



## **ZONING BOARD OF APPEALS AGENDA**

**AUGUST 19, 2015  
7:00 PM  
CITY HALL**

- A. Roll Call**
- B. Approval of Minutes: May 20, 2015**
- C. Old Business: (None)**
- D. New Business:**
  - 1. V2015-006 5023 Bridgeport Lane Request Variance to Zoning Code Article X, Off-Street Parking, Section 1001-5(b), for property located at 5023 Bridgeport Lane, Peachtree Corners, Ga., 6<sup>th</sup> Dist., LL330, Parcel 059, in order to park a recreational vehicle 3 ft. from the property line instead of the required 15 ft.**
  - 2. V2015-007 Slingshot Request Variance to Zoning Code Article V, Signs, Section 86-114, for property located at 6344 Cash Court, Peachtree Corners, Ga., 6<sup>th</sup> Dist., LL275, Parcel 009 in order to exceed size limitations for wall signs.**
- E. City Business Items: (None)**
- F. Comments by Board Members.**
- G. Adjournment.**

**CITY OF PEACHTREE CORNERS**  
**ZONING BOARD OF APPEALS**  
**May 20, 2015**

The City of Peachtree Corners held a Zoning Board of Appeals meeting. The meeting was held at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. The following were in attendance:

Zoning Board of Appeals: Wayne Knox, Post B  
Marcia Brandes, Post A  
Amreeta Regmi, Post C  
Eric Christ, Post D  
James Blum, Post E

Staff: Diana Wheeler, Com. Dev. Director  
Kym Chereck, City Clerk  
Johnny Lawler, Zoning Administrator

**MINUTES:** Approval of April 15, 2015 Minutes.

**MOTION TO APPROVE THE APRIL 15, 2015 MINUTES.**

**By: Eric Christ**

**Seconded: Marcia Brandes**

**Vote: (5-0) (Christ, Brandes, Knox, Blum, Regmi)**

**NEW BUSINESS:**

**1. V2015-002 Peachtree Market**

**Request Variance to Zoning Code Article V, Signs, Section 86-114, for property located at 6135 Peachtree Parkway, Peachtree Corners, Ga., 6<sup>th</sup> Dist., LL283, Parcel 143 in order to exceed size limitations for a monument sign.**

The applicant had not yet arrived; therefore, the Board decided to table the application until after the Earth Fare application had been heard.

**MOTION TO LAY THE PEACHTREE MARKET APPLICATION ON THE TABLE.**

**By: Eric Christ**

**Seconded: Marcia Brandes**

**Vote: (5-0) (Christ, Brandes, Knox, Blum, Regmi)**

**2. V2015-003 Earth Fare**

**Request Variance to Zoning Code Article V, Signs, Section 86-114, for property located at 5270 Peachtree Parkway, Peachtree Corners, Ga., 6<sup>th</sup> Dist., LL301, Parcel 056 in order to exceed size limitations for wall signs and monument signs.**

Diana Wheeler, Community Development Director, provided background information regarding the applicant's request. Peachtree Corners is Earth Fare's first Atlanta metro area location and they opened for business on 1/14/15. In the first five months of operations, Earth Fare has been disappointed in their sales and attributes their lower earnings to poor signage visibility. They note that trees planted along the property perimeter obscure both the wall signage and the monument signs. In addition, the primary sign along Peachtree Parkway is set further back and located at a higher elevation than the roadway. Due to the current signage issues, Earth Fare is requesting variances to allow the following:

1. A 5 ft. setback instead of the required 20 ft. setback for a 20 ft. high monument sign along Peachtree Parkway.
2. A 10 ft. setback instead of the required 20 ft. setback for a 20 ft. high monument sign along Peachtree Corners Circle.
3. 192 sq. ft. of wall signs instead of a maximum of 100 sq. ft. of wall signs on the Earth Fare building.

Mr. Mark Browning of Masstar signs gave a brief description of the proposed signage and explained that the current signage offered poor visibility; and therefore, had a negative effect on Earth Fare's business.

A motion was made after discussion concerning, among other items, location of the signage, height of the signage, and the size of the graphics on the signage.

**BASED ON A THOROUGH REVIEW OF THE ENTIRE RECORD AND THE HEARING BEFORE THIS BODY, I MOVE THAT THE ZONING BOARD OF APPEALS MAKE THE FOLLOWING FINDINGS AND CONCLUSIONS AND APPROVE THE APPLICATION BEFORE IT; THERE ARE EXTRAORDINARY CONDITIONS PERTAINING TO THIS PARTICULAR PROPERTY, THE CONDITIONS OF THE ZONING RESOLUTION AS APPLIED TO THIS PROPERTY AFFECT ONLY THIS PROPERTY; AND THE CONDITION OF THE PROPERTY ITSELF IS NOT THE RESULT OF THE ACTIONS OF THE PROPERTY OWNER; AND GRANTING THIS APPLICATION WOULD INCREASE THE PUBLIC GOOD; AND I WOULD ALSO LIKE TO ADD THE FOLLOWING CONDITIONS; THAT THE PLANS FOR THE MONUMENT SIGNS BE PRESENTED TO CITY STAFF FOR THEIR REVIEWS AND FINAL APPROVAL; AND SIMILARLY THAT THE WALL SIGN PLAN BE PRESENTED TO CITY STAFF, SUBSTANTIALLY**

