



INTEROFFICE MEMORANDUM

To: Environment & Community Dev. Staff
From: Bettie Jones, Administrative Coordinator II
Date: May 19, 2006
Subject: BZA ACTIONS –May 18, 2006 Hearing

Case No.	Location	Applicant	Decision
2006VS-056	Owens Lake Road	William L. Colvin	Denied
2005V-271	State Route 9	Haji Pourreza	Approved #1/Denied #2-5
2006V-055	3065 Webb Road	Richard Singer	Deferred 30 days
2006V-057	5495 Old National Hwy	Joseph Nunan	Approved #2/Denied #1
2006VS-058	4240 Jailette Road	Ed Etefia	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
May 18, 2006

Case # 2006VS-056 FCN

OWENS LAKE ROAD

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

Requests:

- (1) To reduce the minimum required new street setback from 50 feet to 0 feet along the south property line of Lot 48 of Six Hills Subdivision/Phase 2 (Ref: Article 34.5.7).
- (2) To reduce the minimum required new street setback from 50 feet to 0 feet along the north property line of Lot 49 of Six Hills Subdivision/Phase 2 (Ref: Article 34,5,7).

Property located at Owens Lake Road, in Land Lot 1025 of District 2-2 in Fulton County, Georgia.

Purpose: To allow a new subdivision street extending from Owens Lake Road providing access to a 15-lot planned subdivision expansion (Six Hills Subdivision Phase 4).

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

Case # 2005V-271 FCN

STATE ROUTE 9

(Held from Apr '06)

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 west property line to provide a 25-foot wide landscape strip planted to buffer standards (Ref: Article 4.23).

- (2) To delete the required 25-foot buffer along the east property line to provide a 10-foot wide landscape strip internal to the access drive along the east property line (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 84 spaces to 50 spaces (Ref: Article 18.3.1, Section F).

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

Purpose: To allow the development of a 16,800 square foot retail/ office center, Magnolia Plaza, within the State Route 9 Overlay District.

Decision: **Approved** request #1; **Denied** requests 2, 3, 4, 5.

Case # 2006V-055 FCN

3065 WEBB ROAD

The appeal of Richard Singer seeks variances to the Fulton County Zoning Resolution in a C-1 (Community Business District) zoning classification and the State Route 9 Overlay District as follows:

Requests:

- (1) To increase the height of a monument sign from 6 feet to 12 feet located at the entrance from State Route 9 (Ref: Article 12.G.5, Section D).
- (2) To increase the sign area from 32 square feet to 63 square feet located at the entrance from State Route 9 (Ref: Article 12.G.g, Section D).

- (3) To allow the sign face to be less than the sign base for monument sign located at the State Route 9 entrance (Ref: Article 12.G.5, Section K).
- (4) To increase the wall sign area (Signs B & C) from 100 square feet to 450 square feet along the West wall elevation facing State Route 9 (Ref: Article 12.G.5, Section K).
- (5) To increase the wall sign area (Sign A) above entrance, from 100 square feet to 275 square feet along the South wall elevation facing internal parking area (Ref: Article 12.G.5, Section K).
- (6) To allow a second monument sign along the Webb Road frontage (Ref: Article 12 .C.5, Section A)
- (7) To increase the height of the sign monument from 6 feet to 12 feet along the Webb Road frontage (Ref: Article 12.G.5, Section D).
- (8) To allow the sign face to be less than the sign base or monument sign along the Webb Road frontage (Ref: Article 12,G,5, Section A)
- (9) To increase the sign area from 32 square feet to 63 square feet for monument sign along the Webb Road frontage (Ref: Article 12.G.5, Section D).
- (10) To allow area of flags not to exceed 96 square feet (Ref: Article 33.4.12, Section B.1).
- (11) To allow delivery information on the monument sign along the Webb Road frontage (Ref: Article 33.4.12, Section A.1.a).

Property located at 3065 Webb Road, in Land Lots 1047, 1948 and 1183 of District 2-2 in Fulton County, Georgia.

Purpose: To allow the development of a 150,000 square foot Fry's Electronic Store.

Decision: **Deferred 30 days** to allow applicant opportunity to view other signs in the area and to meet with the Bethany Area Residents Association.

Case # 2006V-057 FCS

5495 OLD NATIONAL HWY

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

Requests:

- (1) To allow one pole sign measuring 72 square feet at a height of 23 feet along Old National Highway (Ref: Article 12.D.4, Section 3).
- (2) To allow one wall sign measuring 62 square feet on the front wall of the building/non-street facing wall (Ref: Article 12.D.4, Section 4).

Property located at 5495 Old National Highway, in Land Lot 93 of District 13 in Fulton County, Georgia.

Purpose: To allow Kool Smiles Dentists to replace previous Blockbuster signage.

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

Case # 2006VS-058 FCS

4240 JAILETTE ROAD

The appeal of Ed Etefia seeks a variance to the Fulton County Zoning Resolution in a SUB-C (Single Family District) zoning classification as follows:

Request:

To delete the requirement for sidewalk, curb and gutter along the Jailette Road frontage (Ref: Article 34.5.3).

Property located at 4240 Jailette Road, in Land Lot 158 of District 9F in Fulton County, Georgia.

Purpose: To allow the development of a single family residence at 4240 Jailette Road.

Decision: **Approved.**