

City of Newnan Georgia



Board of Zoning Appeals

Agenda Book

June 7, 2022



City of Newnan
Board of Zoning Appeals

Agenda for June 7, 2022 Board of Zoning Appeals Meeting
10:00 AM, Richard A. Bolin Council Chambers, City Hall

TAB NUMBER	AGENDA CATEGORY / ITEM
TAB #1	Minutes of the May 3, 2022 Board of Zoning Appeals Meeting
TAB #2	Sign Variance Request – 166 Temple Avenue – 2022-08
TAB #3	Variance Request – 8 Alpine Drive – 2022-09
	Other Business and Comments by Members of Staff
	Public Comments
	Adjourn

Unless otherwise posted, all Board of Zoning Appeals Meetings
are held in the:

Richard A. Bolin Council Chambers, City Hall
25 LaGrange Street, Newnan, Georgia 30263

Any questions prior to the meeting
should be directed to the Planning and Zoning Department.

Phone: 770-254-2354

E-mail: tdunnavant@cityofnewnan.org



CITY OF NEWNAN
Board of Zoning Appeals
Meeting Minutes
May 3, 2022
10:00 a.m.

Board Members in Attendance: Skin Edge, Cliff Smith, Sally Hensley, Ken Parker

Board Members Absent: Willie Walton, Kris Lovell, Frank Flournoy

Others in Attendance: Tracy Dunnavant, Planning & Zoning Director
Dean Smith, Planner
Brad Sears, City Attorney

CALL TO ORDER

Chairman Edge called the meeting to order at 10:00 a.m. in the Richard A. Bolin Council Chambers, City Hall, 25 LaGrange Street.

READING OF THE MINUTES

Chairman Edge asked the Board if they had reviewed the minutes from the April 5, 2022 meeting. After no questions or discussion, Hensley motioned to accept the minutes. Smith seconded the motion.

MOTION CARRIED (4-0)

Variance Request – 29 LaGrange Street – 2022-07

Dean Smith stated that Goodyear is seeking a variance on a non-residential accessory storage building for location and size. In this case, the building does not have a rear or side yard due to proximity of the building to the rear and sides being roads. He said that they would like to use screening to mitigate the storage container. Staff recommends 20x80 in size and screening by a privacy fence. Parker asked if could add on to the structure without coming back to the Board. Dean Smith said could limit is to 20x80 container. Howard Tarbet with Goodyear said size is 20x8. Hensley asked if would cover up last bay. Tarbet said would come to 5', but they don't use that bay. Hensley said that is an ugly parking lot and asked about planters for greenery. She said if they could add planters in it would help the look. Parker asked what other buildings were used for. Talbert gave uses for each building. Smith said he would prefer to see it go the full length to clean it up. Dean Smith clarified that size is no longer an issue. Hensley said she got a phone call from a person concerned with storage

buildings in downtown Newnan, but she didn't take to staff. Hensley said she understood the need, but would like to see a nice wooden fence with planters. Parker said a fresh coat of paint would make it disappear. L-shaped painted fence as tall as the structure with planter boxes along the front of the fence. Parker said without water the plants will die. Talbert said he got one done in New York. Place it and take 90 days to see if they want it. Talbert asked about local artist/youth groups to paint the fence. Hensley said if fence there, no need to paint the container. Parker said still wants to paint the container, but will agree to a painted fence. Edge asked if this would be the only one for the foreseeable future. Hensley asked where approved Talbert listed places.

Hensley made a motion to approve fence location with painted the same color as the building and tall enough to cover the storage unit. Hensley said fence installed within 60 days after the placement of the container. (Motion to approve the location with the unit surrounded by and L-shaped fence painted the same color and height.) Smith seconded.

MOTION CARRIED (4-0)

New Business

None

ADJOURN

Hensley motioned to adjourn the meeting at 10:25 a.m. Smith seconded.

MOTION CARRIED (4-0)

Chairman Skin Edge



City of Newnan, Georgia – Board of Zoning Appeals

Date: June 7, 2022

Application Number: 2022-08

Agenda Item: Sign Variance Request – 166 Temple Avenue

Prepared and Presented by: Dean, Planner

Purpose: To hear a request for sign variances to allow for a wall sign in excess of the 150 square foot maximum allowable size; to waive the architectural material requirements for a monument sign and to allow for a monument sign taller than the 6 feet maximum height.

Applicant: Kaitlin McGinnis, on behalf of Anchor Signs, Inc.
2200 Discher Avenue
Charleston, SC 29405

Property Owner: DT Retail Properties, c/o Dollar Tree Stores, Inc.
500 Volvo Parkway
Chesapeake, VA 23320

Zoning: Heavy Commercial District (CHV) and within the Building Exterior Quality Design Overlay District (BEQ)

Present Use: Commercial construction site under development

Proposed Use: Retail Store

Pertinent Regulations: Article 8, Sections 8-8 and 8-18 of the Zoning Ordinance

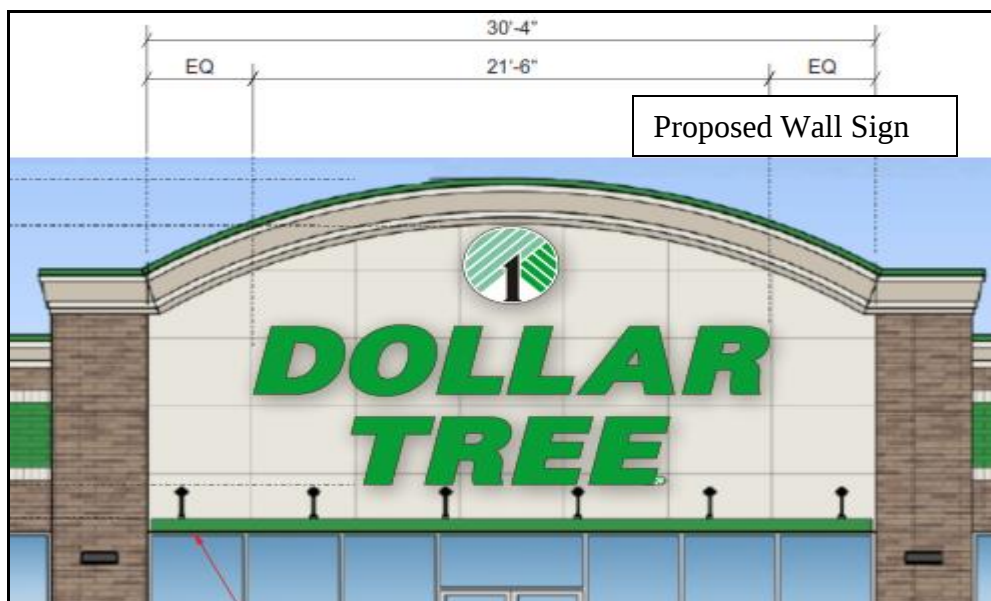
Applicant's Position: The following are excerpts from the applicant's variance petition.

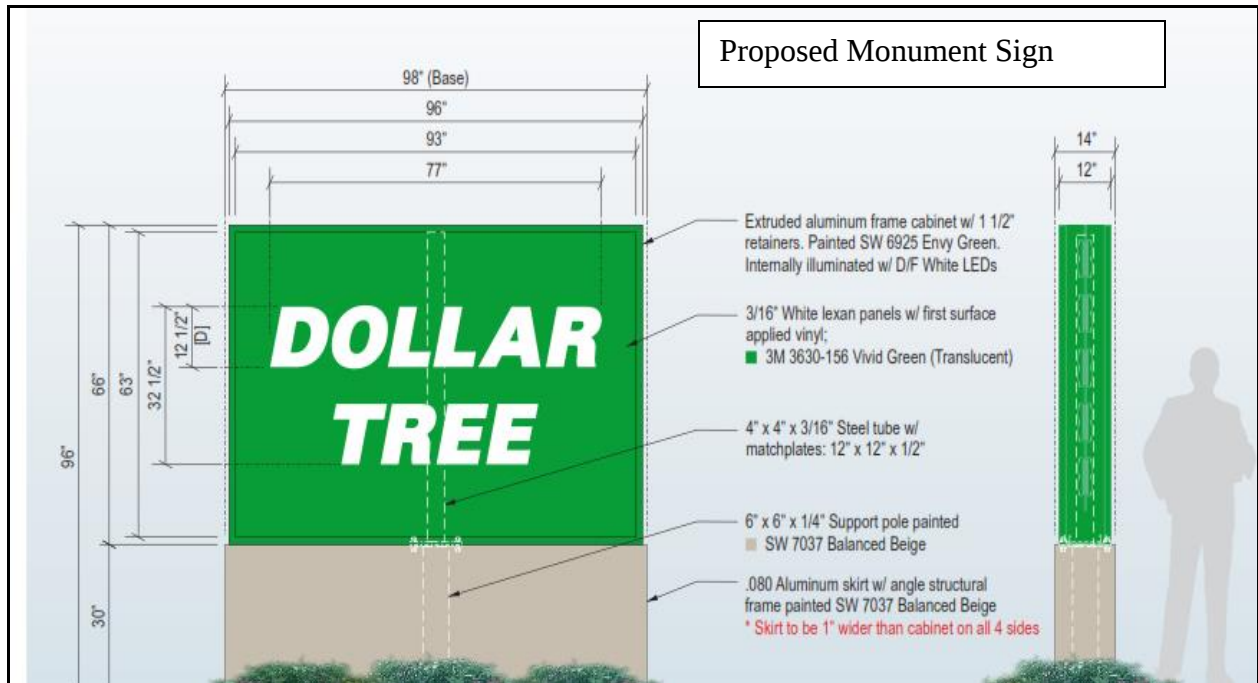
“Dollar Tree Stores, Inc. requests a variance from the provisions of Section 8-18...to allow for proposed monument sign...Application of the ordinance to this piece of property would create an unnecessary hardship for Dollar Tree Stores, Inc., as this is part of the standard Dollar Tree sign package and would allow this location to coincide with other stores, existing and future....Allow this zoning variance will provide them with the same opportunity as neighboring business in the BEQ district such as TitleMax, Texaco and Exxon....”