**IN CONFORMANCE WITH THE DRAWINGS PRESENTED TO US TODAY FOR THEIR FINAL REVIEW AND APPROVAL; AND AGREEING WITH CITY STAFF THAT A 5 FOOT. SETBACK INSTEAD OF THE REQUIRED 20 FOOT SETBACK FOR A 20 FOOT HIGH MONUMENT SIGN ALONG PEACHTREE PARKWAY; AND A 10 FOOT SETBACK INSTEAD OF THE REQUIRED 20 FOOT SETBACK FOR A 20 FOOT HIGH MONUMENT SIGN ALONG PEACHTREE CORNERS CIRCLE; AND THE CITY STAFF WOULD REVIEW THE SIGN PLANS TO DETERMINE CONFORMANCE WITH RECOMMENDATIONS FROM THE UNITED STATES SIGN COUNCIL TO ENSURE THAT PUBLIC SAFETY IS PRESERVED IN TERMS OF THE SIZE OF THE LETTERING AND THE NUMBER OF PANELS THAT ARE INCLUDED ON THE SIGN.**

**By: Eric Christ**

**Seconded: Marcia Brandes**

**Vote: (5-0) (Christ, Brandes, Knox, Blum, Regmi)**

**MOVE THAT V2015-002 BE REMOVED FROM THE TABLE.**

**By: Eric Christ**

**Seconded: Marcia Brandes**

**Vote: (5-0) (Christ, Brandes, Knox, Blum, Regmi)**

Diana Wheeler, Community Development Director, provided background information regarding the applicant's request. The property is located at the northwest corner of Peachtree Parkway and Holcomb Bridge Road and consists of an existing shopping center that the new owners purchased last December with the intent of renovating and filling in vacant tenant spaces. As part of the renovation, the new owners would like to replace the existing shopping center monument sign with one that is taller and closer to Peachtree Parkway. The existing sign is located 46 ft. from the front property line and approximately 50 additional feet from the closest travel lane along Peachtree Parkway (due to excess right-of-way). The applicant requests variances in order to exceed height and setback requirements for a monument sign as follows:

1. Allow a 0 ft. front setback for a 24 ft. high monument sign.
2. Allow a 24 ft. monument sign height instead of the maximum 20 ft. height allowed.

Ms. Jamie Tyson of Northwest Signs gave a brief description of the proposed signage, and presented the Board with additional photographs depicting the proposed signage.

A motion was made after discussion concerning, among other items, the sign of the lettering and number of sign panels on the monument sign.

**BASED ON A THOROUGH REVIEW OF THE ENTIRE RECORD AND THE HEARING BEFORE THIS BODY, I MOVE THAT THE ZONING BOARD OF APPEALS MAKE THE FOLLOWING FINDINGS AND CONCLUSION**

**AND APPROVE THE APPLICATION BEFORE IT; FIRST, THERE ARE EXTRAORDINARY OR EXCEPTIONAL CONDITIONS PERTAINING TO THIS PARTICULAR PROPERTY IN QUESTION BECAUSE OF ITS TOPOGRAPHY; AND TWO, THE APPLICATION OF THE ZONING RESOLUTION OF THIS PARTICULAR PIECE OF PROPERTY WOULD CREATE AN UNNECESSARY HARDSHIP; THREE, SUCH CONDITIONS ARE NOT THE RESULT OF ANY ACTIONS OF THE PROPERTY OWNER; AND FINALLY, RELIEF GRANTED WOULD NOT CAUSE SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD NOR IMPAIR THE PURPOSES OR INTENT OF THE ZONING RESOLUTION; AND I WOULD ALSO LIKE TO ADD THE FOLLOWING FINDINGS, THAT ONE, THE LOCATION OF THE SIGN, AS BUILT, WOULD BE IN THE LOCATION AS PRESENTED IN THE DRAWINGS HERE THIS EVENING; AND TWO, THAT PRIOR TO CONSTRUCTION, PLANS FOR SUCH A SIGN WOULD BE PRESENTED BACK TO CITY AND STAFF WITH THE INTENT THAT THE PURPOSE OF SUCH SIGN IS TO DISPLAY THE NAMES OF THE ANCHOR AND OTHER KEY TENANTS OF THE PROPERTY, AND THAT SUCH SIGN WOULD COMPORT WITH THE CITY'S CODE, THE OVERLAY DISTRICT REQUIREMENTS AND THE UNITED STATES SIGN COUNCIL GUIDELINES; THIS MOTION ALLOWS FOR THE 0 FOOT FRONT SETBACK AND TO ALLOW THE 24 FOOT HEIGHT IN THE LOCATION PRESENTED IN THE DRAWINGS TONIGHT, DIRECTLY IN FRONT OF THE CURRENT SIGN LOCATION.**

**By: Eric Christ**

**Seconded: Amreeta Regmi**

**Vote: (5-0) (Christ, Regmi, Knox, Blum, Brandes)**

**CITY BUSINESS ITEMS:** There was no City Business.

**COMMENTS BY BOARD MEMEBERS:**

Chairman Knox allowed Mr. Wilbur Odom to speak to the Board. Mr. Odom informed the Board that he received a letter from Code Enforcement stated that he is not in compliance with City Ordinance since his motorhome is not located within a carport, and also since it is parked on grass. Mr. Odom stated that he purchased the motorhome 10 years ago and never has had a problem before. Mr. Odom said that he called Mrs. Wheeler to inquire as to what he should do, and he was informed that he would need to appeal to the Zoning Board of Appeals. Mr. Odom requested that there be a difference appeal process since the Zoning Board of Appeals requires a fee and additional paperwork. The Board recommended that Mr. Odom address the Mayor and Council at their next meeting, or via email for an alternative appeal process from the Zoning Board of Appeals.

The Zoning Board of Appeals meeting concluded at 9:03 PM.

