

Variance:
V-2021-009

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBERS: V-2021-009

REQUESTS: ADDITIONAL WALL SIGN

APPLICABLE SECTION: SECTION 1612.C.3.b OF THE CITY OF SUWANEE ZONING ORDINANCE

LOCATION: 3890 LAWRENCEVILLE SUWANEE ROAD

PARCEL: 7-212-188

ZONING: PMUD (PLANNED MIXED USE DEVELOPMENT)

APPLICANT: SEASIDE OYSTER BAR
3890 LAWRENCEVILLE SUWANEE ROAD
SUWANEE, GA 30024

OWNER: S & W REAL ESTATE INVESTMENTS LLC.
P.O. BOX 2581
OPELIKA, AL 36801

CONTACT: BLAKE ROGERS
CONTACT PHONE: 678-480-3683

STAFF RECOMMENDATION: **APPROVAL WITH CONDITIONS**

ANALYSIS:

The applicant seeks a variance from Section 1612 of the City of Suwanee Zoning Ordinance to allow for an additional wall sign for an individual tenant within a multi-tenant commercial building. The applicant is requesting two signs on the front of the building for a new restaurant, Seaside Oyster Bar.

The subject property is located at 3890 Lawrenceville Suwanee Road within an existing building in Suwanee's Town Center. The one-story building faces Lawrenceville Suwanee Road but also has frontage on Boston Common Street and has access from both streets.

Section 1612.C.3.b of the zoning ordinance allows each tenant in a multitenant commercial building one wall sign per exterior wall provided that the sign is a maximum of 5% of the square footage of the wall area. The applicant is requesting a wall sign on the building front that is 44.4-square feet and a second 64.2-square foot wall sign in the form of a painted mural on the same

wall. The two signs total 108.6 square feet, which is less than the 108.9 square foot maximum signage that is allowed on the subject wall. While the amount of signage is within the permitted parameters for wall signage, the number of signs, two, exceeds the maximum allowed. As such, a variance would be required in order for both signs to be permitted.

The applicant plans to have two additional signs, one on the wall facing Boston Common Street and one on the third wall that faces the parking lot. These two signs are not proposed to exceed 5% of the wall area, so no variance is required for these other signs.

The subject property is located in the heart of Suwanee's downtown mixed-use center. The property is surrounded by a mixture of residential and non-residential uses. To the north of the subject property, along Town Center Ave is a building with commercial and office uses (zoned PMUD). To the east, across Lawrenceville-Suwanee Road, is a commercial zoned credit union (Old Town Commercial District). Townhomes are located to west, across Boston Common Street, and to the south, across Suwanee Avenue. The townhomes are zoned to the PMUD district.

Because the subject property is located within the Town Center PMUD (Planned Mixed Use Development) there are high expectations for the quality of design. The proposed signage design, which includes a traditional sign paired with painted signage, would be proportionally appropriate and aesthetically pleasing for the wide façade of the tenant's frontage. Additionally, the uniqueness of the painted sign would add to the character of Town Center.

The City of Suwanee Zoning Ordinance allows for one wall sign per wall elevation. The total area of each sign may not exceed 5% of the wall area. (Section 1612.C.3.b). The square footage of the building's front elevation is 2,178 square feet. The permissible sign area for the front is 108.9 square feet.

The subject property has a wide façade because the business occupies several bays of the multitenant building. A single large sign would create a sign bigger than either of the proposed signs and would leave a lot of empty space on the façade. The proposed design to split the square footage into two signs, one being a painted mural, creates more visual interest and a more balanced façade.

It is not unusual for the City to include a condition of zoning with a PMUD project to address potential deviations from sign regulations in exchange for a more cohesive, thoughtful, and/or creative approach to providing signage for a project. In this case, the City did not include this type of condition with rezoning approval, and therefore, a variance is required in order to deviate from the requirements of the Zoning Ordinance. In this case the project is demonstrating the type of thoughtful, creative design the City seeks in mixed use projects.

