



INTEROFFICE MEMORANDUM

To: Environment & Community Dev. Staff
From: Bettie Jones, Administrative Coordinator II
Date: September 16, 2005
Subject: **BZA ACTIONS –September 15, 2005 Hearing**

Case No.	Location	Applicant	Decision
2005V-184	Robert & Colonel Drive	Lawrence Roberts	Denied
2005V-149	305 Fulton Ind. Circle	Firoz & Nazline Charania	Approved Conditional
2005V-154	212 Londonberry Road	John Palmer	Approved
2005V-169	1000 Edgewater Drive	George Wray	Approved Conditional
2005V-172	875 Johnson Ferry Road	Mike Mason	Approved Conditional
2005V-174	10905 Jones Bridge Road	Stephanie Schleicher	Deferred
2005V-179	2995 Haynes Trail	Barbara Shirley	Approved
2005V-180	4935 Northway Drive	Michael Skop	Approved Conditional
2005V-181	345 Creek Point	Javad Oskoei	Approved
2005V-182	355 Creek Point	Javad Oskoei	Approved
2005V-183	455 Old Homestead Trail	Serge Watson	Approved
2005V-185	227 Sandy Springs Place	Tim Curl	Approved Conditional
2005V-192	1025 Mountain Creek Tr	Jim Winer	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
September 15, 2005
Actions**

Case # 2005V-184 FCN

ROBERTS DR AND COLONEL DR

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

Requests:

- (1) To increase the height of a billboard sign from 100 feet to 200 feet (Ref: Article XXXIII.5, Section G.1.c).**
- (2) To reduce the minimum required setback from 100 feet to 0 feet from the GA 400 right-of-way along the east property line (Ref: Article XXXIII.5, Section G.1.c).**
- (3) To reduce the minimum required setback from 100 feet to 45 feet from the Roberts Drive right-of-way along the south property line (Ref: Article XXXIII.5, Section G.1.c).**
- (4) To reduce the minimum required setback from 100 feet to 60 feet from the Colonel Drive right-of-way along the west property line (Ref: Article XXXIII.5, Section G.1.c).**
- (5) To reduce the minimum required setback from residential zoning (Apartments across Colonel Drive) from 500 feet to 110 feet (Ref) Article XXXIII.5, Section G.1.b).**
- (6) To reduce the minimum required setback from residential zoning (adjacent R-2 property along north property**

period,
the applicant shall either remove the sign structure;
upgrade and maintain signage in compliance, or
reapply
to the BZA for a variance.

Case # 2005V-154 FCN 212 LONDONBERRY ROAD

The appeal of John Palmer 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 setback from 10 feet
to
4 feet (Ref: Article XIX.3.12, Section B.1).

Property located at 212 Londonberry Road, in Land Lot 121 of District 17 in Fulton County, Georgia.

Purpose: To allow pool equipment to remain 4.08 feet from east side property line.

Decision: Approved.

Case # 2005V-169 FCN 1000 EDGEWATER DRIVE

The appeal of George Wray seeks variances to the Fulton County Zoning Resolution in an R-2A (Single Family Dwelling District) zoning classification as follows:

Requests:
(1) To reduce the minimum required side yard setback
from
15 feet to 0 feet along the east property line for
garage
addition (Ref: Article VI.3.3, Section C).
(2) To allow an accessory structure (outdoor fireplace)
within
one foot of the east side property line (Ref: Article

**VI.3.3,
Section I).**

Property located at 1000 Edgewater Drive, in Land Lot 171 of District 17 of Fulton County, Georgia.