Approved,

Attest:

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Wayne Knox, Chairman

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Kym Chereck, City Clerk

**V2015-006**  
**5023 Bridgeport Lane**

**City of Peachtree Corners**  
**Zoning Board of Appeals**  
**August 19, 2015**

<b>CASE NUMBER:</b>	<b>V2015-006</b>
<b>PROPERTY LOCATION:</b>	<b>5023 Bridgeport Lane</b> <b>6<sup>th</sup> District, Land Lot 330, Parcel 059</b>
<b>CURRENT ZONING:</b>	<b>R-100</b>
<b>PARCEL SIZE:</b>	<b>.41 acres</b>
<b>PROPERTY OWNER:</b>	<b>Wilbur Odom</b>
<b>APPLICANT:</b>	<b>Wilbur Odom</b>

**REQUEST**

The applicant requests a variance in order to allow his recreational vehicle to remain parked in his side yard, approximately 3 ft. from his property line. Zoning regulations restrict the locations where recreational vehicles can be parked in residential areas, as follows (underlining added):

a. In any residential district, the parking of any motor vehicle except on a hard-surfaced driveway or in a carport or garage is prohibited. Any recreational vehicle or any non-motor vehicle may only be parked in a carport, enclosed structure, or in the rear yard on a paved surface (or approved porous or grassed paving system). Any vehicles parked in the rear yard not in a carport or an enclosed structure must be parked at least fifteen (15) feet from the property line. Vehicles or equipment used for agricultural purposes on RA-200 or R-100 zoned property with 5 or more acres are exempt from hard surface parking requirements if parked outside the required front yard setback.

**LOCATION AND BACKGROUND**

The applicant's property is located off East Jones Bridge Road in the Bridgeport subdivision. He keeps a recreational vehicle parked at the end of the driveway to the rear of his single family home. Although the RV is located in the rear yard as required, it is parked about 3 ft. from the side property line. The distance between the house and the property lines is about 11 ft. on each side. This means that in order to be code compliant and park 15 ft. from the property line, the RV would not only have to be parked in the rear yard, but it would have to be located directly behind the house, itself.

**VARIANCE REQUIREMENTS**

Sec. 1605.3 identifies specific findings that must be made in order for a variance to be granted. These findings are as follows:

- A. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography, and
- B. the application of the Resolution to this particular piece of property would create an unnecessary hardship, and
- C. such conditions are peculiar to the particular piece of property involved, and
- D. such conditions are not the result of any actions of the property owner, and
- E. relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this Resolution.

## **ANALYSIS**

The applicant has a wooded backyard with mature vegetation. As can be seen from the photographs, there are numerous trees and shrubs located behind the house. The applicant constructed a fence to create a type of alcove with a sense of enclosure for the RV. In his letter of intent, the applicant states that if he has to relocate the RV behind his house, he'll be required to remove part of the existing fence along with 3 - 5 existing trees and several shrubs. The applicant states that this will constitute a financial hardship for him; however, the removal of tree cover would also be a loss to the neighborhood both in terms of aesthetics and air quality.

With regard to the variance criteria:

- A. Some of the existing trees on the property would have to be removed in order to accommodate the relocation of the RV behind the house
- B. The strict application of the zoning regulations would create an unnecessary hardship in this case.
- C. Relocating the RV would not provide a sufficient benefit to the neighborhood to outweigh the loss of mature trees.
- D. The existing rear yard conditions are not solely attributable to the applicant's actions.
- E. A 12 ft. setback variance for the RV would not cause substantial detriment to the public good.

## **CONCLUSION**

After reviewing the applicant's request and the variance criteria, Staff finds that reducing the required setback from 15 ft. to 3 ft. and maintaining the RV in its current location can be justified.



Case Number: V 2015-006 Received Date: 6/12/15 Hearing Date: 8/19/15

**Variance Application from the Zoning Resolution  
(Zoning Board of Appeals)**

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
Name <u>Wilbur Neil Odom</u>	Name <u>Wilbur Neil Odom</u>
Address (all correspondence will be mailed to this address): <u>5023 Bridgeport Lane</u>	Address <u>5023 Bridgeport Lane</u>
City <u>Peachtree Corners</u>	City <u>Peachtree Corners</u>
State <u>GA.</u> Zip <u>30092-1717</u>	State <u>GA.</u> Zip <u>30092-1717</u>
Phone <u>770-582-7457</u>	Phone <u>770-582-7457</u>
Contact Person Name: <u>Wilbur Neil Odom</u> Phone: <u>770-582-7457</u> <u>770-827-2122 (cell)</u>	
Email Address: <u>no no j o 413 @ gmail. com</u>	
Applicant is the (please check or circle one of the following): <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser	

Address of Property 5023 Bridgeport Lane, Peachtree Corners, GA, 30092-1717

Subdivision or Project Name Bridgeport Lot & Block 15, C

District, Land Lot, & Parcel (MRN) 6<sup>th</sup>, 330

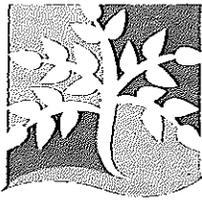
Proposed Development N/A

Permit Number (if construction has begun) \_\_\_\_\_

Variance Requested Motor Home

A complete application includes the following:

- Application Form (1 original and 9 copies)
- Site Plan and/or Boundary Survey (1 original and 9 copies)
- Letter of Intent (1 original and 9 copies)
- Signed & notarized Certification page
- Application Fee
- Adjacent owner(s) written support (1 original and 9 copies)
- Additional Documentation as needed



**Applicant Certification**

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for a variance denied by the Board of Zoning Appeals may not be made earlier than 12 months from the date of original application (Article XVI, Section 1608).

Wilbur Neil Odom 6/10/15  
Signature of Applicant Date

Notary Seal

SUZANNE C FOSTER  
NOTARY PUBLIC  
GWINNETT COUNTY, GA  
MY COMMISSION EXP.  
JUNE 9, 2018

Wilbur Neil Odom  
Typed or Printed Name & Title  
Suzanne C Foster 6/10/15  
Signature of Notary Public Date

**Property Owner Certification**

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for a variance denied by the Board of Zoning Appeals may not be made earlier than 12 months from the date of original application (Article XVI, Section 1608). I, as the property owner, authorize the above noted applicant to represent me with regards to this application.

