



INTEROFFICE MEMORANDUM

To: Environment & Community Dev. Staff
From: Bettie Lawson, Administrative Coordinator II
Date: October 26, 2004
Subject: **BZA ACTIONS –October 21, 2004 Hearing**

Case No.	Location	Applicant	Decision
2004VS-124	5180 Highland Lake Dr	Shaunteil Williams	Deferred 30 Days
2004V-171	5190 Highland Lake Dr.	Ritner Nesbitt	Deferred 30 Days
2004VS-127	Haynes Bridge Road	Homa Daniels	Withdrawn
2004V-165	Campbellton/Fairburn Rd	Timothy P. Mullen	Request 1&6 Approved; 2,3,4,5 Withdrawn
2004V-169	6360 Roswell Road	Paul Doss	Approved
2004V-170	5995 Roswell Road	Paul Doss	Approved
2004V-172	700 Dalrymple Road	Barry Gannon	Approved Conditional *
2004V-173	1075 Rucker Road	Charles Bayles	Approved Conditional *
2004V-174	7545 Hall Road	Jeff Bowman	Approved
2004V-175	4335 Fulton Indus. Blvd.	Paul Doss	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 Hearing
October 21, 2004
Agenda**

Case # 2004VS-124 (Deferred from Sep. 16, 2004)	FCS	5180 HIGHLAND LAKE DRIVE
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Appeal of Shauntiel Williams, 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 front yard setback from 50 feet to 43 feet for Lot 33 of the Highland Lake Subdivision. (Ref: Article 3.2, Section A)

Property located at 5180 Highland Lake Drive in Land Lot 175 of District 9F, Fulton County, Georgia.

Purpose: To bring existing single family residence into compliance with front yard setback.

Decision: DEFERRED 30 days until November 18, 2004.

Case # 2004V-171 (Deferred from Sep. 16, 2004)	FCS	5190 HIGHLAND LAKE DRIVE
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The appeal of Ritner Nesbitt, 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 front yard setback from 50 feet to 47 feet for Lot 32 of the Highland Lake Subdivision (Ref: Article 3.2, Section A).

Property located at 5190 Highland Lake Drive in Land Lot 175 of District 9F, Fulton County, Georgia.

Purpose: To bring existing single family residence into compliance with front yard setback.

Decision: DEFERRED 30 days until November 18, 2004.

Case # 2004VS-127 (Deferred from Sep. 16, 2004)	FCN	HAYNES BRIDGE ROAD
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Appeal of Homa Daniels, seeks a variance to the Fulton County Zoning Resolution in an R-4 (Single Family Dwelling District) zoning classification as

follows:

Request:

To allow six lots access from a private drive. The Subdivision Regulations allow a maximum of three lots to access a shared private drive. (Ref: Subdivision Regulations, Article III.2.14)

Property located at Haynes Bridge Road in Land Lot 865 of Haynes Bridge Road in Land Lot 865 of District 1-2, Fulton County, Georgia.

Purpose: To allow the development of six single family lots with shared access from one curb cut from Haynes Bridge Road (Willow Royal Subdivision).

Decision: **Withdrawn.**

Case # 2004VS-165 **FCS** **CAMPBELLTON FAIRBURN ROAD**
(Deferred from Sep. 16, 2004)

The appeals of Timothy P. Mullen, seek variances to the Fulton County Zoning Resolution in a MIX (Mixed Use District) zoning classification as follows:

Requests:

