



## INTEROFFICE MEMORANDUM

**To:** Environment & Community Dev. Staff  
**From:** Bettie Jones, Administrative Coordinator II  
**Date:** August 19, 2005  
**Subject:** **BZA ACTIONS – August 18, 2005 Hearing**

Case No.	Location	Applicant	Decision
2005V-078	310 Hammond Drive	Janel Marks & Romi Alavi	Approved Conditional
2005VS-114	Fulton Industrial Blvd.	Gerald Davis	Approved Conditional
2005V-118	11005 Jones Bridge Road	Kandice Williams	Deferred 60 Days
2005V-121	Crabapple Road	Paul Hass	1&3 withdrawn; 2 Approved Conditional
2005V-103	264 Elden Drive	Matthew Kane	Approved
2005V-127	10070 Medlock Bridge	Kevin Massey	Approved Conditional
2005V-132	105 Wyndham Drive	Joseph Gondolfo	Denied
2005V-133	305 Carpenter Drive	Masoud Zahedi	Approved Conditional
2005V-134	5640 Long Island Drive	James Gallaso	Denied
2005V-136	16170 Hopewell Road	Shannon Hurney	Approved Conditional
2005V-138	10475 Medlock Bridge	John Barrow	Approved
2005VS-140	Hickory Flat Road	Jim Courson	Denied
2005V-144	565 Trimble Lake Ct	Cecile Marks	Approved
2005V-145	Nesbit Ferry-Holcomb Br	Lynn Oliver	Deferred 60 Days
2005V-146	11201 State Bridge Road	Amy Page	Approved Conditional
2005V-148	13540 Hwy 9-Cumming	Ken Murphy	Approved Conditional

\* 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  
August 18, 2005  
Actions

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**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:** **Approved Conditional** to sign being no taller than existing sign and compliant with the required 32-square foot maximum sign area, and the maximum 6 feet of height.

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**Case # 2005VS-114 FCS**

**FULTON INDUSTRIAL BLVD**

Appeal of Gerald Daws 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:** **Approved Conditional** to site plan submitted and providing sidewalks along Fulton Industrial Boulevard, and deleting sidewalk requirement along Camp Creek Parkway, and agreement with EC&D Plan Review staff as outlined in an E&CD memo dated August 18, 2005, from M.A. Meleka.

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**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 60 days** to allow applicant opportunity to meet with Johns Creek Community Association.

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**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:** Requests 1 & 3 **Withdrawn**; Request #2 **Approved Conditional** to

a parallel wall sign being no more than 6 square feet.

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**Case # 2005V-103 FCN**

**264 ELDEN DRIVE**

The appeal of Matthew Kane 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 5 feet along the west property line (Ref: Article VI.4.3, Section C).

Property located at 264 Elden Drive, in Land Lot 4 of District 17 in Fulton County, Georgia.

**Purpose:** To allow the addition of a second garage bay to the side of the existing garage.

**Decision:** **Approved.**

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**Case # 2005V-127 FCN**

**10070 MEDLOCK BRIDGE RD**

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

**Request:**

To allow steel security window strips interior to the store front facing Medlock Bridge Road (Ref: Article XII.E.4, Section D-4).

Property located at 10070 Medlock Bridge Road, in Land Lot 327 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow a recently located Edwin Watts Golf Shop Located within a small strip commercial center to maintain existing security windows.

**Decision:** **Approved Conditional** to written agreement with Johns Creek Community Association dated August 18, 2005 by Bret Thrasher of the law firm of Thompson, O'Brien, Kemp & Nasuti, PC.

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**Case # 2005V-132 FCN**

**105 WYNDHAM DRIVE**

The appeal of Joseph Gondolfo seeks a variance to the Fulton County Zoning Resolution in an R-3 and R-2A (Single Family Dwelling District) zoning classification as follows:

**Request:**

To reduce the minimum required front yard setback from 50 feet to 30 feet (Ref: Article VI.4.3, Section B).

Property located at 105 Wyndham Drive, in Land Lot 127 of District 17 in Fulton County, Georgia.

**Purpose:** To allow the construction of a single family dwelling in the Wyndham Hills Subdivision.

**Decision:** **Denied** due to failure of applicant to present hardship and negative impact on subdivision.

**Case # 2005V-133 FCN**

**305 CARPENTER DRIVE**

The appeal of Masoud Zahedi seeks a variance to the Fulton County Zoning Resolution in an A-L (Apartment Limited District) zoning classification a follows:

**Request:**

To allow a mezzanine level (loft) to be greater than 1/3 of the floor area of room below (Ref: Section 505.2, 2000 International Building Code).

Property located at 305 Carpenter Drive in Land Lot 70 of District 17 in Fulton County Georgia.

**Purpose:** To seek interpretation of Building Code requiring mezzanine level to be counted as 4<sup>th</sup> floor level rather than the three stories proposed.

**Decision:** **Approved Conditional** to applicant modifying plans per E&CD memo from Mary Miller, Plan Review, dated July 13, 2005.

**Case # 2005V-134 FCN**

**5640 LONG ISLAND DRIVE**

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

**Request:**

To delete the required three-foot setback for fences/walls along the right-of-way (Ref: Article IV.11, Section D.4).

Property located at 5640 Long Island Drive, in Land Lot 122 of District 17 in Fulton County, Georgia.