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.

Approval of V-2021-009 would allow the applicant to post one additional sign to the front of the subject building. It would be appropriate to grant an increase to the number of signs on this wall to better fit on the wide façade provided the total square footage of signage does not exceed the allowed square footage for a wall sign and provided signage for the front façade is executed in the thoughtful, creative approach shown in Exhibit A. Therefore, staff recommends **APPROVAL** with conditions of V-2021-009 with the following conditions.

PLANNING DEPARTMENT RECOMMENDATION

V-2021-009

Staff recommends approval of the request for one additional sign on the front elevation (facing Lawrenceville-Suwanee Road) of the building subject to the following conditions:

1. The combined square footage of signage on the front elevation (the elevation facing Lawrenceville Suwanee Road) shall not exceed 108.9 square feet.
2. Signage shall be consistent with Exhibit A.
3. Signage shall comply with *Suwanee Town Center Tenant Signage Requirements*. No box signs or internally lit signs shall be permitted.

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 provided that the City closely manages the size, location and number of signs. This is intended to ensure a quality aesthetic is continued throughout the City.

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: SEASIDE OYSTER BAR
Address: 3890 LAWRENCEVILLE SUWANEE RD
City: SUWANEE
State: GA
Phone: 678.480.3683.
E-mail address: blakerogers@tequilamama.com

OWNER INFORMATION

Name: SOW REAL ESTATE INVESTMENTS LLC
Address: P.O. BOX 2581
City: OPELKA
State: AL
Phone: 404-964-3291

CONTACT PERSON: BLAKE ROGERS PHONE: 678.480.3683

ADDRESS OF PROPERTY 3890 LAWRENCEVILLE SUWANEE RD STE 1

LAND DISTRICT 7 LAND LOT 212 PARCEL 188 LOT _____

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) _____

ZONING PMUD

VARIANCE REQUESTED ~~TO REMOVE EXISTING SIGNAGE FROM THE BUILDING~~
~~AND REPLACE WITH NEW SIGNAGE.~~
ONE ADDITIONAL SIGN ON FACE OF BUILDING.

NEED FOR VARIANCE TO IMPROVE THE AESTHETICS OF EXISTING BUILDING
BY PROPERLY SIZING SIGNAGE THAT WOULD BE APPROPRIATE IN DESIGN
FOR THE SUBJECT BUILDING. THE MAJORITY OF THE PROPOSED SIGNAGE WILL
BE PAINTED AND WILL ADD TO THE ARTISTIC AMBIANCE OF SUWANEE
TOWN CENTER.

*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.



[Signature] 7/15/21
Signature of Applicant Date

BLAKE ROGERS OWNER
Typed or Printed Name and Title

[Signature] 7-16-21
Signature of Notary Public Date

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] 16 July 2021
Signature of Applicant Date

Stephen Ward owner
Typed or Printed Name and Title

[Signature] 16 July 2021
Signature of Notary Public Date

BLAKE TUDHOPE
Notary Public, Alabama State at Large
My Commission Expires June 25, 2024

