



**CITY OF SNELLVILLE
PLANNING & DEVELOPMENT DEPARTMENT**

BOARD OF APPEALS

VARIANCE CASE SUMMARY

September 14, 2016

CASE NUMBER: #BOA 16-05

REQUEST: To allow two additional monument signs

APPLICABLE SECTION: Sec. 12.5(B)(5), Monument Signs of the Snellville Zoning Ordinance

LOCATION: Scenic Promenade Shopping Center
1679 Scenic Hwy., Snellville, Georgia

PARCEL: 5056 099

ZONING: BG (General Business) District

DEVELOPMENT/PROJECT: Scenic Promenade Retail Development

PROPERTY OWNER/APPLICANT: Scenic Avenue, LLC
Loganville, Georgia 30052

CONTACT: Doug Wilkerson
(770) 979-3300 or
dougwilkerson@bellsouth.net

**PLANNING DEPARTMENT
RECOMMENDATION:** Approval with Conditions



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VARIANCE CASE ANALYSIS

September 14, 2016

TO: Snellville Board of Appeals

DATE: September 14, 2016

FROM: Jason Thompson, Director
Department of Planning and Development

CASE NUMBER: #BOA 16-05

FINDING OF FACT:

The Department of Planning and Development has received an application from Doug Wilkerson, representing Scenic Avenue, LLC requesting variance from the City of Snellville Sign Ordinance to allow the construction of two additional monument signs on the property.

The ±24.09 acre development, zoned BG (General Business) District, was recently completed for an 83,375± sq. ft. multi-tenant shopping center. The subject property is located along Scenic Highway near the intersection of Scenic Highway and Tree Lane/Presidential Parkway and lies between the former Best Buy location and the Lowe's Home Improvement Center. The abutting properties to the north, east and south are a continuation of commercial properties commonly found along the Scenic Highway commercial corridor. While the adjacent property to the west is also zoned BG and contains streams and wetlands.

REQUEST:

The applicant has requesting a variance from Section 12.4,(B)(5), Monument Signs of the Snellville Zoning Ordinance to erect two (2) additional monument signs, one on each of the two ground lease parcels of the Scenic Promenade Shopping Center.

STAFF ANALYSIS:

The 83,375± sq. ft. Scenic Promenade Shopping Center is home to several national retail tenants including: Best Buy, Home Goods, and Fresh Market. The center also contains Shops “D” and Shops “E” which are smaller footprint tenant spaces. Two (2) outparcels with frontage on Scenic Highway were originally planned and which were to be legally created through a subdivision plat. However, that subdivision was never realized as the property owner chose instead to offer ground leases and retaining ownership of the entire property including the two ground lease parcels.

One monument sign already exists as the main shopping center identification sign and was permitted in October 2015 based on the linear road frontage of the shopping center, less the road frontage of the two lease parcels. The property owner received an Administrative Variance to increase the maximum allowable sign area to 125% or eighty (80) sq. ft. for the shopping center identification sign shown below.



To maintain consistency with the sign area of the three monument signs, it is recommended that the two lease parcels be allowed to erect one monument sign each, but limit the size of these signs to not exceed eighty (80) sq. ft. in total sign area (per sign) and not exceed fifteen (15) feet in overall height. Of course, the lessee may choose to go with a monument sign that is smaller

than 80 sq. ft. in sign area. Included in the application submittal, the applicant has provided a sign concept plan for SunTrust Bank, showing a 64 sq. ft. monument sign. No sign concept plan was provided for the second ground lease parcel.

All other requirements of the City's Sign Ordinance shall remain in effect. Variance approval would allow the property owner the same rights as others that have outparcels while allowing them to manage their property as they see fit.

STANDARDS FOR CONSIDERATION:

Pursuant to Section 14.5, Powers and Duties, of the City of Snellville Zoning Ordinance, the City finds the following standards are relevant in considering all applications for a Variance.

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same district;

Yes, there are special conditions that exist based on the way the applicant is managing the property. Originally the parcel was to be subdivided which would have allowed for a monument sign for each parcel of the development and other property owners are allowed one monument sign per property/development.

2. That literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance;

Yes, the literal interpretation of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties. Originally the parcel was to be subdivided which would have allowed for a monument sign for each property/development and other property owners are allowed one monument sign per property/development. Furthermore the applicant has sized the main monument sign based on leaving remaining road frontage for the two additional proposed monument signs.

3. That the special conditions and circumstances do not result from the actions of the applicant; and

There are no special conditions only the desire of the applicant to manage their property which serves in their best interest.

4. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district.

Granting of these variances would confer special privilege. However, Section 14.5(2)(f) allows the Board of Appeals to make a finding that granting of the variance

“will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not injurious to the neighborhood, or otherwise detrimental to the public welfare.”

STAFF RECOMMENDATION:

In conclusion, the Department of Planning and Development recommends **Approval** of the variance with the following **Conditions**:

1. Monument signs shall not exceed eighty (80) sq. ft. in sign area and shall comply with all other requirements of the City’s Sign Ordinance including requiring sign permit approval; and
2. Signs higher than 15 feet or larger than 225 square feet are prohibited.