

**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,



Wayne Knox, Chairman

Attest:



Kym Chereck, City Clerk