Wilbur Neil Odom 6/10/15  
Signature of Property Owner Date

Notary Seal

SUZANNE C FOSTER  
NOTARY PUBLIC  
GWINNETT COUNTY, GA  
MY COMMISSION EXP.  
JUNE 9, 2018

Wilbur Neil Odom  
Typed or Printed Name & Title  
Suzanne C Foster 6/10/15  
Signature of Notary Public Date

**Community Development Use Below Only**

Fees Paid: \_\_\_\_\_ By: \_\_\_\_\_

Related Cases & Applicable Conditions:

\_\_\_\_\_

Variance Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Wilbur Neil Odom  
Motor Home Variance Request  
5023 Bridgeport Lane,  
Peachtree Corners, Ga. 30092-1717

To: Zoning Board of Appeals

Dear Sirs and Madams:

My motor home is parked at my residence indicated above. It has been parked at this location for approximately 10 years. It is parked in an enclave in the back yard that I had made specifically for the purpose of parking the vehicle. About half of the motor home is in the enclave and the back tires are on the parking pad. I have photos enclosed. During this period I have never received a single complaint from my neighbors. Also, the house that is on the motor home side has sold twice during this period. The most recent sale has been in the past one-two years. I received no complaint from the new home owners.

In response to a letter that I received from Peachtree Corners Code Enforcement regarding the parking of recreational vehicles, I must be at least 15 feet from my property line. To comply with this requirement, I would have to move the motor home about 5-6 feet to the right. I believe that I am in compliance with the remaining parking requirements.

If I am required to move the motor home the necessary 5-6 feet to be in compliance creates an undue financial hardship on me. I would have to remove at least three trees, possibly as many as five trees, relocate the fence and loose shrubs. The cost to comply with the zoning requirement is prohibitive.

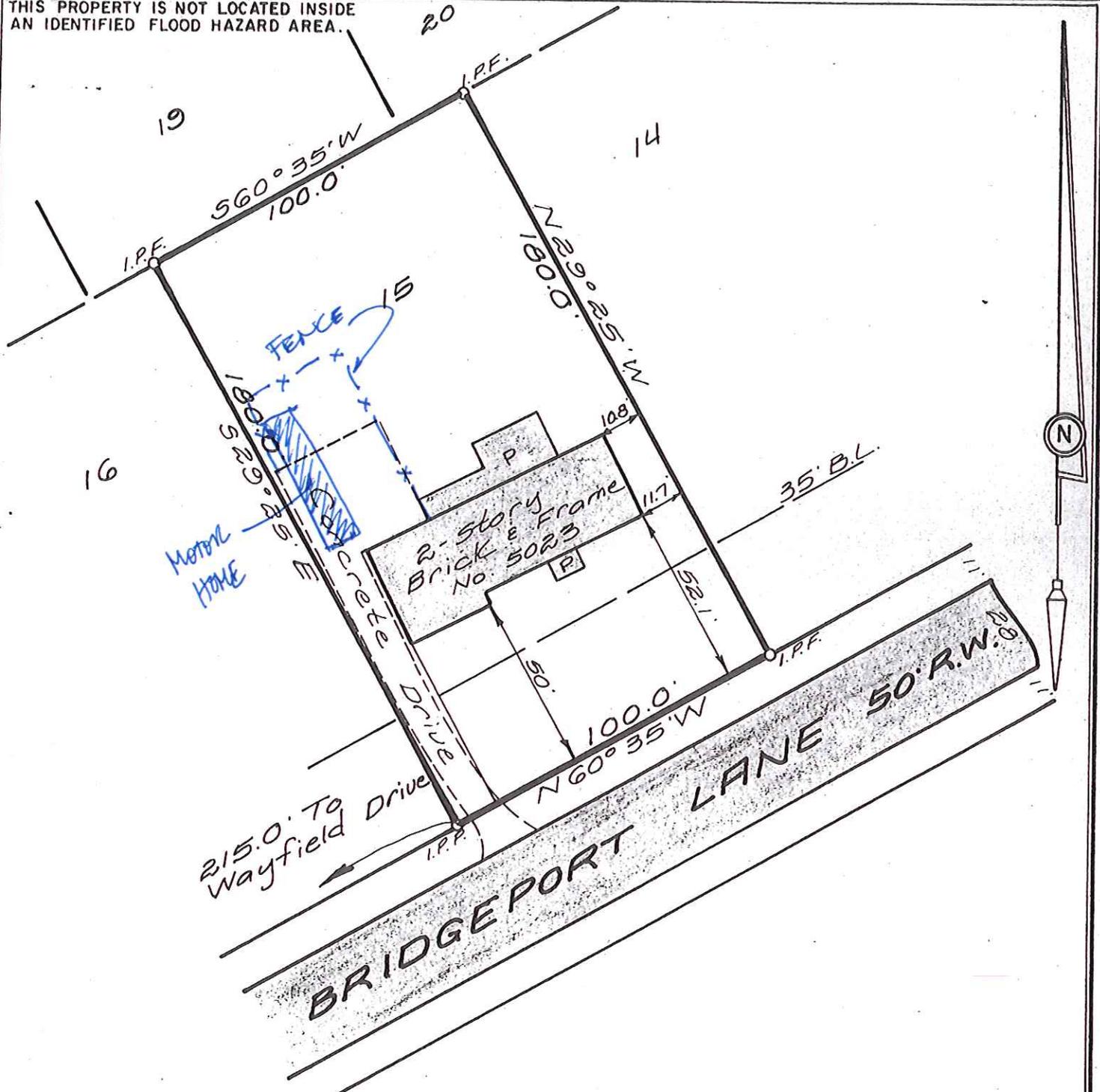
Please grant my variance request to leave the motor home parked as it currently is.

