



## INTEROFFICE MEMORANDUM

**To:** Environment & Community Dev. Staff  
**From:** Bettie Lawson, Administrative Coordinator II  
**Date:** March 18, 2005  
**Subject:** **BZA ACTIONS –March 17, 2005 Hearing**

Case No.	Location	Applicant	Decision
2005V-012	105 Inland Drive	Gary Shaban	Denied
2004V-229	300 P'tree Dunwoody Cir	Tim Ward	Approved Conditional
2004V-245	910 Dunster Court	Ratib & Linda Karam	Approved Conditional
2005V-004	14160 Birmingham Hwy	George & Alice Massey	Approved Conditional
2005V-006	4690 Shoshonee Trail	Marcia Parrish	Approved
2005V-007	4565 Jett Road	Donald & Kim Addington	Denied
2005V-008	5575 Glenridge Conn.	Joseph Flannigan & Elizabeth Andross	Approved
2005V-013	4555 Washington Road	Andy Lawson	Deferred
2005V-017	5866 Roswell Road	Travis Braun	Approved Conditional
2005V-018	4225 Fulton Ind. Blvd.	Kishor Bhakta	Denied Request 1; Approved Request 2
2005V-019	5805 State Bridge Road	Ken Knuckles	Approved
2005V-020	335 Crosstree Lane	George R. Powell	Approved
2005V-022	5197 Roswell Road	Donna Thomas	Approved Conditional
2005V-023	3630 Demooney Road	Ronald D. Wade, Sr.	Denied
2005V-024	2745 Francis Road	Mark Murphy	Approved Conditional
2005V-025	16300 Freemanville Road	Mark Murphy	Approved Conditional
2005V-026 2005V-027	Cummings Highway and State Route 9	Grant A. Grimes & Carl Westmoreland	Approved Conditional

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

Board of Zoning Appeals  
February 17, 2005  
Actions

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**Case # 2005V-012 FCN**

**105 INLAND DRIVE**

The appeal of Gary Shaban seeks variances to the Fulton County zoning Resolution in an R-3 (Single Family Dwelling District) zoning classification as follows:

**Requests:**

- (1) To allow a tree house within the front yard (Ref: Article VI.4.3, Section I).
- (2) To allow tree house to encroach the front building line of 50 feet, maintaining a 40-foot setback from front property line (Ref: Article VI.4.3, Section B).

Property located at 105 Inland Drive, in Land Lot 39 of District 17 in Fulton County, Georgia.

**Purpose:** To allow a tree house to remain in front yard.

**Decision:** **Denied.**

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**Case # 2004V-229 FCN**

**300 PEACHTREE DUNWOODY CIRCLE**

The appeals of Tim Ward seek variances to the Fulton County Zoning Resolution in an R-2 (Single Family Dwelling District) zoning classification as follows:

**Requests:**

- (1) To reduce the minimum required side yard setback from 15 feet to 7.5 feet (Ref: Article VI.5.3, Section C).
- (2) To reduce the minimum required rear yard setback from 40 feet to 20 feet (Ref: Article VI.3.3, Section D).

Property located at 300 Peachtree Dunwoody Circle, in Land Lot 15 of District 17 in Fulton County, Georgia

**Purpose:** To allow the construction of a detached two-car, two-story garage with office above.

**Decision:** **Approved Conditional** to maximum height of 25 feet from grade to roof pitch.

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**Case # 2004V-245 FCN**

**910 DUNSTER COURT**

The appeal of Ratib and Linda Karam seeks a variance to the Fulton County Zoning Resolution in a CUP (Community Unit Plan District) zoning classification as follows:

**Request:**

To reduce the minimum required 10-foot setback for a swimming pool to allow an 8-foot and six inch side yard setback from the south property line (Ref: Article XIX.3.12).

Property located at 910 Dunster Court, in Land Lot 1031 of District 2-2 in Fulton County, Georgia.

**Purpose:** To bring into compliance the recently constructed swimming pool that encroaches the side yard setback by 1½ feet.

