

**VARIANCE(S):**

**V-2012-004**

**CITY OF SUWANEE  
VARIANCE ANALYSIS**

**CASE NUMBER:** V-2012-004

**REQUEST:** TO ALLOW SECOND STORY TENANTS  
WITHOUT DIRECT EXTERIOR ACCESS TO  
HAVE EXTERIOR WALL SIGNAGE

**APPLICABLE SECTION:** SECTION 1604 DEFINITIONS

**LOCATION:** 425 BUFORD HIGHWAY  
**ACREAGE:** 1.5 ACRES  
**DISTRICT/LAND LOT/PARCEL:** 7-236-015  
**ZONING:** OTCD (OLD TOWN COMMERCIAL DISTRICT)

**APPLICANT/OWNER:** BRIAN C BARNARD/ OLD TOWNE  
ENTERPRISES, LLC  
PO BOX 924107  
NORCROSS, GA 30071

**CONTACT:** BRIAN C. BARNARD

**PHONE:** 404-886-0948

**RECOMMENDATION:** **APPROVAL WITH CONDITIONS**

**ANAYLSIS:**

The applicant seeks a variance from Section 1604 of the City of Suwanee Zoning Ordinance to allow second story tenants without direct external access to have exterior wall signage. The applicant is requesting the variance so that current and future second story tenants would be allowed to advertise their location in the building to motorists on Buford Highway. The Shoppes of Olde Towne is a two-story, 33,000 square foot retail/office building constructed in 2007. There are several retail uses located in the building including restaurants, a martial arts studio, a gift shop and a hair salon. The shopping center was constructed within the Old Town Overlay District. Several years ago a wall sign permit was issued in error for a business on the second story of the building. That business is no longer located in the building. Subsequently, a business filled in the vacated space and requested a sign for the second floor of the building. The request for a sign permit was denied, so now the applicant requests a variance in order to allow for the new business and for future second story tenants to have exterior wall signage.

Section 1604 of the Zoning Ordinance defines a “Planned Multi-Tenant Office or Shopping Center” as a planned concentration of multiple business establishments with shared parking and

direct external entry points (doorways) for its employees, customers and tenants in lieu of collective entrances. The Sign Ordinance further states that each tenant in a planned shopping center may have one wall sign not to exceed 5% of the leasable exterior wall area. Since the Zoning Ordinance defines an individual tenant as a space that has a direct external entry point, the businesses located on the second floor of the subject building which do not have direct individual exterior access for are not permitted wall signage. The building's second story units are accessed via an internal hallway with a common exterior entrance at the ground level.

The subject property is located at 425 Buford Highway and is zoned OTCD (Old Town Commercial District) within the Old Town Overlay District. To the north of the subject property is the Norfolk-Southern Railroad, to the east is an automotive service establishment (Tire Omni) which is also zoned OTCD. Across Buford Highway is an undeveloped property zoned and a lumber yard, both zoned M-1. Gwinnett Federal Credit Union is located to the west of the subject property and is zoned C-2.

Businesses with one common entrance typically utilize common signage in order to avoid too many signs and confusion over permitted sign size allowances. For instance, some suites might consist almost entirely of internal space with limited exterior wall area. Oftentimes these suites do not have a clearly defined exterior façade which makes it difficult to determine permitted amount of wall signage. The subject building is unique in that the second story tenants are more retail in nature. Retail uses rely much more heavily on sign exposure than an office use would to promote its location. In addition, due to the building's location and orientation a free-standing sign would be difficult to locate on the site as presently developed. The Old Town Overlay District standards require the building to be located at the front of the parcel with parking in the rear.

The City of Suwanee's Zoning Ordinance grants the Zoning Board of Appeals the authority to grant variances. According to Section 2006 of the Ordinance, the Board is authorized to grant variances when literal enforcement of the Ordinance will result in unnecessary hardship to a property owner. The zoning ordinance also states that variances may be granted when, "Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of the Zoning Ordinance." The subject property is unique since it was built to Old Town Overlay standards and is being used by businesses more retail in nature. Approving a variance in this case would not undermine the intent of the Zoning Ordinance.

