

VARIANCE(S):

V-2015-006

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBER: V-2015-006
REQUESTS: ADDITIONAL WALL SIGN
APPLICABLE SECTION: SECTION 1612.C(3)b.
LOCATION: 1039 PEACHTREE IND. BOULEVARD
DISTRICT/LAND LOT: 7-238-094
ZONING: C-2A (GENERAL COMMERCIAL –
ALCOHOL DISTRICT)

APPLICANT: UDAY PARIKH
1039 PEACHTREE IND. BOULEVARD
SUWANEE, GA 30024

OWNER: JO SUNG REE, LLC
1 TERRACE ROAD
WESTON, MA 02493

CONTACT: UDAY PARIKH
PHONE: 770-614-3232

RECOMMENDATION: **APPROVAL WITH CONDITIONS**

ANALYSIS:

The applicant requests a variance from Section 1612 of the City of Suwanee Zoning Ordinance to allow for an additional wall sign in excess of the maximum number of wall signs permitted for a business in a multi-tenant building. The applicant's business is an existing dentist office which recently expanded and now occupies two internally connected, adjacent suites within The Shops at Moore Road, a multi-tenant shopping center. The applicant has a sign located above the entrance of the original suite and subsequently applied for and was granted a permit for a sign to be installed above the entrance of the suite into which the business expanded. It was understood that the old sign would be removed, but the applicant is requesting to have the original sign remain.

In multi-tenant shopping centers, each tenant is allowed one wall sign per exterior wall and that sign may not exceed 5 percent of the wall space of the wall on which it was placed. Section 1612 of the Zoning Ordinance regulates wall signage in a planned multi-tenant shopping center. Section 1612(C)3.b states:

Signs for individual tenants within planned commercial, industrial, office, and shopping centers:

Maximum Size per sign allowed: maximum of 5% of wall area per business,

measured by using the leasable exterior wall area per business. Maximum of 200 square feet per sign.

Number and Type permitted: One (1) per wall per business.

The applicant now has 2 signs located on the same exterior wall (the front). As such a variance is required in order to keep both of the signs.

The wall area for the front wall of the business is 1,440 (48' x 30') square feet which entitles the applicant to a single sign totaling approximately 72 square feet. This square footage represents the wall area for the front wall of the two suites. The original sign is 22 square feet and the new sign is 49 square feet. Combined the 2 signs total 71 square feet. The two signs do not exceed the maximum square footage of allowed signage for the front wall.

The business is located on the highly commercialized Peachtree Industrial Boulevard. Commercial uses are located to the north and south of the subject property, as well as to the east, across Peachtree Industrial Boulevard. However, there are nearby residential uses to the west of the subject property along both sides of Moore Road.

As previously mentioned, the applicant occupies two suites of a multi-tenant shopping center building. Until recently, the applicant's dental practice occupied one suite with a 22 square foot sign. In 2015, the practice expanded into the adjacent suite. The lobby and entrance to the practice is accessed via the new suite door. In April 2015, the applicant applied for a sign permit to install a new sign over the new entrance to the practice. The existing signage was to be removed so that the dental practice would be in compliance with the zoning code. The applicant is requesting to be allowed to keep the original sign over the former entrance to the office.

If each of the subject suites were its own business the signs that the applicant has installed would both be in compliance with the zoning ordinance. The facades of the two adjacent suites occupied by the applicant are not flush with one another because one is fronted by an arcade that protrudes out from the main building. This creates the appearance of 2 distinctly separate tenant spaces. One wall sign for the business would give the appearance that one space is filled while the other is vacant.

There are a number of windows located high on the front façade intended to give the appearance that it is a 2 story building. These architectural elements impact the ability to install a 72 square foot sign, which the applicant would be entitled to, in a manner that would be aesthetically appropriate. Because of the architectural features of the building the use of 2 signs as currently situated is more aesthetically appropriate.

The City'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 would not cause substantial detriment to the public good nor impair the purposes or intent of the Zoning Ordinance.

In conclusion, in this case, strict application of the sign regulations would result in one of 2 less aesthetically appealing scenarios: 1) a single larger sign, that covers important architectural features (the faux windows), looks out scale with all the other signs in the shopping center, and leaves another space appearing to be vacant or 2) a single wall sign that does not impact the architectural elements, does not look out of scale, but still leaves another space appearing to be vacant. Approval of a variance in for an additional wall sign would not undermine the intent of the zoning ordinance provide the combined size of the 2 signs does not exceed 5 percent of the wall area. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of V-2015-006.