- (1) To delete the requirement for sidewalks along the entire Campbellton-Fairburn Road property frontage except in the areas where deceleration lanes are being provided (Ref: Article XXXIV.5.3).
- (2) To delete the required 20-foot wide landscape strip along the north and west boundaries of Detention Area A, allowing the required 50-foot wide berm in its place (Ref: Article VIII.5.3 Subdivision Regulations, Section B.2). (Request withdrawal)
- (3) To delete the required 20-foot wide landscape strip along the Southwest boundary of Detention Area B, allowing the 50-foot wide landscape strip in its place (Ref: Article VIII.5.3 Subdivision Regulations, Section B.2). (Request withdrawal)
- (4) To delete the required 20-foot wide landscape strip along the west and southwest boundaries of Detention Area C, allowing the required 50-foot wide berm in its place (Ref: Article VIII.5.3 Subdivision Regulations, Section B.2). (Request withdrawal)
- (5) To allow the required 20-foot wide landscape strip around detention areas within the lot area of the adjoining single family lots of Detention Areas A through L (Ref: Article VIII.5.3 Subdivision Regulations, Section A.2). (Request withdrawal)

Decision: APPROVED.

Case # 2004V-172

FCN

700 DALRYMPLE ROAD

Appeal of Barry Gannon for America Tower, seeks a variance to the Fulton County Zoning Resolution in a C-1 (Community Business District) zoning classification as follows:

Request:

To delete a portion of the required 10-foot landscape strip/area for approximately 14 feet along the southwest boundary of the tower lease area (Ref: Article XIX.3.1(2), Section B.3).

Property located at 700 Dalrymple Road in Land Lot 32 of District 17, Fulton County, Georgia.

Purpose: To allow expansion of the existing tower facility providing for a fourth equipment shelter within the existing tower lease area. The parent property is the Neal's Caterers' site.

Decision: APPROVED CONDITIONAL to applicant following Arborist's recommendation for replanting the landscape to standards with five-foot tall Virginia Pines, subject to on-site visit by Arborist.

Case # 2004V-173

FCN

1075 RUCKER ROAD

Appeal of Charles Bayles, seeks a variance to the Fulton County Zoning Resolution in a TR (Townhouse Residential District) Zoning classification as follows:

Request:

To allow a variance to the Northwest Fulton Overlay District requiring a ten-foot wall and roof offset every 80 feet of building length and allowing offset patios with roof covers to project (Ref: Article XIIH.3.5E.1.a).

Property located at 1075 Rucker Road in Land Lot 1276 of District 2-2, Fulton County, Georgia.

Purpose: To allow the development of the Seasons of Creekside consisting of nine (9) triplex buildings for a total of 27 homes.

Decision: APPROVED CONDITIONAL to recommendations of the Design Review Board and consistent with standards.

Case # 2004V-174

FCS

7545 HALL ROAD

Appeal of Jeff and Amy Bowman seek a variance to the Fulton County Zoning Resolution in an AG-1 (Agricultural District) zoning classification as follows:

Request:

To reduce the minimum required setback for a barn structure from 100 feet to 50 feet along the northeast property line (Ref: Article V.1.2, Section A.2).

Property located at 7545 Hall Road in land lots 113, 144, 11, and 12, of Districts 7 and 9C, Fulton County, Georgia.

Purpose: To allow the construction of a 50 X 108 square foot barn to the rear of the existing dwelling.

Decision: APPROVED.

Case # 2004V-175

FCS

4335 FULTON INDUSTRIAL BLVD

Appeals of Salim A. Aziz, seek variances to the Fulton County Zoning Resolution in an M-2 ((Heavy Industrial District) zoning classification as follows:

Requests:

- (1) To increase the height of an existing freestanding sign from 20 feet to 22 feet and 2 inches (Ref: Article XXXIII.5, Section G.4).
- (2) To increase the sign area from 64 square feet to 73 square feet (Ref: Article XXXIII.5, Section G.2).
- (3) To allow an increase in sign area from 64 square feet to 144 square feet for the freestanding sign located along the I-20 right-of-way (Ref: Article XXXIII.5, Section G.2).

Property located at 4335 Fulton Industrial Boulevard in land lot 52 of District 14FF, Fulton County, Georgia.

Purpose: To allow the change in face of existing freestanding signs to reflect the change from Amoco to BP.

Decision: APPROVED.
