

**CITY OF SUWANEE
VARIANCE ANALYSES**

CASE NUMBER: V-2007-020 and V-2007-021
REQUESTS: EXCEED MAXIMUM SQUARE FOOTAGE FOR
TWO WALL SIGNS
APPLICABLE SECTION: SECTION 1612.C(3)b
LOCATION: 3886 LAWRENCEVILLE-SUWANEE ROAD
DISTRICT/LAND LOT: 7-212-188
ZONING: PMUD (PLANNED MIXED USE
DEVELOPMENT DISTRICT)
DEVELOPMENT: WALL SIGN FOR EXISTING TENANT SPACE

APPLICANT: PEDRO PIEDRA
3886 LAWRENCEVILLE-SUWANEE ROAD
SUWANEE, GA

OWNER: JOHN KARWITZ
4725 PEACHTREE CORNER CIRCLE
NORCROSS, GA

CONTACT: PEDRO PIEDRA PHONE: 770495-5008

RECOMMENDATION: APPROVAL WITH CONDITIONS

ANALYSIS:

The applicant seeks two variances from Section 1612 of the City of Suwanee Zoning Ordinance to allow for two walls sign each in excess of the maximum allowed wall signage. The tenant space occupies the entire second floor of a two story building. The applicant is seeking the variance to allow for two approximately 75 square foot wall sign on two separate walls for a tenant in a multi-tenant building. The subject property is located at the entrance to the Shadowbrook mixed-use project (zoned PMUD) at the corner of Lawrenceville-Suwanee Road and Suwanee Avenue. The space is accessed through a common entry door shared by two other tenant spaces on the first floor. The tenant space is located in one of two buildings on a 1.4 acre site accessed via a right-in/right-out drive off Lawrenceville-Suwanee Road, an exit only drive off Suwanee Avenue, and a full access drive and exit only drive off Boston Common Street.

The applicant installed the sign thru the permitting process meeting the requirements for an individual establishment on an individual lot. The ordinance defines an individual establishment as, " a non-residential structure containing an office, business, store, shop, institution, or groups thereof where the primary access point for the employees, tenants and customers is by a collective entryway instead of individual doorways to the outside. This includes buildings with multiple tenants provided the buildings principal means of access is provided by common entry points." When the sign was submitted for review it appeared that user would be occupying the entire building. Therefore, when the applicant applied for the sign permits it appeared the signs were for an individual establishment on an individual lot, which means the size of the signs

would be based on the dimensions of the wall of the building. Section 1612.C(2)b. regulates the size of wall signage for an individual establishment on individual lot. It limits the size of these wall signs to a, "maximum of 5% of wall area where sign is affixed, not to exceed 200 square feet of sign/copy area". The wall area of the building is 1800 (30' x 60') square feet. This means as an individual establishment the maximum size for a sign on each wall would be 90 square feet.

However, when the sign was installed and inspected it was noted that the applicant was a tenant in a multi-tenant building with independent exterior access for each tenant space. As such, the location is required to comply with the requirements for a tenant space in a multi-tenant shopping center. Section 1612.C(3)b. of the Zoning Ordinance regulates the size of wall signage for a tenant in a multi-tenant building. The size of the sign is limited to a maximum of 5 percent of the wall area per business, measured by using the leasable exterior wall per business. The area of the exterior leasable walls for the proposed signs are 1,080 square feet each, which means they would be allowed a maximum of 54 square feet for each of tenant wall sign. The area of each sign is approximately 74.2 square feet. This area is determined by the measure of the smallest rectangle that contains the entire message. As such, in order to keep the signs variances are necessary.

The subject property is located on Lawrenceville-Suwanee Road in a mixed use environment. To the north of the subject property is an undeveloped parcel that is part of the Town Center development. The property is zoned PMUD, but is likely to be developed with primarily commercial uses. To the east of the subject property, across Lawrenceville-Suwanee Road, is a project currently under development with a bank, zoned OTCD (Old Town Commercial District). To the south of the subject property, across Suwanee Avenue, and the west, across Boston Common Street, are townhouses that are part of the Shadowbrook neighborhood, zoned PMUD.

The building is an unusual design, with a common entrance for all three tenant spaces, plus individual access for the two tenant spaces on the first floor. This apparently created some confusion on the part of both the application and the City. The applicant notes that although each sign has an area of 74.2 square feet the sign only covers approximately 53 square feet.