V-2015-006

Planning Department Recommendation:

Approval of a variance to allow for an additional wall sign for a tenant space subject to the following conditions:

1. The combined square footage of the two wall signs shall not exceed 72 square feet. The wall sign located on the protruding arcade shall not exceed 50 square feet. The wall sign located on the recessed front wall shall not exceed 22 square feet.
2. No additional wall signs are permitted for this combination of suites.

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 the variance would not impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

**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: UDAY PARIKH
Address: 1039 Peachtree Ind. Blvd A116
City: Suwanee
State: GA
Phone: 770 614 3232
E-mail address: drparikh@dentistry4you.net

OWNER INFORMATION

Name: Jeo Sandy Rec, LLC
Address: 1 Terrace Rd
City: Weston
State: MA, 02493
Phone: (603) 606-2872

CONTACT PERSON: UDAY PARIKH PHONE: _____

ADDRESS OF PROPERTY 1039 Peachtree Ind. Blvd, Ste A116, Suwanee, GA

LAND DISTRICT _____ LAND LOT _____ PARCEL _____ LOT _____

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) _____

ZONING C2A

VARIANCE REQUESTED ADDITIONAL WALL SIGN

NEED FOR VARIANCE _____

***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.**

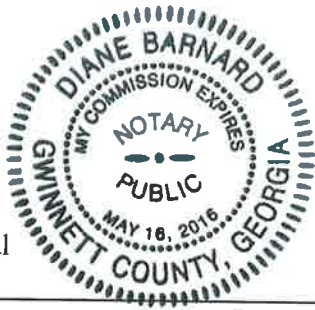
APPLICANT CERTIFICATION

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.

Uday Parikh 10/9/15
Signature of Applicant Date

UDAY PARIKH
Typed or Printed Name and Title

Diane Barnard 10/9/15
Signature of Notary Public Date



Notary Seal

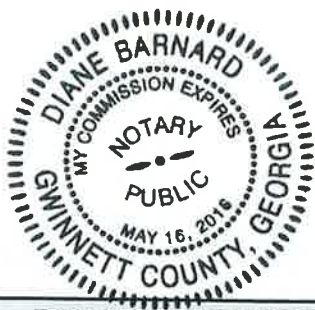
PROPERTY OWNER CERTIFICATION

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.

Philip Hollier 10-09-15
Signature of Applicant Date

PHILIP HOLLIER AS AGENT FOR TED SONGS REE, L
Typed or Printed Name and Title

Diane Barnard 10-9-15
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: _____

Uday Parikh DDS
Shetal Parikh DDS

Dear City Official,

Our dental office has been at this location in Suwanee since 2007. Suwanee and the surrounding areas have seen tremendous growth in the last decade and so has our dental office. We have been active in the community, local schools and Gwinnett Chamber and were recipient of Pinnacle Award from Gwinnett Chamber in 2014. In order to serve our patients better we expanded our office to the next door suite recently. This allows us to offer more services and have other specialties come to our office and be a one stop place for all the patient's dental needs.

We were informed verbally by a city of Suwanee building permit official that we are to remove one of the signs from the front of the building. When we invested in the new sign, on the new suite where we expanded into, we were told it was okay and were approved to have both signs as the rule states 'one wall sign per wall elevation'. I have attached the picture to show how the front of the building has two separate elevations. Each sign fits the required criteria of the respective suite. Most of our patients only know the older side of the office and removal of it will create a big confusion. The new sign is made to reflect the other services that we have added and to guide them to a second entrance that they could use.

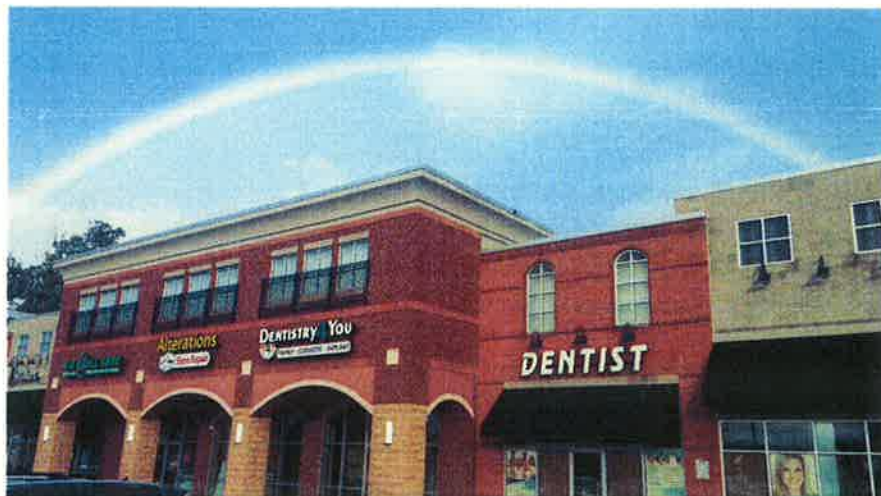
Each suite has its separate utility bills for water, gas and electric. We would ask that you kindly reconsider the decision to have this original sign removed from the front of the building.