In conclusion, the subject property does have hardship by virtue of its unique qualities. It is constructed in a way that limits the use of a free-standing sign. The uses occupying the second floor of the building are more retail in nature. In addition, the building is constructed in a way where exterior wall space is easily definable in order to calculate permitted wall signage allowances. Approval of a variance, in this case, would not cause substantial detriment to the public good nor impair the purposes or intent of the Zoning Ordinance. Therefore, the Planning Department recommends **APPROVAL WITH CONDITIONS** of V-2012-004.

Planning Department  
Recommended Conditions

The Planning Department recommends approval of **V-2012-004** to allow wall signage for second story tenants:

1. Wall signage shall be limited to a maximum of 5% of wall area where sign is affixed measured by using the leasable exterior wall area per business, not to exceed 200 square feet.
2. Only individual tenant space with an exterior wall located directly adjacent to Buford Highway shall be permitted to have wall signage.
3. Wall signs shall be permitted within the area indicated on Exhibit 'C'. Walls signs shall be centered within the permitted area of the tenant space's exterior wall.
4. Internally illuminated wall signs shall be prohibited. Externally illuminated and back lit wall signs shall be allowed.

## **Standards for Consideration**

**Pursuant to Section 2009A of the City of Suwanee Zoning Ordinance, the City finds the following standards are relevant in considering all applications for a Variance.**

- A. Will approval of these variances unreasonably increase the congestion in public streets?**

Approval of this variance would not increase the congestion in public streets.

- B. Will approval increase the danger of fire or endanger public safety?**

Approval of this variance would not increase the danger of fire or endanger public safety.

- C. Will approval unreasonably diminish or impair established property values within the surrounding area?**

Approval of this variance would not unreasonably diminish or impair property values within the surrounding area.

- D. Will approval in any other aspect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City?**

Approval of variance V-2012-004 would not impair the public health, safety, comfort, morals, or welfare.

**APPLICATION FOR VARIANCE FROM THE  
CITY OF SUWANEE ZONING BOARD OF APPEALS**

Please complete this application and submit with all necessary attachments as stated on the Variance Information Form (please type or print)

**APPLICANT INFORMATION**

Name: Brian C Barnard  
Address: P.O. Box 924107  
City: Norcross  
State: Georgia  
Phone: 404-886-0948

**OWNER INFORMATION**

Name: Old Towne Enterprises LLC / Brian C Barnard  
Address: P.O. Box 924107  
City: Norcross  
State: Georgia  
Phone: 404-886-0948

CONTACT PERSON: Brian C Barnard

PHONE: 404-886-0948

ADDRESS OF PROPERTY 425 Buford Hwy

LAND DISTRICT 7<sup>th</sup> LAND LOT 236 PARCEL R7236-015 LOT

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) Shops of Olde Towne

ZONING OTCD

VARIANCE REQUESTED signage for second floor retail tenants to allow them to advertise their location.

