

Fulton County Board of Zoning Appeals  
Meeting Minutes  
October 20, 2005

The regular meeting of the Fulton County Board of Zoning Appeals was held on Thursday, October 20, 2005 beginning at 1:24 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, Chair  
M. Rose Shane, Vice Chairperson  
Rosemary Lawson-Edge  
David N. Patton

**ENVIRONMENT AND COMMUNITY DEVELOPMENT DEPARTMENT**

Alice Wakefield, Deputy Director  
Madolyn Spann, Planner  
Shirley Williams, Zoning Coordinator  
Bettie Jones, Administrative Coordinator II  
Marcia Stone, Administrative Assistant II

**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 SEPTEMBER 2005 MINUTES**

The motion for approval was made by Ms. Shane and seconded by Ms. Thurman. Mr. Patton abstained from voting. The motion was carried by majority vote.

**ADJOURNMENT OF MEETING**

The meeting adjourned at 2:40 p.m.

**SUBMITTED BY:**

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Steven R. Cover, AICP, Director  
Environment & Community Development  
Executive Secretary to the Board of  
Zoning Appeals

**APPROVED BY:**

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**Chairperson**

**PREPARED BY:**

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Bettie J. Jones  
Administrative Coordinator II

**Case # 2005V-118 FCN  
(Held from Aug '05)**

**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 12.E.6, Section A).
- (2) To increase the size of the monument sign from 32 square feet to 78 square feet (Ref: Article 12.E.6).
- (3) To allow 12 tenant panels on the monument sign (Ref: Article 12.E.6).

Property located at 11005 Jones Bridge Road, in Land Lot 167 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow signage for Phase II of the existing shopping center.

After review and discussion by Board Members, Ms. Shane made a motion to **Approve Conditional** to terms of letter from JCCA dated October 18, 2005 stipulating that the sign is no more than 8' W x 10' H; the sign face is no more than 32 SF; and there are no more than 4 tenant panels, Case # 2005V-118 FCN, in accordance with Article XXII. This motion was seconded by Ms. Lawson-Edge and unanimously carried.

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

**Attendance:** Ralph Mulligan spoke in support; there was no opposition present.

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**Case # 2005V-145 FCN  
(Held from Aug '05)**

**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 12.E.6).
- (2) To increase the maximum sign area from 32 square feet to 56 square feet (Ref: Article 12.E.6).
- (3) To increase the maximum number of tenant panels from four (4) to eight (8) panels (Ref: Article 12.E.6).

- (4) To allow a second monument sign in addition to existing Rivermont Station Kroger signage (Ref: Article 12.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.

After review and discussion by Board Members, Ms. Shane made a motion to **Withdraw** Case # 2005V-145 FCN, in accordance with Article XXII. This motion was seconded by Ms. Thurman and unanimously carried.

**Reason:** Appeal withdrawn at the request of the applicant, in keeping with Article 22.3.1 of the Zoning Resolution.

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

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**Case # 2005V-174 FCN**

**10905 JONES BRIDGE ROAD**

The appeal of Stephanie Schleicher 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 greater than the sign base (Ref: Article XII.E.6, Section A).
- (2) To increase the maximum height from 5 feet to 6 feet (Ref: Article XII.E.6).

Property located at 10905 Jones Bridge Road, in Land Lot 168 of District 1-1 of Fulton County, Georgia.

**Purpose:** To allow the sign conversion of a South Trust Bank to a Wachovia Bank, replacing the existing pole sign with a monument sign at six feet in height and 25 square feet in area.

After review and discussion by Board Members, Mr. Patton made a motion to **Approve Conditional** to sign design submitted, Case # 2005V-174 FCN, in accordance with Article XXII. This motion was seconded by Ms. Lawson-Edge and unanimously carried.

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

**Attendance:** Stephanie Schleicher spoke in support. There was no opposition present.

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**Case # 2005V-193 FCN**

**5340 TAYLOR ROAD**

The appeal of Mykhaylo Mokrynsky seeks a variance to the Fulton County Zoning Resolution in an R-4(Single Family Dwelling) zoning classification as follows:

**Request:**

To reduce the minimum required rear yard setback from 25 feet to 8 feet (Ref: Article 6.6.3, Section B).

Property located at 5340 Taylor Road in Land Lot 240 of District 1-1 in Fulton County, Georgia.

**Purpose:** To allow a 12X16 storage shed to remain in the rear yard.

After review and discussion by Board Members, Ms. Shane made a motion to **Defer** for 90 days Case # 2005V-193 FCN, in accordance with Article XXII. This motion was seconded by Mr. Patton and carried unanimously.

**Reason:** To allow applicant to address erosion and environmental issues.

**Attendance:** Evoenil Sarantchouk and Mykhaylo Morynsky spoke in support. There was no opposition present. A letter of concern is part of the file.

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**Case # 2005V-194 FCS**

**7790 ELLA LANE**

The appeal of Gurjit S. Jalli seeks variances to the Fulton County Zoning Resolution in a C-2 (Commercial District) zoning classification as follows:

**Requests:**

- (1) To allow a non-street facing wall sign on the north wall (Ref: Article 33.5, Section G.5).
- (2) To allow a non-street facing wall sign on the east wall (Ref: Article 33.5, Section G.5).
- (3) To allow a non-street facing wall sign on the south wall (Ref: Article 33.5, Section G.5).

