



INTEROFFICE MEMORANDUM

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

Case No.	Location	Applicant	Decision
2005V-062	2925 & 2935 Webb Road	Donald Rolader	Withdrawn
2005V-078	310 Hammond Drive	Janel Marks & Romi Alavi	Deferred 30 Days
2005V-098	365 Glencourtney Drive	Mark R. Desmond	Approved
2005VS-101	5701 Roswell Road	Steve A. Galberaith	Denied
2005VS-102	398 South Main Street	Steve A. Galberaith	Denied
2005V-104	Medlock Bridge Road	Jeri Dugan	Denied
2005V-110	4586 Northside Drive	Susie Habif	Approved
2005V-112	3505 Bethany Bend Road	Pegah Firoozi	Denied
2005VS-114	Fulton Industrial Blvd.	Gerald Davis	Deferred 30 Days
2005V-117	6149 Old National Hwy	Alex Munoz	Approved
2005V-118	11005 Jones Bridge Road	Kandice Williams	Deferred 30 Days
2005V-120	4583 Stella Drive	Tara Henley	Approved Conditional
2005V-121	Crabapple Road	Paul Hass	Deferred 30 Days
2005V-122	335 Creek Point	Javad Oskoei	Approved

* 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
July 21, 2005
Actions

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Decision: **Withdrawn** at request of applicant.

Case # 2005V-078 FCN

310 HAMMOND DRIVE

The appeal of Janel Marks and Romi Alavi seeks a variance to the Fulton County Zoning Resolution in a C-1 (Community Business District) zoning classification as follows:

Request:

To allow property under 40,000 square feet to maintain the existing free-standing sign along Hammond Drive (Ref: Article XII.B.2.6, Section A.1).

Property located at 310 Hammond Drive, in Land Lot 89 of District 17, Fulton County, Georgia.

Purpose: To allow an existing 32 square foot sign to remain for the Psychic Readings business.

Decision: **Deferred** 30 days at request of applicant to get full recommendation of Sandy Springs Design Review Board.

Case # 2005V-098 FCN

365 GLENCOURTNEY DRIVE

Appeal of Mark B. Desmond 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 side yard setback from 10 feet to 7 feet along the east property line (Ref: Article VI.4.3, Section C).

Property located at 365 Glencourtney Drive, in Land Lot 75 of District 17, Fulton County, Georgia.

Purpose: To allow the construction of a 24'X24' detached garage at the end of the existing driveway.

Decision: **Approved.**

Case # 2005VS-101 FCN

5701 ROSWELL ROAD

Appeal of Steve A. Galberaith seeks a variance to the Fulton County Zoning Resolution in a C-1 (Community Business District) zoning classification as follows:

Request:

To appeal the decision of the Director of Environment and Community Development declaring billboard sign as a non-permitted use or sign type in a C-1 Commercial District (Ref: Article XXXIII.5.G, allow billboards in Industrial Districts only).

Property located at 5701 Roswell Road, in Land Lot 91 of District 17 in Fulton County, Georgia.

Purpose: To allow the location of a billboard on the Chevron site oriented toward Roswell Road.

Decision: **Denied. The Director's decision was upheld declaring billboards as a non-permitted use in the C-1 zoning district per the Fulton County Zoning Resolution.**

CASE # 2005VS-102 FCN

398 SOUTH MAIN STREET

Appeal of Steve A. Galberaith seeks a variance to the Fulton County Zoning Resolution in a C-1 (Community Business District) zoning classification as follows:

Request:

To appeal the decision of the Director of Environment and Community Development declaring a billboard sign as a non-permitted use/sign type in a C-1 Commercial Zoning

District (Ref: Article XXXIII.5.G, allow billboards in Industrial District only).

Property located at 398 South Main Street, in Land Lot 648 of District 1-2, Fulton County, Georgia.

Purpose: To allow the location of a billboard sign on property located on the Northeast corner of Brady Place and South Main Street.

Decision: **Denied. The Director's decision was upheld declaring billboards as a non-permitted use in the C-1 zoning district per the Fulton County Zoning Resolution.**

Case # 2005V-104 FCN

MEDLOCK BRIDGE ROAD

Appeal of Jeri Dugan seeks variances to the Fulton County Zoning Resolution in an O-I (Office and Institutional District) zoning classification as follows:

Requests:

- (1) To allow an off-site identification monument sign along the Medlock Bridge Road frontage of the Publix/Medlock Corner Shopping Center (Ref: Article XXXIII.4.9).
- (2) To allow four tenant panels on Office-Institutional zoned parcel (Ref: Article XII.E.6.)
- (3) To increase the height of the sign from eight feet to twelve feet (Ref: Article XII.E-6).

Property located at Medlock Bridge Road, in Land Lots 299, 300 and 330 of District 1-1 in Fulton County, Georgia.

Purpose: To provide tenant identification along Medlock Bridge Road for the Medlock Corners Shopping Center.

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

Case # 2005V-110 FCN

4586 NORTHSIDE DRIVE

Appeal of Susie Habif seeks a variance to the Fulton County Zoning Resolution in an R-1 (Single Family Dwelling) zoning classification as follows:

Request:

To reduce the minimum required side yard setback from 25 feet to 15 feet along the south property line (Ref: Article VI.1.3, Section C).

