



INTEROFFICE MEMORANDUM

To: Environment & Community Dev. Staff
From: Bettie Lawson, Administrative Coordinator II
Date: May 19, 2005
Subject: **BZA ACTIONS –May 19, 2005 Hearing**

Case No.	Location	Applicant	Decision
2005V-007	4565 Jett Road	Donald & Kim Addington	Deferred 30 Days
2005V-047	4299 Roosevelt Highway	Lee Mayweather	Approved Conditional
2005V-059	10180 Jones Bridge Road	Hirsh Minkowicz	Approved Conditional
2005V-062	2925 & 2935 Webb Road	Donald Rolader	Deferred 30 Days
2005V-066	Fairburn Road	Stephen Rothman	Denied
2005V-067	4839 Wolf Creek View	Ed Buchli	Approved
2005V-068	453 Ebenezer Road	Perry Pettett	Approved
2005V-069	130 Piney Hill Trace	Brian McCarthy	Approved
2005V-070	4345 Pine Hallow Court	Brian McCarthy	Approved
2005V-072	3695 Roosevelt Hwy	Terry Dozier	Denied
2005V-073	4556 Northside Drive	Diana Prockow	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
May 19, 2005
Actions

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: Deferred 30 days at request of applicant.

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: **Approved Conditional to site plan submitted in addition to providing a solid wooden fence between the automobile storage area and the deleted buffer areas; no storage and no parking of cars in deleted buffer areas.**

Case # 2005V-059 FCN

10180 JONES BRIDGE ROAD

The appeal of Hirsh Minkowicz seeks variances to the Fulton County Zoning Resolution in the Johns Creek Overlay District and the AG-1 (Agricultural District) zoning classification as follows:

Requests:

- (1) To reduce the minimum required 50-foot buffer and 10-foot improvement setback to a 20-foot buffer and a 10-foot improvement setback along the rear (west) property line (Ref: Article IV.23.1).
- (2) To reduce the minimum required 100-foot building setback along the rear (west) property line to 30-feet (Ref: Article XIX.4.10, Section B.1).
- (3) To reduce the minimum required parking spaces from 167 spaces to 100 spaces (Ref: Article XVIII.2.1)

Property located at 10180 Jones Bridge Road, in Land Lots 34 and 59 of District 1-1 in Fulton County, Georgia.

Purpose: To allow phase development of the Chabad of Alpharetta, allowing, the construction of a pool and pool house to the rear of the property.

Decision: **Approved Conditional** to a minimum 15-foot landscape area along the west property line.

Case # 2005V-062 FCN

2925 & 2935 WEBB ROAD

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

Requests:

- (1) To reduce the minimum required 20-foot landscape strip along Webb Road to 10-feet (Ref: Article XII.G.4.A.1).
- (2) To reduce the minimum required 20-foot landscape strip along State Route 9 to 10 feet (Ref: Article XII.G.4.A.1).

Property located at 2925 and 2935 Webb Road in Land Lots 1047 and 1048 of District 2-2 in Fulton County, Georgia.

Purpose: To allow the development of a 2-acre parcel for office and commercial use.

Decision: Deferred 30 days at request of applicant.

Case # 2005V-066 FCS

FAIRBURN ROAD

The appeal of Stephen Rothman seeks variances to the Fulton County Zoning Resolution in an M-1 (Light Industrial District) zoning classification as follows:

Requests:

- (1) To allow a 20,000 square foot storage building within the 100-year Flood Prone Area (Ref: Article IV.24.9, Section C).
- (2) To allow relief from the Flood Storage Capacity requirements (Ref. Article IV.24.12).

Property located at Fairburn Road, in Land Lot 10 of District 14FF in Fulton County, Georgia.

Purpose: To allow the construction of a self-storage facility within a designated flood prone area providing flood plane compensation.

Decision: Denied due to the potential negative impact on surrounding properties.

Case # 2005V-067 FCS

4839 WOLF CREEK VIEW

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

Request:

To reduce the minimum required lot width from 100 feet to 74 feet for Lot 97 of the Brookwood Subdivision.

Property located at 4839 Wolf Creek View in Land Lot 157 of District 9F in Fulton County, Georgia.

Purpose: To allow the construction of a single family dwelling at the minimum 50-foot building setback required by zoning due to steep topography to the rear of lot.

Decision: Approved.

Case # 2005V-068 FCN

453 EBENEZER ROAD

The appeal of Perry Pettett seeks variances to the Fulton County Zoning

Resolution in an AG-1 (Agricultural District) zoning classification as follows:

Requests:

- (1) To increase the height of the sign structure from six feet to twelve feet (Ref: Article XXXIII.5, Section A.2).
- (2) To allow a non-monument type identification sign (Ref: Article XXXIII.5, Section A.2).

Property located at 453 Ebenezer Road, in Land Lots 1090, 1091, 1070, and 1071 of District 2-2 in Fulton County, Georgia.

Purpose: To allow a 12 square foot hanging sign at the entrance to the 21-lot Heydon Hall Subdivision from Ebenezer Road.

Decision: **Approved.**

Case # 2005V-069 FCN

130 PINEY HILL TRACE

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

Request:

To allow an off-site identification monument sign along Buice Road on Lot 55 (near Kimball Bridge Road), identifying the Pinewalk Subdivision (Ref: Article XXXIII.5, Section B.2).

Property located at 130 Piney Hill Trace, in Land Lot 11-7 of District 1-1 in Fulton County, Georgia.

Purpose: To allow construction of a stone monument along the Buice Road right-of-way at the entrance to Pinewalk Subdivision.

Decision: **Approved.**

Case # 2005V-070 FCN

4345 PINE HALLOW COURT

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

Request:

To allow an off-site identification monument sign along Buice Road on Lot 41 (near Jones Bridge Road), identifying the Pinewalk Subdivision (Ref: Article XXXIII.5, Section B.2).

Property located at 4345 Piney Hallow Court, in Land Lot 117 of District 1-1 in Fulton County, Georgia.

Purpose: To allow construction of a stone monument along the Buice Road right-of-way at the entrance to Pinewalk Subdivision.

Decision: **Approved.**

Case # 2005V-072 FCS

3695 ROOSEVELT HIGHWAY

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

Requests:

- (1) To allow a 79 square foot sign along Delano Road (Ref: Article XXXIII.5., Section F.2).
- (2) To allow one off-site identification monument sign for Siloam Baptist Church to be located at the northwest corner of Delano Road and Roosevelt Highway (Ref: Article XXXIII.4.9, Section F.2).

Property located at 3695 Roosevelt Highway in Land Lot 129 of District 9F in Fulton County, Georgia

Purpose: To allow a new identification monument with an electronic reader board located on property between the South Fulton Parkway and Delano Road.

Decision: **Denied due to inconsistency with surrounding area.**

Case # 2005V-073 FCN

4556 NORTHSIDE DRIVE

The appeal of Diana Stawnyczy Prockow seeks a variance to the Fulton County Zoning Resolution in an R-1 (Single Family Dwelling) zoning classification as follows:

Request:

To allow an existing one-story frame structure to encroach the side yard setback of 25 feet allowing a 15-foot setback (Ref: Article VI.1.3.C).

Property located at 4556 Northside Drive in Land Lots 162 and 177 of District 17 in Fulton County, Georgia.

Purpose: To bring into compliance an existing cottage-like structure located within the side, rear yard of the subject property.

Decision: Approved Conditional to structure as existing.