Respectfully,

A handwritten signature in cursive script that reads "Wilbur Neil Odom". The signature is written in black ink and is positioned above the printed name.

Wilbur Neil Odom

THIS PROPERTY IS NOT LOCATED INSIDE AN IDENTIFIED FLOOD HAZARD AREA.



SURVEY FOR GEORGIA FEDERAL BANK, FSB  
 PROPERTY OF: WILBUR NEIL ODOM

LAND LOT 330 DISTRICT 6TH COUNTY WINNETT

SUBDIVISION BRIDGEPORT PHASE \_\_\_\_\_

LOT 15 BLOCK "C" UNIT \_\_\_\_\_ SECTION \_\_\_\_\_



DATE APRIL 9, 1987 SCALE 1"=40'

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

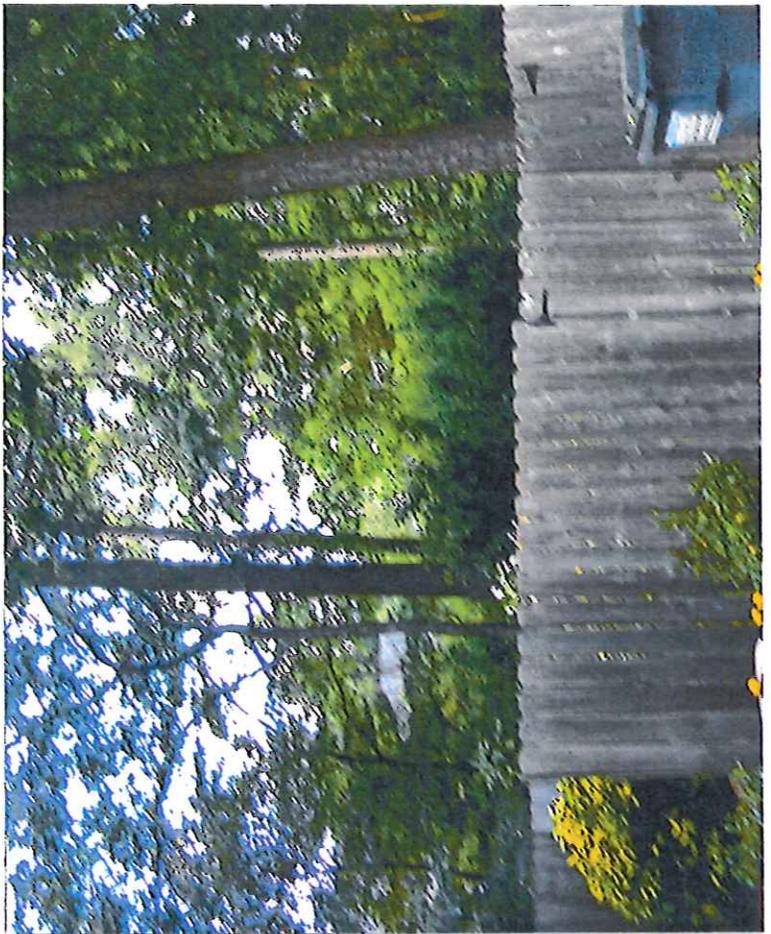
**ROBERT M. KIRKLEY**  
 LAND SURVEYORS

STOCKBRIDGE, GA. 474-1062

*[Handwritten signature]*









Wilbur Neil Odom  
5023 Bridgeport Lane  
Peachtree Corners, Ga. 30092-1717

Response to Hardship Criteria Outlined in Section in Section 1605.3 (A-E)

3 A. TOPOGRAPHY: I believe that I would have to move my motor home about 5-6 feet to the right. My back yard is covered with trees (see photo), and I would have to remove 3-5 trees, loose several shrubs, and relocate the fence. We know how importance trees and plants are for our environment. The only time that I remove a tree is when it dies. It will be a definite hardship to remove these trees and shrubs for such a small infraction.

3B. APPLICATION of RESOULTION: The motor home has been parked in the same location for approximately 10 years. I have received zero complaints and it has not been an issue in the sale of existing homes. I do believe that the enforcement of the resolution creates an unnecessary hardship due to the thousand plus dollars necessary to pay for tree removal, buy more shrubs and relocate the fence.

3C. NA

3D. I did buy the motor home, but it was not with any intent to create any hardship on my neighbors.

3E. If I am granted relief, it will not in any way create harm to my neighbors, or to our property. We simply will continue to live as we have for the past ten years.