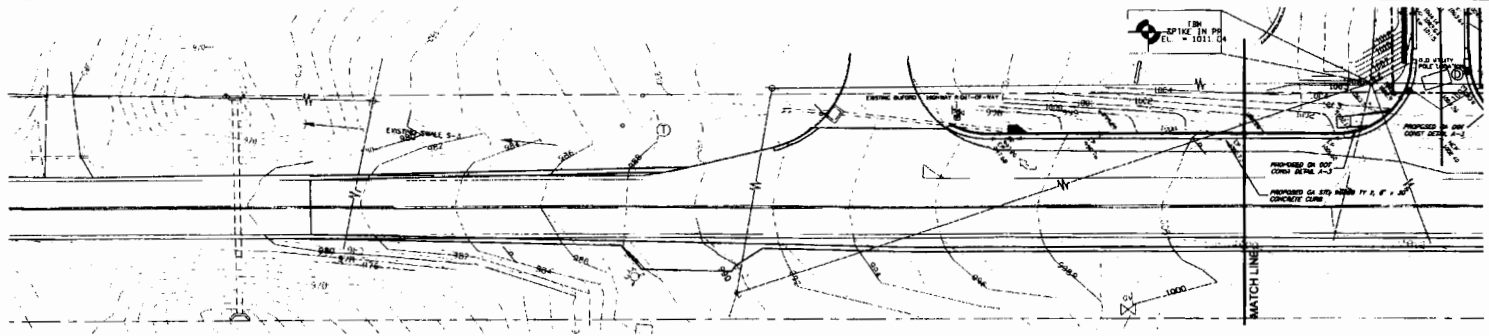
NEED FOR VARIANCE So retail tenants that currently occupy 2nd floor retail space and all future tenants that will occupy 2<sup>nd</sup> floor have the opportunity to place signage for their respective bussiness facing Buford Hwy.

**\*A VARIANCE FROM A CONDITION OF ZONING CANNOT BE ACCEPTED.  
SECTION 2007, APPLICANT AND/OR A REPRESENTATIVE.**

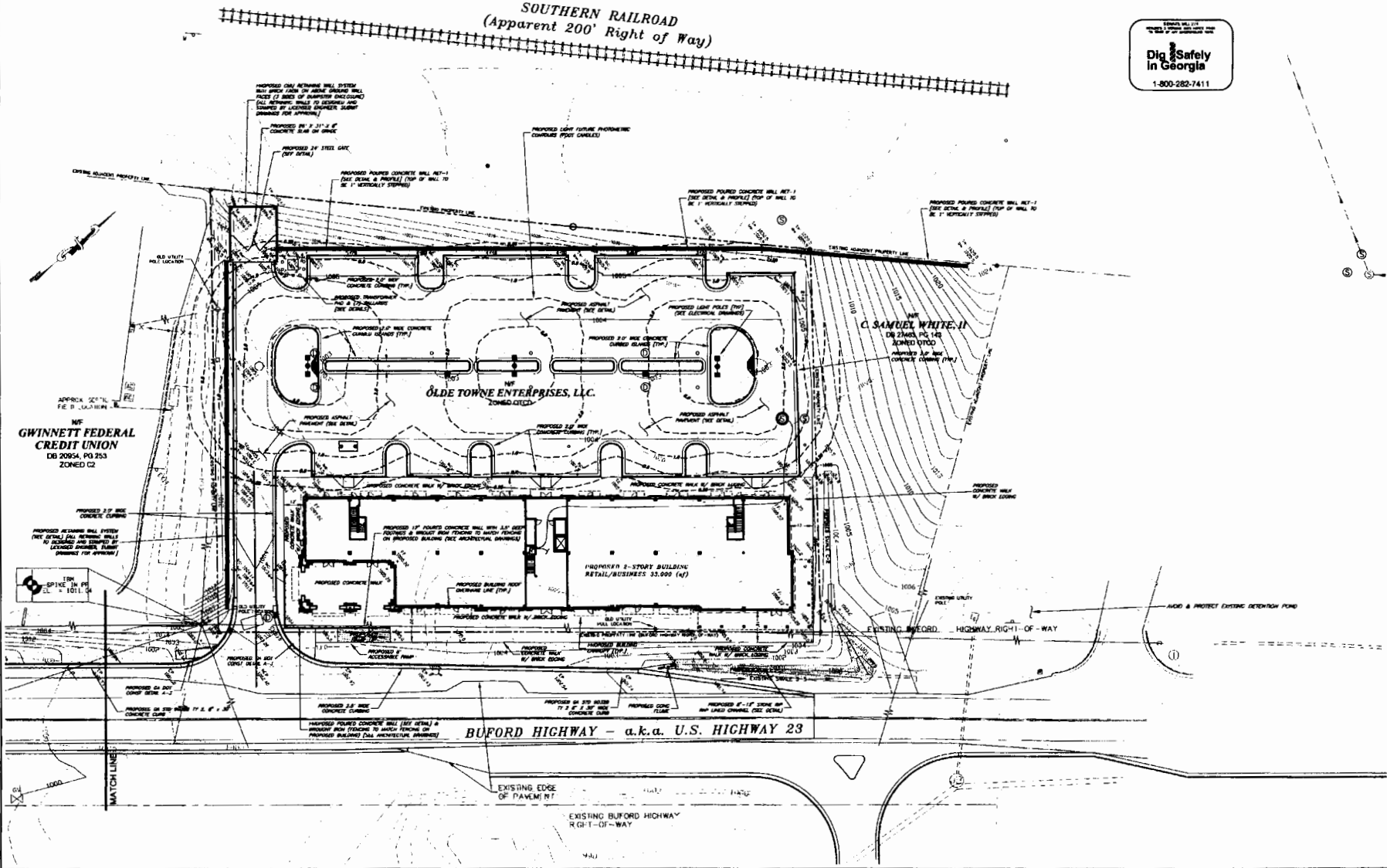
**\*\*\*The property owner, applicant and /or a representative thereof shall be present at all meetings of the Zoning Board of Appeals, Planning Commission and/or Mayor and Council at which official action is requested on any variance or application for amendment. The failure of the property owner, applicant and/or a representative to attend such meetings shall result in the denial of said variance or application for amendment.**

