

VARIANCE(S):

V-2015-002

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBER: V-2015-002
REQUEST: ADDITIONAL WALL SIGN
APPLICABLE SECTION: SECTION 1612.2.(B)
LOCATION: 340 TOWN CENTER AVENUE
DISTRICT/LAND LOT: 7-236-202
ZONING: PMUD (PLANNED MIXED-USE
DEVELOPMENT DISTRICT)

APPLICANT: SUWANEE PARK TAVERN
340 TOWN CENTER AVENUE
SUWANEE, GA 30024

OWNER: MADISON RETAIL, LLC
3448 NORTHSIDE PARKWAY
ATLANTA, GA 30327

CONTACT: CARY PURCELL
PHONE: 470-266-1516

RECOMMENDATION: APPROVAL WITH CONDITIONS

ANALYSIS:

The applicant seeks a variance from Section 1612 of the City of Suwanee Zoning Ordinance to allow for one additional wall sign in excess of the maximum number of wall signs permitted for a business in a multi-tenant building. The subject property is located at 340 Town Center Avenue at the intersection of Charleston Market Square and Town Center Avenue. The applicant is occupying the corner restaurant space previously operated as Old Towne Tavern and Grille and most recently Uptown Grille.

The subject suite is a corner suite with two road frontages. The zoning ordinance allows one wall sign per elevation. The restaurant has three canopies with signage. One canopy is over the outdoor eating area on Charleston Market Square, another is over the bar area on Town Center Avenue and the third canopy is over the entrance. The entrance faces both Charleston Market Square and Town Center Avenue. The entrance façade area must be included in one of the sides and is not considered a third side that is permitted separate signage. The applicant has decided that entrance is considered part of the Town Center Avenue façade. Therefore a sign on the entrance canopy would be the only sign allowed on Town Center Avenue.

The applicant hired a sign company to fabricate and install the signs. The sign company did not permit the signs before installing a sign on each canopy. The building inspections department noticed the signs being installed and informed the applicant that no permit had been issued. The

applicant was also notified that the signs exceeded the maximum number of signs. The applicant is requesting that the signage above the entrance and the outdoor eating area along Town Center Avenue be permitted to remain resulting in two wall signs on one road frontage. As such, a variance is required. The purpose of this requirement is to prevent the exterior of tenant spaces from being cluttered with wall signs.

As previously stated, each elevation is allowed one wall sign. The size of the wall sign is limited to 5% of the wall area upon which they are affixed. The wall area is measured by the height and width of the exterior wall of the suite. In this case, the wall facing Town Center Avenue is roughly 82 feet wide by 14.5 feet tall. This would allow a sign that is 59 square feet. The additional sign on Town Center Avenue is roughly 12 square feet. The sign over the entrance is 24 square feet. Therefore, the combined square footage of the two signs is 36 square feet which is 23 square feet less than the maximum permitted sign size.

In the past, the ZBA has approved variances for additional wall signs. The Movie Tavern (V-2011-006) and Japanese Auto Repair (V-2013-009), for example, were permitted to have an additional sign. In the case of Movie Tavern, the square footage of the additional signs was considerably less than the maximum permitted square footage. The Japanese Auto Repair variance allowed a second wall sign beyond the maximum number permitted while also exceeding the maximum copy area for wall signage. In this case the additional wall sign will not create excessive signage and because they are on separate walls they should not create a cluttered appearance.

The subject property is zoned PMUD and is part of the Town Center Planned Mixed Use Development. In addition to the approved rezoning conditions, the buildings in the PMUD have private covenants that regulate the type of signage the businesses can have. It should be noted that the signs that were installed meet those covenant standards and fits the character of the overall development.

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. A variance may be granted if the conditions are unique to the property and/or are unlikely to cause substantial detriment to the public good or if the variance will not undermine the intent of the zoning ordinance. In addition, a variance may be granted when such conditions are not the result of any actions of the property owner.

In conclusion, the two signs on Town Center Avenue, while exceeding the number of signs allowed, is still under the maximum permitted square footage. The signs are high quality and are in character with the other signs along Town Center Avenue. The additional sign does not clutter the exterior wall of the tenant space. As such, staff recommends **APPROVAL WITH CONDITIONS** of V-2015-002

Planning Department
Recommended Conditions
V-2015-002

If the Zoning Board of Appeals wishes to approve the variance request to allow for an additional wall sign, the following conditions are recommended:

1. The applicant shall obtain a sign permit from the City of Suwanee for the additional sign.
2. No additional wall signage shall be permitted on any side of the building.
3. The additional sign shall not exceed 12 square feet and shall only be permitted in its current location.

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 the variance 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 the 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 this variance, with the appropriate conditions 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: Suwanee Park Tavern
Address: 340 Town Center Ave
City: Suwanee
State: GA. 30024
Phone: (478) 266-1516
E-mail address: caryp10@yahoo.com

OWNER INFORMATION

Name Chase Jeral / Madison Retail, LLC
Address 3445 Northside Pkwy / Suite 500
City: Atlanta
State GA.
Phone: 770-918-4130

CONTACT PERSON: Cary Porcell PHONE: _____
ADDRESS OF PROPERTY 340 Town Center Ave.

LAND DISTRICT _____ LAND LOT _____ PARCEL _____ LOT _____
SUBDIVISION OR PROJECT NAME (IF APPLICABLE) _____
ZONING _____

VARIANCE REQUESTED 3rd sign corner building -
Needing to place 2 signs on 1 side of building

NEED FOR VARIANCE Code only allows 1 sign - because
we're a corner building needing a sign above
front doors as well as street side.