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, although the subject property does not have a situation which rises to the level of hardship, the building is unusual. It appears the unusual configuration did contribute to some confusion during the permitting process. While there is no true hardship, because the confusion during the process contributed to the installation of the non-conforming sign it could be appropriate to allow the signs provided conditions are included to mitigate the impact of the larger signs. As such, staff recommends **APPROVAL WITH CONDITIONS** of V-2007-020 and V-2007-021.

Planning Department Recommendation

V-2007-020

Approval of a variance to allow a wall sign in excess of the maximum allow size on the north face Building B (as identified on the submitted site plan) subject to the following conditions:

1. The total square footage of the wall sign shall not exceed 74.2 square feet.
2. The sign shall be located on the building approximately as shown on the submitted variance exhibit.
3. No wall signage shall be permitted on the eastern face of Building B, as identified on the submitted variance exhibit.

V-2007-021

Approval of a variance to allow a wall sign in excess of the maximum allow size on the south face Building B (as identified on the submitted site plan) subject to the following conditions:

1. The total square footage of the wall sign shall not exceed 74.2 square feet.
2. The sign shall be located on the building approximately as shown on the submitted variance exhibit.
3. No wall signage shall be permitted on the western face of Building B, as identified on the submitted variance exhibit.

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?**

According to Section 1609 of the Zoning Ordinance, “nonconforming signs may adversely affect the public health, safety, and welfare. Such signs may adversely affect the aesthetic characteristics of the city and may adversely affect public safety due to the visual impact of said signs on motorists and the structural characteristics of said signs.” As such, if the request is approved conditions should be included to ensure that visual impact of the larger sign is mitigated.

**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: Pedro Piedra
Address: 3886 Lawrenceville-Suwanee Rd
City: Suwanee
State: Georgia
Phone: 770-495-5008

OWNER INFORMATION

Name: John Karwitz
Address: 4725 Peachtree Corners Circle
City: Norcross
State: Georgia
Phone: (770) 446-1500

CONTACT PERSON: Pedro Piedra

PHONE: (770) 495-5008

ADDRESS OF PROPERTY 3886 Lawrenceville Suwanee Rd Ste 200

LAND DISTRICT _____ LAND LOT _____ PARCEL _____ LOT _____

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) _____

ZONING _____

VARIANCE REQUESTED The sign when squared off is 74.17 sq. ft.
The allowed is 5% of a wall that is 1080 sq. ft.,
or 54 sq. ft.

