



**CITY OF SNELLVILLE
PLANNING & DEVELOPMENT DEPARTMENT**

BOARD OF APPEALS

VARIANCE CASE SUMMARY

February 12, 2019

CASE NUMBER: #BOA 19-01

REQUEST: Variance to Exceed the Maximum Allowable Window Sign Area for Nine Transom Windows

APPLICABLE SECTION: Section 12.4(B)(3) of Article XII of the Snellville Zoning Ordinance

LOCATION: Presidential Markets Shopping Center
1905 Scenic Highway, Suite 1,100, Snellville

TAX PARCEL: 5056 086

ZONING: HSB (Highway Service Business) District

GROSS TENANT SPACE: ±5,000 Sq. Ft.

DEVELOPMENT/PROJECT: Bath & Body Works

PROPERTY OWNER: GRI-EOY (Presidential Markets) LLC

CONTACT: Justin Highlander, Designer
L Brands Store Design
(614) 415-1449 or JWHighlander@lb.com

RECOMMENDATION: Approval with Conditions



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VARIANCE CASE ANALYSIS

February 12, 2019

TO: Snellville Board of Appeals

REGULAR MEETING DATE: February 12, 2019

FROM: Jason Thompson, Director
Department of Planning and Development

CASE NUMBER: #BOA 19-01

FINDING OF FACT:

The Department of Planning and Development has received an application from Permit Advisors and L Brands Store Design & Construction representing Bath & Body Works requesting a variance to exceed the maximum allowable window sign area for nine store front transom windows for the Bath & Body Works location in the Presidential Markets Shopping Center, 1905 Scenic Highway, Suite 1,100, Snellville, Georgia.

The use of the property is a multi-tenant shopping center known as the Presidential Markets Shopping Center and is located along Scenic Highway, near the intersection of Scenic Highway and Pharrs Road. The subject business is located in 3,000 sq. ft. tenant space and has submitted interior remodel plans to expand the tenant space an additional 2,000 sq. ft. by combining with the tenant space formerly occupied by the Sears Appliance Showroom. They have also submitted plans to remodel the storefront exterior.

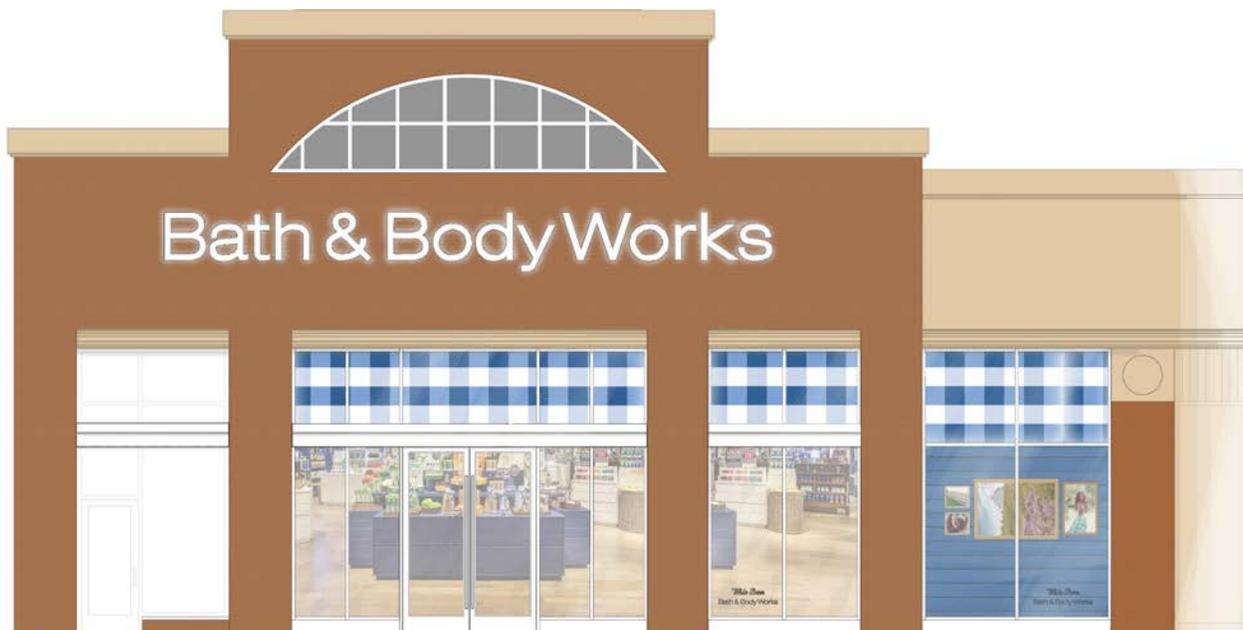
The abutting properties to the west, north and south are the continuation of the Presidential Markets Shopping Center with HSB and BG zoning, and the property to the east is a vacant

public right-of-way owned by the Georgia Department of Transportation with no zoning designation.