“...Dollar Tree Stores, Inc. requests a variance from the provisions of Section 8-18 allowing for 286.67 square feet for their Dollar Tree building’s front elevation...application of the ordinance to this piece of property would create an unnecessary hardship for the proposed signage, the sign area on the front of the store, as it is part of the standard Dollar Tree sign package...Allowing the requested signage provides the Newnan community and drivers traveling through the area with increased location visibility....Additionally, signage that is too small can create a unique problem in that one might see the signage, but due to the sized, they are not able to perceive or read the signage, thus creating more of a distraction than if the signage was properly sized...This portion of Temple Avenue has numerous trees and plants situated along the right of way which tend to obscure the visibility of motorists searching for their intended destination...the proposed building signage would only first become visible approximately 240 feet from the driveway entrance and would be visible to the motorist at an angle of nearly 45 degrees from the direction travel...smaller objects in one’s peripheral vision have the tendency to become lost in the clutter...Therefore, it is our opinion that use of larger letters will help attract the attention of the motorist, which would in turn help to ensure the motorist would be able to comprehend the signage almost immediately upon seeing it...in the interest of public safety, a variance should be granted to allow Dollar Tree Stores to install the requested 42” tall letters and 48” high medallion on the northeast front façade of their building....”





Basis for Granting a SignVariance:

- a. Where the proximity of existing signs on adjoining lots causes the subject property to be ineligible, due to spacing requirements, for a sign of the type sought; or
- b. Where visibility of a conforming sign from the public street and within fifty (50) feet of the proposed sign would be substantially impaired by existing trees, plants, natural features, signs, buildings or structures on a different lot; and
 - i. Placement of the sign elsewhere on the lot would not remedy the visual obstruction; and
 - ii. Such visibility obstruction was not created by the owner of the subject property; and
 - iii. The variance proposed would not create a safety hazard to traffic.

Variances shall be limited to the minimum relief necessary to overcome the hardship. No variance shall be granted to allow a greater number of signs, or greater size of sign, than would be allowed if the hardship did not exist or permit a type of sign which otherwise is not permitted in the zoning district involved.

Summation:

In 2019, the City of Newnan updated its ordinance to require that any monument signs built from 2019 forward, in the BEQ Overlay District, would have to follow certain architectural criteria,

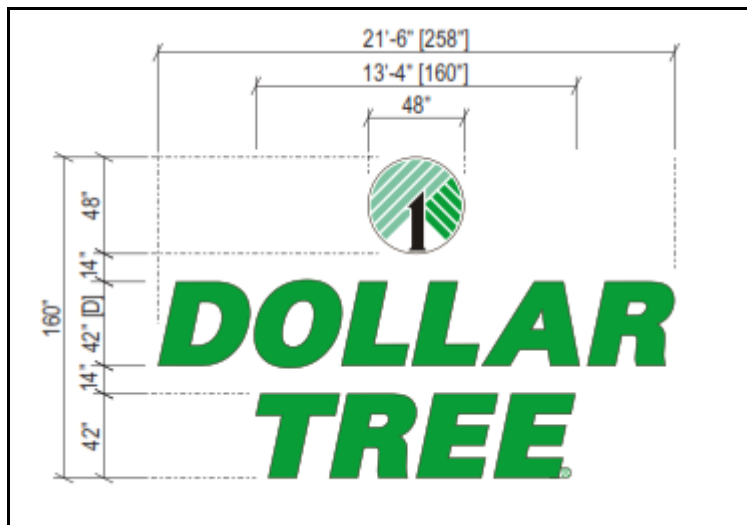
Section 5-4, subsection e, 6 b-Sign Requirements, amend as follows: *Monument or permanent freestanding signs shall be of wood, stone or other similar materials and shall complement the material and color of the building. Sign supports shall be faced with the primary material used on the primary structure. The primary structure material shall be used to frame the sign in such a way as to completely surround the sign a minimum of eight inches (8") on the top and sides. No part of a metal can shall be left exposed.*

The three monument sign examples cited by this variance petitioner were permitted and installed prior to this ordinance update. This ordinance was later added to Article 8 as clarification, but this requirement had been in place since 2019.

Furthermore, the City's monument signs dimensional requirements have been a maximum height of 6 feet (allows for a 6 inch brick surround) and a maximum size of 50 square feet since 2000.

For building/wall signage, the City's zoning ordinance states that a business is allowed one building sign per street frontage. The size is 10% of the square footage of the wall elevation the sign will be attached to, not to exceed 150 square feet. This stipulation has also been in place since the year 2000.

The City's sign ordinance further stipulates in the method of computation, that the entire elements of the sign be calculated for wall sign size purposes.



With this method of calculating wall sign size, the petitioner has designed a wall sign in excess of 287 square feet, which is almost twice the maximum size of the maximum sized wall sign allowed in the ordinance.

It should be noted that there is another Dollar Tree store under construction within the City limits of Newnan. A recent sign permit (May, 2022) by the petitioner's company, Anchor Signs, proposed a wall sign of 129.5 square feet, well in compliance with the City's ordinance.

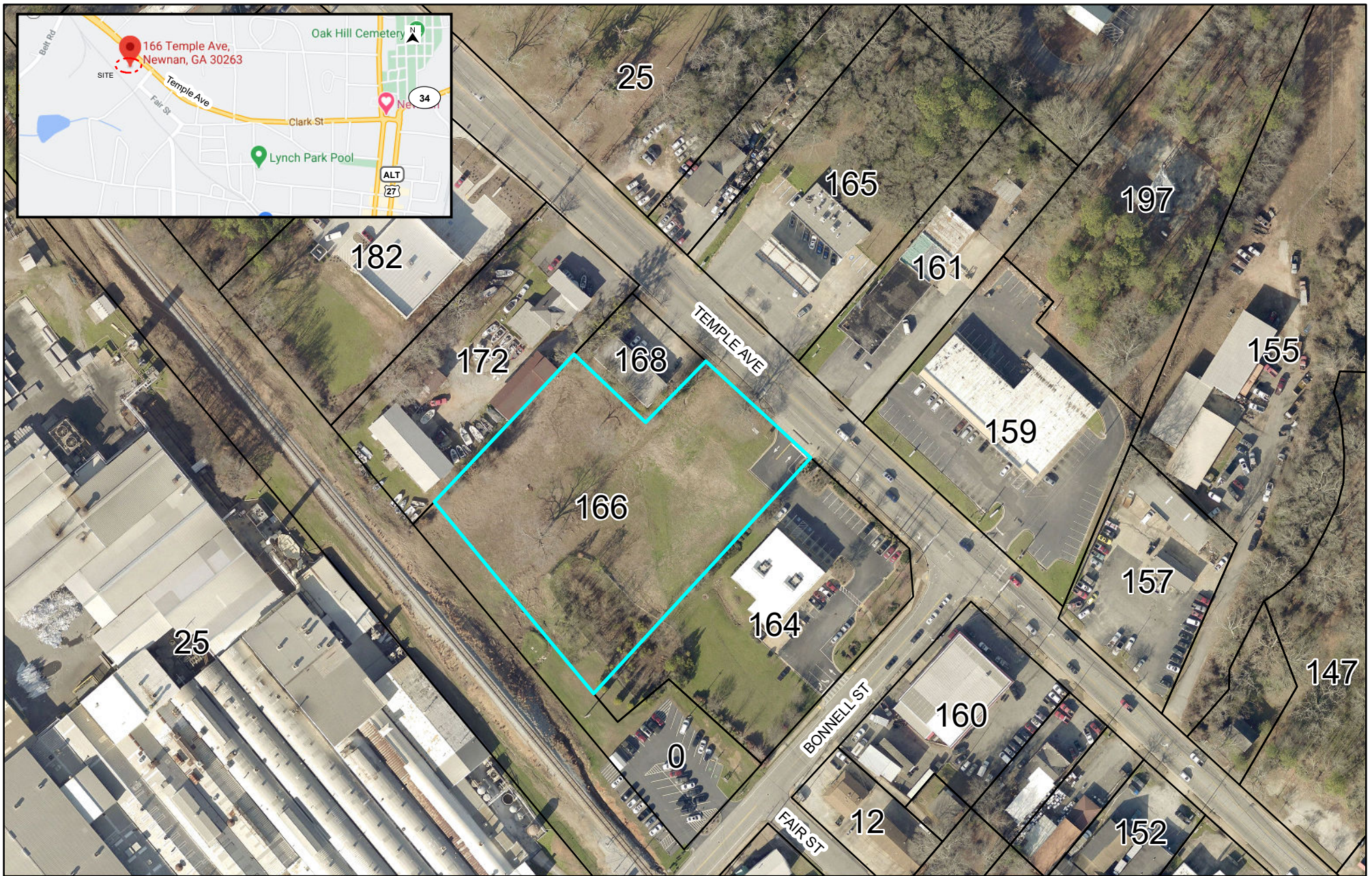
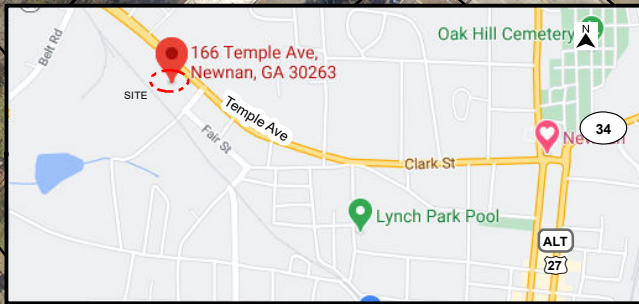
Staff does not agree with the petitioner's statement that these requests represent a hardship standard as enumerated in the City's sign regulations. There are several examples of other retail establishments along Temple Avenue, within the same travel corridor as the proposed Dollar Tree store, that are operating with compliant signs. There is a variety of monument and pole sign types along Temple Avenue which is typical for any corridor where businesses have been established at different points in time, as the zoning ordinance is a fluid document which is

frequently subject to change sets different sign criteria over the course of time. This fact does not, however, provide a basis for a sign variance. Over the course of time, City Council has enacted ordinances to reduce the size of both wall and monument signs, along with requiring architectural monument sign elements to improve the aesthetic of said signs.