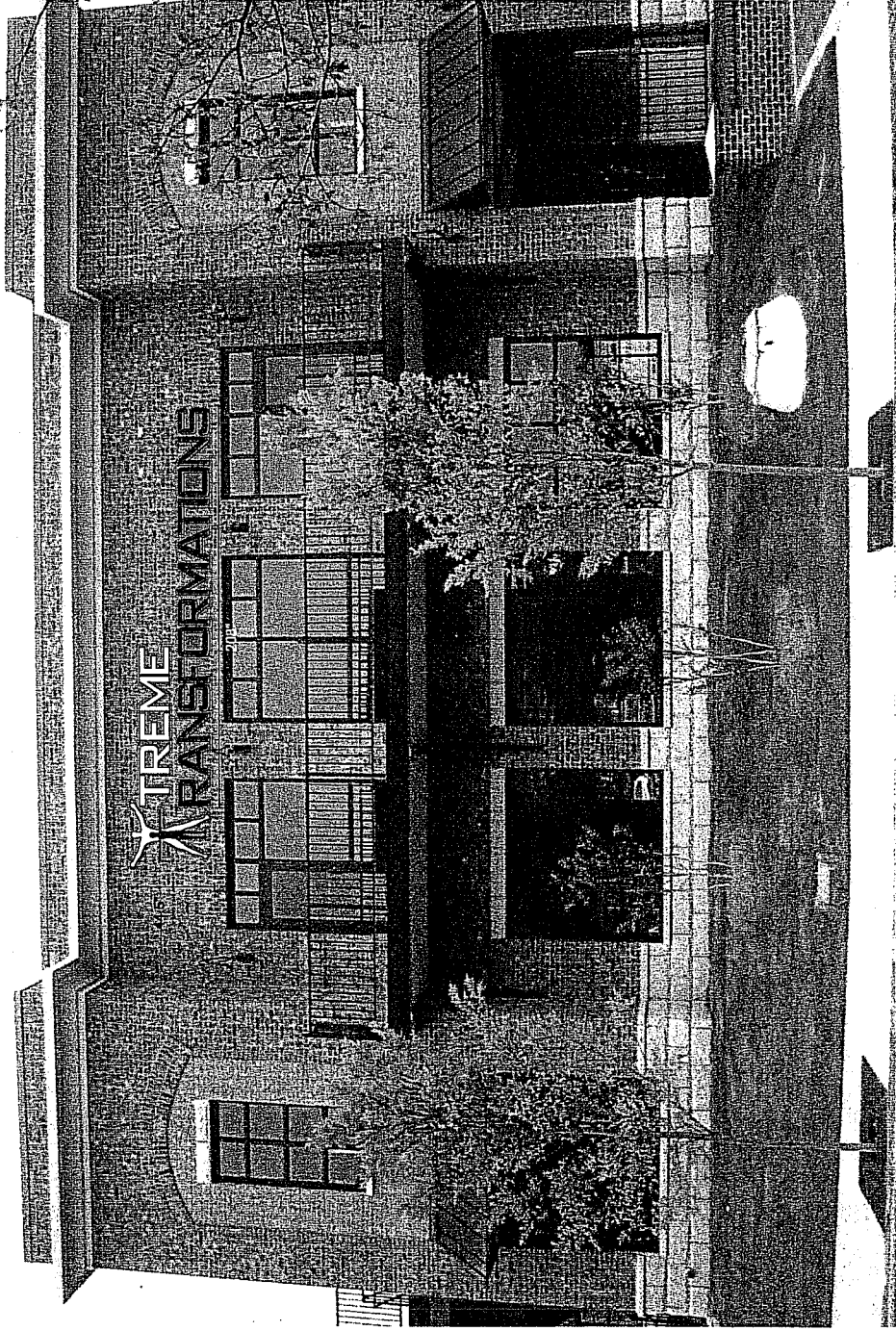
NEED FOR VARIANCE The area measurements of the sign, when
squared off, exceeds the allowed 5% wall space.
The actual wall coverage of the sign is only 52.39 sq
which is still within the allowed 5% of wall space.
The sign has already been manufactured and installed

***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.**

V-2007-020 and V-2007-021

1/8" = 1ft



18'

60'

Xtreme Transformations
 2730 Peachtree Industrial Blvd, Suite 203
 Duluth, GA 30097

Manufacture and install
 (1) set of internally illuminated channel letters

DCSIGNS
 825 Carriage Lake Drive
 Lawrenceville, GA 30045
 770-655-9060

V-2007-021

1/8 = 1ft



18'

60'

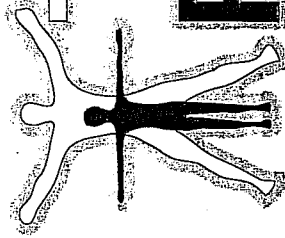
Xtreme Transformations
2730 Peachtree Industrial Blvd, Suite 203
Duluth, GA 30097

DCSIGNS
825 Carriage Lake Drive
Lawrenceville, GA 30045
770-655-9060

V. 2007 02/04/07

52.39 sq. ft.

117"



TRENME

19"

44.5"

TRANSFORMATIONS

19"

240"



CITY OF SUWANEE

373 Highway 23
Suwanee, GA 30024
770-945-8996 (phone)
770-945-2792 (fax)

Permit No. SG2007-123

SIGN PERMIT

FEE \$ 75.00

DATE PROCESSED 8/8/07

PROPERTY INFORMATION

DISTRICT: 7 LAND LOT 212 PARCEL _____
ADDRESS OF SIGN LOCATION 3886 Lawrenceville Suwanee Road
BUSINESS NAME Xtreme Transformations
BUSINESS OWNER NAME Pete Piedra
BUSINESS OWNER ADDRESS 2730 Peachtree Industrial Blvd, Suite 203
CITY Duluth STATE GA ZIP 30097 PHONE 770-495-5008

SIGN CONTRACTOR INFORMATION

SIGN CONTRACTOR (COMPANY) DC Signs
CONTACT NAME Tommy Bui
ADDRESS 500 Pike Park Drive, Suite B
CITY Lawrenceville STATE GA ZIP 30045 PHONE 770-655-9060