REQUEST:

The applicant is requesting a Variance from Section 12.4(B)(3), Window and Door Sign Coverage of Article XII of the Snellville Zoning Ordinance as follows:

- 1. Request to increase the maximum window sign area from 40% to 100% coverage for each of the nine (9) transom windows located above the storefront entrance and apply their blue and white gingham pattern signature brand to each of these windows.**



The chart below details the proposed vs. allowable window coverage and resulting variance, per each transom window:

Window Identifier (Left to Right)	Window Dimensions	Window Area (sq. inches)	Proposed Coverage (sq. inches -100%)	Allowable Coverage (sq. inches - 40%)	Variance (sq. inches)
1	2'-7-1/4" W x 4'-8-1/2" H	1,765.625	1,765.625	706.25	1,059.375
2	2'-7-1/4" W x 4'-8-1/2" H	1,765.625	1,765.625	706.25	1,059.375
3	7'-0-1/2" W x 4'-8-1/2" H	4,774.25	4,774.25	1,909.70	2,864.55
4	2'-7-3/8" W x 4'-8-1/2" H	1,772.6875	1,772.6875	689.075	1,083.6125
5	2'-7-3/8" W x 4'-8-1/2" H	1,722.6875	1,722.6875	689.075	1,083.6125
6	3'-8-1/2" W x 4'-8-1/2" H	2,514.25	2,514.25	1,005.70	1,508.55
7	3'-8-1/2" W x 4'-8-1/2" H	2,514.25	2,514.25	1,005.70	1,508.55
8	4'-8" W x 4'-8-1/2" H	3,164.00	3,164.00	1,265.60	1,898.40
9	4'-8" W x 4'-8-1/2" H	3,164.00	3,164.00	1,265.60	1,898.40
		23,157.374 (160.82 SF)	23,157.374 (160.82 SF)	9,242.95 (64.19 SF)	13,914.424 (96.63 SF)

VARIANCE ANALYSIS:

Bath & Body Works has occupied the 3,000 SF tenant space of the Presidential Markets Shopping Center development since March 2001. The site is surrounded by similar commercial uses that include a variety of general commercial tenants.

The applicant is proposing to cover nine transom windows above the storefront entrance with their branded blue and white gingham pattern and which is consistent with the storefronts of other locations in Hiram, Lawrenceville, and Fayetteville, to name a few. Although each of these nine transom windows will contain 100% coverage, the color palette and gingham design is aesthetically pleasing and is in keeping with the Bath & Body Works brand.

The city's Sign Ordinance defines a sign as, *"any structure, display, or device that is used to advertise, identify, direct, or attract attention to a business, institution, organization, person, idea, product, service, event, or location by any means, including words, letters, figures, design characteristics, symbols, logos, fixtures, movement, or illumination."*

Further, a window sign is defined as, *"a sign that is applied or attached to the exterior or interior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window."*

Similar signage related variances have previously been approved by the Board for Panera Bread, Zoe's Kitchen, Cabana Grill, Applebee's, Del Taco, RUE 21, Buy Buy Baby, Anna's Linens, ULTA Cosmetics and Old Navy.

On 1-17-2019, the Applicant submitted an amended Exhibit A after realizing that no variance is necessary for the 80.07 sq. ft. illuminated channel letter wall sign above the store front as the sign code allows for an 92.95 sq. ft. wall sign based on five percent of the 1,859± sq. ft. of elevation face area.

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;

No special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are applicable to other land, structures, or buildings in the same district. However the exterior elevation plans which include use of the blue and white gingham pattern are part of the national corporate branding program for Bath & Body Works which is common to other locations in Georgia and across the country.

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;

No, literal interpretation would not deprive the applicant of rights commonly enjoyed by others; however, similar variances have been granted by the Board to other commercial businesses along the Scenic Highway corridor.

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

The applicant intends to cover the nine transom windows that were designed and installed when the building was originally constructed in 2000. The applicant is simply requesting to utilize the blue and white gingham pattern above the storefront entrance to further identify the location as a Bath & body Works location.

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 the variance request would confer on the applicant special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district. Similar variances have been granted to similar commercial properties along the Scenic Hwy. corridor.

However, Section 14.5(2)(f) of the Snellville Zoning Ordinance 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."

CONCLUSION:

The Department of Planning and Development recommends **Approval** of the request for variance to increase the maximum window coverage to 100% coverage for the nine transom windows (only) above the storefront entrance as per the submitted 'Storefront Rendering' with the following **Conditions**:

1. The applicant shall be required to submit an application for a Window and Door Sign Permit for review and approval by the Department of Planning and Development; and
2. The applicant shall be required to submit an application for a Wall Sign Permit and Building Permit for review and approval by the Department of Planning and Development for all wall signage.