

**Fulton County Board of Zoning Appeals
Meeting Minutes
July 20, 2006**

The regular meeting of the Fulton County Board of Zoning Appeals, chaired by Rose Shane, Vice Chair, was held on Thursday, July 20, 2006 beginning at 1:07 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

Douglas Gray
Rosemary Lawson-Edge
Rose McCain Shane, Vice Chair
David Patton
Karen Thurman, Chair

ENVIRONMENT AND COMMUNITY DEVELOPMENT DEPARTMENT

Madolyn Spann, Planner
Bettie J. Jones, Administrative Coordinator II
Marcia Stone, Administrative Assistant II
Randolph Beck, Assistant Director
Shirley Williams, Zoning Coordinator

LEGAL DEPARTMENT

Valerie Ross

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 JUNE 2006 MINUTES

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

ADJOURNMENT OF MEETING

The meeting adjourned at 2:04 p.m.

SUBMITTED BY:

Terry L. Todd, Acting Director
Environment & Community Development

APPROVED BY:

Chairperson

PREPARED BY:

Bettie J. Jones
Administrative Coordinator II

Case # 2006V-071 FCN

10630 WATERS ROAD

The appeal of Hamid Alaei seeks a variance to the Fulton County Zoning Resolution in an R4-A (Single Family Dwelling District) zoning classification as follows:

Request:

To reduce the required 150-foot buffer to 75 feet along the south property line for approximately 600 feet along the Long Indian Creek bank (Ref: Article VII, Section 26- 429.b.1 Fulton County Stream Buffer Ordinance).

Property located at 10630 Waters Road in Land Lot 10 of District 11 in Fulton County, Georgia.

Purpose: To allow the development of six (6) single family lots from 3.26 acres.

After review and discussion by Board Members, Mr. Gray made a motion to **Withdraw** Case # 2006V-071 FCN in accordance with Article XXII. This motion was seconded by Ms. Shane and unanimously carried.

Reason: Property has been annexed into the City of Alpharetta.

Attendance: Neither applicant nor opposition was present. Applicant requested withdrawal in a letter dated July 6, 2006.

Case # 2006V-079 FCN

10080 MEDLOCK BRIDGE ROAD

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

Requests:

- (1) To allow an off-site sign on Lot 2 representing identification of Lots 1, 4 and 5 (Ref: Article 12.E.6).
- (2) To increase sign area from 20 square feet to 28 square feet (Ref: Article 12.E.6).
- (3) To increase sign height from 5 feet to 6 feet (Ref: Article (12.E.6).
- (4) To allow sign face to be less than sign base (Ref: Article 12.E.6.A.).

- (5) To allow tenant panels on property less than 3 acres (Ref: Article 12.E.6).

Property located at 10080 Medlock Bridge Road, in Land Lots 301, 302, 327 and 328 of District 1-1 in Fulton County, Georgia.

Purpose: To allow a shared monument sign consisting of four lots within the Wesley Park retail/office development.

After review and discussion by Board Members, Ms. Shane made a motion to **Approve Conditional** to the following stipulations of the Johns Creek Community Association's letter dated July 18, 2006, the sign elevation presented to the Board during the Hearing, and the applicant's assertion that there will be no other signs, Case # 2006V-079 FCN, in accordance with Article XXII, Variance Consideration. The motion was seconded by Ms. Thurman and unanimously carried:

1. The requested sign shall be largely in conformance with the design plan dated 2-6-06 which includes the following: building name incorporated into the sign, no more than 4 tenant panels, sign panel 24 inches above grade, with cap high letters no less than 4 inches;
2. The requested sign shall serve as the sole signage for lots 1, 2, 4 and 5 and no additional signs will be requested;
3. The requested sign shall be perpendicular to Medlock Bridge Road;
4. The requested sign should be constructed of stacked stone and/or brick, stucco materials consistent with the office building design and materials;
5. The illumination should be in the range of 10 to 30 foot candles and be uniform over the entire sign surface.

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

Attendance: Eric Johansen spoke in support; there was no opposition present.

Case # 2006V-080 FCN

5995 ABBOTTS BRIDGE ROAD

The appeal of Parichehr Azam seeks a variance to the Fulton County Zoning Resolution in a TR (Townhouse District) zoning classification as follows:

Request:

To reduce the minimum required side perimeter setback from 30 feet to 25 feet along the west property line (Ref: Article 7.2.3, Section H.2).

