



INTEROFFICE MEMORANDUM

To: Environment & Community Dev. Staff
From: Bettie Lawson, Administrative Coordinator II
Date: April 22, 2005
Subject: **BZA ACTIONS –April 21, 2005 Hearing**

| Case No. | Location | Applicant | Decision |
|------------|-----------------------------|--------------------------|---|
| 2005V-013 | 4555 Washington Road | Andy Lawson | Approved Request 1; Request 2 Withdrawn |
| 2005V-028 | 1185 & 1195 Fairburn R | Kevin Ramage | Approved |
| 2005V-033 | 12890 State Hwy 9 | John McMillan | Approved |
| 2005V-034 | 30 Providence Way | Mitchell & Linda Braddon | Approved |
| 2005V-035 | 615 Elizabeth Oak Court | Eddie & Sabrina Moore | Approved Conditional |
| 2005V-042 | 6045 Bakers Ferry Road | Butch Baur | Approved |
| 2005V-044 | 5305 Woodridge Forest Trail | Lloyd Greenwald | Approved |
| 2005V-045 | 5125 S. Trimble Road | John & Nancy Cohen | Denied |
| 2005V-046 | 6555 Fulton Ind. Blvd. | Roy Mertz | Approved |
| 2005V-047 | 4299 Roosevelt Hwy | Lee Mayweather | Deferred 30 Days |
| 2005V-048 | 160 Hilderbrand Drive | Josh Galosson | Approved Conditional |
| 2005V-049 | 120 Northwood Drive | William Mark Sisk | Approved |
| 2005V-050 | 6149 Old National Hwy | John Roegge | Deferred 60 Days |
| 2005VS-007 | 4565 Jett Road | Donald & Kim Addington | Approved to Rehear |
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* 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
April 21, 2005
Actions

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: **Request #1 Approved; Request #2 Withdrawn.**

Case # 2005V-028 FCS

1185 & 1195 FAIRBURN ROAD

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

Request:

To reduce the required sign setback from 10 feet to 5 feet from Fairburn Road (Out-lot C) (Ref: Article XXXIII.4.9).

Property located at 1185 and 1195 Fairburn Road, in Land Lots 9 & 10 of District 14FF in Fulton County, Georgia.

Purpose: To allow a second freestanding monument sign for out-parcel located behind this developing 12,000 square foot "Shops at Fairburn" retail center.

Decision: Approved.

Case # 2005V-033 FCN

12890 STATE HIGHWAY 9

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

Request:

To allow an identification monument sign where design of base is not equal to sign face (Ref: Article.XII.G.5, Section A).

Property located at 12890 Highway 9, in Land Lot 1048 of District 2-2 in Fulton County, Georgia.

Purpose: To allow construction of a sign at the entrance to the small retail out-parcel of the Windward Way Development. The proposed sign matches existing signage along State Route 9.

Decision: Approved.

Case # 2005VS-034 FCN

30 PROVIDENCE WAY

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

Request:

To appeal the decision declaring the subject property a non-conforming lot without the required road frontage.

Property located at 30 Providence Way, in Land Lot 950 of District 2-2 in Fulton County, Georgia.

Purpose: In order to allow expansion of the existing dwelling, the lot must have at least 35 feet of road frontage. The applicant states that Providence Way provides legal frontage.

Decision: Approved, declaring the subject property a legal non-conforming lot.

Case # 2005V-035 FCN

615 ELIZABETH OAK COURT

The appeal of Eddie and Sabrina Moore seeks a variance to the Fulton County Zoning Resolution in an AG-1 (Agricultural District) in a zoning classification as

follows:

Request:

To reduce the minimum required rear yard setback from 50 feet to 30 feet (Ref: Article V.1.3, Section D).

Property located at 615 Elizabeth Oak Court, in Land Lot 979 of District 2-2 in Fulton County, Georgia.

Purpose: To construct an approximate 850 square foot pool house in the rear yard adjoining the existing pool.

Decision: **Approved Conditional** to site plan submitted and with no living quarters provided in pool house.

Case # 2005V-042 FCS

6045 BAKERS FERRY ROAD

The appeal of Butch Baur, Waffle House, Inc., seeks variances to the Fulton County Zoning Resolution in a C-1 (Community Business District) zoning classification as follows:

Request:

- (1) To allow a wall sign on a non-street facing wall (oriented toward internal drive – west wall) (Ref: Article 33.5, Section G.5).
- (2) To increase the sign area of the street-facing wall sign from 16 square feet to 21.24 square feet (oriented toward Fulton Industrial Boulevard – north wall) (Ref: Article 33.5, Section G.5).

Property located at 6045 Bakers Ferry Road, in Land Lot 109 of District 14F in Fulton County, Georgia.

Purpose: To allow the construction of a Waffle House at the southwest corner of Fulton Industrial and Bakers Ferry Road.

Decision: **Approved.**

Case # 2005V-044 FCN

5305 WOODRIDGE FOREST TRAIL

The appeal of Lloyd and Linda Greenwald seeks a variance to the Fulton County Zoning Resolution in an R-2A (Single Family Dwelling District) zoning classification as follows:

Request:

To reduce the minimum required building setback from the northwest side property line from 15 feet to 0 feet for a subterranean garage (Ref: Article VI.3.3, Section C).

