

**Fulton County Board of Zoning Appeals  
Meeting Minutes  
February 16, 2006**

The regular meeting of the Fulton County Board of Zoning Appeals was held on Thursday, February 16, 2006 beginning at 1:19 p.m. in the Fulton County Government Center Assembly Hall, 141 Pryor Street, Atlanta, Georgia. Board members and staff attending this meeting were:

**BOARD OF ZONING APPEALS**

Karen Thurman, Chairperson  
Donne Bland  
Douglas Gray  
Rosemary Lawson-Edge  
Rose McCain Shane  
Aasia Mustakeem  
David N. Patton

**ENVIRONMENT AND COMMUNITY DEVELOPMENT DEPARTMENT**

Madolyn Spann, Planner  
Shirley Williams, Zoning Coordinator  
Bettie Jones, Administrative Coordinator II  
Marcia Stone, Administrative Assistant II

**LEGAL DEPARTMENT**

Steven Rosenberg

ALL REFERENCE TO THE WORD "DOCKET" IN THE FOLLOWING MINUTES APPLIES TO THE FILE KEPT IN A LARGE ENVELOPE DULY ENTITLED IN EACH CASE AND ON RECORD IN THE FULTON COUNTY ENVIRONMENT & COMMUNITY DEVELOPMENT DEPARTMENT. THE DOCKET CONTAINS ALL PAPERS AND DOCUMENTS REQUIRED BY THE FULTON COUNTY ZONING RESOLUTION, SHOWING METES, BOUNDS, COURSES AND DISTANCES, AND AS INCORPORATED BY REFERENCES AS PART OF THESE MINUTES. RECORDING TAPES OF THE PROCEEDINGS OF THIS MEETING ARE ON FILE IN THE ENVIRONMENT AND COMMUNITY DEVELOPMENT DEPARTMENT.

THESE MINUTES REFLECT ONLY THE ACTION BY THE BOARD OF ZONING APPEALS ON EACH CASE.

**PUBLIC HEARING**

The cases noted on the following pages were sounded by and acted upon by the Board of Zoning Appeals.

**APPROVAL OF JANUARY 2006 MINUTES**

The motion for approval was made by Mr. Gray and seconded by Mr. Patton. The motion was carried by unanimous vote.

**ADJOURNMENT OF MEETING**

The meeting adjourned at 2:14 p.m.

**SUBMITTED BY:**

\_\_\_\_\_  
Terry L. Todd, Acting Director  
Environment & Community Development

**APPROVED BY:**

\_\_\_\_\_  
Chairperson

**PREPARED BY:**

\_\_\_\_\_  
Bettie J. Jones  
Administrative Coordinator II

The appeal of Larry Genn seeks variances to the Fulton County Zoning Resolution in a TR (Townhouse Residential District) zoning classification as follows:

**Requests:**

- (1) To reduce the minimum required pool setback from 100 feet to 17 feet along the northern property line (Ref: Article 19.3.12, Section B.3).
- (2) To reduce the minimum required pool setback to the east from a residential building (Unit 20) from 100 feet to a minimum of 13 feet (Ref: Article 19.3.12, Section B.3).
- (3) To reduce the minimum required pool setback to the south from Residential buildings across Hyde Park Lane from 100 feet to a minimum of 52 feet (Ref: Article 19.3.12, Section B.3).
- (4) To reduce the minimum required pool setback to the west from a residential building (Unit 21) from 100 feet to a minimum of 83 feet (Ref: Article 19.3.12, Section B.3).
- (5) To reduce the minimum required pool setback from 100 feet to a minimum of 14 feet to Hyde Park Lane (Ref: Article 19.3.12, Section B.3).

Property located at 10455 Parsons Road, in Land Lots 362, 363, 368 and 369 of district 1-1 in Fulton County, Georgia.

**Purpose:** To allow the construction of a private swimming pool within the Hyde Park town home development.

After review and discussion by Board Members, Mr. Gray made a motion to **DEFER 30 days**, Case # 2005V-273 FCN in accordance with Article XXII. This motion was seconded by Mr. Patton and carried unanimously. Neither Ms. Lawson-Edge nor Ms. Thurman was present for the vote.

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

**Attendance:** Larry Genn spoke in support; there was no opposition present.

The appeal of Paul T. Aase seeks variances to the Fulton County Zoning Resolution in an O-I (Office & Institutional District) zoning classification as follows:

**Requests:**

- (1) To allow four tenant panels on an identification monument for the office building located at the southwest corner of Medlock Bridge Parkway and Medlock Bridge Road (Ref: Article 12.E.6).
- (2) To allow external illumination from the ground (the Northeast Overlay requires downward illumination) (Ref: Article 12.E.6, Section B).