Property located at 7790 Ella Lane, in Land Lot 32 of District 9F in Fulton County, Georgia.

**Purpose:** To allow the Hampton Inn to add three additional wall signs along rear and side walls for increased visibility to the I-85 and Oakley Industrial Boulevard area.

After review and discussion by Board Members, Ms. Shane made a motion to **Defer for 30 days**, Case # 2005V-194 FCS, in accordance with Article XXII. This motion was seconded by Mr. Patton and carried unanimously.

**Reason:** Deferred for 30 days due to absence of applicant.

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

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**Case # 2005V-195 FCN**

**195 CLIFTWOOD DRIVE**

The appeal of Stephanie Schleicher seeks a variance to the Fulton County Zoning Resolution in a C-2 (Commercial District) zoning classification as follows:

**Request:**

To allow an identification monument sign for property less than 40,000 square feet (Ref: Article 12.B.6.A, Section 1).

Property located at 195 Cliftwood Drive, in land lot 90 of District 17 in Fulton County, Georgia.

**Purpose:** To allow a business operating in a small building to locate a 25-square foot, 6 foot tall sign monument on Cliftwood Drive.

After review and discussion by Board Members, Ms. Thurman made a motion to **Defer** for 60, Case # 2005V-195 FCN. There was no second to this motion, thus the motion was withdrawn. After further discussion, Ms. Shane made a second motion to **Deny** the case. This motion was seconded by Ms. Thurman; Ms. Lawson-Edge and Mr. Patton opposed the vote and the motion failed. Following more discussion, Ms. Thurman made a motion to **Defer for 90 days**. This motion was seconded by Mr. Patton, opposed by Ms. Lawson-Edge, and carried by majority vote.

**Reason:** To allow applicant to gain support of the Sandy Springs Design Review Board (SSDRB).

**Attendance:** Stephanie Schleicher spoke in support. There was no opposition present. Applicant presented a listing of sign approvals by the SSDRB from 2001 – 2005 as part of the file.

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**Case # 2005V-196 FCN**

**5730 GLENRIDGE DRIVE**

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

**Request:**

To allow increase sign height from 6 feet to 8 feet (Ref: Article 12.B.6.A, Section A.2a).

Property located at 5730 Glenridge Drive, in Land Lots 37 & 38 of District 17 in Fulton County, Georgia.

**Purpose:** To allow a medical office to construct a 31-square foot and eight-foot high monument sign along Glenridge Drive.

After review and discussion by Board Members, Mr. Patton made a motion to **Approve Conditional** to design submitted and taking in consideration the approval of the Sandy Springs Design Review Board, Case # 2005V-196, in accordance with Article XXII. This motion was seconded by Ms. Thurman and carried unanimously.

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

**Attendance:** Pam Pellon spoke in support; there was no opposition present.

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**Case # 2005V-197 FCN**

**6300 POWERS FERRY ROAD**

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

**Requests:**

- (1) To increase the maximum sign area from 64 square feet to 85.21 square feet along New Northside Drive (Ref: Article 33.5, Section F).
- (2) To increase the maximum sign area from 64 square feet to 85.21 square feet along Powers Ferry Road (Ref: Article 33.5, Section F).
- (3) To reduce the minimum required sign setback from 10 feet to 0 feet along Powers Ferry Road (Ref: Article 33.4.9).
- (4) To allow the existing sign to remain with an approximate 2-foot encroachment into the New Northside Drive Right-of-Way (Ref: Article 33.4.9).

Property located at 6300 Powers Ferry, in Land Lot 205 of District 17 in Fulton County, Georgia.

**Purpose:** To allow CVS Pharmacy to place a 25.21 square foot sign panel on the existing 60-square foot Publix freestanding sign located along the Powers Ferry Road and New Northside Drive frontages.

After review and discussion by Board Members, Ms. Shane made a motion to **Approve** Case # 2005V-197 FCN, in accordance with Article XXII. This motion was seconded by Ms. Thurman and carried unanimously.

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

**Attendance:** Sharon Jaynes spoke in support; there was no opposition present.  
Applicant submitted revised drawings as part of the file.

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**Case # 2005V-199 FCN**

**6510 ROSWELL ROAD**

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

**Requests:**

- (1) To allow a freestanding sign on property less than 40,000 square feet (Ref: Article XII.B.6.A, Section 1).
- (2) To allow sign to be placed within the right-of-way of Roswell Road approximately 12 feet from back of curb (Ref: Article IV.3.5).

Property located at 6510 Roswell Road, in Land Lot 88 of District 17 in Fulton County, Georgia.

**Purpose:** To allow a new business to construct a ground sign along the Roswell Road frontage (formerly Johnny Rockets).

After review and discussion by Board Members, Ms. Shane made a motion to **Approve Conditional** to the applicant obtaining approval of an indemnification agreement from the Department of Public Works, and the following recommendations of the Sandy Springs Design Review Board in its September 15, 2005 letter: 1) The proposed sign not be approved with changeable copy; 2) The proposed sign should include the property address; and 3) These changes should be reflected when the permit application is filed. 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:** David Millwood spoke in support; there was no opposition present.

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