BUILDING/LAND OWNER INFORMATION

BUILDING/LAND OWNER NAME _____
BUILDING/LAND OWNER ADDRESS _____
CITY _____ STATE _____ ZIP _____ PHONE _____

SIGN INFORMATION

NEW REPAIR ALTER ILLUMINATED GROUND WALL CANOPY TEMPORARY PERMANENT
 SINGLE FACE DOUBLE FACE Wall dimensions 30'x51' (hwx) COPY AREA SQ. FT. _____
OVERALL DIMENSIONS OF SIGN Wall sq. ft. 1530 SIGN AREA SQ. FT. 73
HEIGHT OF GROUND SIGN FROM GRADE TO BOTTOM OF SIGN _____ TOP OF SIGN _____ SIGN SET BACK FROM RIGHT OF WAY _____ FT.

This permit expires if the sign for which this permit was issued has not been completed within six (6) months after date of issuance. However, a six (6) month extension of the permit shall be granted if an additional permit fee has been paid before the expiration of the initial permit.

INSPECTION RECORD

FOOTINGS: APPROVED _____ DATE _____ REJECTED _____ DATE _____
ELECTRICAL: APPROVED _____ DATE _____ REJECTED _____ DATE _____
FINAL: APPROVED [Signature] DATE 8-27-07 REJECTED KL DATE _____
COMMENTS: _____

FILE - BLUE

INSPECTOR - CANARY

OWNER - GREEN

CONTRACTOR - WHITE

Revised 4-7-03 by Tammy Hiller

Permit Application

75.00

2007-123

Front of Building



Sign Permit Application

City of Suwanee • 373 Highway 23 • Suwanee, GA 30024

770/945-8996 (phone) • 770/945-2792 (fax)

www.suwanee.com

PROPERTY INFORMATION

PMUD

Please print! District: 7 Land Lot: 212 Parcel: _____
 Sign location address 3886 Lawrenceville Suwanee Rd
 Business Name Xtreme Transformation
 Business Owner Name Pete Piedra
 Business Owner Address 2730 Peachtree Ind. Blvd ste 203
 City Duluth State Ga ZIP 30097 Phone 770 495-5008

SIGN CONTRACTOR INFORMATION

Sign Contractor/Company DC Signs
 Contact Name Tommy Bui
 Address 500 Pike Park Dr ste B
 City Lawrenceville State Ga ZIP 30045 Phone 770 655-9060

SIGN INFORMATION

New single-face ground sign New double-face ground sign

***Attach site plan showing sign location for ground signs.*

Overall square footage of ground sign: _____ Square footage of copy area _____
 Height of ground sign from grade to: Bottom of sign _____ Top of sign _____
 Sign set back from right of way: _____ feet

New wall sign ***Wall sign must not exceed 5% of wall space.*

Sign sq. ft.: 73 Wall sq. ft. 1530 Wall dimensions (height x width) 30' x 51'
76'

- Attach sketch with dimensions.
- Illuminated signs must comply with City of Suwanee sign ordinance. All ground sign structures of more than 32 s.f. must have structural engineer seal on plans, and footings must be engineer-designed with seal.

Applicant signature [Signature] Date 8/2/07
 Bldg/Land Owner Signature _____ Date _____
 Business Owner Signature _____ Date _____

.....
 Application approved by Kalen Lide Date 8-7-07
 Application rejected by _____ Date _____

For the following reason(s): _____

Sign Permit Application

44.5"



240"

73'

Sign Permit Application

1/8" = 1ft



716

30'

51'

Sign Permit Application

Xtreme Transformations
 2730 Peachtree Industrial Blvd, Suite 203
 Duluth, GA 30097

