

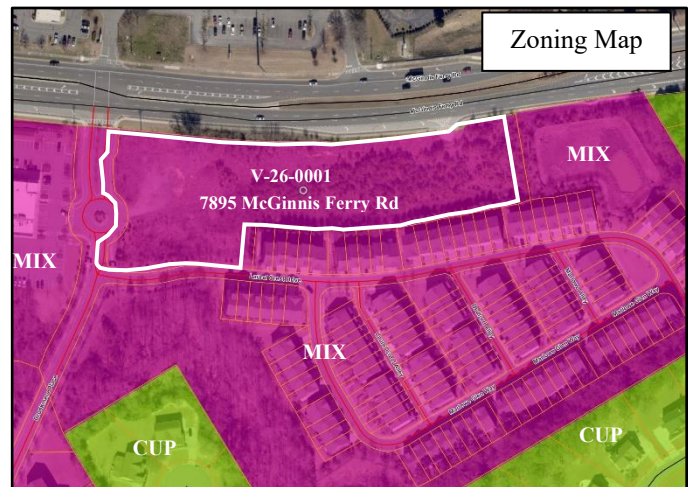
**Board of Zoning Appeals Meeting  
March 17, 2026**

<b>CASE NUMBER:</b>	<b>V-26-0001</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>3.81 Acres</b>
<b>PROPERTY OWNER:</b>	<b>Timberton Properties, LLC</b>
<b>APPLICANT:</b>	<b>Thoman &amp; Hutton</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. The property is bounded by Brookmere subdivision to the east and south, a shopping center to the west, and McGinnis Ferry Road to the North. 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.

The property was previously approved for a variance in 2021 (V-21-010) to reduce the 40-foot landscape strip along McGinnis Ferry Road to 20 feet. However, since no development activity occurred within 36 months of the date of approval, the variance expired and the applicant is required to request a new variance.



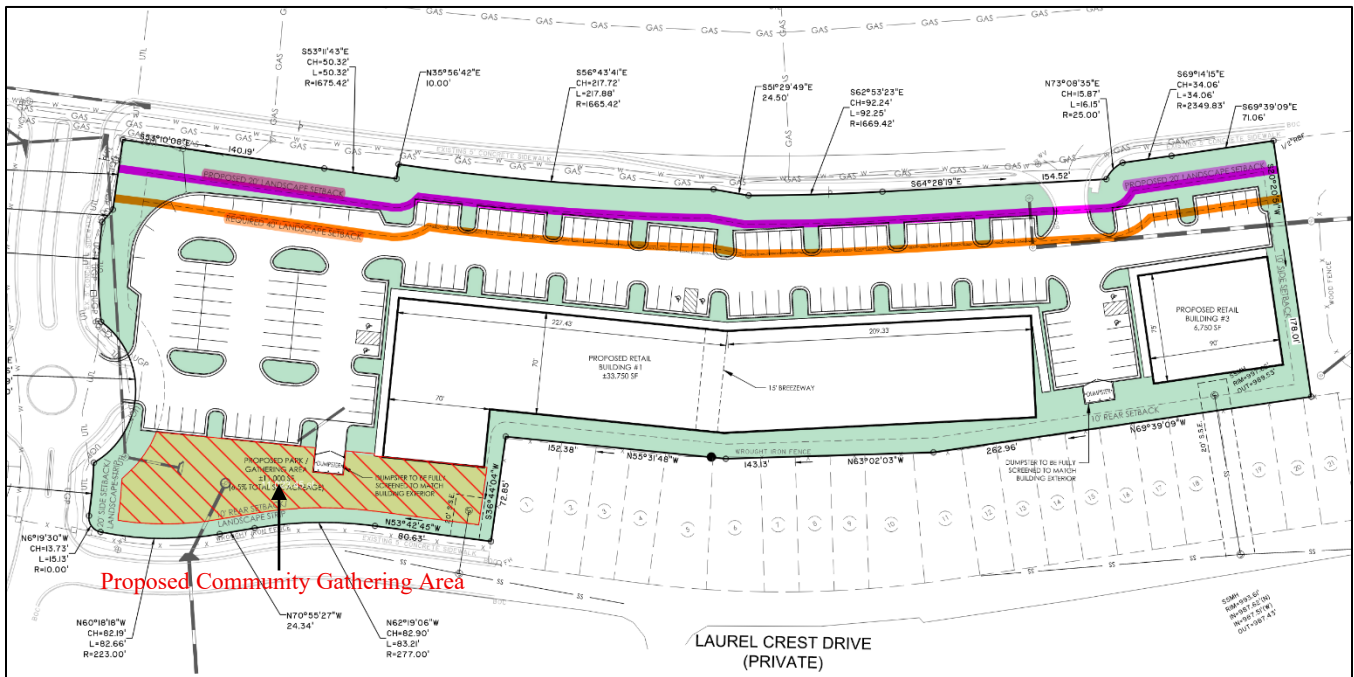
**Applicable Code Requirements**

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.

**Variance Request**

The applicant is requesting a variance to reduce the 40-foot landscape strip (shown in orange) along McGinnis Ferry Road to 20 feet (shown in purple) to accommodate the construction of a 40,000-square-foot shopping center and its required parking.



**Variance Review Criteria**

Zoning Ordinance Section 22.3.1. lists the considerations for granting variances:

- 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**

Landscape strips are intended to create physical separation between roadways and proposed development through vegetative screening, achieved by installing new plantings and/or preserving existing vegetation. The subject property, located along McGinnis Ferry Road, has an elongated configuration, with approximately 75% of its frontage measuring about 178 feet in depth before expanding to roughly 270 feet near Brookmere

Place. This constrained shape with limited depth, together with the required 40-foot landscape strip would present an unnecessary hardship for the property owner.

Reducing the landscape strip width would enable the site to accommodate a commercial building with adequate parking spaces and drive aisles. Additionally, a potentially positive outcome of the reduction in landscape strip width would be the inclusion of the Applicant's proposed 11,000-square-foot community gathering open space that includes landscaped areas, benches, and a walking trail connecting internal sidewalks of the proposed shopping center with the adjacent residential neighborhood. Staff is of the opinion 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-26-0001, 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 January 26, 2026, subject to the approval of the Community Development Director.
- 2) Owner/developer shall provide a minimum of 11,000 square feet of community gathering open space, developed in general accordance with the open space exhibit received and stamped by the City on January 16, 2026, subject to the approval of the Community Development Director.
- 3) Owner/developer shall provide and replant where sparsely vegetated in the following landscape strips as shown on the site plan received and stamped by the City on January 26, 2026, in compliance with the City's Tree Preservation and Administrative Guidelines:
  - a. 20 feet along McGinnis Ferry Road.
  - b. 20 feet along Brookmere Place.
  - c. 10 feet along the south and east property line adjacent to the Brookmere subdivision.