Thank you.

With Regards,



Dr. Uday Parikh



Proud Recipient of

Gwinnett Chamber
PINNACLE
BUSINESS AWARDS



Exhibit A

V-2015-006

Legend

- V-2015-006
- Property Lines
- Streets
- City Limits

Zoning Districts

- C-2
- C-2A
- C-3
- O-I
- R-85
- R-75
- RM-8

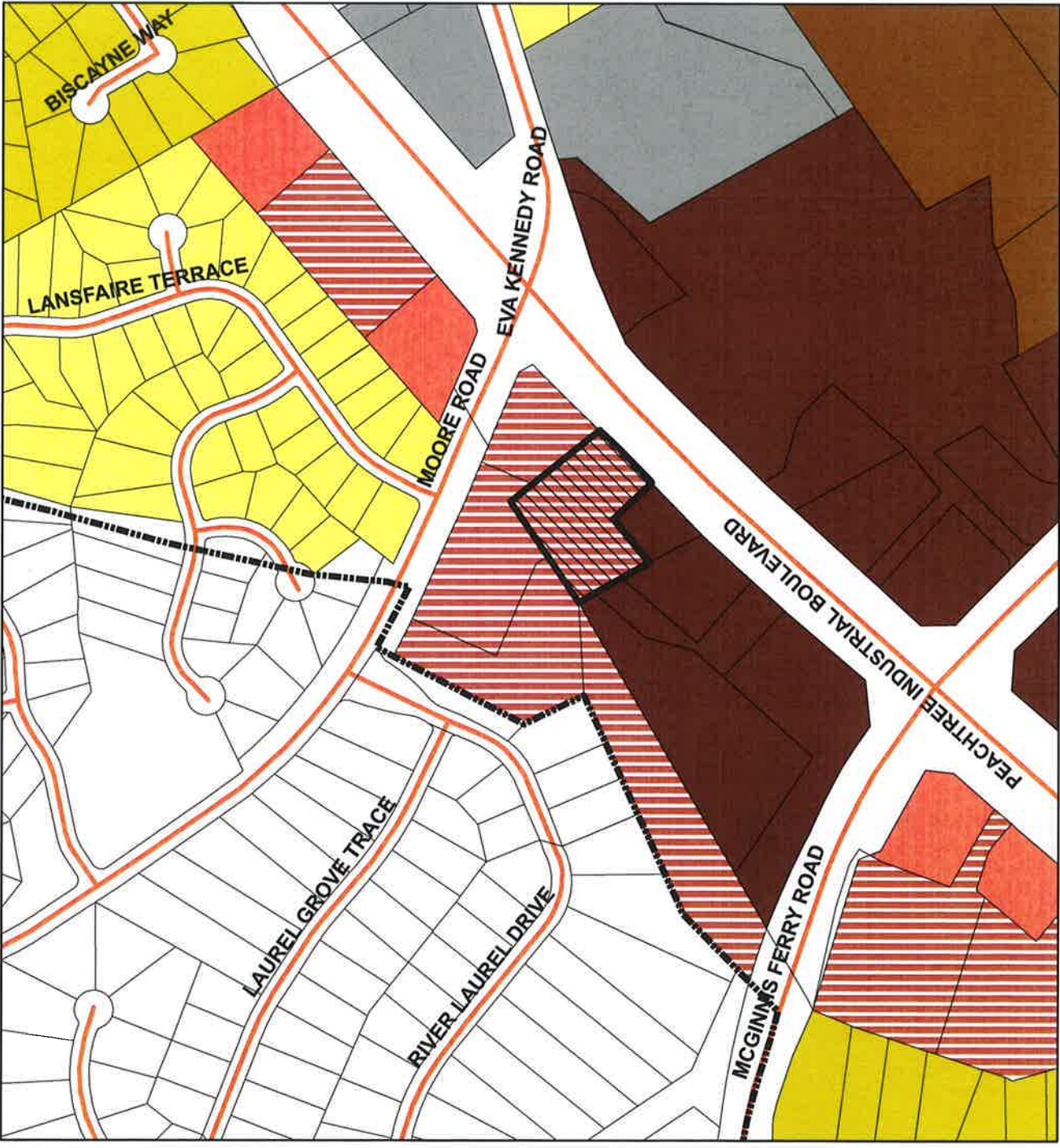
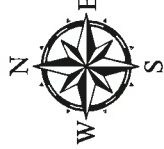







Exhibit B V-2015-006

Legend

-  V-2015-006
-  Property Lines
-  Streets