Property located at 4586 Northside Drive, in Land Lots 162 and 177, Fulton

County, Georgia.

Purpose: To allow expansion of the existing garage creating a third bay.

Decision: **Approved.**

Case # 2005V-112 FCN

3505 BETHANY BEND ROAD

Appeal of Pegah Firoozi seeks a variance to the Fulton County Zoning Resolution in an O-I (Office and Institutional District) zoning classification as follows:

Request:

To allow a light yellow-green color on the exterior of the frame residential-like structure that is not a permitted color under the State Route 9 Overlay District Standards (Ref: Article XII.G-4, Section 17).

Property located at 3505 Bethany Bend Road in Land Lot 973 of District 2-1 in Fulton County, Georgia.

Purpose: To allow the existing color to remain as the primary building color for the Red Apple Academy Day Care.

Decision: **Denied due to failure of applicant to present hardship. Applicant allowed six months to bring building into compliance.**

Case # 2005VS-114 FCS

FULTON INDUSTRIAL BLVD

Appeal of Gerald Davis seeks variances to the Fulton County Zoning Resolution in an M-2 (Heavy Industrial District) zoning classification as follows:

Request:

- (1) To delete the requirement for sidewalk along the Fulton Industrial Boulevard frontage (Ref: Article XXXIV.5.3).
- (2) To delete the requirement for sidewalk along the Camp Creek Parkway frontage (Ref: Article XXXIV.5.3).

Property located at 5887 Fulton Industrial Boulevard, in Land Lots 115, 134, and 135 of District 14F in Fulton County, Georgia.

Purpose: To appeal Environment and Community Development's decision to provide sidewalks.

Decision: Deferred 30 Days to allow report from E&CD Plan Review staff.

Case # 2005V-117 FCS

6149 OLD NATIONAL HWY

Appeal of Alex Munoz seeks a variance to the Fulton County Zoning Resolution in a MIX (Mixed Use District) zoning classification as follows:

Request:

To seek relief from the Old National Overlay Building and Architectural Standards allowing EIFS (exterior insulation finished system/synthetic stucco finish) in lieu of the required cementitious stucco (Ref: Article XII.D.3, Section D.2).

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

Purpose: To allow the new Super Wal-Mart Center to use building material accents made of synthetic stucco.

Decision: Approved.

Case # 2005V-118 FCN

11005 JONES BRIDGE ROAD

Appeal of Kandice Williams seeks variances to the Fulton County Zoning resolution in a C-1 (Community Business District) zoning classification as follows:

Requests:

- (1) To allow the sign face to be smaller than the sign base (Ref: Article XII.E.6.A).
- (2) To increase the size of the monument sign from 32 square feet to 78 square feet (Ref: Article XII.E.6).
- (3) To allow 12 tenant panels on the monument sign (Ref: Article XII.E.6).

Property located at 11005 Jones Bridge Road, in Land Lot 167 of District 1-1 in Fulton County, Georgia.

Purpose: To allow development of a shopping center.

Decision: Deferred 30 days to allow applicant opportunity to meet with Johns Creek Community Association.

Case # 2005V-120 FCN

4583 STELLA DRIVE

Appeal of Tara Henley seeks a variance to the Fulton County Zoning Resolution in an R-3 (Single Family Dwelling) zoning classification as follows:

Request:

To reduce the minimum required side yard setback from 10 feet to 7 feet along the north property line (Ref: Article VI.4.3, Section C).

Property located at 4583 Stella Drive, in Land Lot 119, of District 17 in Fulton County, Georgia.

Purpose: To allow the front corner of the house to encroach the side yard setback by three feet.

Decision: **Approved Conditional** to site plan submitted.

Case # 2005V-121 FCN

CRABAPPLE ROAD

Appeal of Paul Hass seeks variances to the Fulton County Zoning Resolution in a MIX (Mixed Use District) zoning classification as follows:

Requests:

- (1) To allow two identification monument signs along Crabapple Road at each project entrance (Ref: Article XIIH(1).8.A.2.C).
- (2) To allow second wall signs per business (opposite faces of businesses) on non-street facing walls Ref: Article XIIH(1).8.B.5).
- (3) To allow wall signs to be constructed of wood letters set on a hardi plank freeze (Ref: Article XIIH (1).8.B.4).

Property located at Crabapple Road, in Land Lots 1135 and 1170 of District 2-2 in Fulton County, Georgia.

Purpose: To allow development of the Crabapple Station, a mixed residential (65 units) and commercial (19,000 square feet) development.

Decision: Deferred 30 Days at request of applicant.

Case # 2005V-122 FCN

335 CREEK POINT

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

Request:

To reduce the minimum required side yard setback from 25 feet to 15 feet along the west property line of Lot 7 (Ref: Article V.1.3, Section C).

Property located at 335 Creek Point, in Land Lot 917 of District 2-2 in Fulton County, Georgia.

Purpose: To allow the construction of a single family dwelling on Lot 7 of the Creek Crossing Subdivision.

Decision: **Approved.**