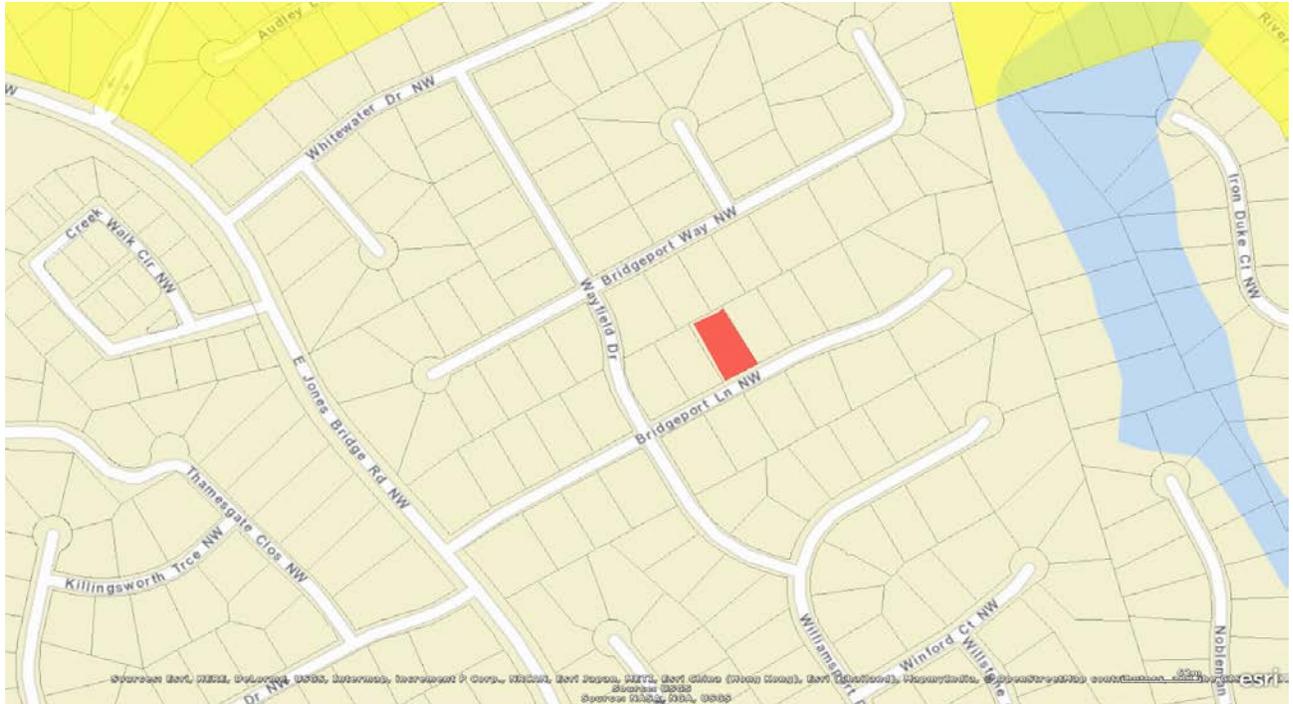
Please consider my situation and grant a favorable ruling on this zoning infraction.

Respectfully,

Wilbur Neil Odom

## **PUBLIC HEARING**

### **5023 BRIDGEPORT LANE**



**CASE NUMBER:**

**V2015-006**

**ZONING BOARD OF APPEALS**

**HEARING DATE:**

**AUGUST 19, 2015**  
**7:00 PM**

**PROPERTY ADDRESS:**

**5023 BRIDGEPORT LANE**

**REQUEST:**

**VARIANCE TO PROPERTY LINE SETBACK IN**  
**ORDER TO ALLOW RECREATIONAL VEHICLE**  
**PARKING**

**V2015-007**  
**Slingshot**

**City of Peachtree Corners  
Zoning Board of Appeals  
August 19, 2015**

<b>CASE NUMBER:</b>	<b>V2015-007</b>
<b>PROPERTY LOCATION:</b>	<b>6344 Cash Court 6<sup>th</sup> District, Land Lot 275, Parcel 009</b>
<b>CURRENT ZONING:</b>	<b>M-1</b>
<b>PARCEL SIZE:</b>	<b>11.96 acres</b>
<b>PROPERTY OWNER:</b>	<b>BJ Norcross Portfolio LP</b>
<b>APPLICANT:</b>	<b>Eric Larsen, SignsUpAtlanta</b>

**REQUEST**

The applicant requests a variance in order to allow 249 sq. ft. of wall sign on one elevation for an aggregate of 441 sq. ft. of total wall signage in lieu of the maximum of 200 sq. ft. of wall signs per elevation and a maximum aggregate wall signage of 400 sq. ft.

**LOCATION AND BACKGROUND**

The subject property is located at Jimmy Carter Blvd. and Cash Court, just east of Peachtree Industrial Boulevard. The existing building on the site previously housed BJ's Wholesale Club and was recently renovated for a new business that offers indoor recreation including go karts, obstacle courses, bowling, and arcade games. As part of the exterior renovations, the property owner would like to add signage to the side of the building that identifies (with graphics and words) the three core elements of the business which are represented by the terms: Roll, Race, Play. The size of the requested signage exceeds the allowable limit by nearly 25%. The additional wall signage also increases the total permitted for all signage on the property by 10%. The signage included in this variance request would supplement the permitted signage on the property which includes a wall sign with the business name and a monument sign located at the street entrance to the site.

**VARIANCE REQUIREMENTS**

Sec. 1605.3 identifies specific findings that must be made in order for a variance to be granted. These findings are as follows:

- A. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography, and
- B. the application of the Resolution to this particular piece of property would create an unnecessary hardship, and
- C. such conditions are peculiar to the particular piece of property involved, and

- D. such conditions are not the result of any actions of the property owner, and
- E. relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this Resolution.

## **ANALYSIS**

The existing building on the property is a large, warehouse type structure of nearly 128,000 sq. ft. It is over 500 ft. long on its western side where the applicant would like to place the requested signage. That side of the building faces an extensive asphalt parking lot that is screened from Peachtree Industrial Boulevard by a dense line of mature trees. In addition to screening the parking lot, the trees also screen most of the building from off-site views; thereby making the additional signage difficult to see from any vantage point but the adjacent parking lot. Further, because the existing building is so vast, the additional 49 sq. ft. of signage requested constitutes less than half of 1% of the total western wall area.

With regard to the variance criteria:

- A. The existing trees are situated in such a way as to make the visibility of the wall sign negligible.
- B. The size of the building dwarfs the signage and out-scales the proportions that may have been contemplated by the sign ordinance for the maximum signage.
- C. The building's change in use from industrial / warehouse to recreation / commercial dictates the need for additional signage.
- D. The property owner has re-purposed a large, vacant building and put it back into productive use. Adequate signage is an important part of the building's transformation and the business' long-term success.
- E. If granted, additional signage would have limited visibility beyond the existing property and would, therefore, not create a precedent for surrounding businesses.

## **CONCLUSION**

After reviewing the applicant's proposal and the variance criteria, Staff finds that the additional wall signage requested can be justified.