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- NOTES:**
- 1) ALL PAVING & DRIVE AREAS TO ASPHALT PAVED (SEE DETAIL)
  - 2) EDGE OF ALL ISLANDS & PAVEMENT TO BE CONCRETE CURBED. (PROPOSED CURBING WITHIN THE PROPOSED FINISHED 10' SHALL BE 2" IN WIDTH. PROPOSED CURBING WITHIN THE 10' SHALL BE 2.5" IN WIDTH)
  - 3) ALL PROPOSED NEW LIGHT POLE BUSES TO BE SUPPLIED BY ELECTRICAL CONTRACTOR AND SHALL BE SIGNAL CONTRACTOR
  - 4) CITY OF GWINNETT ASSUMES RESPONSIBILITY FOR OVERLAP OR REDUNDANCY OF UTILITIES. AN OFFICIAL CORNER RECORDS THE EXISTENCE OF THE STREET RIGHT-OF-WAY OR FOR THE REDUNDANCY OF UTILITIES RECORDS THE EXISTENCE OF THE APPROVED AND RECORDED PLANS. CITY OF GWINNETT DOES NOT ASSUME RESPONSIBILITY FOR THE REDUNDANCY OF THESE UTILITIES EXISTING BEYOND THE STREET RIGHT-OF-WAY.
  - 5) NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A 100 YEAR FLOOD PLAIN AS SHOWN ON THE FEMA 500-A JUNE 2003 A DATED JUNE 1, 1997
  - 6) REMEDIATION OF ANY AND ALL SOILS SHALL BE PERFORMED BY A PROFESSIONAL ENGINEER AS REQUIRED BY A PROFESSIONAL GEOLOGICAL ENGINEER OR AS DETERMINED BY THE SHALL BE THE
  - 7) DRAINAGE POND, CONCRETE CURB, UNDERPASS AND TEMPORARY REMEDIATION POND FEATURES ARE TO BE CONSTRUCTED AND FULLY OPERATIONAL PRIOR TO ANY OTHER CONSTRUCTION OR GRADING
  - 8) DEVELOPER TO OBTAIN AND MAINTAIN ALL NECESSARY PERMITS AT ALL TIMES OF CONSTRUCTION THESE CONCEPTS ARE TO BE ESTABLISHED
  - 9) PROPOSED REMEDIATION POND, UNDERPASS AND TEMPORARY REMEDIATION POND FEATURES SHALL BE CONSTRUCTED AND FULLY OPERATIONAL PRIOR TO ANY OTHER CONSTRUCTION OR GRADING. ALL REMEDIATION SHALL BE DESIGNED AND CONSTRUCTED BY LICENSED ENGINEER. (SEE ARCHITECTURAL DRAWINGS)
  - 10) THE SOURCE OF TOPOGRAPHIC AND REFERENCE DATA SHOWN HEREIN IS NAVD-83