**Purpose: To bring into compliance the existing garage addition and
above patio with an outdoor fireplace.**

**Decision: Approved Conditional to protecting the hemlock tree that is located close to the proposed fireplace and replanting of a hedge row of evergreen holly trees
along
the subject property line, should they become
damaged
by applicant's use.**

Case # 2005V-172 FCN

875 JOHNSON FERRY ROAD

The appeal of Mike Mason seeks a variance to the Fulton County Zoning Resolution in an O-I (Office and Institutional District) zoning classification as follows:

Request:

**To increase the maximum wall sign area from 180
square
feet to 360 square feet (Ref: Article XXXIII.5, Section D.3).**

Property located at 875 Johnson Ferry Road, in Land Lot 38 of District 17 in Fulton County, Georgia.

**Purpose: To allow the placement of Emory Vision, a second
180 square foot wall sign along the Emory Clinic
Building
utilizing the building wall oriented along the GA 400
frontage.**

Request:

Lot 24 To allow a swimming pool in the legal front yard of
of the Haynes Manor Subdivision (adjoining Haynes
Bridge Road) (Ref: Article XIX.3.11).

**Property located at 2995 Haynes Trail, in Land Lot 866 of District
1-2 in Fulton County Georgia.**

Purpose: The subject lot has two frontages; the dwelling faces
Haynes Trail with the rear adjoining Haynes Bridge
Road.

Decision: Approved.

Case # 2005V-180 FCN

4935 NORTHWAY DRIVE

**The appeal of Michael Skop 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 south property line (Ref:
Article
VI.4.3, Section C).

**Property located at 4935 Northway Drive, in Land Lot 40 of
District 17 in Fulton County, Georgia.**

Purpose: To allow the construction of a two-car garage over an
existing parking pad.

Decision: Approved Conditional to site plan presented.

Case # 2005V-181

345 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 10 feet for Lot 8 along the west property line
(Ref: Article V.1.3, Section C).

Property located at 345 Creek Point, in Land Lot 917 of District 2-2 in Fulton County, Georgia.

Purpose: To allow construction of a single family dwelling on Lot 8 allowing a side entry garage in the Creek Point Subdivision.

Decision: Approved.

Case # 2005V-182 FCN

355 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 for Lot 9 along the west property line
(Ref: Article V.1.3, Section C).

Property located at 345 Creek Point, in Land Lot 917 of District 2-2 in Fulton County, Georgia.

Purpose: To allow construction of a single family dwelling on Lot 9 allowing a side entry garage in the Creek Point Subdivision.

Decision: Approved.

Case # 2005V-183 FCN

455 OLD HOMESTEAD TRAIL

The appeal of Serge Watson seeks a variance to the Fulton County Zoning Resolution in a CUP (Community Unit Plan

- (5) To allow Building 350 to have a sign on a non-street facing wall (east wall) (Ref: Article XXXIII.5, Section F.5).
- (6) To allow Building 400 to have a sign on a non-street facing wall (south wall) (Ref. Article XXXIII.5, Section F.5).
- (7) To allow Building 500 to have a sign on a non-street facing wall (west wall) (Ref Article XXXIII.5, Section F.5).
- (8) To allow Building 500 to have a sign on a non-street facing wall (east wall) (Ref. Article XXXIII.5, Section F-5).

Property located at 227 Sandy Springs Place, in Land Lot 89 of District 17 in Fulton County, Georgia.

Purpose: To allow the Kroger-City Walk shopping center to place projected signs on internal building walls for increased visibility.

Decision: Approved Conditional to requirements of the Sandy Springs Design Review Board as outlined in its letter dated 9-13-05, which states “Tenants in Building D, which have entrances to Sandy Springs Place, shall install and retain wall signs facing Sandy Springs Place.”

Case # 2005V-192 FCN 1025 MOUNTAIN CREEK TRAIL

The appeal of Jim Winer 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 side yard setback
from 15 feet to 8 feet (Ref: Article VI.3.3, Section C).

**Property located at 1025 Mountain Creek Trail, in Land Lots 171
and 172 of District 17 in Fulton County, Georgia.**

**Purpose: To bring existing side yard setback into compliance
and to allow room additions onto the front of the dwelling.**

Decision: Approved.