Manufacture and install
 (1) set of internally illuminated channel letters

DCSIGNS
 825 Carriage Lake Drive
 Lawrenceville, GA 30045
 770-655-9060



SITE LAYOUT PLAN

SUWANEE TOWN CENTER
DAY RETAIL
 PARCEL 064
 LAND LOTS 212 & 225, DISTRICT 7
 CITY OF SUWANEE
 GWINNETT COUNTY, GEORGIA

PROJECT NO. DP-2005-012
 DRAWN: BAK, OOK, DAS
 DESIGNED: BRF
 CHECKED: JAF
 DATE: 1-14-05

C3.0
 SHEET

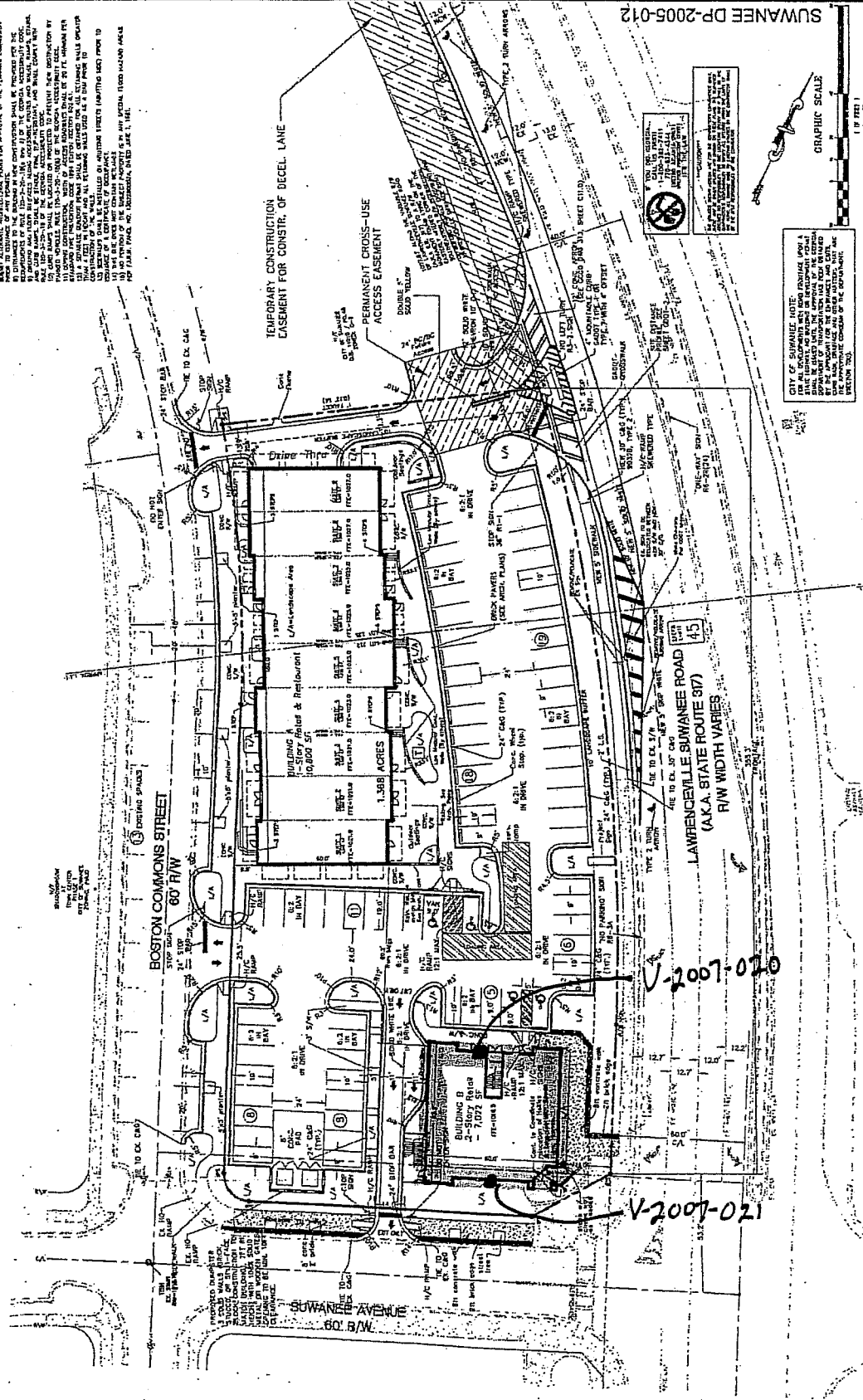
NOTES:
 1. IN ACCORDANCE WITH THE COUNTY ZONING ORDINANCE, THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE CITY OF SUWANEE'S ZONING ORDINANCE AND THE CITY OF SUWANEE'S SUBDIVISION AND PLANNING DEPARTMENT'S REVIEW AND APPROVAL.
 2. ALL UTILITIES SHALL BE SHOWN AS LOCATED ON THE PLANNING DEPARTMENT'S RECORD DRAWINGS.
 3. ALL UTILITIES SHALL BE SHOWN AS LOCATED ON THE PLANNING DEPARTMENT'S RECORD DRAWINGS.
 4. THE SITE IS LOCATED ON AN UNIMPROVED LOT (PARCEL 064) WITH AN AREA OF 1.388 ACRES.
 5. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE CITY OF SUWANEE'S ZONING ORDINANCE AND THE CITY OF SUWANEE'S SUBDIVISION AND PLANNING DEPARTMENT'S REVIEW AND APPROVAL.
 6. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE CITY OF SUWANEE'S ZONING ORDINANCE AND THE CITY OF SUWANEE'S SUBDIVISION AND PLANNING DEPARTMENT'S REVIEW AND APPROVAL.
 7. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE CITY OF SUWANEE'S ZONING ORDINANCE AND THE CITY OF SUWANEE'S SUBDIVISION AND PLANNING DEPARTMENT'S REVIEW AND APPROVAL.
 8. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE CITY OF SUWANEE'S ZONING ORDINANCE AND THE CITY OF SUWANEE'S SUBDIVISION AND PLANNING DEPARTMENT'S REVIEW AND APPROVAL.
 9. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE CITY OF SUWANEE'S ZONING ORDINANCE AND THE CITY OF SUWANEE'S SUBDIVISION AND PLANNING DEPARTMENT'S REVIEW AND APPROVAL.
 10. THE PROPOSED DEVELOPMENT SHALL BE SUBJECT TO THE CITY OF SUWANEE'S ZONING ORDINANCE AND THE CITY OF SUWANEE'S SUBDIVISION AND PLANNING DEPARTMENT'S REVIEW AND APPROVAL.