**Purpose:** To allow existing columns and fencing to be constructed along the right-of-way.

**Decision:** **Denied.** Columns in right-of-way present a danger and safety problem to the public.

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**Case # 2005V-136 FCN                      16170 HOPEWELL ROAD**

The appeal of Thomas and Shannon Hurney seeks variances to the Fulton County Zoning Resolution in an AG-1 (Agricultural District) zoning classification as follows:

**Requests:**

- (1) To delete the requirement for sidewalk along the frontage of Hopewell Road (Ref: Article VIII.2.4, Sub Regs).
  
- (2) To delete the requirement for sidewalk along the frontage of Longstreet Road (Ref: Article VIII.2.4, Sub Regs).

Property located at 16170 Hopewell Road, in Land Lots 321 and 322, of District 2-2 in Fulton County, Georgia.

**Purpose:** To allow construction of a single family dwelling on 1.9 acres taken from 21.9 acres where sidewalks are required by the Subdivision Regulations along approximately 424 feet of Hopewell Road, and approximately 655 feet along Longstreet, Road.

**Decision:** **Approved Conditional.** Sidewalk requirement deleted as long as property is not further subdivided beyond the present two lots.

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**Case # 2005V-138 FCN                      10475 MEDLOCK BRIDGE RD**

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

**Requests:**

- (1) To increase sign area from 32 square feet to 92 square feet (Ref: Article XII.E.6).
  
- (2) To increase the number of tenant panels from four panels to eight panels (Ref: Article XII.E.6).
  
- (3) To allow sign base wider than face and tenant panels (Ref: Article XII.E.6, Section A).
  
- (4) To delete the requirement for sign material to be same as building exterior materials (Ref: Article XII.E.6, Section C.)

Property located at 10475 Medlock Bridge Road, in Land Lots 324 and 325 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow a wall-like monument sign at the corner (NE) of Medlock Bridge and Wilson Roads for the Ivy Falls Shopping Center.

**Decision:** **Approved.** Height of sign to be 6 feet and 3/8 inches.

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**Case # 2005VS-140 FCN**

**HICKORY FLAT ROAD**

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

**Request:**

To reduce the required 50-foot setback for a new street to 10 feet for approximately 200 feet beginning at the subdivision's entrance from Hickory Flat Road (Ref: Article XXXIV.5.7).

Property located at Hickory Flat Road, in Land Lots 272, 304, 305, and 345 of District 2-2 in Fulton County, Georgia.

**Purpose:** To appeal the Director's Denial of Administrative Variance (2005VA-128) to allow relocation of subdivision entrance in order to provide the required declaration lane placing the new street within 10 feet of the west property line.

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

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**Case # 2005V-144 FCN**

**565 TRIMBLE LAKE CT**

The appeal of Cecile Marks seeks a variance to the Fulton County Zoning Resolution in a CUP (Community Unit Plan) zoning classification as follows:

**Request:**

To reduce the minimum required side yard setback from 10 feet to 7 feet for pool and spa area to rear of dwelling (south property line) Ref: Article XIX.3.12, Section B.1).

Property located at 565 Trimble Lake Court, in Land Lot 14 of District 17 in Fulton County, Georgia.

**Purpose:** To allow the construction of a pool and spa at the 7-foot minimum setback required for principal structures.

**Decision:** **Approved.**

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**Case # 2005V-145 FCN**

**NESBITT FERRY RD-HOLCOMB BR RD**

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

**Requests:**

- (1) To increase the height of a freestanding monument sign from eight (8) feet to ten (10) feet (Ref: Article XII.E.6).
- (2) To increase the maximum sign area from 32 square feet to 56 square feet (Ref: Article XII.E.6).
- (3) To increase the maximum number of tenant panels from four (4) to eight (8) panels (Ref: Article XII.E.6).
- (4) To allow a second monument sign in addition to existing Rivermont Station Kroger signage (Ref: Article XII.E.6).

Property located at 8465 Holcomb Bridge Road, in Land Lots 877 and 878 of District 2-2 in Fulton County, Georgia.

**Purpose:** To allow a second monument sign along the Holcomb Bridge frontage for the Rivermont Station Shopping Center providing signage for Shopping Center tenants.

**Decision:** **Deferred** for 60 days at request of applicant.

**Case # 2005V-146 FCN**

**11201 STATE BRIDGE ROAD**

The appeal of Amy Page seeks variances to the Fulton County Zoning Resolution in an A-L (Apartment Limited District) zoning classification as follows:

**Requests:**

- (1) To allow an increase in the maximum entry wall height from 8 feet to 10 feet (Ref: Article IV.11, Section E).
- (2) To allow two 16-square foot sign panels on one wall structure on one side of the development's entrance at State Bridge Road (Article XXXIII.5, Section C.2).

Property located at 11201 State Bridge Road, in Land Lots 153, 154 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow name change of existing Caswyck Apartments Development to Century State Bridge, utilizing the existing brick

monument structure.

**Decision:** **Approved Conditional** to no portion of fencing around detention pond being removed except for ordinary repair and maintenance.

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**Case # 2005V-148 FCN**

**13540 HWY 9 – CUMMING HWY**

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

**Requests:**

- (1) To allow a project identification monument with the sign face not equal to sign base (Ref: article XII.G.5, Section A).
  
- (2) To increase the maximum height from 6 feet to 8 feet and 2 inches for the column portion of the sign monument (Ref: Article XII.G.5, Section D).

Property located at 13540 Highway 9, in Land Lot 2-2 of Fulton County, Georgia.

**Purpose:** To allow the Stone Creek Church to construct a stacked stone monument sign (32 minimum square feet) at its entrance from State Route 9.

**Decision:** **Request #1 Approved as requested. Request #2 Approved Conditional to maximum height of 7 feet.**