However, should the Board of Zoning Appeals determine that a sign variance hardship exists, staff would suggest granting the wall sign request only and deny the monument sign requests. A smaller, lower monument sign beneath a tree canopy offers less of a vision obscurity than a larger sized monument sign which can be blocked by trees.

Attachments:

Application
Site plan



CITY OF NEWNAN | Project Location



CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.cityofnewnan.com



1 inch = 150 feet
Date: 12/4/2020

LEGEND

 Project Location

PARCELS

- - - - - CITY LIMITS

Parcel # N41 0004 009

ADDRESS

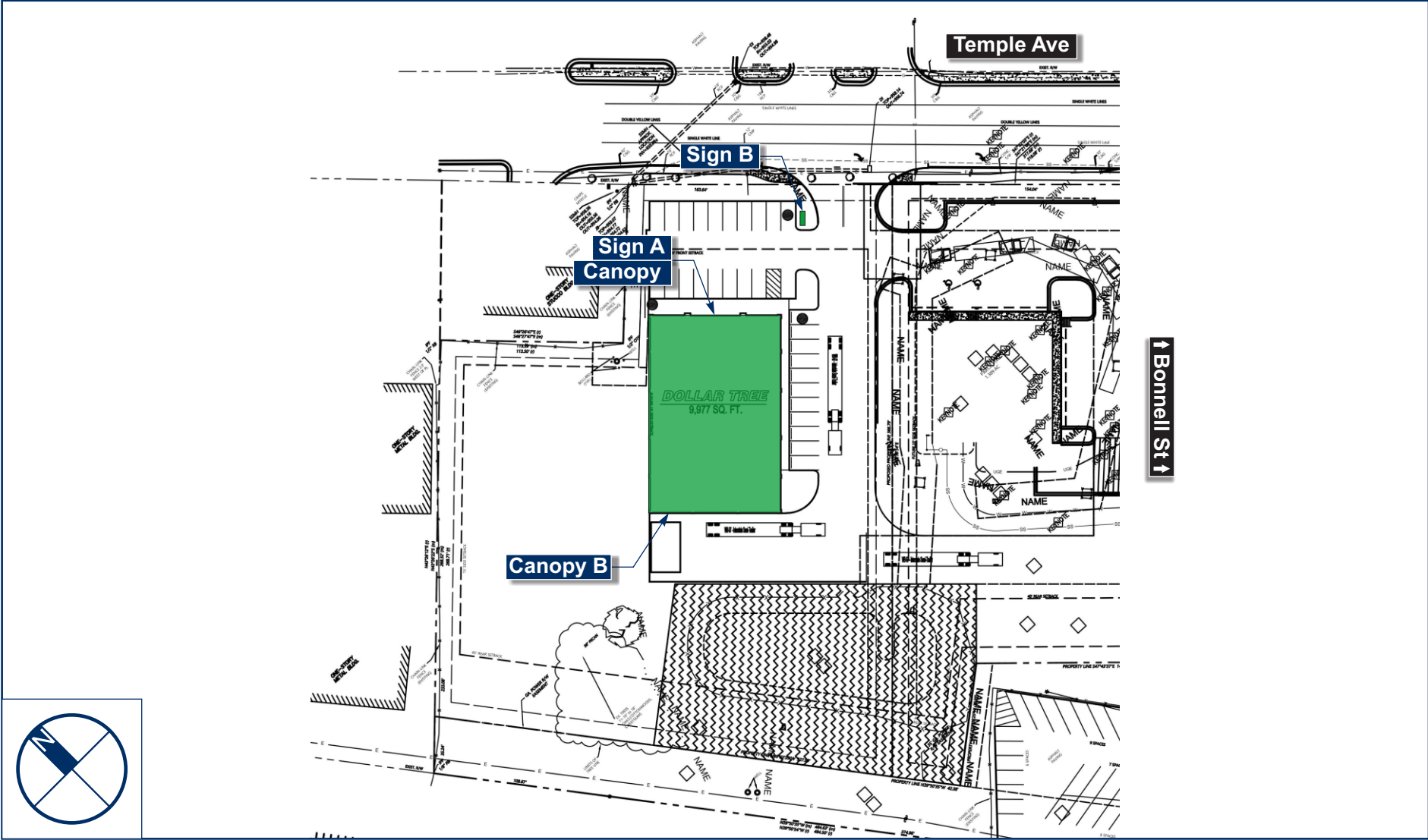
166 Temple Ave
Newnan, GA 30263

SIGN A	42" Dollar Tree 48" Medallion
Type:	Individual Channel Letters
Illumination:	Internally Illuminated LED
Square Footage:	286.67
To Grade:	Top of Sign to Grade = 25'-10 1/4" Bottom of Sign to Grade = 12'-6 1/4"

Canopy A	Dollar Tree
Type:	Aluminum Canopy
Illumination:	Non-Illuminated
To Grade:	Bottom of Canopy to Grade = 10'-2"

SIGN B	Dollar Tree
Type:	D/F Monument
Actual Size:	66" x 96"
Viewable Size:	63" x 93"
Square Footage:	44.00

Canopy B	Dollar Tree
Type:	Aluminum Canopy
Illumination:	Non-Illuminated
To Grade:	Bottom of Canopy to Grade = 8'-4"



SIGN A	42" Dollar Tree 48" Medallion
Type:	Individual Channel Letters
Illumination:	Internally Illuminated LED
Square Footage:	286.67
To Grade:	Top of Sign to Grade = 25'-10 1/4" Bottom of Sign to Grade = 12'-6 1/4"

Canopy A	Dollar Tree
Type:	Aluminum Canopy
Illumination:	Non-Illuminated
To Grade:	Bottom of Canopy to Grade = 10'-2"



Front Elevation (Northeast)
Scale: 1/8" = 1'-0"

Allowable Square Footage this Elevation:	150.00
10% area of wall (165 sf); NTE 150sf	
Actual Square Footage this Elevation:	286.67

DOLLAR TREE

Client: Dollar Tree
Site #: DL-8759
Address: 164 Temple Avenue
Newnan, GA, 30263

REVISION INFO

04/20/2021	Original Renderings	SD
04/11/2022	Updated Sign A to 42"/48" Stacked	DA
04/14/2022	Updated Facade and Canopies	KH
04/20/2022	Added Engineering	DA

This rendering is the property of Anchor Sign, Inc. It is for the exclusive use of Anchor Sign, Inc. and the party which requested the rendering. It is an unpublished original drawing not to be distributed, reproduced or exhibited without the consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.

AnchorSign
1 . 8 0 0 . 2 1 3 . 3 3 3 1

Canopy B	Dollar Tree
Type:	Aluminum Canopy
Illumination:	Non-Illuminated
To Grade:	Bottom of Canopy to Grade = 8'-4"



Rear Elevation (Southwest)
Scale: 1/8" = 1'-0"

DOLLAR TREE

Client: Dollar Tree
Site #: DL-8759
Address: 164 Temple Avenue
Newnan, GA, 30263

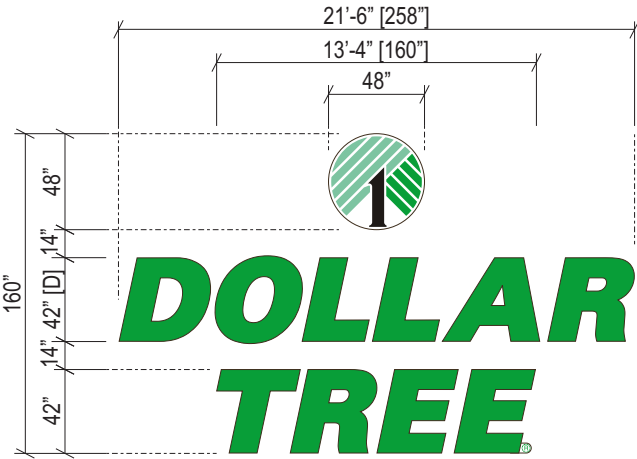
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AnchorSign
1 . 8 0 0 . 2 1 3 . 3 3 3 1

SIGN A	42" Dollar Tree 48" Medallion
Type:	Individual Channel Letters
Illumination:	Internally Illuminated LED
Square Footage:	286.67
To Grade:	Top of Sign to Grade = 25'-10 1/4" Bottom of Sign to Grade = 12'-6 1/4"



Sign Layout Detail

Scale: 1/8" = 1'-0"

Electrical Detail: Logo

P-LED White LEDs
(1) 60w Transformers @ 1.1 amps each
Total Amps: 1.1
(1) 20 amp 120V Circuit Req.



Electrical Detail: Dollar Tree

P-LED Green LEDs
(4) 60w Transformers @ 1.1 amps each
Total Amps: 4.4
(1) 20 amp 120V Circuit Req.



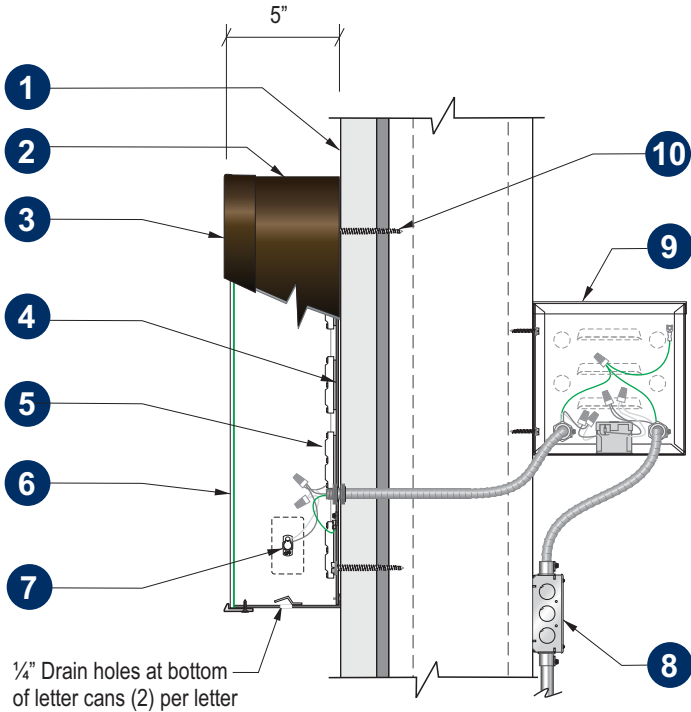
General Notes:

This sign is to be installed in accordance with the requirements of Article 600 of the National Electrical Code.