PARKING SUMMARY
 PARKING REQUIRED:
 SUWANEE COMMONS 1,388 SQUARE FEET
 WITH 17,233 SF / 250 = 71.5 SPACES
 SUWANEE COMMONS 1,388 SQUARE FEET
 WITH 17,233 SF / 250 = 71.5 SPACES
 PARKING PROVIDED = 75 SPACES
 REMAINING SPACES = 10 SPACES
 (10 SPACES SPACES)

RETAINING WALL:
 RETAINING WALL SHALL BE CONSTRUCTED TO MAINTAIN THE EXISTING GRADE AND TO PREVENT EROSION. THE WALL SHALL BE CONSTRUCTED WITH A MINIMUM HEIGHT OF 4 FEET AND A MAXIMUM HEIGHT OF 6 FEET. THE WALL SHALL BE CONSTRUCTED WITH A MINIMUM WIDTH OF 18 INCHES AND A MAXIMUM WIDTH OF 24 INCHES. THE WALL SHALL BE CONSTRUCTED WITH A MINIMUM SLOPE OF 1:1 AND A MAXIMUM SLOPE OF 1:1.5. THE WALL SHALL BE CONSTRUCTED WITH A MINIMUM SPACING OF 10 FEET AND A MAXIMUM SPACING OF 15 FEET. THE WALL SHALL BE CONSTRUCTED WITH A MINIMUM FINISH GRADE OF 1.0 AND A MAXIMUM FINISH GRADE OF 1.5. THE WALL SHALL BE CONSTRUCTED WITH A MINIMUM FINISH GRADE OF 1.0 AND A MAXIMUM FINISH GRADE OF 1.5.

PROPERTY INFORMATION
 STREET ADDRESS:
 SUWANEE COMMONS CHICEL, SUITE 300
 SUWANEE, GA 30074
 CONTACT: GUY DAY
 PHONE: (770) 416-1500
 FAX: (770) 416-2527
 24-HOUR COLLAGE:
 MIKE EVANS
 (404) 281-9302

OWNER/DEVELOPER:
 DAY INVESTMENT PROPERTIES, INC.
 4725 PEACHTREE CORNERS CHICEL, SUITE 300
 SUWANEE, GA 30074
 CONTACT: GUY DAY
 PHONE: (770) 416-1500
 FAX: (770) 416-2527
 24-HOUR COLLAGE:
 MIKE EVANS
 (404) 281-9302



SUWANEE DP-2005-012

V-2007-010

V-2007-021

City of Suwanee

CROSSROADS of PAST and FUTURE

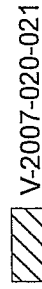


CITY OF
Suwanee
G E O R G I A

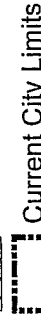
V-2007-020
V-2007-021

Location Map

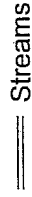
Legend



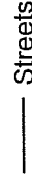
V-2007-020-021



Current City Limits



Streams



Streets