Property located at 5995 Abbots Bridge Road, in Land Lots 321 and 346 of District 1-1 of Fulton County, Georgia.

Purpose:

Administrative Variance granted for encroachment into 10-foot improvement setback along west property line. Additional variance needed to allow the decks of six units along the west property line of the Abbots Falls Town Homes to encroach within the required 30-foot building setback behind units 1-6.

After review and discussion by Board Members, Ms. Shane made a motion to **Approved Conditional** to stipulations of letter of the Abbots View Homeowners Association dated May 24, 2006 and the planting of 20 Cryptomeria trees, minimum 7' tall within the 25' buffer behind units 1-6, Case # 2006V-080 FCN, in accordance with Article XXII, Variance Consideration. The motion was seconded by Mr. Patton and unanimously carried.

Reason:

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

Attendance:

Hossein Hadjkhan spoke in support; there was no opposition present, however, a letter of opposition from the Johns Creek Community Association, dated July 18, 2006, is in the file.

Case # 2006V-081 FCN

316 TAYLOR GLEN

The appeal of Dave Bielicki 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 rear yard setback from 50 feet to 37 feet (Ref: Article t.1.3, Section D).

Property located at 316 Taylor Glen in Land Lots 590 and 591, of District 2-2 in Fulton County, Georgia.

Purpose:

To allow the addition of a screened porch to the rear of the existing dwelling.

After review and discussion by Board Members, Ms. Shane made a motion to DEFER Case #2006V-081 FCN, for 30 days due to absence of applicant. The motion was seconded by Ms. Thurman and unanimously carried.

Reason: Applicant was not present to present his appeal.

Attendance: Neither Applicant nor opposition was present.

Case # 2006V-082 FCN

11055 BELL ROAD

The appeal of Steven Wohl seeks variances to the Fulton County Zoning Resolution in an MIX (Mixed Use District) zoning classification as follows:

Requests:

- (1) To increase sign area on entry wall from 16 square feet to 52 square feet along each side of the entrance to the Johns Creek Walk at the Bell Road and Medlock Bridge Road intersection (Ref: Article 33.5, Section E.5).
- (2) To allow an additional sign monument (suspended archway over drive) at the entrance from Medlock Bridge Road (Ref: Article 33.5, Section E.1).
- (3) To allow an increase in sign height of archway from 10 feet to 22.5 feet (Ref: Article 33.5, Section 33.5, Section E.3.a).
- (4) To allow an increase in sign area of archway from 64 square feet to 117 square feet (Ref: Article 33.5, Section E.1).

Property located at 11055 Bell Road, in Land Lot 359 of District 1-1 in Fulton County, Georgia.

Purpose: To allow an entry wall and sign archway at the entrance to the Johns Creek Walk mixed use development (26 acres) consisting of office, retail, single family and multifamily uses.

After review and discussion by Board Members, Ms. Shane made a motion to **Withdraw** Case 2006V-082 FCN, in accordance with Article XXII, Variance Consideration. This motion was seconded by Mr. Gray and unanimously carried.

Reason: **Withdrawn** at the request of applicant.

Attendance: Applicant submitted letter dated July 20, 2006 requesting withdrawal.

Case # 2006V-083 FNS

4405 COMMERCE DRIVE

The Appeal of James S. Anderson seeks variances to the Fulton County Zoning Resolution in an M-2 (Heavy Industrial District) zoning classification as follows:

Requests:

- (1) To allow a second freestanding sign at the southwest intersection of Fulton Industrial Boulevard and Commerce Drive (Ref: Article 33.5, Section G.2).

- (2) To increase the maximum sign area from 64 square feet to 112 square feet (Ref: Article 33.5, Section G.2).

Property located at 4405 Commerce Drive, in Land Lot 52 of District 14F in Fulton County, Georgia.

Purpose: To allow a second ground sign for a second business (Anderson Graphics, Inc.) located on-site utilizing existing sign structure (Anderson Graphics, Inc.).

After review and discussion by Board Members, Mr. Gray made a motion to **Defer for 30 days** Case 2006V-083 FCS, in accordance with Article XXII, Variance Consideration. This motion was seconded by Ms. Lawson-Edge and unanimously carried.

Reason: To allow applicant opportunity to meet with other tenants and to provide a revised sign elevation showing size and height as well as clear pictures of signs of other tenant properties at his location.

Attendance: James Anderson spoke in support and George Roderiquez, representing the J & D Realty and the Real Estate Development Association, spoke in opposition. One letter of opposition with five opposing signatures is on file.

