designed the walking paths and intersections with vehicular traffic so as to prevent the risk of injury of pedestrians particularly the senior residents.</p>

AGENDA ITEM	ZONING COMMENTS
RZ12-010/ U12-001/ CV12-012	<p>The Fulton County Department of Health and Wellness recommends that the applicant be required to connect the proposed apartment building to public water and public sanitary sewer available to the site.</p> <p>Since this proposed development constitutes a premise where people work, live or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>Any common areas of this proposed apartment development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air.</p> <p>Since this proposed development includes a public swimming pool as defined in the regulations including spas, whirlpools, etc., the owner or contractor must submit plans for review and approval by this department and must obtain a Department of Health Services permit to construct before issuance of a building permit. Also, the owner of the facility must obtain a Department of Health Services permit to operate the pool prior to opening.</p> <p>This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse container be submitted for review and approval.</p>
ZM12-007	<p>The Fulton County Department of Health Services does not anticipate any health problems with 1) modifying condition 11 of the zoning case Z80-0043 to remove the requirement for a minimum five (5)-foot landscape strip along the northerly property and 2) removing condition 14 regarding signage so long as no development/redevelopment is proposed at this time. This Department will require that the owner/developer seek the approval of this Department prior to issuance of any building permit for any future development/redevelopment of this property.</p>