**SOUTHERN RAILROAD**  
(Apparent 200' Right of Way)



<p>DATE: 08/14/2013          TIME: 10:00 AM          DRAWN BY: J. S. WILSON          CHECKED BY: J. S. WILSON          SCALE: AS SHOWN          SHEET NO.: 103</p>	
<p><b>CUDA</b>          CIVIL &amp; UTILITY DESIGN ASSOCIATES, INC.          1000 W. BUCKLEBOURNE DRIVE, SUITE 100          ALPHARETTA, GA 30201          (770) 462-1100</p>	
<p><b>THE SLOTTES AT OLDE TOWNE SUWANEE</b>          10000 SUWANEE ROAD, SUWANEE, GA 30066          C. S. WILSON, P.E., P.L.L.C.</p>	
<p>DATE: 08/14/2013          TIME: 10:00 AM          DRAWN BY: J. S. WILSON          CHECKED BY: J. S. WILSON          SCALE: AS SHOWN          SHEET NO.: 103</p>	<p>DATE: 08/14/2013          TIME: 10:00 AM          DRAWN BY: J. S. WILSON          CHECKED BY: J. S. WILSON          SCALE: AS SHOWN          SHEET NO.: 103</p>

## Sign Specifications

Tenant shall provide a .063 gauge aluminum sign blank for the front second floor of the premises for Tenant to attach their logo or sign design to, in accordance with municipal codes and restrictions. Tenant must use this exact material when installing their sign. Sign size shall not exceed 5% of Tenants exterior wall size in length or height.

SIZE: Not to exceed 5% of Tenants exterior wall by length and height

MATERIAL: .063 gauge aluminum blank

COLOR: Tenants colors and logo

Tenant may use sign company of their choice, however, signage specs must be sent to Landlord for approval prior to installation, which approval shall not be unreasonably withheld, conditioned or delayed. Sign application must have Landlord's signature before submitting.

V-2012-004



## Karate World aluminum sign

Signs overall size 33"x232.82"= 53.35 total sq.ft.

Overall building size is 20'x54'w=1080sqft. The City of Suwanee allows 5% of wall area for a maximum sign allowed 54 sqft

The sign will be built to all the landlords and the city requirements



648" - 54'

443.9 in



62.92 in

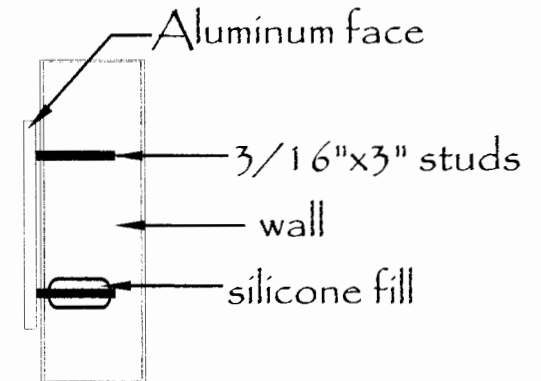
## **SIGN★A★RAMA** BUFORD

4737 Thompson Mill Road, Suite 200  
Buford, GA 30518

Ph: 770-831-9660 Fax: 770-831-9699

[www.SignaramaBuford.com](http://www.SignaramaBuford.com)

[art@SignaramaBuford.com](mailto:art@SignaramaBuford.com)