- 1) Grounded and bonded per NEC 600.7/NEC 250
- 2) Existing branch circuit in compliance with NEC 600.5, not to exceed 20 amps
- 3) Sign is to be UL listed per NEC 600.3
- 4) UL disconnect switch per NEC 600.6- required per sign component before leaving manufacturer*
*For multiple signs, a disconnect is permitted but not required for each section

Specifications: Channel Letters

1. Existing Facade: EIFS | Plywood | Metal Frame
2. 0.040" Aluminum letter returns (pre-finished bronze)
3. 1" Jewelite trimcap (pre-finished bronze) bonded to face and #8 pan head screws to returns
4. 3mm Signabond Lite composite backs fastened to returns w/ 1/2" 18 gauge staples.
Seal w/ VOC compliant 360 white latex caulk to prevent moisture penetration.
(interior of sign can painted white for maximum illumination)
5. White & Green LEDs
6. 0.15" Clear lexan faces w/ second surface vinyl
- Medallion-** digital print to match:
 - 3M 3630-156 Vivid Green
 - 3M 3630-146 Kelly Green
 - 3M 3650-12 Black (Opaque)
 - White (Translucent)
- Dollar Tree-**
 - 3M 3630-156 Vivid Green (Translucent)
 - 3635-70 diffuser
7. Disconnect switch UL Outdoor rated toggle type w/ neoprene boot per NEC 600-6
8. Primary electrical feed in UL conduit / customer supplied UL junction box
9. Transformers within UL enclosure (removable lid), 1/4" x 1" min screws
10. Mounting hardware: #12 Sheet Metal Screws



Section @ LED Channel Letter
Front-Lit (Remote)

Scale: N.T.S.

DOLLAR TREE

Client: Dollar Tree
Site #: DL-8759
Address: 164 Temple Avenue
Newnan, GA, 30263

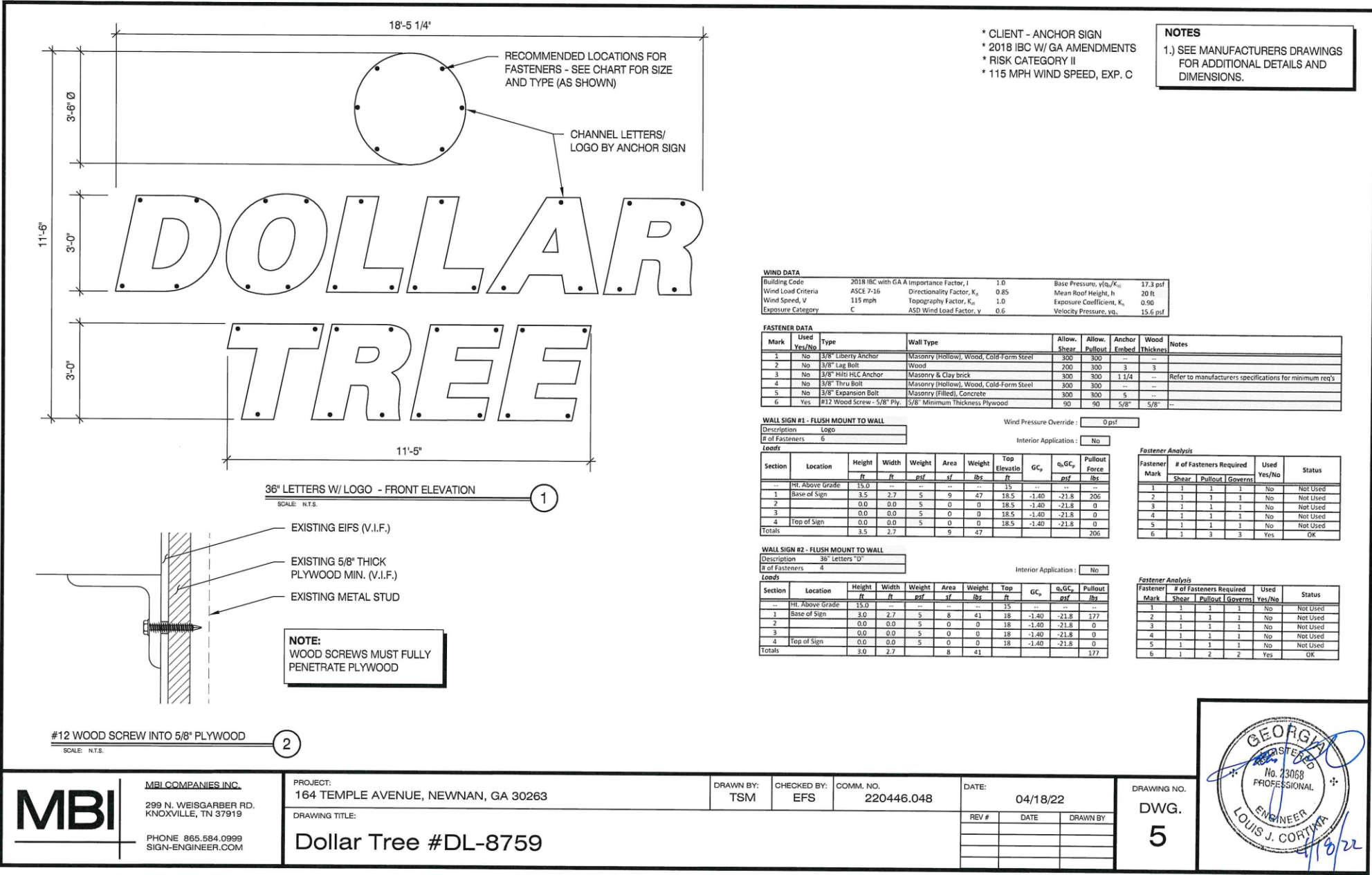
REVISION INFO

04/20/2021	Original Renderings
04/11/2022	Updated Sign A to 42"/48" Stacked
04/14/2022	Updated Facade and Canopies
04/20/2022	Added Engineering

SD
DA
KH
DA

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AnchorSign
1.800.213.3331



DOLLAR TREE

Client: Dollar Tree
Site #: DL-8759
Address: 164 Temple Avenue
Newnan, GA, 30263

REVISION INFO

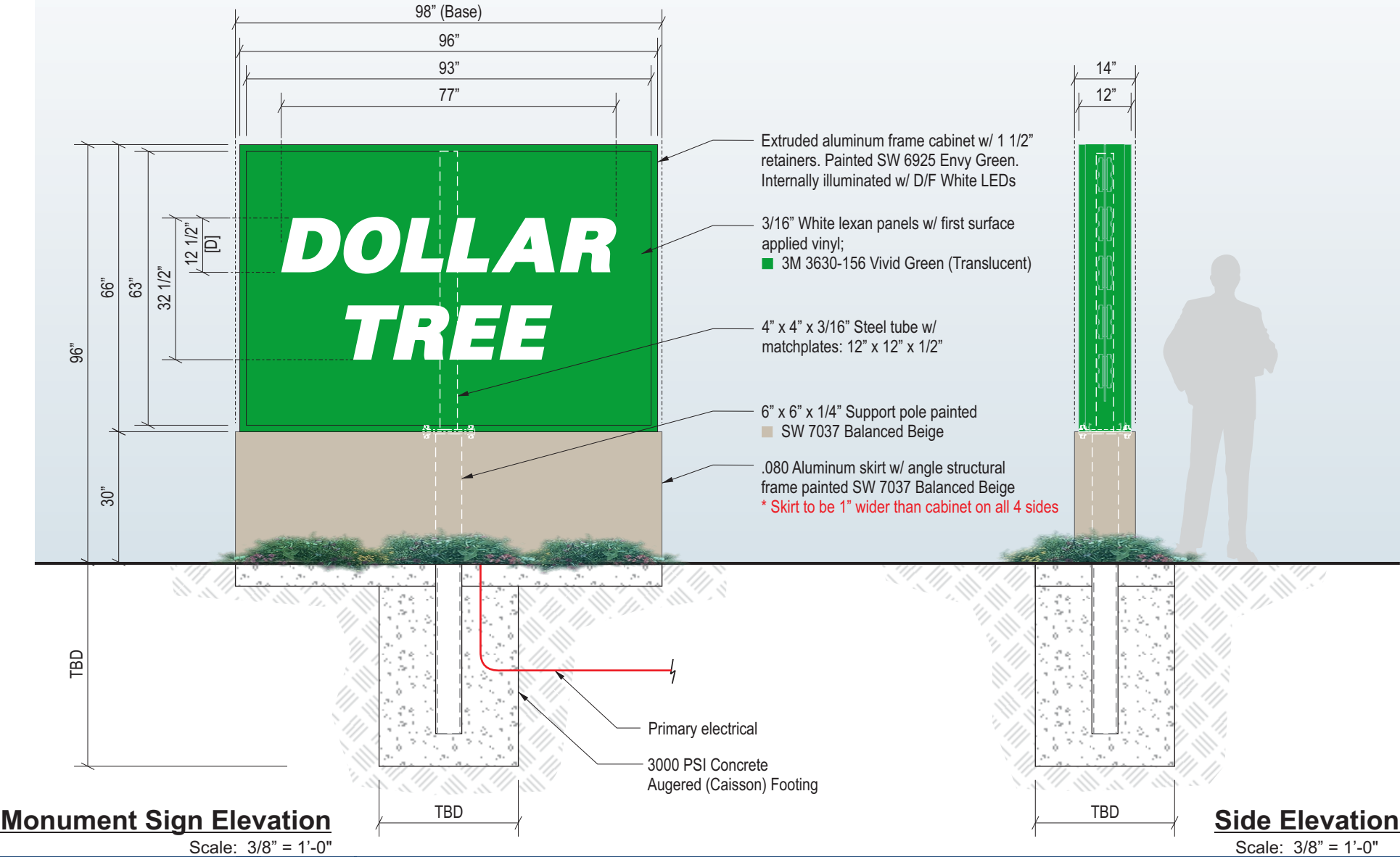
04/20/2021	Original Renderings
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SD
DA
KH
DA

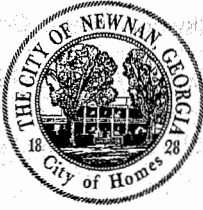
SIGN B	Dollar Tree
Type:	D/F Monument
Actual Size:	66" x 96"
Viewable Size:	63" x 93"
Square Footage:	44.00

Electrical Detail:	
White LEDs	
(1) GEPS 24-180	
Total Amps: 2.5	
(1) 20 amp 120V Circuit Req.	
	

