



## INTEROFFICE MEMORANDUM

**To:** Environment & Community Dev. Staff  
**From:** Bettie Jones, Administrative Coordinator II  
**Date:** January 20, 2006  
**Subject:** **BZA ACTIONS –January 19, 2006 Hearing**

Case No.	Location	Applicant	Decision
2005V-193	5340 Taylor Road	Mykhaylo Mokrynsky	Approved
2005V-195	195 Cliftwood Drive	Stephanie Schleicher	Forwarded to Sandy Springs
2005V-229	780 Branchview Drive	Marvin G. Webb	Approved
2005V-234	10950 State Bridge Road	Young Kim	Approved Conditional *
2005V-253	3680 Cascade Road	John Ethan Frost	Denied
2005V-255	315, 320, 325 Walton View	Michael Adamson	Approved
2005V-256	9875 Medlock Bridge Rd	Paul T. Aase	Deferred 30 Days
2005V-257	5295 Chelsen Wood Dr	Al Torbush	Approved
2005V-259	5945 State Bridge Road	Wendy S. Butler	Deferred 60 Days
2005V-260	Campbellton Road	Chris Knight	Withdrawn
2005V-262	Union Road	Ritner Nesbitt	Approved Conditional *

\* Please refer to attached agenda for conditions or further information, and contact Madolyn Spann at (404) 730-8105, or Bettie Jones at (404) 730-8069, if you have additional questions.

**Board of Zoning Appeals  
Decisions  
January 19, 2006**

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**Case # 2005V-193 FCN**

**5340 TAYLOR ROAD**

(Held from Oct '05)

The appeal of Mykhaylo Mokrynsky seeks a variance to the Fulton County Zoning Resolution in an R-4(Single Family Dwelling) zoning classification as follows:

**Request:**

To reduce the minimum required rear yard setback from 25 feet to 8 feet (Ref: Article 6.6.3, Section B).

Property located at 5340 Taylor Road in Land Lot 240 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow a 12X16 storage shed to remain in the rear yard.

**Decision: Approved.**

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**Case # 2005V-195 FCN**

**195 CLIFTWOOD DRIVE**

(Held from Oct '05) – Forwarded to Sandy Springs

The appeal of Stephanie Schleicher seeks a variance to the Fulton County Zoning Resolution in a C-2 (Commercial District) zoning classification as follows:

**Request:**

To allow an identification monument sign for property less than 40,000 square feet (Ref: Article 12.B.6.A, Section 1).

Property located at 195 Cliftwood Drive, in land lot 90 of District 17 in Fulton County, Georgia.

**Purpose:** To allow a business operating in a small building to locate a 25-square foot, 6 foot tall sign monument on Cliftwood Drive.

**Decision: Forwarded to Sandy Springs for disposition.**

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**Case # 2005V-229 FCS**  
(Held from Nov '05)

**780 BRANCHVIEW DRIVE**

The appeal of Marvin G. Webb seeks a variance to the Fulton County Zoning Resolution in an AG-1 (Agricultural District) zoning classification as follows:

**Requests:**

- (1) To reduce the minimum required rear yard setback from 50 feet to 43 feet (Ref: Article 5.1.3, Section D).
- (2) To reduce the minimum required side yard setback from 25 feet to 14 feet (Ref: Article 5.1.3, Section D).

Property located at 780 Branchview Drive, in Land Lot 120 of District 14F in Fulton County, Georgia.

**Purpose:** To allow the construction of a one-story (23' x30') garage/storage building in the rear yard.

**Decision: Approved.**

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**Case # 2005V-234 FCN**

**10950 STATE BRIDGE ROAD**

The appeal of Young Kim seeks variances to the Fulton County Zoning Resolution in a C-1 (Community Business District) zoning classification as follows:

**Requests:**

- (1) To increase the sign area from 20 square feet to 56 square feet (Ref: Article 12.E.6).
- (2) To increase the sign height from 5 feet to 14 feet and six inches (Ref: Article 12.E.6).
- (3) To delete requirement of sign face to equal sign base to allow modifications to existing sign structure (Ref: Article 12.E.6).
- (4) To reduce the minimum required 25-foot setback from

intersection to 10 feet (Ref: Article 12.E.6).

- (5) To allow four tenant panels (Ref: Article 12.E.6).

Property located at 10950 State Bridge Road, in Land Lots 153 and 168 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow replacement of the existing face of the Beverage Warehouse sign (renamed DC Beverage Warehouse).

**Decision: Approved Conditional** to rendering submitted and provisions of the Johns Creek Community Association in their letter dated January 19, 2006 stipulating (1) The sign area is no more than 48.3 square feet; (2) The sign is no more than 15.5'H x 8' W to allow for a decorative pediment on top; (3) The requirement for sign face to equal sign base allowing changes to existing structure deleted; (4) The minimum required 25-foot setback from intersection to 10 feet reduced; and (5) There are no more than 5 tenant panels.

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**Case # 2005V-253 FCS**

**3680 CASCADE ROAD**

The appeal of John Ethan Frost seeks a variance to the Fulton County Zoning Resolution in a C-1 (Community Business District) zoning classification as follows:

**Request:**

To increase the square footage of the allowable sign from 50.5 square feet to 90.8 square feet (Ref: Article 12.C.4, Section A-2).

Property located at 3680 Cascade Road, in Land Lots 9 & 10 of District 14 in Fulton County, Georgia.