Notary Seal

DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY

Case Number V-2021-009
Date Rec'd 7-16-21
Amount Rec'd \$300

Variance
Rec'd By AD
Receipt

Administrative
Hearing Date Aug 17, 2021

ACTION TAKEN _____

SIGNATURE _____ DATE: _____

Round Logo: 44.4 sq.ft. Painted Letters: 64.2 sq.ft. Total Square Feet: 108.6

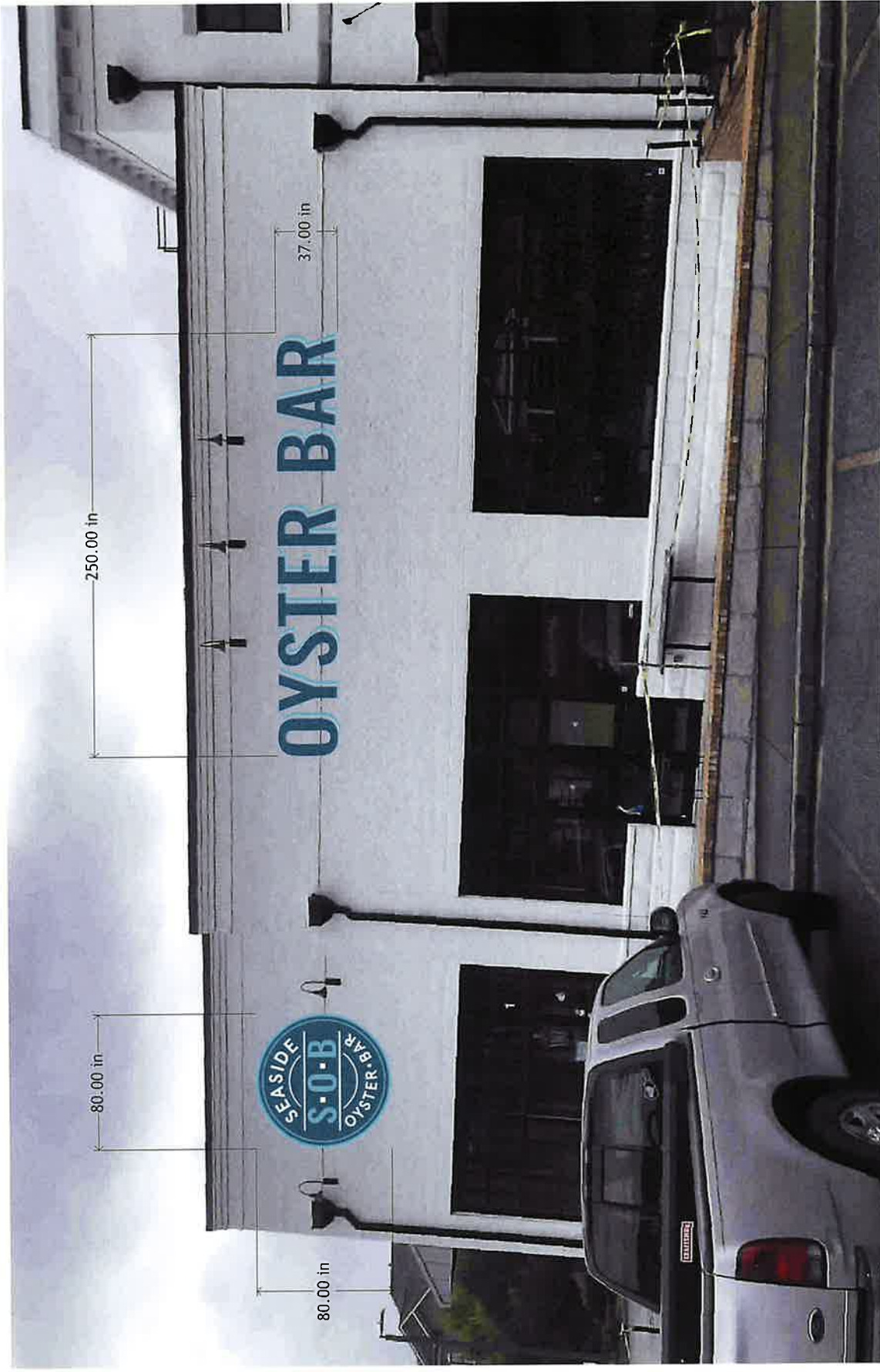


Exhibit A



80' 8.5"

60' 8.5"

20'

31' 6"

25' 6"