Property located at 9875 Medlock Bridge Parkway, in Land Lot 327 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow a six-foot high and 32 square foot brick monument sign along the Medlock Bridge Frontage.

After review and discussion by Board Members, Mr. Bland made a motion to **APPROVE CONDITIONAL** Case # 2005V-256 FCN, to compliance with Johns Creek Community Association requirements in their letter dated February 16, 2006, per Item 1) The requested sign shall be largely in conformance with the design plan dated 2-14-06 which includes the following: building name incorporated into the sign, no more than 3 tenant panels, sign panel 24 inches above grade; Item 4) The requested sign should be constructed of stacked stone and/or brick materials; and Item 5) The lighting is designed to illuminate the wall only, in accordance with Article XXII. This motion was seconded by Mr. Patton and carried unanimously.

**Reason:** Applicant presented a hardship in keeping with Article 22.3.1 of the Zoning Resolution.

**Attendance:** Paul Aase spoke in support; there was no opposition present.

---

**Case # 2005V-263 FCS**

**3695 ROOSEVELT HWY**

The appeal of Jonathon Carter seeks variances to the Fulton County Zoning Resolution in an A (Medium Density Apartment District) zoning classification as follows:

**Requests:**

- (1) To delete the required 3-foot setback from the right-of-way – “Fence and Walls” (Ref: Article 4.11, Section F).
- (2) To allow a fence in the public right-of-way (Ref: Article 4.3.5)

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

**Purpose:** To bring existing fence at the Siloam Church International into compliance.

After review and discussion by Board Members, Mr. Bland made a motion to **DEFER** Case # 2005V-263 FCS. This motion was seconded by Mr. Patton. After further discussion of the Department of Public Works, Traffic Division's, recommendations, per the memo dated January 23, 2006, the motion was withdrawn. Mr. Patton made a second motion to **DENY** this case in accordance with Article XXII. The motion was seconded by Ms. Lawson-Edge and carried unanimously.

**Reason:** **Denied** due to potential safety hazard of fence being located within the right-of-way of Delano Road.

**Attendance:** Neither applicant nor opposition was present.

---

**Case # 2005V-271 FCN**

**STATE ROUTE 9**

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

**Requests:**

- (1) To delete the required 25-foot buffer along the east property line to provide a 10-foot wide landscape strip planted to buffer standards (Ref: Article 4.23).
- (2) To delete the required 25-foot buffer along the west property line to provide a 15-foot wide landscape strip planted to buffer standards (Ref: Article 4.23).
- (3) To delete the required 50-foot buffer along the south property line (rear) to provide a 15-foot landscape strip planted to buffer standards (Ref: Article 4.23)
- (4) To reduce the required 20-foot landscape strip to a 10-foot wide landscape strip along the State Route 9 frontage (north property line (Ref: Article 12G.4, Section A.1).
- (5) To reduce the minimum required parking from 48 spaces to 18 spaces (Ref: Article 18.3.1, Section F).

Property located at State Bridge Highway 9, in Land Lot 1123 of District 2 in Fulton County, Georgia.

**Purpose:** To allow the development of a 9,600 square foot retail center, Magnolia Plaza.

After review and discussion by Board Members, Mr. Gray made a motion to **DEFER for 30 days** Case # 2005V-271 FCN, in accordance with Article XXII. This motion was seconded by Ms. Mustakeem and carried unanimously.

**Reason:** **Deferred 30 days** at the request of the applicant to allow him the opportunity to meet with the Johns Creek Community Association.

**Attendance:** Haji Pourreza spoke in support; there was no opposition present.

---

**Case # 2005V-272 FCS**

**6555 SHANNONLORE DRIVE**

The appeal of John Strickland seeks a variance to the Fulton County Zoning Resolution in an AG-1 zoning classification as follows:

**Request:**

To reduce the minimum required side yard setback from 25 feet to 20 feet along the west property line (Ref: Article 5.1.3.C).

Property located at 6555 Shannonlore Drive, in Land Lot142 of District 14F in Fulton County, Georgia.

**Purpose:** To allow the construction of a 2-car attached garage to the west side of the existing dwelling.

After review and discussion by Board Members, Mr. Gray made a motion to **APPROVE** Case # 2005V-272 FCS, in accordance with Article XXII. This motion was seconded by Ms. Shane and carried unanimously.

**Reason:** Applicant presented a hardship in keeping with Article 22.3.1 of the Zoning Resolution.

**Attendance:** Steve Strickland spoke in support. There was no opposition present.

---