**Decision:** **Approved Conditional** to pool and pool house complying with site plan submitted.

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**Case # 2005V-004 FCN** **14160 BIRMINGHAM HIGHWAY**

The appeal of George and Alice Massey seeks a variance to the Fulton County Zoning Resolution in an AG-1 (Agricultural District) zoning classification as follows:

**Request:**

To allow parking of a specialized vehicle (backhoe) on agricultural zoned property (Ref: Article VIII.5).

Property located at 14160 Birmingham Highway, in Land Lot 776 of District 2-2 in Fulton County, Georgia.

**Purpose:** To allow an eleven-acre tract used for residential and agricultural purposes to store a backhoe used to maintain the property.

**Decision:** **Approved Conditional** to applicant storing backhoe in existing building.

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**Case # 2005V-006 FCS** **4690 SHOSHONEE TRAIL**

The appeal of Marcia Parrish seeks a variance to the Fulton County Zoning Resolution in an R-3 (Single Family Dwelling District) zoning classification as follows:

**Request:**

To reduce the minimum required rear yard setback from 35 feet to 6.5 feet (Ref: Article VI.4.3, Section D).

Property located at 4690 Shoshonee Trail, in Land Lot 33 of District 13 in Fulton County, Georgia.

**Purpose:** To allow the construction of a 16 X 28 square foot storage building in the rear yard.

**Decision:** **Approved.**

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**Case # 2005VS-007 FCN**

**4565 JETT ROAD**

The appeal of Donald and Kim Addington seeks a secondary variance to the Fulton County Zoning Resolution in an R-2 (Single Family Dwelling District) zoning classification as follows:

**Request:**

To allow an existing garage to encroach the minimum required 60-foot front yard setback by four (4) feet (Ref: Article VI.2.3.B).

Property located at 4565 Jett Road, in Land Lot 162 of District 17 in Fulton County, Georgia.

**Purpose:** An approximate 1,300 square foot garage addition was constructed with a portion of the structure encroaching the front yard setback leaving a 56-foot front setback.

**Decision:** **Denied.**

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**Case # 2005V-008 FCN**

**5575 GLENRIDGE CONNECTOR**

The appeal of Joseph Flannigan and Elizabeth Andross seeks a variance to the Fulton County Zoning Resolution in an O-I (Office and Institutional District) zoning classification as follows:

**Request:**

To reduce the required 8-foot wide sidewalk along Glenridge Connector to 5 feet. Sidewalk will start from back of curb (Ref: Article XII B (1), 3.B.E.).

Property located at 5575 Glenridge Connector, in Land Lot 38 of District 17 in Fulton County, Georgia.

**Purpose:** To seek relief from the Perimeter Community Improvement District

sidewalk requirements along frontage of the Glenridge Highland Office Development.

**Decision: Approved.**

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**Case # 2005V-013 FCS**

**4555 WASHINGTON ROAD**

The appeal of Andy Lawson seeks variances to the Fulton County Zoning Resolution in an A (Medium Density Apartment District) zoning classification as follows:

**Requests:**

- (1) To increase the sign area from 16 square feet to 32 square feet for an identification monument located on each side of the entrance to the Highland Brooke Apartment Homes (Ref: XXXIII.5, Section C (2)).
- (2) To allow the overall sign structure to exceed the maximum 3.5 times 32 square feet of allowable sign size for a total sign structure size of 184.95 square feet (Ref: Article XXXIII.4.9).

Property located at 4555 Washington Road, in Land Lot 34 of District 13 in Fulton County, Georgia.

**Purpose:** To allow construction of a new entry wall type sign for the existing Azalea Manor apartment development as part of a renovation project.

**Decision:** **Deferred 30 days** to allow applicant opportunity to reduce overall size of sign structure.

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**Case # 2005V-017 FCN**

**5866 ROSWELL ROAD**

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

**Request:**

To allow property less than 40,000 square feet to construct a free-standing sign at the property's intersection of Roswell Road and Cliftwood Drive (Ref: Article XIIB.6.A, Section I).

