



DeKalb County Zoning Board of Appeals
Department of Planning & Sustainability
330 Ponce De Leon Avenue, Suite 300
Decatur, GA 30030



Michael L. Thurmond
Chief Executive Officer

Wednesday, October 14, 2020 at 1:00 PM
Planning Department Staff Analysis

N1 Case No: A-20-1244423 Parcel ID(s): 18-285-02-034

Commission District: 01 Super District 07

Applicant: Site Enhancement Services (Charley Schalliol)
6001 Nimitz Parkway
South Bend, IN 46628

Owner: Embry Village S.C., LLC.

Project Name: 3497 Chamblee Tucker Road

Location: The property is located on the south side of Chamblee Tucker Road, at 3497 Chamblee Tucker Road, Chamblee, GA 30341

REQUEST: Variances from Chapter 21 of the DeKalb County sign ordinance (1) to increase the maximum of a proposed canopy sign from six (6) square feet to 11.2 square feet, and (2) to allow two (2) signs per canopy face per public street frontage

Staff Recommendation: "Denial"

STAFF FINDINGS:

Site Location: The property is located on the south side of Chamblee Tucker Road, at 3497 Chamblee Tucker Road, Chamblee, GA 30341.

Variance request: Variances from Chapter 21 of the DeKalb County sign ordinance (1) to increase the maximum of a proposed canopy sign from six (6) square feet to 11.2 square feet, and (2) to allow two (2) signs per canopy face per public street frontage.

Variance Analysis: Based on the submitted materials, the applicant (Kroger) is seeking variances to place three signs on the existing canopy façade that is placed over the existing fuel pumps located on the Kroger's site. Per the DeKalb County sign ordinance, within the limits of the canopy covering the pump islands, one (1) sign per canopy face per public street frontage with a maximum of six (6) square feet is allowed. However, no variance shall be granted which increases the size of a sign more than twenty (20) percent of that allowed by this chapter. Based on the submitted materials, the applicant does not meet this requirement nor meets the criteria for approval based on the following criteria:

1. Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area:

Based on the submitted material, exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area

2. Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated:

Granting the variance would confer on the applicant any significant privileges which are denied to others similarly situated.

3. The exceptional circumstances are not the result of action by the applicant:

The exceptional circumstances are results of action by the applicant.

4. The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated:

Based on the submitted materials, the requested variance is not the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated.

5. Granting of the variance would not violate more than one (1) standard of this article:

Based on the submitted materials, Granting of the variance would violate section 21-27 of the DeKalb County sign ordinance no variance shall be granted which increases the size of a sign more than twenty (20) percent of that allowed by this chapter.

6. Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic:

Based on the submitted materials, granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic

FINAL STAFF ANALYSIS:

Based on the submitted materials, Granting of the variance would violate section 21-27 of the DeKalb County sign ordinance no variance shall be granted which increases the size of a sign more than twenty (20) percent of that allowed by this chapter. Therefore, the Department of Planning and Sustainability recommends that the application be "denied",

STAFF RECOMMENDATION: "Denial"