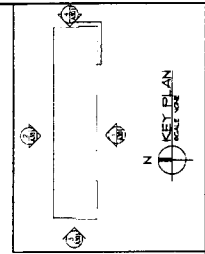
Mounting Detail  
Not to Scale

**SIGN★A★RAMA**  
BUFORD

770-831-9660

CUSTOMER: Karate World  
ADDRESS: 425 Buford Hwy  
CITY, STATE, ZIP: Suwanee, GA 30024  
JOB LOCATION: Suwanee  
JOB # 23318

TYPE OF SIGN: Aluminum sign  
FACE MATERIALS: .063 Aluminum  
COLOR FACE: White  
ILLUM: No  
CABINET: None



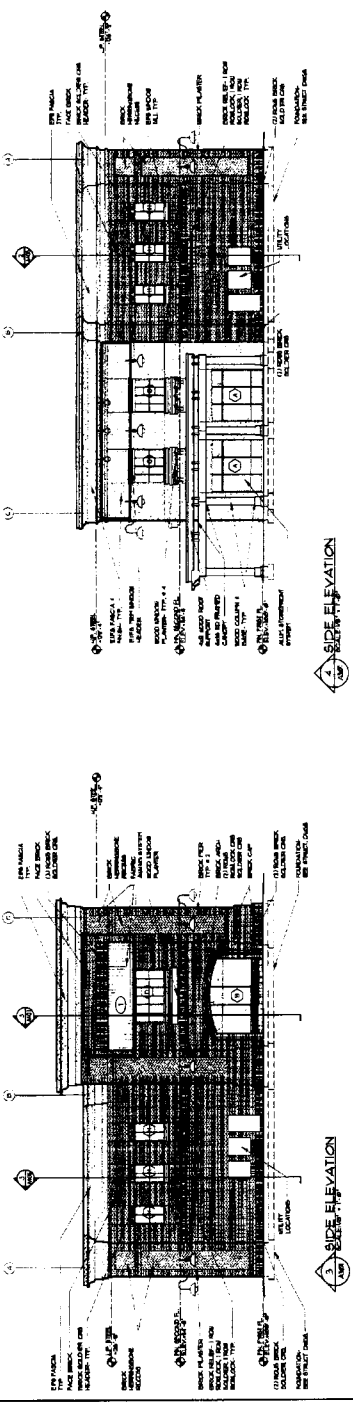
301  
A

DATE: 08/13/2008  
PROJECT: 080713000  
ELEVATIONS

THE SHOPPES AT  
OLD FOUNE SWANEE  
39 BRACE ROAD  
BLAND COUNTY, VA 24302  
DATE: 08/13/2008



ARCHITECT  
1000 W. MAIN ST. SUITE 100  
FARMERSVILLE, VA 22431  
(540) 885-1100  
WWW.PENNINGTON.COM



- NOTES:
1. MATERIALS SHOWN IN BRACKETS ARE TO BE USED IN PLACE OF THE MATERIALS SHOWN.
  2. SEE ARCHITECT'S SPECIFICATIONS FOR ALL MATERIALS.
  3. SEE ARCHITECT'S SPECIFICATIONS FOR ALL FINISHES.
  4. SEE ARCHITECT'S SPECIFICATIONS FOR ALL COLORS.
  5. SEE ARCHITECT'S SPECIFICATIONS FOR ALL SIZES.
  6. SEE ARCHITECT'S SPECIFICATIONS FOR ALL SHAPES.
  7. SEE ARCHITECT'S SPECIFICATIONS FOR ALL TYPES.
  8. SEE ARCHITECT'S SPECIFICATIONS FOR ALL GRADES.
  9. SEE ARCHITECT'S SPECIFICATIONS FOR ALL WEIGHTS.
  10. SEE ARCHITECT'S SPECIFICATIONS FOR ALL THICKNESSES.