***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.**

APPLICANT CERTIFICATION

The undersigned below is authorized to make this application and is aware that an application or re-application for the same type of variance affecting the same land or any portion thereof shall not be acted upon within twelve (12) months from the date of last action by the Board of Appeals, unless waived by the Board of Appeals. An application or reapplication shall not be acted upon in less than (6) months from the date of the last action by the Board of Appeals.



Ronda Oakley 1.16.15
Signature of Applicant Date

ETHONYA DIAKIELS
Typed or Printed Name and Title

[Signature] 1-16-15
Signature of Notary Public Date

Notary Seal

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of Variance affecting the same land or any portion thereof shall not be acted upon within twelve (12) months from the date of last action by the Board of Appeals unless waived by the Board of Appeals. An application or reapplication shall not be acted upon in less than six (6) months from the date of the last action by the Board of Appeals.



[Signature] 1-16-15
Signature of Applicant Date

Chase Jeral / Private of Property Mgr
Typed or Printed Name and Title

[Signature] 1-16-15
Signature of Notary Public Date

Notary Seal

DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY

Case Number _____	Variance _____	Administrative _____
Date Rec'd _____	Rec'd By _____	Hearing Date _____
Amount Rec'd _____	Receipt _____	

ACTION TAKEN _____

SIGNATURE _____ DATE: _____

U-2015-002



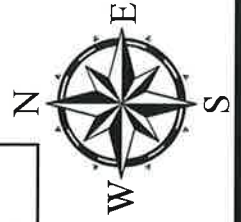
V-2015-002





EXHIBIT A V-2015-002

Location Map



	V-2015-002
	Road
ZONING	
	OTCD
	C-1
	C-2
	M-1
	O-1
	PMUD
	R-140
	R-100

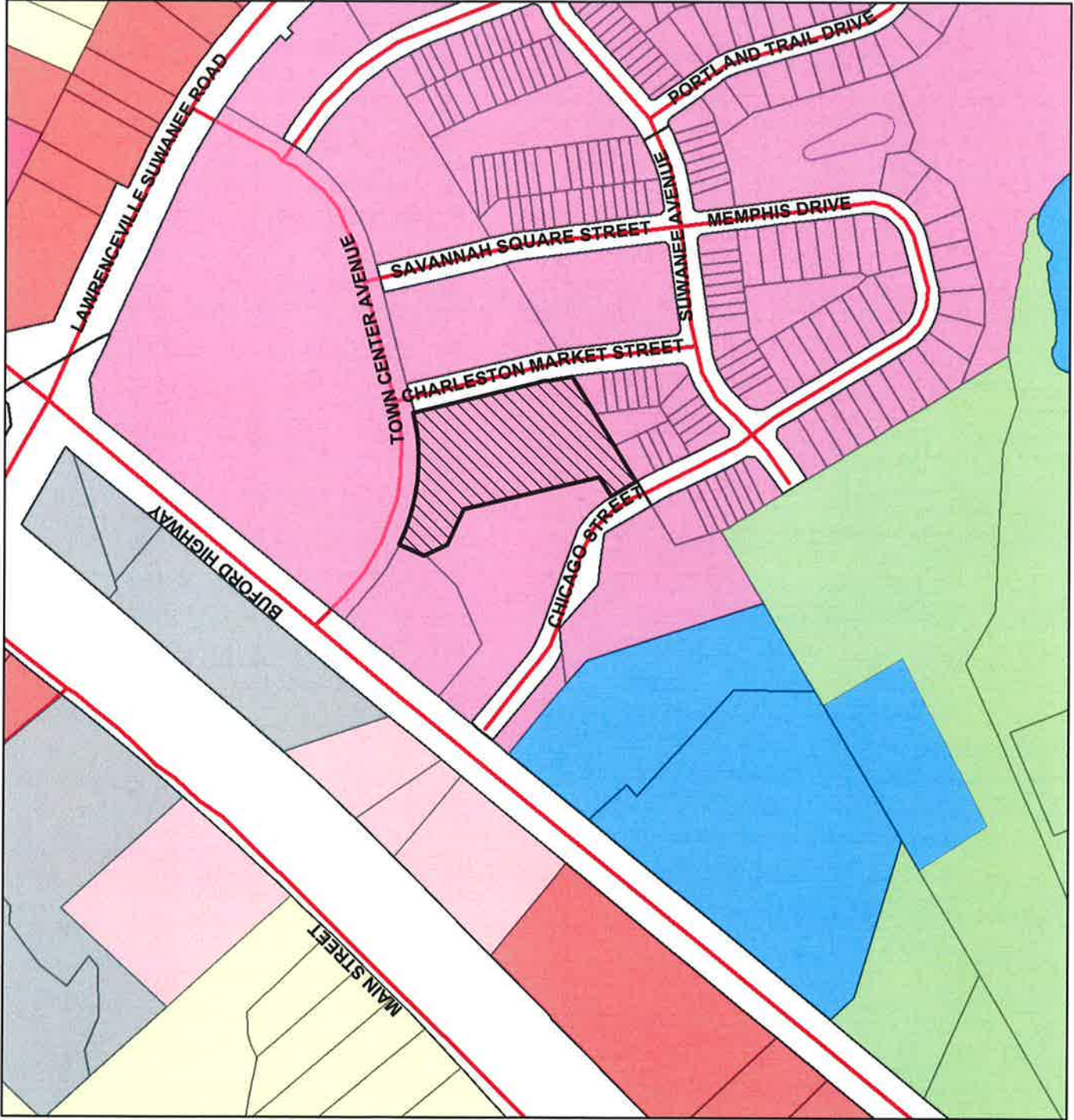






EXHIBIT B V-2015-002

Aerial Map

Legend

-  V-2015-002
-  Road

