

GOVERNMENT OF THE CITY OF SOUTH FULTON

ODIE DONALD II
CITY MANAGER



SHAYLA REED
DIRECTOR
COMMUNITY DEVELOPMENT &
REGULATORY AFFAIRS

MEMORANDUM

TO: Zoning Board of Appeals
FROM: Planning & Zoning Division
SUBJECT: V-19-003 for 6385 Old National Hwy, Suite 230
DATE: July 18, 2019

The applicant seeks a variance to increase the maximum number of wall signs from 1 to 3 and to increase the maximum square footage of wall signs from 94.5 sq. ft. to 141.67 sq. ft.

STAFF RECOMMENDATION: DENIAL

cc: Diane White, City Clerk

APPLICATION INFORMATION

Applicant Information:	River Signs, LLC
Status of Applicant:	Agent for Owner
City Council District(s):	6
Parcel ID Number:	13 0132 LL3348
Area of Property:	The property is composed of approximately 17.28 acres.
Existing Zoning:	C-1 (Community Business District)
Current/Past Use of the Property:	The subject property is currently developed as a single-story commercial shopping center.
Prior Zoning Cases/History:	2005Z-0126 – This case rezoned the property from C-1 & O-I to C-1 conditional. 2009V-013 – This case approved the request to increase the height and square footage of the primary shopping center freestanding sign on Old National Highway. 2011V-008 – This case approved a second freestanding sign and approved an increase in the height and square footage of the additional freestanding sign.

SPECIFIC INFORMATION

REQUEST: The applicant requests a variance to increase the number of wall signs and increase the square footage of signage.

BACKGROUND

The subject property is currently developed as a single-story shopping center. This property was zoned in 2005, as C-1 (Community Business District) Conditional and retail is an approved use. The 2035 Fulton County Comprehensive Plan has this property's land use listed as Community Live Work, which does incorporate the C-1 zoning district.

ADJACENT ZONING AND LAND USES

North: C-1 (Community Business District)

East: C-1 (Community Business District), O-I (Office Institutional District), & AG-1 (Agricultural District)

South: R-4 (Single-Family Dwelling District), O-I (Office Institutional District), & AG-1 (Agricultural District)

APPLICABLE CODE REQUIREMENTS

Article XXXIII, Section 25E:

2. *Wall signs.* Wall signs are permitted on street-facing walls (including windows and doors). Businesses without a street on which there is frontage, but which have exterior entrances to the building, are entitled to one wall sign on the exterior wall of the business where the primary entrance is located. Wall sign(s) shall not exceed five percent of the applicable wall area or 100 square feet, whichever is smaller. Wall signs shall not have changeable copy unless approved as a marquee sign or in association with motor vehicle fuel pricing. Each place of business is allowed a maximum of two wall signs. Only one sign per business is allowed per wall. Wall signs shall face public streets and/or pedestrian-parking areas.

VARIANCE CONSIDERATIONS

Staff is including the specific conditions that must be considered for a variance to be granted in an effort to assist the Zoning Board of Appeals in considering the application and its merits. These considerations include:

- (i) Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the *Zoning Resolution*; or,
- (ii) The application of the particular provision of the *Zoning Resolution* to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or,
- (iii) Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

PUBLIC PARTICIPATION

The application held a public meeting on June 17, 2019 at 6175 Old National Highway, Rainbow Store 1051.

One citizen called to inquire about the project and 3 people showed up to the meeting.

STAFF COMMENTS

Engineering: No comments

Arborist: No comments

Environmental: No comments

Public Works: No comments

Transportation: No comments

MARTA: No comments

Fulton County Schools: No comments

Fire: No comments

Legal: No comments

STAFF RECOMMENDATION

Staff recommends **DENIAL** on the basis that no hardship was found. The subject retail store is allowed 1 wall sign, if the sign does not exceed 5% of the applicable wall area.

PREPARED BY:

Richard Hathcock , Senior Planner

REVIEWED BY:

Shayla Reed, Director