General Notes:	
This sign is to be installed in accordance with the requirements of Article 600 of the National Electrical Code.	
1) Grounded and bonded per NEC 600.7/NEC 250	
2) Existing branch circuit in compliance with NEC 600.5, not to exceed 20 amps	
3) Sign is to be UL listed per NEC 600.3	
4) UL disconnect switch per NEC 600.6- required per sign component before leaving manufacturer*	
*For multiple signs, a disconnect is permitted but not required for each section	



	Client:	Dollar Tree	REVISION INFO	04/20/2021	Original Renderings	SD	This rendering is the property of Anchor Sign, Inc. It is for the exclusive use of Anchor Sign, Inc. and the party which requested the rendering. It is an unpublished original drawing not to be distributed, reproduced or exhibited without the consent of Anchor Sign, Inc. Please contact your account manager with questions regarding this statement.
	Site #:	DL-8759		04/11/2022	Updated Sign A to 42"/48" Stacked	DA	
	Address:	164 Temple Avenue		04/14/2022	Updated Facade and Canopies	KH	
		Newnan, GA, 30263		04/20/2022	Added Engineering	DA	
							 1 . 8 0 0 . 2 1 3 . 3 3 3 1



CITY OF NEWNAN, GEORGIA

25 LaGrange Street
Newnan, Georgia 30263
770-254-2354

APPLICATION FOR VARIANCE

Name of Applicant Kaitlin McGinnis at Anchor Sign, Inc.

Mailing Address 2200 Discher Avenue, Charleston, SC 29405

Telephone (843)576-3241

E-Mail: kmcginnis@anchorsign.com

Property Owner (Use back if multiple names) DT Retail Properties

Mailing Address 500 Volvo Parkway, Chesapeake, VA 23320

Telephone (800)876-8697

Address/Location of Property 164 Temple Avenue, Newnan, GA 30263

Tax Parcel No: N41 0004 009

Present Zoning Classification: CHV

Present Land Use New Building

Intended Use Retail

Any person owning property, or having a possessory or contract interest in property and the consent of the owner, may file an application for variance in regard to such property with the Board.

If you have any questions concerning this process, you may call the Planning and Zoning Department at (770) 254-2354. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The Board of Zoning Appeals meets on the first Tuesday of each month. Applications must be submitted by 9:00 a.m. at least thirty (30) days prior to that date. Incomplete applications or applications submitted after the deadline will not be accepted.

I (We) hereby request the following variance from the provisions of section(s) Section 8-18(a)(2); Section 8-8 (p) of the Zoning Ordinance/Subdivision Regulations: See attached pages from Zoning Ordinance

In order for the Board to consider the request, it must be claimed "application of the Ordinance to the particular piece of property would create an unnecessary hardship". Please answer the following criteria questions:

1. What are the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property? See attached variance letter and engineer letter

2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?

3. What are the special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the requirements of the Ordinance?
4. What is the particular hardship that would result if the specified provisions or requirements of the Ordinance were to be applied to the subject property?
5. What is the minimum extent to which it would be necessary to vary the requirements of the Ordinance in order to permit the proposed construction on, or use of, the property?

The Board of Zoning Appeals shall base its required findings upon the particular evidence presented in each specific case where the property owner can show:

A. The strict application of the terms of the Ordinance would effectively prohibit or unreasonably restrict utilization of the property because:

- ✓ There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
- ✓ Such conditions are peculiar to the particular piece of such property involved.
- ✓ Such conditions were not imposed by the action or will of the owner of the property.
- ✓ The application of the Ordinance to the particular piece of property would create an unnecessary hardship. Such hardship does not include financial hardship in that if the variance were granted, the applicant could receive a higher rate of financial return on the use of the property and without the variance, a lesser but still reasonable return could be realized.
- ✓ Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance.

B. The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.

C. The condition or situation of the property, which give rise to the need for such variance, is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Ordinance.

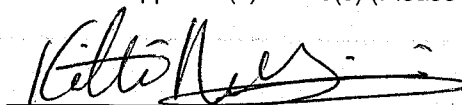
Included with the application, the following information is required:

- ✓ Plat of property, illustrating existing development and requested variance.
- ✓ Plans or drawings necessary to illustrate the requested variance.
- ✓ Check for applicable fees (**\$250.00 Per Variance Requested**).
- ✓ Legal description of property.
- ✓ List of all the names and addresses of all property owners within 250 feet of subject property. This information can be found at the Coweta County Tax Assessors Office.

I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand any inaccuracies may be considered just cause for invalidation of this application, and any action taken on this application. I (We) do hereby understand a variance of any requirement does not exempt the development from any other requirements of the Zoning Ordinance, Subdivision Regulations, or other City or State Regulations.

Kaitlin McGinnis

Applicant(s) Name(s) (Please Print)



Signature of Applicant(s)

FOR OFFICIAL USE ONLY

RECEIVED BY _____

DATE OF FILING _____

BZA MEETING DATE _____

DATE OF NOTICE PUBLICATION _____

ACTION TAKEN (DATE) _____



City of Newnan, Georgia

Attachment A

Property Owner's Authorization for Variance or Special Exception

The undersigned below is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a variance or special exception for property described below and in the attached application.

Name of Property Owner DT Retail Properties c/o Dollar Tree Stores, Inc.

Applicant for Variance Application Anchor Sign, Inc.

Telephone Number (800)876-8697

Address of Subject Property 164 Temple Avenue, Newnan, GA 30263

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

Signature of Property Owner

Gene Matthews who personally appeared before me and who swears the information
Property Owner's Printed Name

contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public



04/12/2022

Date

May 5th, 2022

City of Newnan
Planning Department
25 LaGrange Street
Newnan, GA 30263
(770)254-2354

Re: Variance Request
Dollar Tree (DL-8759)
166 Temple Avenue
Newnan, GA 30263

Dollar Tree Stores, Inc. requests a variance from the provisions of the Ordinance Section 8-18 (b)(1)b to allow for proposed monument sign located at 166 Temple Avenue. Application of the ordinance to this piece of property would create an unnecessary hardship for Dollar Tree Stores, Inc. as this is part of the standard Dollar Tree sign package and would allow this location to coincide with other stores, existing and future.

Approving the variance and allowing Dollar Tree to install the proposed signage for the above-mentioned location will not confer any special privileges that have not already been provided to the tenants in the neighboring buildings that will be directly visible to the proposed Dollar Tree location.

The variance, if granted, is the minimum relief that utilizes the reasonable use of the building and is consistent with the general intent and purpose of the City of Newnan's Code. It will in no way be detrimental or injurious to adjacent properties or to the public welfare.

Sincerely,



David W. Jackson, Qualifier
Anchor Sign, Inc.
(843)747-5901

T. E. Latham, P.E., President
T. B. Clark, P.E., Exec. V. Pres.
E. J. Adams, P.E., V. Pres.
L. G. Snapp, AIA, LEED AP, V. Pres.,
K. S. Bowman, Dir

J. M. Clark, P.E., (1931 – 2016)
V. R. Geer, Jr., P.E. (1916 – 1994)

D. S. Carrier, P.L.S.
D. A. Benton, P.E.
C. D. Tisher Jr., P.E.
M. E. Reid, AIA
L. S. Rice, RA

April 20, 2022

Mr. Steven McMahon
Dollar Tree Stores
500 Volvo Parkway
Chesapeake, VA 23320

Re: Dollar Tree Stores
164 Temple Avenue
Newnan, GA 30263

Subject: Signage Variance
CGL Project No. 2210-13

Dear Mr. McMahon

Clark, Geer, Latham & Associates, Inc. (CGL) is pleased to have the opportunity to assist Dollar Tree Stores (DTS) in evaluating the proper size signage for their new store in Newnan, Georgia. As always, CGL appreciates DTS' continuing to select us to be a integral part of their phenomenal growth across the country over the past twenty-plus years.

While some may consider Building Signage to be a only minor facet to a Retail development, nothing could be farther from the truth. Building Signage is an extremely important aspect of a new development in several different ways. The most notable of these are: 1) Visibility, for attracting potential Customers and 2) the Safety of Motorists looking for the store. While the first can be critical to the success of a business, we will only be dealing with the second henceforth.

When Motorists are driving along busy roadways, there are numerous distractions to draw their attention away from the roadway. Other buildings, landscaping, billboards, beautiful scenery, etc. can all draw the motorist's eye from the primary task in front of them, which is driving safely to their intended destination. However, when the intended destination has Building Signage that is obscured or improperly sized, the result can be an extended time of distraction, as the Driver has to "search" with their eyes for their destination or a landmark. Additionally, signage that is too small can create a unique problem in that one might see the signage, but due to the size, they are not able to perceive or read the signage, thus creating more of a distraction than if the signage were properly sized.

For guidance on this topic, we have consulted the American Association of State Highway Transportation Officials (AASHTO), which is the leading authority on most things related to roadways. AASHTO's publication entitled Geometric Design of Highways and Streets is the most widely accepted document with respect to street and highway design. In Chapter 3 – **Elements of Design, Decision Sight Distance** is discussed. Decision Sight Distance is defined as "the distance needed for a driver to detect an unexpected or otherwise difficult-to-perceive information source or condition in a roadway environment that may be visually cluttered,



recognize the condition or its potential threat, select an appropriate speed and path, and initiate and complete the maneuver safely and efficiently.”

For this location, the posted Speed Limit is 35 mph, and we would classify this as an “Suburban Road” for the purposes of this discussion, which falls into Avoidance Maneuver D. Using these parameters, the Decision Sight Distance should be a minimum of 625 feet. What this tells us is that for a Motorist travelling at 35 mph (that’s over 51 feet-per-second), a typical person requires a minimum of 625 feet to see the signage, comprehend it, decide how to react to it, confirm their surroundings, and make the necessary adjustments (lane change, slowing down, etc) to exit the roadway safely. Please note that it takes only 12 seconds to cover this distance travelling at 35 miles-per-hour; even less if a Motorist happens to be exceeding the Posted Speed limit, which is not uncommon. If the motorist has insufficient time available, this could cause them to react too quickly, increasing the likelihood of making an error in judgment.