Case Number: V/2015-007 Received Date: 7/1/15 Hearing Date: 9/19/15

**Variance Application from the Zoning Resolution  
(Zoning Board of Appeals)**

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
Name <u>Eric Larsen</u>	Name <u>BJ Norcross Portfolio LP</u>
Address (all correspondence will be mailed to this address): <u>4765 Quail Hunt Court</u>	Address <u>25 Research Dr.</u>
City <u>Powder Springs,</u>	City <u>Westborough</u>
State <u>GA</u> Zip <u>30127</u>	State <u>MA</u> Zip <u>01581</u>
Phone <u>678-584-3726</u>	Phone <u>774-513-7400</u>
Contact Person Name: <u>Eric Larsen</u> Phone: <u>678-584-3726</u>	
Email Address: <u>signsupatlanta@gmail.com</u>	
Applicant is the (please check or circle one of the following): <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser	

Address of Property 6344 Cash Court, Norcross, GA 30071

Subdivision or Project Name Slingshot Entertainment Lot & Block \_\_\_\_\_

District, Land Lot, & Parcel (MRN) Parcel# 6-275-009

Proposed Development Slingshot Entertainment

Permit Number (if construction has begun) \_\_\_\_\_

Variance Requested Allow additional 249 sf of signage on one elevation for an aggregate of 441 sf in lieu of the maximum of 200sf / elevation and 400 sf aggregate.

A complete application includes the following:

- Application Form (1 original and 9 copies)
- Site Plan and/or Boundary Survey (1 original and 9 copies)
- Letter of Intent (1 original and 9 copies)
- Signed & notarized Certification page
- Application Fee
- Adjacent owner(s) written support (1 original and 9 copies)
- Additional Documentation as needed



**CITY OF PEACHTREE CORNERS  
COMMUNITY DEVELOPMENT**

147 Technology Parkway, Suite 200, Peachtree Corners, GA 30092  
Tel: 678.691.1200 | [www.cityofpeachtreecornersga.com](http://www.cityofpeachtreecornersga.com)

**Applicant Certification**

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for a variance denied by the Board of Zoning Appeals may not be made earlier than 12 months from the date of original application (Article XVI, Section 1608).

*[Signature]* 7/1/15  
Signature of Applicant Date

Notary Seal: **RICHARD N MATEO**  
NOTARY PUBLIC  
Gwinnett County  
State of Georgia  
My Comm. Expires June 22, 2018

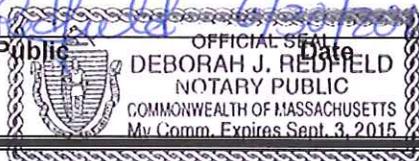
Eric Larsen  
Typed or Printed Name & Title  
*Richard Mateo* 7/1/15  
Signature of Notary Public Date

**Property Owner Certification**

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for a variance denied by the Board of Zoning Appeals may not be made earlier than 12 months from the date of original application (Article XVI, Section 1608). I, as the property owner, authorize the above applicant to represent me with regards to this application.

*[Signature]* 6/30/2015  
Signature of Property Owner Date  
**Peter Thomas**  
Senior Vice President

Deborah J. Redfield  
Typed or Printed Name & Title  
*Deborah J. Redfield*  
Signature of Notary Public



**Community Development Use Below Only**

Fees Paid: \_\_\_\_\_ By: \_\_\_\_\_

Related Cases & Applicable Conditions:

\_\_\_\_\_

Variance Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Signs Up! Atlanta

Eric Larsen  
4765 Quail Hunt Ct  
Powder Springs, GA 30127  
678-584-3726  
signsupatlanta@gmail.com

July 1, 2015

City of Peachtree Corners  
Community Development  
147 Technology Pkwy, Suite 200  
Peachtree Corners, GA 30092

Re: Letter of Intent – Variance request for wall signage increase  
Slingshot Entertainment – 6344 Cash Court, Norcross, GA

On behalf of my client, Slingshot Entertainment, please find this letter of intent along with the application for variance for the above referenced location.

Slingshot is in the final stages of construction and has an approved wall sign permit for the front of the facility for 192sf of signage.

A variance is requested for this site to allow an increased amount of wall signage, from 200 sf for one elevation and 400 sf of aggregate as designated in Section 16 of the Sign Ordinance to 441 sf for both one elevation and aggregate allowed signage to allow additional signage on the front of the facility. Due to the topography of the site, the elevation facing Jimmy Carter Boulevard is shielded from view from the road by trees, rendering any signage on that elevation to be mostly obscured from view, except for a very short section at the entry of the parking lot. To aid in visibility from Jimmy Carter Boulevard, the additional signage on the right hand side of the front elevation would assist drivers in identifying the establishment.

Buildings of this size are not common and the proposed signage is within or below pleasing proportion to the building size. Similar variance requests for increased signage were recently requested and approved in Gwinnett County for Floor and Décor (ZVR2015-00016/17 2918 Buford Drive, Buford GA 30519), Gander Mountain (ZVR2015-00043 - 1150 SCENIC HWY, LAWRENCEVILLE, GA 30045) and Ross Stores (ZVR2015-00028 – 5265 Jimmy Carter Boulevard, Norcross, GA 30093). Much larger increases in both the maximum allowed signage for one elevation and aggregate signage have been granted in similar cases, whereas the request by this applicant is of a minimal amount to overcome the hardship presented by the site conditions.

This relief, if granted, would not cause detriment to the public good, would not impair the purpose or intent of the current resolution, and would not cause interference or obstruction from any roadway, traffic flow.

Thank you for your consideration.