Property located at 5866 Roswell Road, in Land Lot 90 of District 17 in Fulton County, Georgia.

**Purpose:** To allow logo changes to the existing Shell Gas signage compliant with the Sandy Springs Overlay District.

**Decision:** **Approved Conditional** to sign structure not exceeding 32 square feet and 6 feet in height.

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**Case # 2005V-018 FCS** **4225 FULTON INDUSTRIAL BLVD**

The appeal of Kishor Bhakta seeks variances to the Fulton County Zoning Resolution in an M-2 (Heavy Industrial District) zoning classification as follows:

**Requests:**

- (1) To increase the sign area from 64 square feet to 90 square feet for the free-standing sign located at the entrance to Armada Inn from Fulton Industrial Boulevard (Ref: Article XXXIII.5, Section F (2)).
- (2) To allow two existing roof signs to remain identifying the Armada Inn (Ref: Article XXXIII.3, Section I).

Property located at 4225 Fulton Industrial Boulevard, in Land Lot 52 of District 14F in Fulton County, Georgia.

**Purpose:** To allow face changes to existing signs reflecting new name of Armada Inn, formerly Ramada Inn.

**Decision:** **Denied Request #1; Approved Request #2.**

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**Case # 2005V-019 FCN** **5805 STATE BRIDGE ROAD**

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

**Requests:**

- (1) To increase the height of a sign from 8 feet to 13 feet for the Medlock Corners Shopping Center (Ref: Article XII.E.6).
- (2) To allow an off-site identification signage for the Publix Grocery Store adjacent tenant to west, on the Medlock Corners sign at the project entrance from State Bridge Road (Ref: Article XXXIII.4.9).
- (3) To allow sign base greater in width than sign face (Ref: Article XII.E.5, Section 1.A).
- (4) To increase the maximum required sign area from 64 square feet to 66 square feet (Ref: Article XII.E.6).

Property located at 5805 State Bridge Road, in Land Lots 330 and 331 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow the construction of a new project identification sign for the new tenant in the old Wal-Mart Shopping Center on State Bridge Road.

**Decision:** **Approved.**

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**Case # 2005V-020 FCN**

**335 CROSSTREE LANE**

The appeal of George B. Powell seeks a variance to the Fulton County Zoning Resolution in an R-2A/R-3 (Single Family Dwelling District) zoning classification as follows:

**Request:**

To allow swimming pool in legal front yard adjoining Riverside Drive (Ref: Article VI.4.3, Section I).

Property located at 335 Crosstree Lane, in Land Lots 129 and 130 of District 17 in Fulton County, Georgia.

**Purpose:** To allow construction of a pool on a double frontage lot having a second front yard along Riverside Drive. The pool will be setback approximately 140 feet from Riverside Drive.

**Decision:** **Approved.**

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**Case # 2005V-022 FCN**

**5197 ROSWELL ROAD**

The appeal of Donna Thomas seeks a variance to the Fulton County Zoning Resolution in an O-I (Office and Institutional District) zoning classification as follows:

**Request:**

To allow property less than 40,000 square feet to have a free-standing sign (Ref: Article XII.B.6.A, Section 1).

Property located at 5197 Roswell Road, in Land Lot 92 of District 17 in Fulton County, Georgia.

**Purpose:** To allow a medical office to construct a ground sign at entrance to provide improved visibility due to surrounding trees.

**Decision:** **Approved Conditional** to complying with the recommendations of the Sandy Springs Design Review Board (SSDRB).

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**Case # 2005V-023 FCS**

**3630 DEMOONEY ROAD**

The appeal of Ronald D. Wade, Sr., seeks a variance to the Fulton County Zoning Resolution in an AG-1 (Agricultural District) zoning classification as follows:

**Request:**

To allow parking of wrecker truck within the side yard of existing residence (Ref: Article XVIII.3.2).

Property located at 3630 DeMooney Road, in Land Lot 144 of District 14F in Fulton County, Georgia.

