



MEMO

TO: The Board of Appeals

DATE: April 25, 2017

FROM: Jason Thompson, Director
Department of Planning and Development

SUBJECT: #BOA 17-05 – Sign Permit Denial Appeal

On 2-28-2017 the Department of Planning and Development received a wall sign permit application from Scenic Avenue, LLC, property owner of the Scenic Promenade Shopping Center, located at 1679 Scenic Highway, Snellville to install a 150 sq. ft. illuminated wall sign on the existing concrete block retaining wall located adjacent to Best Buy.

On 3-20-2017 the application was denied for reasons as specified in said letter (provided herein) based on legal advice gleaned from the City Attorney.

On 4-18-2017 the applicant filed an appeal challenging the denial of the wall sign permit application.

POWERS AND DUTIES:

In accordance with Section 14.5, Powers and Duties of the Board of Appeals of Article XIV of the Snellville Zoning Ordinance, the Board of Appeals has the power and duty to

“To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by a staff member of the Planning and Development Department in the enforcement of the ordinance.”

In accordance with Section 14.6, Powers of Board on Appeals: Reversing Decision of Planning and Development Department of Article XIV of the Snellville Zoning Ordinance, in exercising the above mentioned powers, the Board of Appeals may, so long as such action is in conformity with the terms of the Zoning Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the Planning and Development Department staff member from whom the appeal is taken.

Further, in accordance with Section 14.7, Duties of Planning and Development Director, Board of Appeals, Mayor and Council and Courts on Matters of Appeal of Article XIV of the Snellville Zoning Ordinance,

“a) It is the intent of the Zoning Ordinance that all questions of interpretation and enforcement shall be first presented to the Planning and Development Director or his/her designee, and that such questions shall be presented to the Board of Appeals only on appeal from the decision of the Planning and Development Director or his/her designee, and that recourse from the decisions of the Board of Appeals shall be to the courts as provided by law.”

ATTACHMENTS:

- Appeal Application (4-18-2017)
- Notice to Appeal (4-13-2017)
- Denial Letter w/Exhibits (3-20-2017)
- Wall Sign Permit Application (2-28-2017)
- Article VI, Definitions of the Snellville Zoning Ordinance
- Article XIV, Board of Appeals of the Snellville Zoning Ordinance