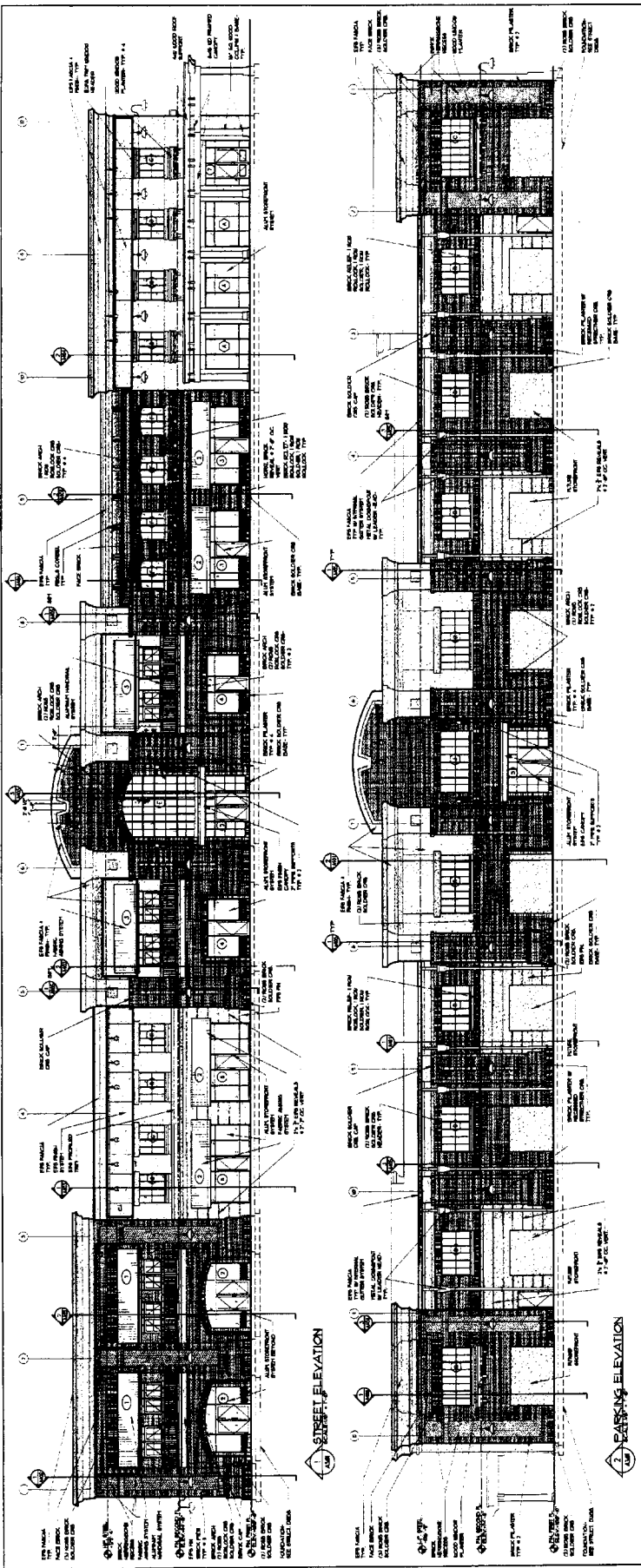


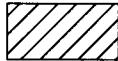


Exhibit C

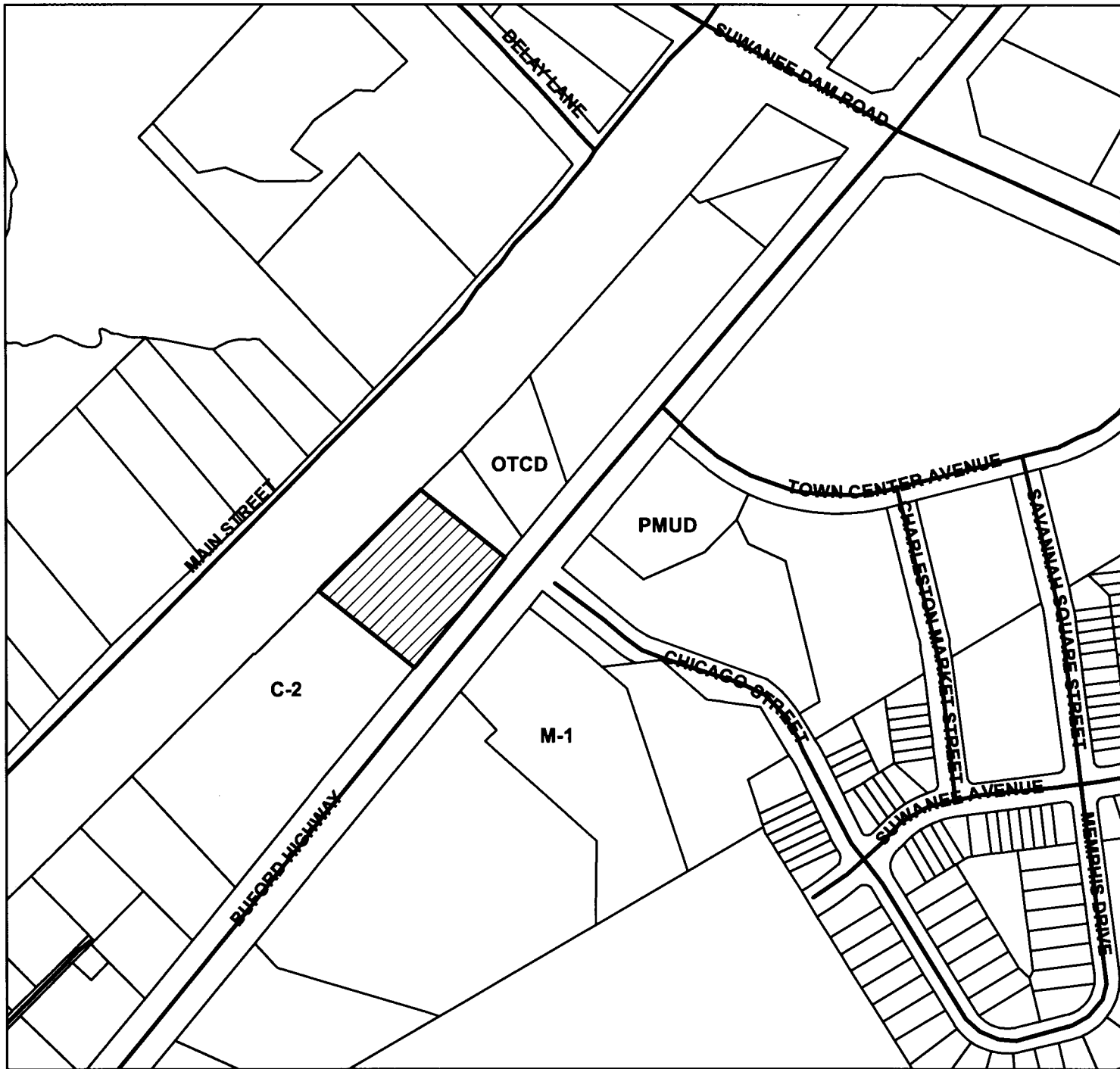
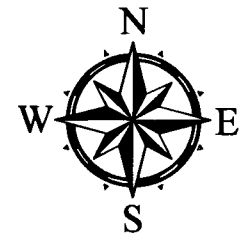


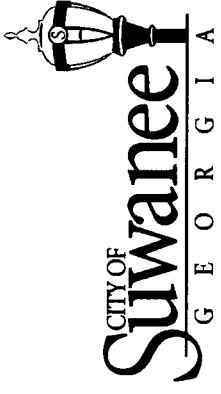
# EXHIBIT A V-2012-004

Location Map

## Legend

-  V-2012-004
-  Major Road
-  City Hall

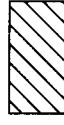




**EXHIBIT B**  
**V-2012-004**

Aerial Map

**Legend**



V-2012-004



Major Road