In this case, the proposed building is facing generally northeast and is built approximately 100 feet southwest of the major roadway, Temple Avenue. This portion of Temple Avenue has numerous trees and plants situated along the right of way, which tend to obscure the visibility of motorists searching for their intended destination. Additionally, for a motorist travelling southeast, the proposed building is blocked from view by an existing commercial building constructed closer to the roadway.

The proposed building signage would only first become visible approximately 240 feet from the driveway entrance, and would be visible to the motorist at an angle of nearly 45-degrees from the direction of travel. A motorist’s eyes are typically focused on the task at hand, which is generally directly ahead of them. Smaller objects in one’s peripheral vision have a tendency to become lost in the clutter. Therefore, it is our opinion that the use of larger letters will help attract the attention of the motorist, which would in turn help to ensure the motorist would be able to comprehend the signage almost immediately upon seeing it.

It is therefore our recommendation that, in the interest of public safety, a Variance should be granted to allow Dollar Tree Stores to install the requested 42” tall letters and a 48” high Medallion on the northeast front façade of their building. It is our professional opinion that the larger signage at this particular location would significantly increase the safety of Motorists, allowing a much greater opportunity for motorists to quickly comprehend the store’s location and to safely plan their maneuver to initiate a stop at this store.

Clark, Geer, Latham & Associates, Inc. appreciates this opportunity to assist Dollar Tree Stores with this project. If you have any questions or require any further information, please do not hesitate to contact us.

Sincerely,

Clark, Geer, Latham & Associates, Inc.

Thomas E. Latham, P.E.
President



demand where there is apt to be “visual noise” from competing sources of information, such as roadway elements, traffic, traffic control devices, and advertising signs.

The decision sight distances in Exhibit 3-3 (1) provide values for sight distances that may be appropriate at critical locations, and (2) serve as criteria in evaluating the suitability of the available sight distances at these locations. Because of the additional safety and maneuvering space provided, it is recommended that decision sight distances be provided at critical locations or that critical decision points be moved to locations where sufficient decision sight distance is available. If it is not practical to provide decision sight distance because of horizontal or vertical curvature or if relocation of decision points is not practical, special attention should be given to the use of suitable traffic control devices for providing advance warning of the conditions that are likely to be encountered.

Metric						US Customary					
Design speed (km/h)	Decision sight distance (m)					Design speed (mph)	Decision sight distance (ft)				
	Avoidance maneuver						Avoidance maneuver				
	A	B	C	D	E		A	B	C	D	E
50	70	155	145	170	195	30	220	490	450	535	620
60	95	195	170	205	235	35	275	590	525	625	720
70	115	235	200	235	275	40	330	690	600	715	825
80	140	280	230	270	315	45	395	800	675	800	930
90	170	325	270	315	360	50	465	910	750	890	1030
100	200	370	315	355	400	55	535	1030	865	980	1135
110	235	420	330	380	430	60	610	1150	990	1125	1280
120	265	470	360	415	470	65	695	1275	1050	1220	1365
130	305	525	390	450	510	70	780	1410	1105	1275	1445
						75	875	1545	1180	1365	1545
						80	970	1685	1260	1455	1650

Avoidance Maneuver A: Stop on rural road— $t = 3.0$ s

Avoidance Maneuver B: Stop on urban road— $t = 9.1$ s

Avoidance Maneuver C: Speed/path/direction change on rural road— t varies between 10.2 and 11.2 s

Avoidance Maneuver D: Speed/path/direction change on suburban road— t varies between 12.1 and 12.9 s

Avoidance Maneuver E: Speed/path/direction change on urban road— t varies between 14.0 and 14.5 s

Exhibit 3-3. Decision Sight Distance

Decision sight distance criteria that are applicable to most situations have been developed from empirical data. The decision sight distances vary depending on whether the location is on a rural or urban road and on the type of avoidance maneuver required to negotiate the location properly. Exhibit 3-3 shows decision sight distance values for various situations rounded for design. As can be seen in the exhibit, shorter distances are generally needed for rural roads and for locations where a stop is the appropriate maneuver.

For the avoidance maneuvers identified in Exhibit 3-3, the pre-maneuver time is increased above the brake reaction time for stopping sight distance to allow the driver additional time to detect and recognize the roadway or traffic situation, identify alternative maneuvers, and initiate a

May 5th, 2022

City of Newnan
Planning Department
25 LaGrange Street
Newnan, GA 30263
(770)254-2354

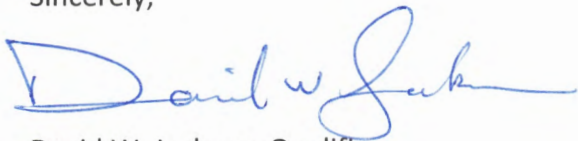
Re: Variance Request
Dollar Tree (DL-8759)
166 Temple Avenue
Newnan, GA 30263

Dollar Tree Stores, Inc. requests a variance from the provisions of the Ordinance Section 8-8 (p) to allow for proposed monument sign located at 166 Temple Avenue. Application of the ordinance to this piece of property would create an unnecessary hardship for Dollar Tree Stores, Inc. as this is part of the standard Dollar Tree sign package and would allow this location to coincide with other stores, existing and future.

Approving the variance and allowing Dollar Tree to install the proposed signage for the above-mentioned location will not confer any special privileges that have not already been provided to the tenants in the neighboring buildings that will be directly visible to the proposed Dollar Tree location. Allowing this Zoning variance will provide them with the same opportunity as neighboring businesses in the BEQ district such as TitleMax, Texaco and Exxon.

The variance, if granted, is the minimum relief that utilizes the reasonable use of the building and is consistent with the general intent and purpose of the City of Newnan's Code. It will in no way be detrimental or injurious to adjacent properties or to the public welfare.

Sincerely,



David W. Jackson, Qualifier
Anchor Sign, Inc.
(843)747-5901

May 5th 2022

City of Newnan
Planning Department
25 LaGrange Street
Newnan, GA 30263
(770)254-2354

Re: Variance Request
Dollar Tree (DL-8759)
166 Temple Avenue
Newnan, GA 30263

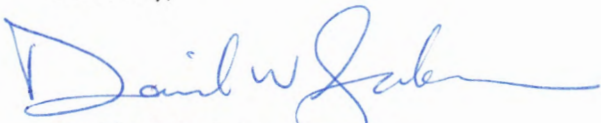
Dollar Tree Stores, Inc. requests a variance from the provisions of the Ordinance Section 8-18(a)(2) allowing for 286.67 ft² of signage for their Dollar Tree building's front elevation and proposed monument sign located at 166 Temple Avenue.

Application of the ordinance to this piece of property would create an unnecessary hardship for the proposed signage, the sign area on the front of the store, as it is part of the standard Dollar Tree sign package and would allow this location to coincide with other Dollar Tree stores, existing and future.

The most important aspects of Dollar Tree signage include visibility of the store and the safety of travelers looking for the store. The Dollar Tree store is located approximately 100' (+/-) southwest from the major roadway of Temple Avenue and about 10 minutes from exit ramp off I-85 with significant traffic flow. Allowing the requested signage square provides the Newnan community and drivers traveling through the area with increased location visibility, enabling drivers to locate available store entryway and access points easily, thus preventing driver confusion, distraction, and the potential for traffic delays and vehicle accidents and injuries.

The variance, if granted, is the minimum relief that utilizes the reasonable use of the building and is consistent with the general intent and purpose of the City of Newnan's Code. It will in no way be detrimental or injurious to adjacent properties or to the public welfare.

Sincerely,



David W. Jackson, Qualifier
Anchor Sign, Inc.
(843)747-5901

Legal Description

All that tract or parcel of land lying and being in Land Lot 38 of the 5th District, City of Newman, Coweta County, Georgia, being Lot 1A containing 1.99 acres, more or less, per Subdivision Plat for TEMPLE AVENUE, Plat Book 90, Pages 178-180 Coweta County, Georgia.

AND BEING a portion of the same property conveyed to Primax Properties, LLC, a North Carolina limited liability company from Bon L Manufacturing Company, a Georgia corporation by General Warranty Deed dated October 2, 2009 and recorded October 12, 2009 in Deed Book 3508, Page 469.

Tax Parcel No. N41 0004 009



City of Newnan, Georgia – Board of Zoning Appeals

Date: June 7, 2022

Application Number: 2022-09

Agenda Item: Variance Request- 8 Alpine Drive.

Prepared and Presented by: Dean Smith, Planner

Purpose: To hear a request for a variance to reduce the front and rear building setback.

Applicant/Property Owner: Stephanie P. Skinner
Robert Y. Skinner, Jr.
4812 S. Highway 27
Moreland, GA 30259

Zoning: Suburban Residential Single-Family Dwelling District (RS-15)

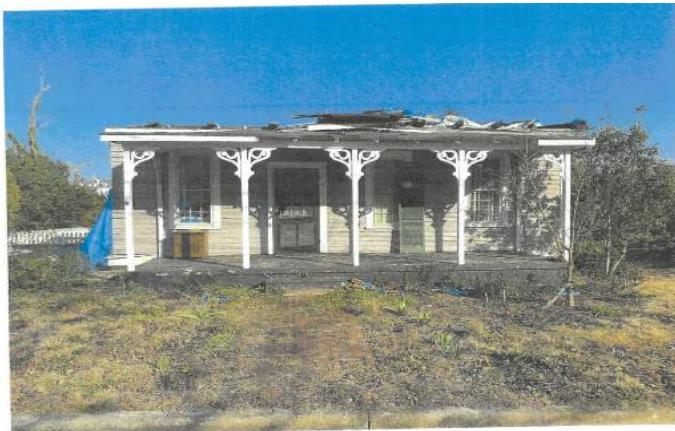
Present Use: Single Family Residence

Proposed Use: Single Family Residence

Pertinent Regulations: Article 4, Section 4-32, Table 4-A of the Zoning Ordinance.