**Purpose:** The applicant proposes to park truck on existing concrete pad.

**Decision: Denied.**

**Case # 2005V-024 FCN**

**2745 FRANCIS ROAD**

The appeal of Mark Murphy seeks variances to the Fulton County Zoning Resolution in an AG-1 (Agricultural District) zoning classification as follows:

**Requests:**

- (1) To allow a non-monument type sign structure (Ref: Article XXIII.5.B.3.a).
- (2) To increase the height of the sign structure from six feet to nine feet and six inches (Ref: Article XXIII.5.B.2).

Property located at 2745 Francis Road, in Land Lots 617, 680, and 689 of District 2-2 in Fulton County, Georgia.

**Purpose:** To allow the placement of a brick column hanging sign at the entrance to the Clearbrooke Subdivision (40-lot development) from Francis Road.

**Decision: Approved Conditional** to recommendation of Northwest Fulton Design Review Board (NWFRB).

**Case # 2005V-025 FCN**

**16300 FREEMANVILLE ROAD**

The appeal of Mark Murphy seeks variances to the Fulton County Zoning Resolution in an AG-1 (Agricultural District) zoning classification as follows:

**Requests:**

- (1) To allow a non-monument type sign structure (Ref: Article XXIII.5.B.3.a).
- (2) To increase the height of the sign structure from six feet to nine feet and six inches (Ref: Article XXIII.5.B.2).
- (3) To allow a project identification sign within the median of the new subdivision street (Ref: Article IV.3.5).

Property located at 16300 Freemanville Road, in Land Lots 240 and 241 of District 2-2 in Fulton County, Georgia.

**Purpose:** To allow the development of Phase I of the Humphries (10 lots) allowing signage at the entrance from Freemanville Road.

**Decision:** **Approved Conditional** to recommendation of Northwest Fulton Design Review Board (NWFRB).

**Case # 2005V-026 FNC**

**CUMMINGS HGWY (STATE ROUTE 9)**

The appeal of Grant A. Grimes and Carl Westmoreland, Jr. seeks variances to the Fulton County Zoning Resolution in a C-2 (Commercial District) zoning classification as follows:

**Requests:**

- (1) To allow an off-site identification monument at the entrance to the Preston Woods Subdivision from Highway State Route 9 (Ref: Article XXXIII.3, Section N).
- (2) To allow an additional identification monument on the subject commercially zoned property to provide identification for the proposed subdivision development (Ref: Article XXXIII.5, Section F.2/12.G.5 (D)).
- (3) To allow the base of the sign to be greater than the width of the sign face (Ref: Article XXXIII.5/12.G.5 (A)).

Property located at Cummings Highway (State Route 9), in Land Lot 757 of District 2-2 in Fulton County, Georgia.

**Purpose:** To allow signage for the Preston Woods Subdivision (150 single-family lots) to be located along the State Route 9 frontage with the development setback approximately 250 feet from State Route 9.

**Decision:** **Approved Conditional** to one commercial sign being allowed per

subject commercially zoned property.

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**Case # 2005V-027 FCN**

**CUMMINGS HGWY (STATE ROUTE 9)**

The appeal of Grant A. Grimes and Carl Westmoreland, Jr. seeks variances to the Fulton County Zoning Resolution in a C-2 (Commercial District) zoning classification as follows:

**Requests:**

- (1) To allow an off-site identification monument at the entrance to the Preston Woods Subdivision from Highway State Route 9 (Ref: Article XXXIII.3, Section N.
- (2) To allow an additional identification monument on the subject commercially zoned property to provide identification for the proposed subdivision development (Ref: Article XXXIII.5, Section F.2).
- (3) To allow the base of the sign to be greater than the width of the sign face (Ref: Article XXXIII.5/12.G.5 (A).

Property located at Cummings Highway (State Route 9), in Land Lot 757 of District 2-2 in Fulton County, Georgia.

**Purpose:** To allow signage for the Preston Woods Subdivision (150 single family lots) to be located along the State Route 9 frontage with the development setback approximately 250 feet from State Route 9.

**Decision:** **Approved Conditional** to one commercial sign being allowed per subject commercially zoned property.

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