



## INTEROFFICE MEMORANDUM

**To:** Environment & Community Dev. Staff  
**From:** Bettie Jones, Administrative Coordinator II  
**Date:** April 21, 2006  
**Subject:** **BZA ACTIONS –April 20, 2006 Hearing**

Case No.	Location	Applicant	Decision
2005V-259	5945 State Bridge Road	Wendy S. Butler	Approved Conditional *
2005V-271	State Route 9	Haji Pourreza	Deferred 30 Days
2006V-008	6565 Youpon Road	Frank Downey	Approved
2006V-009	635 Blueangel Drive	Frank Downey	Approved
2006V-010	4405 Wild Lake Drive	Frank Downey	Approved
2006V-031	13309 Deerfield Point	Tina Brennan	Approved
2006V-032	3939 Cascade-Palmetto	Branson Washington	Approved
2006V-033	5950 State Bridge Road	Por Chin	Approved
2006V-042	Welcome All Road	Willie Lockhardt	Approved

\* 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  
April 20, 2006

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**Case # 2005V-259 FCN**

(Held from Mar '06)

**5945 STATE BRIDGE ROAD**

The appeal of Wendy S. Butler seeks variances to the Fulton County Zoning Resolution in a C-1 (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 panels to six panels (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:** **Approved Conditional** to Arborist's Memo dated April 20, 2006, regarding the relocation of six existing trees behind the proposed sign, and the relocation of one parking lot shade tree. Trees are not to be moved until November 2006 to ensure their survival.

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**Case # 2005V-271 FCN**

(Held from Feb '06)

**STATE ROUTE 9**

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

**Requests:**

- (1) To delete the required 25-foot buffer along the east property line to provide a 10-foot wide landscape strip planted to buffer standards (Ref: Article 4.23).
- (2) To delete the required 25-foot buffer along the west property line to provide a 15-foot wide landscape strip planted to buffer standards (Ref: Article 4.23).
- (3) To delete the required 50-foot buffer along the south property line (rear) to provide a 15-foot landscape strip planted to buffer standards (Ref: Article 4.23)
- (4) To reduce the required 20-foot landscape strip to a 10-foot wide landscape strip along the State Route 9 frontage (north property line (Ref: Article 12G.4, Section A.1).
- (5) To reduce the minimum required parking from 48 spaces to 18 spaces (Ref: Article 18.3.1, Section F).

Property located at State Bridge Highway 9, in Land Lot 1123 of District 2 in Fulton County, Georgia.

**Purpose:** To allow the development of a 9,600 square foot retail center, Magnolia Plaza.

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

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**Case # 2006V-008 FCS**

**6565 YOUPON ROAD**

The appeal of Frank Downey seeks variances 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 30 feet for Lot 17 along Youpon Road (Ref: Article 6.4.3, Section D).

Property located at 6565 Youpon Road, in Land Lot 164 of District 9F in Fulton County, Georgia.

**Purpose:** To allow the construction of a single family dwelling on Lot 17 of the Waterford Edge (formerly Rock Creek) Subdivision.

**Decision: Approved.**

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**Case # 2006V-009 FCS**

**635 BLUEANGEL DR**

The appeal of Frank Downey 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 lot width from 75 feet to 65 feet feet on Lot 27 (Ref: Article 6.4.3, Section F).

Property located at 635 Blueangel Drive, in Land Lot 164 of District 9F in Fulton County, Georgia.

**Purpose:** To allow the construction of a single family dwelling on Lot 27 of the Waterford Edge (formerly Rock Creek) Subdivision.

**Decision: Approved.**

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**Case # 2006V-010 FCS**

**4405 WILD LAKE DRIVE**

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

**Request:**

- (1) To reduce the minimum required front yard setback from 50 feet to 45 feet on Lot 32 along Wild Lake Drive (Ref: Article 6.4.3, Section B).
- (2) To reduce the minimum required rear yard setback from 35 feet to 30 feet for Lot 32 (Ref: Article 6.4.3).

Property located at 4405 Wild Lake Drive, in Land Lot 164 of District 9F in Fulton County, Georgia.

**Purpose:** To allow the construction of a single family dwelling on Lot 32 of the Waterford Edge (formerly Rock Creek) Subdivision.

**Decision: Approved.**

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**Case # 2006V-031 FCN**

**13309 DEERFIELD POINT DRIVE**

The appeal of Tina A. Brennan seeks a variance to the Fulton County Zoning Resolution in a TR (Townhouse District) zoning classification as follows:

**Request:**

To allow a second monument sign internal to the development site at the entrance to the Deerfield Landing Town Home Development (Ref: Article 33.5, Section C.2).

Property located at 13309 Deerfield Point Drive in Land Lot 975 of District 2-2 in Fulton County, Georgia.

**Purpose:** To allow a new town home development to construct a sign along the internal drive. An existing sign for the Stoneleigh Apartments already exists at the McGinnis Ferry Road entrance.

**Decision: Approved.**

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**Case # 2006V-032 FCS**

**3939 CASCADE-PALMETTO HWY**

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

**Request:**

To allow a service pump canopy within the front yard. The Cedar Grove Overlay District requires fuel pumps and canopies in the rear of structure. (Ref: Article 12.M.4, Section 14).

Property located at 3939 Cascade-Palmetto Highway, in Land Lots 29 and 38 of district 9-C in Fulton County, Georgia.

**Purpose:** To allow the existing gas station to remove and reconstruct a larger service pump canopy in the front yard in the same location of existing canopy.

**Decision: Approved.**

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**Case # 2006V-033 FCN**

**5950 STATE BRIDGE ROAD**

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

**Request:**

To reduce the minimum required parking spaces from 631 spaces to 527 spaces (Ref: Article 18.2.1).

Property located at 5950 State Bridge Road, in Land Lots 298, 299, 330 and 331 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow an addition of 9,189 square feet of retail space onto the front of the existing Target store increasing the number of spaces required.

**Decision: Approved.**

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**Case # 2006VS-042 FCS**

**WELCOME ALL ROAD**

The appeal of Willie Lockhardt 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 setback for an identification monument from 10 feet to 0 feet from the Welcome All Road right-of-way (Ref: Article 33.4.9).

- (2) To reduce the minimum required setback for an identification monument from 10 feet to 0 feet from the Kensington Cove right-of-way (Ref: Article Ref: Article 33.4.9).
- (3) To allow sign structure to exceed the maximum size of 2 ½ times the sign face (sign face = 24 square feet) (Ref: Article 33.4.9).

Property located at Welcome All Road, in Land Lots 152 and 153 of District 9F in Fulton County, Georgia.

**Purpose:** To allow the existing monument sign to remain as constructed at the entrance to the Kensington Heights Subdivision.

**Decision: Approved.**

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