Applicant's Position: "...The ordinance requires the property to be set back 30 feet from the street and 35 feet from the rear....our lot is 0.19 in acreage....his footprint doesn't meet the current code requirements...With our acreage only being 0.19 our house will not meet the current code requirements for the front and the back...[We request]..approximately 20 feet of requested variance in the front and approximately 6 feet of requested variance in the rear...."

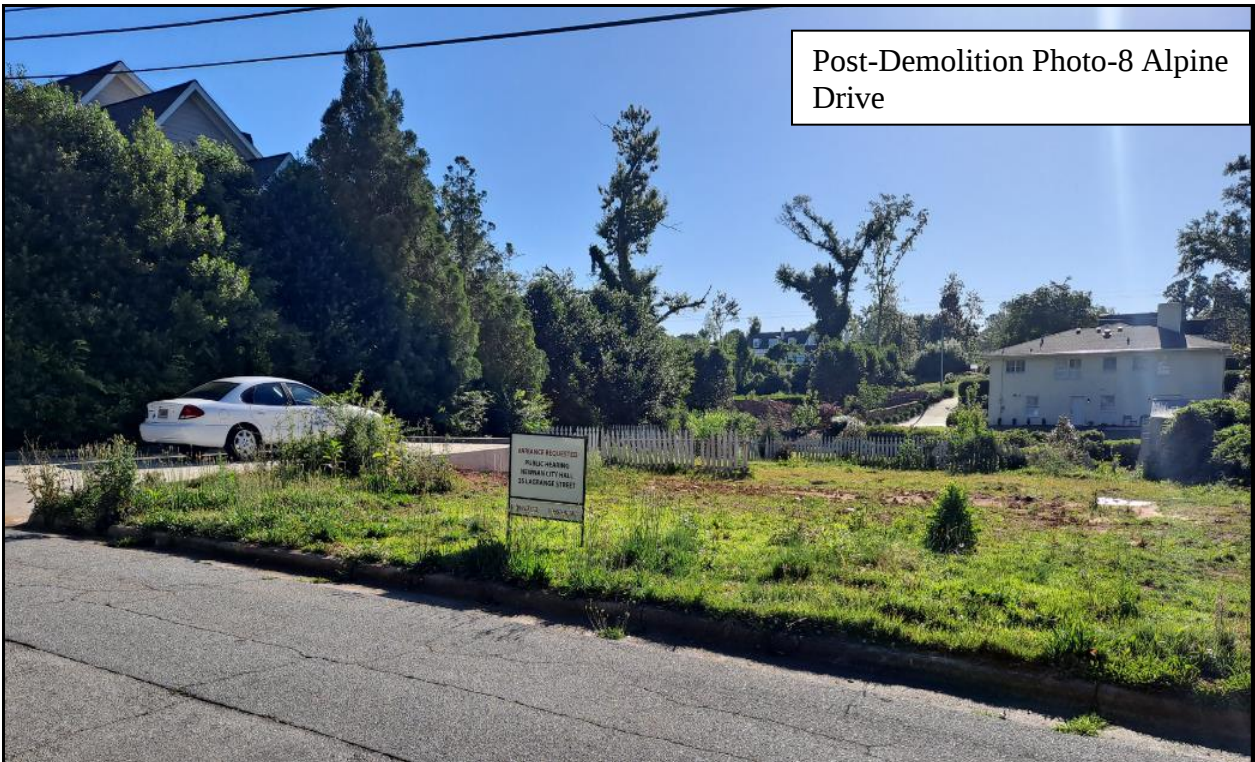
The applicant is seeking to construct a new home on the property in question. There was a house on this site which sustained significant damage as a result of the 2021 Tornado. In February 2022, a demolition permit was issued by the City of Newnan's Building Department to demolish the existing structure.



8 Alpine Drive – 2012 -Pre-Tornado
Photo



Post-Demolition Photo-8 Alpine
Drive



Basis for Granting Variance

The Board of Zoning Appeals shall base its required findings of fact upon particular evidence presented to it in each specific case where the property owner can show all of the following to be true:

A. The strict application of the terms of this Ordinance would effectively prohibit or unreasonably restrict utilization of the property because of all of the following:

- ✓ There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; and,
- ✓ Such conditions are peculiar to the particular piece of such property involved; and,
- ✓ Such conditions were not imposed by the action or will of the owner of the property; and,
- ✓ The application of the Ordinance to the particular piece of property would create an unnecessary hardship other than a financial hardship in which the applicant would receive a lower rate of financial return on the use of the property if the variance is denied; and,
- ✓ Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance.

B. In addition, the Board of Zoning Appeals shall affirmatively determine that:

- ✓ The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.

The condition or situation of the property which gives rise to the need for such variance is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this Ordinance.

Planning Department's Review and Findings:

To summarize, the requests are to reduce the front building setback from 30 feet to 20 feet and to reduce the rear setback from 35 feet to 29 feet for the purpose of constructing a new residence. Several neighboring properties along Alpine Drive have been granted building setback variances by the Board of Zoning Appeals, including 1 Alpine Drive on 9-2-21; 2 Alpine Drive on 2-4-14; 4 Alpine Drive on 4-3-07 and 15 Alpine Drive on 6-5-01.

The primary factor for these variances has been existing lot sizes and the incongruity of applying current zoning ordinance setback requirements for the smaller lots established prior to the adoption of the current zoning ordinance.

Recommendation:

Options:

- A. Grant the variance request.
- B. Grant the variance with conditions.
- C. Deny the variance request

In summary, staff does not have any objection to granting the request, should the Board members deem it appropriate to do so. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance; conditions are peculiar to

this piece of property for its lot size which also factors on exceptional conditions pertaining to this piece of property because of its size and shape.

Staff would recommend Option B, that the variance be granted with the condition that new construction be consistent with the building plans that have been submitted as part of this application.

Attachments:

Application



CITY OF NEWNAN, GEORGIA

25 LaGrange Street
Newnan, Georgia 30263
770-254-2354

APPLICATION FOR VARIANCE

Name of Applicant STEPHANIE P. SKINNER AND ROBERT V. SKINNER JR
Mailing Address 4812 S HWY 27 MORELAND, GA 30259
Telephone 904.772.4173 E-Mail: SPATRYLO14@gmail.com
Property Owner (Use back if multiple names) STEPHANIE P. SKINNER; ROBERT V. SKINNER JR
Mailing Address 4812 S HWY 27 MORELAND, GA 30259
Telephone 904.772.4173; 678.877.4247
Address/Location of Property 8 ALPINE DR. NEWNAN, GA 30263
Tax Parcel No: N29 0002 004
Present Zoning Classification: R3 - RESIDENTIAL
Present Land Use RESIDENTIAL
Intended Use RESIDENTIAL

Any person owning property, or having a possessory or contract interest in property and the consent of the owner, may file an application for variance in regard to such property with the Board.

If you have any questions concerning this process, you may call the Planning and Zoning Department at (770) 254-2354. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The Board of Zoning Appeals meets on the first Tuesday of each month. Applications must be submitted by 9:00 a.m. at least thirty (30) days prior to that date. Incomplete applications or applications submitted after the deadline will not be accepted.

I (We) hereby request the following variance from the provisions of section(s) ARTICLE 4 of the Zoning Ordinance/Subdivision Regulations: _____

In order for the Board to consider the request, it must be claimed "application of the Ordinance to the particular piece of property would create an unnecessary hardship". Please answer the following criteria questions:

1. What are the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property?
THE ORDINANCE GUIDELINES REQUIRES OUR NEW HOME TO BE 30 FEET FROM THE STREET AND 35 FEET FROM THE REAR.
2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?
RESIDENTIAL

3. What are the special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the requirements of the Ordinance?
OUR LOT IS 0.19 IN ACREAGE. WE PLAN ON BUILDING OUR HOUSE ON THE SAME FOOTPRINT BEFORE THE DEMOLIZATION. THIS FOOTPRINT DOESN'T MEET THE CURRENT CODE REQUIREMENTS.
4. What is the particular hardship that would result if the specified provisions or requirements of the Ordinance were to be applied to the subject property?
WITH OUR ACREAGE ONLY BEING 0.19 OUR HOUSE WILL NOT MEET THE CURRENT CODE REQUIREMENTS FOR THE FRONT AND THE BACK.
5. What is the minimum extent to which it would be necessary to vary the requirements of the Ordinance in order to permit the proposed construction on, or use of, the property?
APPROXIMATELY 20 FEET OF REQUESTED VARIANCE IN THE FRONT AND APPROXIMATELY 0 FEET OF REQUESTED VARIANCE IN THE REAR.

The Board of Zoning Appeals shall base its required findings upon the particular evidence presented in each specific case where the property owner can show:

A. The strict application of the terms of the Ordinance would effectively prohibit or unreasonably restrict utilization of the property because:

- ✓ There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
- ✓ Such conditions are peculiar to the particular piece of such property involved.
- ✓ Such conditions were not imposed by the action or will of the owner of the property.
- ✓ The application of the Ordinance to the particular piece of property would create an unnecessary hardship. Such hardship does not include financial hardship in that if the variance were granted, the applicant could receive a higher rate of financial return on the use of the property and without the variance, a lesser but still reasonable return could be realized.
- ✓ Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance.

B. The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.

C. The condition or situation of the property, which give rise to the need for such variance, is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Ordinance.

Included with the application, the following information is required:

- ✓ Plat of property, illustrating existing development and requested variance.
- ✓ Plans or drawings necessary to illustrate the requested variance.
- ✓ Check for applicable fees (**\$250.00 Per Variance Requested**).
- ✓ Legal description of property.
- ✓ List of all the names and addresses of all property owners within 250 feet of subject property. This information can be found at the Coweta County Tax Assessors Office.

I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand any inaccuracies may be considered just cause for invalidation of this application, and any action taken on this application. I (We) do hereby understand a variance of any requirement does not exempt the development from any other requirements of the Zoning Ordinance, Subdivision Regulations, or other City or State Regulations.

STEPHANIE P. SKINNER; ROBERT Y. SKINNER JR.