Property located at 5305 Woodridge Forest Trail, in Land Lot 175 of District 17 in Fulton County, Georgia.

Purpose: To allow a 250-square foot detached garage constructed subterranean into the hillside to the northwest side of the existing dwelling.

Decision: **Approved.**

Case # 2005V-045 FCN

5125 SOUTH TRIMBLE ROAD

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

Request:

To reduce the minimum required side yard setback from 15 feet to 8 feet along the north property line (Ref: Article VI.2.3, Section C).

Property located at 5125 South Trimble Road, in Land Lot 15 of District 17 in Fulton County, Georgia.

Purpose: To allow a garage addition to the side of the existing dwelling (north property line).

Decision: **Denied.**

Case # 2005V-046 FCS

6555 FULTON INDUSTRIAL BLVD

The appeal of Roy W. Mertz seeks a variance to the Fulton County Resolution in an M-1A, M-2 (Industrial Park/Light Industrial District) zoning classification as follows:

Request:

To allow a non-street facing wall sign for the corner wall oriented toward Fulton Industrial Boulevard (Ref: Article XXXIII.5, Section F).

Property located at 6555 Fulton Industrial Boulevard, in Land Lots 61, 62, 137 and 150 of Districts 9C and 14F in Fulton County, Georgia.

Purpose: To allow wall signage for the new Bosch Office Warehouse on both corner walls.

Decision: **Approved.**

Case # 2005V-047 FCS

4299 ROOSEVELT HIGHWAY

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

Requests:

- (1) To delete the minimum required 35-foot buffer and 10-foot improvement setback along the west side property line (Ref: Article IV.23.1).
- (2) To delete the minimum required 75-foot buffer and 10-foot improvement setback along the northwest (rear property line (Ref: Article IV.23.1)

Purpose: To allow the construction of an auto repair facility on a 188-acre site.

Decision: **Deferred 30 days** to allow applicant opportunity to obtain additional information.

Case # 2005V-048 FCN

160 HILDERBRAND DRIVE

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

Request:

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

Property located at 160 Hilderbrand Drive in Land Lot 89 of District 17 in Fulton County, Georgia.

Purpose: To allow an existing Hair Salon to place a free-standing wall sign along Hilderbrand Drive.

Decision: **Approved Conditional** to site plan submitted and per the following recommendations of the Sandy Springs Design Review Board:

- (1) Free-standing sign be no higher than five (5) feet.
- (2) The sign has a horizontal look rather than a vertical look.
- (3) The sign has a monument base with brick supports and base to match the house.

The appeal of William Mark Sisk seeks variances to the Fulton County Zoning Resolution in the Sandy Springs Overlay District and the C-1 (Community Business District) zoning classification as follows:

Requests:

- (1) To reduce the minimum required sidewalk width from 10 feet to 7 feet (Ref: Article XII.B.5).
- (2) To reduce the minimum required front landscape strip from 10 feet to 2 feet and 6 inches (Ref: Article XII.B.5, Section 1).
- (3) To increase the maximum sign area from 32 square feet to 64 square feet for primary identification monument sign (Ref: Article XII.B.6.A, Section B).
- (4) To increase the maximum sign height from 6 feet to 8 feet for primary identification monument sign (Ref: Article XII.6.A, Section A).
- (5) To allow second identification monument sign for church (Holy Spirit Catholic Center) (Ref: Article XII.B.6.A, Section 2).
- (6) To reduce the minimum required sign setback from 10 feet to 3 feet for signage along Northwood Drive (Ref: Article XXXIII).

Property located at 120 Northwood Drive, in Land Lot 90 of District 17 in Fulton County, Georgia.

Purpose: To allow site improvements and renovations to the Solidarity Mission Village, formerly Dover Square, in accordance with the Sandy Springs Overlay District.

Decision: **Approved** contingent upon recommendations of the Sandy Springs Design Review Board as follows:

- (1) Reduce the sidewalk width from 9' to 7'.
- (2) Reduce front yard landscape strip from 10' to 2.6'.
- (3) Increase primary sign from 32 to 64 square feet.
- (4) Increase sign height from 6' to 8'.
- (5) Allow 2nd free-standing sign for church, and
- (6) Reduce minimum sign setback from 10' to 3'.

The appeal of John Roegge seeks variances to the Fulton County Zoning Resolution in a MIX (Mixed Use District) zoning classification as follows:

Requests:

- (1) To increase the maximum sign area from 180 square feet to 919.54 square feet, exceeding the maximum square feet and meeting the 5% area of the total front wall (Ref: Article XXXIII.5, Section E.4).
- (2) To allow a non-street facing wall sign along the rear building wall identifying the Tire and Lube Center (Ref: Article XXXIII.5, Section E.4)

Property located at 6149 Old National Highway, in Land Lot 125 of District 13 in Fulton County, Georgia.

Purpose: To allow signage for the new Wal-Mart Super Center.

Decision: **Deferred 60 days** to allow applicant to meet with the Old National Merchants' Association.

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: **Approved for reconsideration** for the May 19, 2005 BZA Hearing.