**Purpose:** To bring modified Verizon Wireless wall sign into compliance.

**Decision: Denied due to failure of applicant to present hardship.**

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**Case # 2005V-255 FCS**

**315, 320, 325 WALTON VIEW**

The appeal of Michael Adamson seeks variances to the Fulton County Zoning Resolution in an R-4A (Single Family Dwelling District) zoning classification as follows:

**Requests:**

- (1) To reduce the minimum required lot width from 70 feet to 60 feet for Lot 29 of Phase Two, Walton Hills Sub-division) (Ref: Article 6.6.3, Section F).
- (2) To reduce the minimum required lot width from 70 feet to 60 feet for lot 30 of Phase Two, Walton Hills Subdivision (Ref: Article 6.6.3, Section F).
- (3) To reduce the minimum lot width from 70 feet to 60 feet for Lot 33 of Phase Two, Walton Hills Subdivision (Ref: Article 6.6.3, Section F).

Property located at 315, 320 & 325 Walton View, in Land Lot 191 of District 13 in Fulton County, Georgia.

**Purpose:** To allow the construction of a single family dwelling on Lots 29, 30 and 33.

**Decision: Approved.**

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**Case # 2005V-256 FCN**

**9875 MEDLOCK BRIDGE ROAD**

The appeal of Paul T. Aase seeks variances to the Fulton County Zoning Resolution in an O-I (Office & Institutional District) zoning classification as follows:

**Requests:**

- (1) To allow four tenant panels on an identification monument for the office building located at the southwest corner of Medlock Bridge Parkway and Medlock Bridge Road (Ref: Article 12.E.6).
- (2) To allow external illumination from the ground (the Northeast Overlay requires downward illumination) (Ref:

Article 12.E.6, Section B).

Property located at 9875 Medlock Bridge Parkway, in Land Lot 327 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow a six-foot high and 32 square foot brick monument sign along the Medlock Bridge Frontage.

**Decision: Deferred for 30 days at the request of the applicant.**

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**Case # 2005V-257 FCN**

**5295 CHELSEN WOOD DRIVE**

The appeal of Al Torbush seeks variances to the Fulton County Zoning Resolution in a CUP (Community Unit Plan District) zoning classification as follows:

**Requests:**

- (1) To reduce the minimum required 3-foot landscape buffer to 1 foot (Ref: Article 4.11, Section D.4)
- (2) To reduce the minimum required 3-foot fence/wall setback off the right-of-way to 1 foot (Ref: Article 4.11, Section F).

Property located at 5295 Chelsen Wood Drive, in Land Lot OF18 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow an existing fence to remain at existing setback.

**Decision: Approved.**

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**Case # 2005V-259 FCN**

**5945 STATE BRIDGE**

The appeal of Wendy S. Butler seeks variances to the Fulton County Zoning Resolution in a C-I (Community Business District) zoning classification as follows:

**Requests:**

- (1) To increase the maximum sign area from 32 square feet to 55 square feet (Ref: Article 12.E.6).

- (2) To increase the maximum sign height from eight feet to 10 ½ feet (Ref: Article 12.E.6).
- (3) To increase the allowable tenant panels from four feet to six feet (Ref: Article 12.E.6).

Property located at 5945 -100 State Bridge Road, in Land Lots 331 & 336, of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow the construction of a freestanding monument sign to identify the new Whole Foods Market and other retail shops located on site.

**Decision: Deferred for 60 days at the request of the applicant.**

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**Case # 2005V-260 FCS**

**CAMPBELLTON ROAD**

The appeal of Chris Knight seeks a variance to the Fulton County Zoning Resolution in an A-L (Apartment Limited District) zoning classification as follows:

**Request:**

To allow an entry wall within the required 50-foot buffer along the Campbellton Road frontage of the Cliftondale Overlay District (Ref: Article 12.L.4, Section A.1)

Property located at Campbellton Road, in Land Lots 54 & 59 of District 9C in Fulton County Georgia.

**Purpose:** To allow the construction of a brick and stone entry wall to the Anatole Subdivision, a single-family and townhouse development.

**Decision: Withdrawn at applicant's request.**

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**Case # 2005V-262 FCS**

**UNION ROAD**

The appeal of Ritner Nesbitt seeks variances to the Fulton County Zoning Resolution in a Sub C (Single Family Dwelling District) zoning classification as follows:

**Requests:**

- (1) To reduce the minimum required 50-foot buffer with 10-foot improvement setback along the south property line to a 15-foot buffer with a 10-foot improvement setback (Ref: Article 12.L.4, Section 3) (Withdrawn).
- (2) To delete the minimum required 50-foot buffer with 10-foot improvement setback along the north property line (Ref: Article 12.L.4, Section 3).
- (3) To delete the minimum required 50-foot buffer with 10-foot improvement setback along the east property line. (Ref: Article 12.L.4, Section 3).
- (4) To reduce the minimum required 50-foot buffer with 10-foot improvement setback along the Union Road frontage (west property line) to a 15-foot buffer with a 10-foot improvement setback (Ref: Article 12.L.4, Section 3).

Property located at Union Road, in Land Lot 160 of District 9F in Fulton County, Georgia.

**Purpose:** To delete and reduce buffer requirements along the perimeter of the proposed 20-Lot Stonegate Subdivision.

**Decision:** **Approved Conditional** to withdrawal of Request #1 at the applicant's request. Requests 2, 3, & 4 approved as submitted.