Applicant(s) Name(s) (Please Print)

Stephanie P. Skinner

Signature of Applicant(s)

Robert Y. Skinner Jr.

FOR OFFICIAL USE ONLY

RECEIVED BY 5/5/22 Dean Smith

DATE OF FILING 5/5/22

BZA MEETING DATE 6/7/22

DATE OF NOTICE PUBLICATION _____

ACTION TAKEN (DATE) _____



City of Newnan, Georgia

Attachment A

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a variance for property.

Name of Property Owner STEPHANIE P. SKINNER; ROBERT Y. SKINNER

Telephone Number 904.772.4173 678.877.4247

Address of Subject Property 8 ALPINE DR.

NEWNAN, GA 30263

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

Stephanie P. Skinner

Signature of Property Owner

Personally appeared before me

Stephanie Skinner

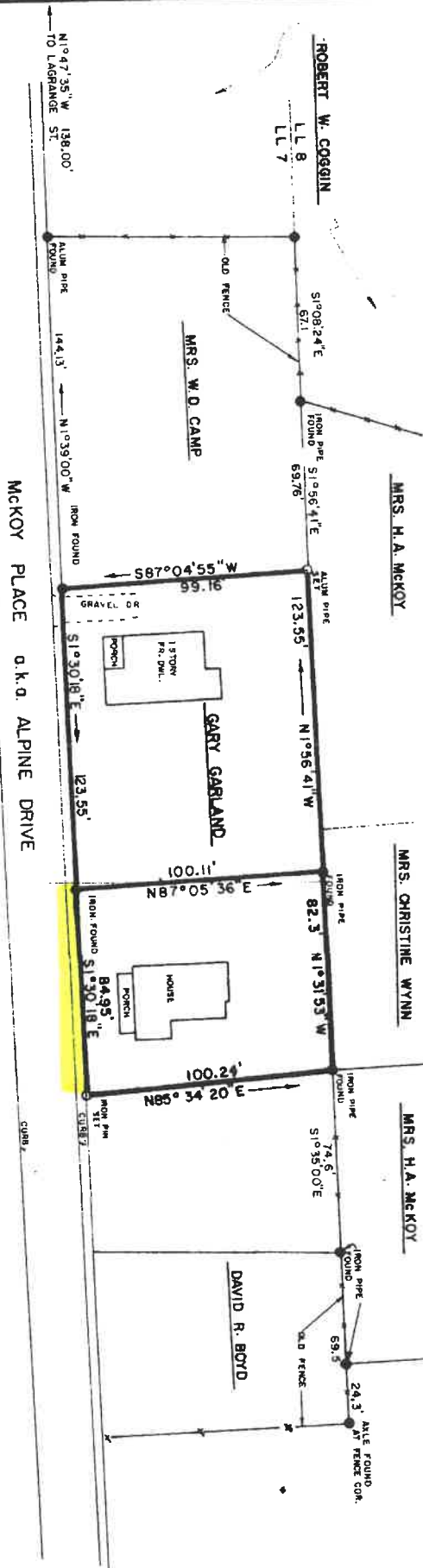
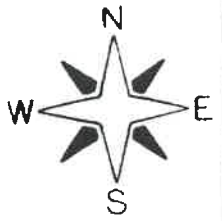
who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

[Signature]
Notary Public

May 5, 2022

Date





ORIGINAL CONVEY DEED, CLERK SUPERIOR COURT
FILED IN OFFICE, NOV 19 AM BY THE
CLERK OF SUPERIOR COURT, DEPT. 31
RECEIVED NOV 19 AM BY THE
CLERK OF SUPERIOR COURT, DEPT. 31

25018.

IN MY OPINION, THIS IS A TRUE
AND CORRECT REPRESENTATION
OF THE PLATTED PROPERTY AND
HAS BEEN PREPARED IN CON-
FORMITY WITH THE STANDARDS
AND REQUIREMENTS OF LAW



SURVEY FOR:
JOE CAMP

SCALE 1" = 40'

APPROVED BY:

DRAWN BY

DATE: 5-12-85

REVIEWED

CITY OF NEWMAN, CORDELL COUNTY, GEORGIA

11.7 L.D. 5

SECRET

S1056'41"E

ALUM PIPE
SET

N 1056 41 W

IRON PIPE
FOUND

82.3

N 10° 31' 53" W

IRON PIPE
FOUND

51° 35' 00

CAMP

N 1039'00"W

IRON FOUND

~~S 87° 04' 55" W~~
~~99.16'~~

99.16

GRAVEL DR

PORECH

1 STORY
FR. DWL

GARY GARLAND

100.11'

N87°05'36"E

IRON. FOUND

51.30.18 E

84.5

PORCH

HOUSE

100.24'

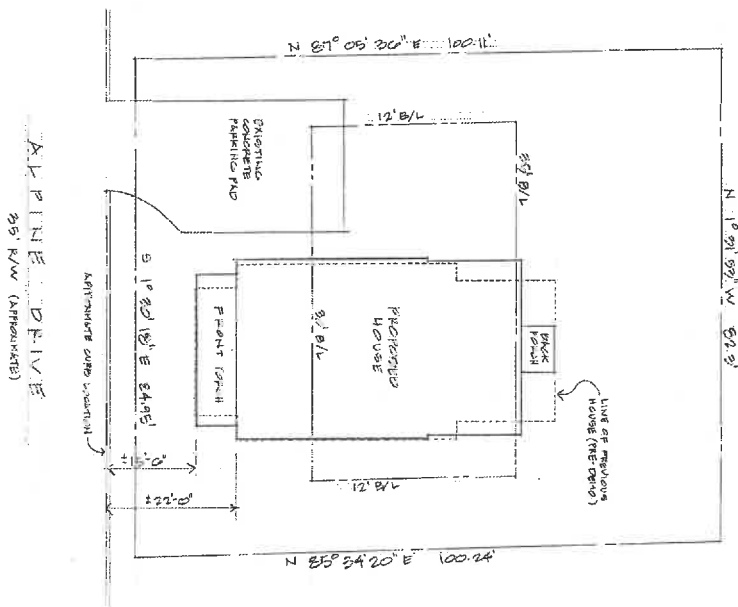
NE 5° 34' 20" E

IRON PIN
SET

СУРБЪ

McKoy PLACE a.k.a. ALPINE DRIVE

CURB



SITE STUDY
 2 ALPINE DRIVE, NEWNAN, GA

PENCIL ON PAPER

DESIGNS BY DAVID VAN DREW

12 ATKINSON STREET
 NEWNAN, GA. 30263

PHONE: 404-302-3869
 EMAIL: PENCILONPAPERLLC@GMAIL.COM



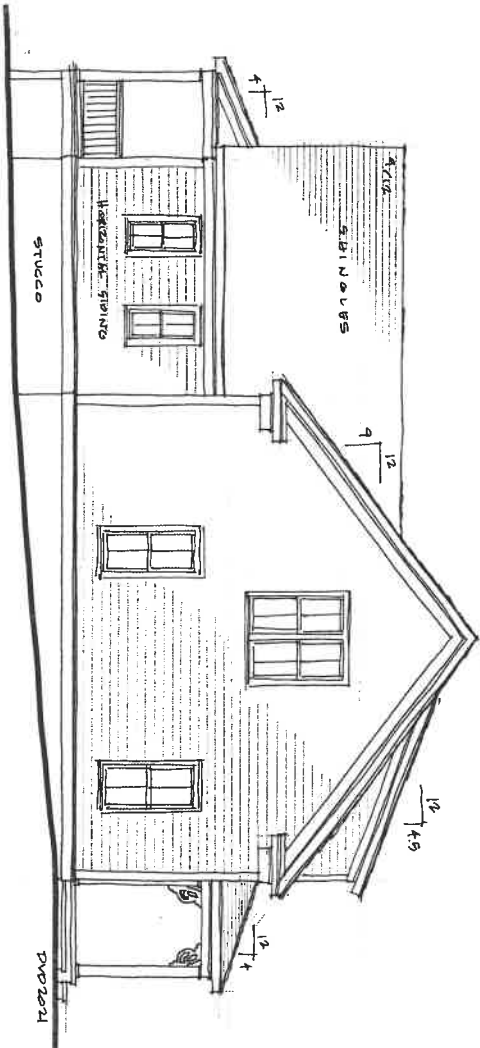
REVISION BY	DATE

PROJECT: 2 ALPINE DRIVE
SKINNER SITE STUDY

IMPORTANT NOTE:

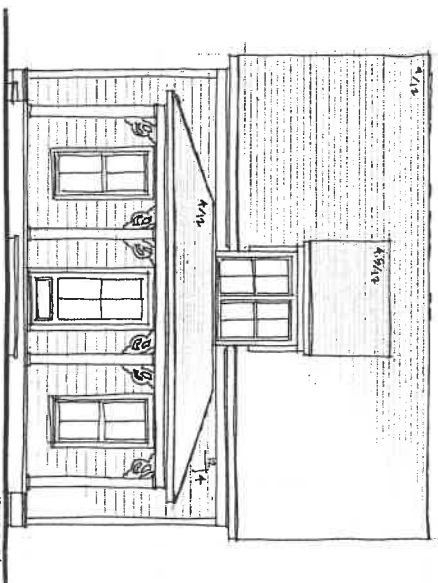
CONTRACTOR TO CHECK ALL DIMENSIONS BEFORE CONSTRUCTION.
 STRUCTURAL REQUIREMENTS ARE TO BE VERIFIED AND
 DETERMINED BY CONTRACTOR OR STRUCTURAL ENGINEER.
 CONTRACTOR MUST VERIFY COMPLIANCE WITH ALL LOCAL BUILDING
 AND FIRE CODES.

DATE: 05/04/2012
 DRAWN BY: DVO
 CHECKED BY:
 JOB NO: 2118
 SHEET



LEFT ELEVATION

SVP/4-1-0



FRONT ELEVATION

SVP/4-1-0

SVP/2-1-8

FIRST FLOOR PLAN

9'-0" CEILING
 11500 BTU HEATER, 50A FUSE

ALPINE DRIVE



SECOND FLOOR PLAN
 910' CRUISE
 ± 130' HEATED SQ. FEET
 ± 450' UNHEATED ATTIC SQ. FEET