Total Building Face = 2178sf @ 5% = 109sf



Location Map

V-2021-009

Legend



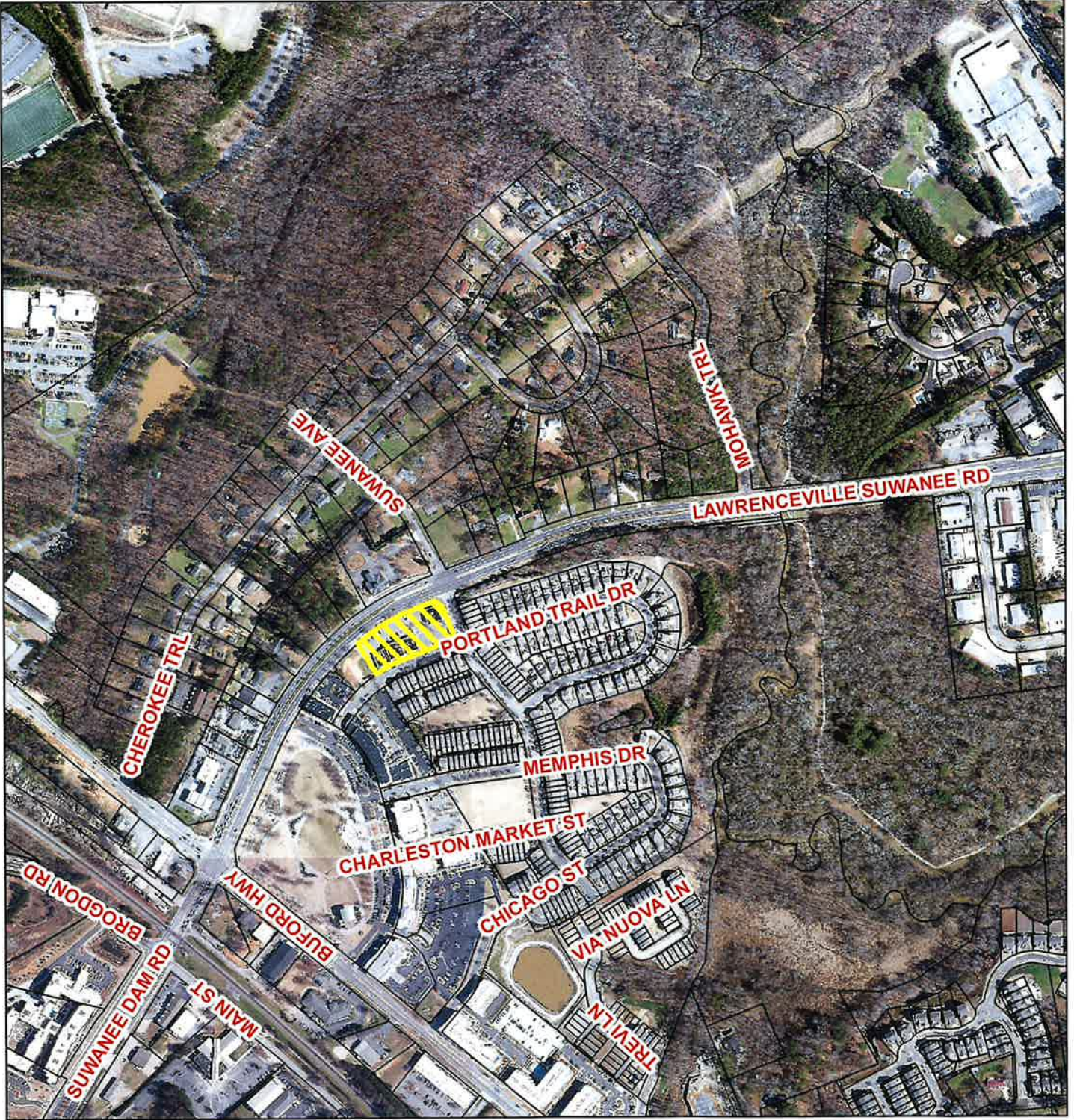
Site



1,000 Feet

500

0



Zoning Map

Legend



ZONING

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