Respectfully submitted,



Eric Larsen

Existing ground sign location

Permitted wall sign location

Proposed new wall sign location

Jimmy Carter Blvd

Cash Ct

JAY CARTER BOLLWAND

EXISTING PARKING TO REMAIN

EXISTING PARKING TO REMAIN

EXISTING BUILDING 17' X 15' 3"

EXISTING 3/4" EXTENSION WALLS TO REMAIN PLAN (SHEET A0.1)

EXISTING 3/4" EXTENSION WALLS TO REMAIN PLAN (SHEET A0.1)

EXISTING ADJACENT PROPERTY BUILDING

EXISTING ADJACENT PROPERTY BUILDING

1 SITE PLAN SCALE 1"=40'-0"

RENOVATIONS FOR SLINGSHOT ENTERTAINMENT PEACHTREE CORNERS, GA 30071

FOREMAN SEELEY | FOUNTAIN architecture

Sheet Title: SITE PLAN

A1.1

PERMIT SUBMITTAL

**FRONT ELEVATION**  
Reverse / Halo-Lit Letters & Logo Box



76 ft  
70 ft



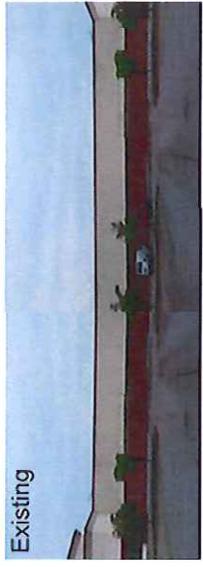
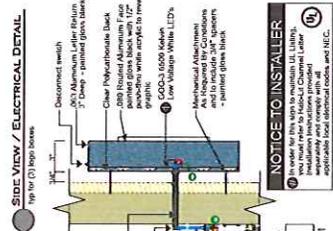
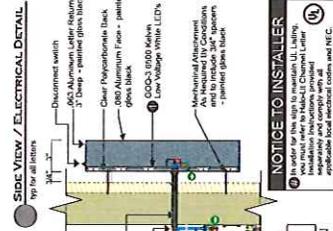
**RACE**



**PLAY**

**ACCESS INFO**  
It is "expected" that wiring on the rear side of the wall is accessible from inside the building. Access to the rear side of the wall for the proposed work is performed and this could not be confirmed.

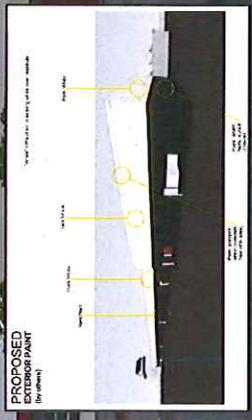
**ELECTRICAL INFO**  
No race trays have been placed in this location, and no nearby existing electrical service is present. Customer is responsible for providing an operable race tray for the proposed work to be installed on the rear wall surface. Three (3) junction boxes should be included such that one loop cable for each sign was to one junction box. (Typ for (3) sign boxes required).



Existing



Proposed



PROPOSED EXTERIOR PAINT (for review)



621 North Avenue, NE  
Building D  
Atlanta, GA 30308  
404.815.0566 Tel  
404.815.0917 Fax



client

location

Slingshot Entertainment  
6344 Cash Court  
Norcross, GA 30071

account rep

project manager

drawn by

revisions	by	date
original	CB	05/21/15
REV1	CB	05/21/15
REV2	CB	05/21/15
REV3		
REV4		
REV5		
REV6		

client approval /date

landlord approval

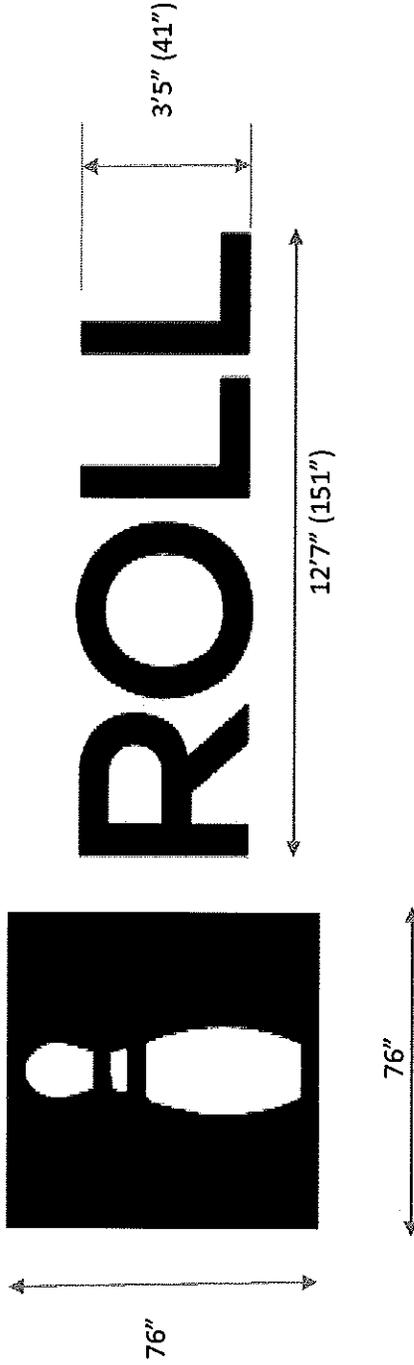
job number

file name

sheet number

2 of 3

NOT TO SCALE



Typical Graphic Size

76" x 76" = 40.1 sf  
 151" x 41" = 43.0 sf  
 Each = 83.0 sf  
 X3  
 Total 249.00sf



Pic above from corner of JCB and Cash Ct



Pic above as moving south on JCB



Pic above as moving south on JCB



Pic above at entry from JCB



Pic above south of entry from JCB

## **PUBLIC HEARING**

### **SLINGSHOT**



**CASE NUMBER:**

**V2015-007**

#### **ZONING BOARD OF APPEALS**

**HEARING DATE:**

**AUGUST 19, 2015**  
**7:00 PM**

**PROPERTY ADDRESS:**

**6344 CASH COURT**

**REQUEST:**

**VARIANCE TO ALLOW ADDITIONAL WALL  
SIGNAGE**