



# 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, December 9, 2020 at 1:00 PM

## Planning Department Staff Analysis

**D1 Case No: A-20-1244244 Parcel ID(s): 18-190-01-010**

**Commission District: 01 Super District 07**

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

**Owner:** CPI Tucker I LLC, CPI Tucker II LLC and CPI Tucker III LLC

**Project Name:** 3924 Lavisita Road

**Location:** The property is located on the west site of Lavista Road, at 3924 Lavista Road, Tucker GA 30084.

**REQUEST:** Variance from Chapter 27 of the DeKalb County Zoning Ordinance to increase letter height and to waive the requirement for channel cut letter for a proposed sign, relating to the Northlake overlay district.

**Staff Recommendation:** "APPROVAL" as shown on the submitted material received September 3, 2020.

## **STAFF FINDINGS:**

**Site Location:** The property is located on the west site of Lavista Road, at 3924 Lavista Road, Tucker GA 30084 and is located within the Northlake Overlay District.

**Variance request:** Variance from Chapter 27 of the DeKalb County Zoning Ordinance to increase letter height and to waive the requirement for channel cut letter for a proposed sign, relating to the Northlake overlay district.

**Variance Analysis:** Based on the submitted materials, the applicant is requesting to increase letter height and to waive the requirement for channel cut letter for a proposed 104 square foot sign wall mounted sign, relating to the Northlake overlay district

The Northlake overlay requires a maximum of two (2) wall signs, each of which shall not exceed an area of ten (10) percent of the area of the façade of the ground floor of the building or seventy-five (75) square feet, whichever is less; and all wall signs shall be channel cut letters applied directly to the building façade.

Based on the submittal materials, the request will not go beyond the minimum relief and appears meets the criteria for approval based on the following criteria:

**1. By reason of exceptional narrowness, shallowness or shape of a specific lot, or by reason of exceptional topographic conditions, which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district:**

Based on the submitted materials, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners.

**2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located:**

It appears that the requested variances does not go beyond that minimum necessary to afford relief.

**3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located:**

Granting these variances will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

**4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship:**

Based on the submitted materials, the strict application of the applicable provisions and requirements of this chapter would cause an undue hardship for the applicant.

**5. The requested variance would be consistent with the spirit and purpose of this Chapter and the DeKalb County Comprehensive Plan Text:**

Based on the submitted materials, it appears that the requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

## **FINAL STAFF ANALYSIS:**

It appears that the requested variances does not go beyond that minimum necessary to afford relief. Therefore, the Department of Planning and Sustainability recommends that the application be "approved" as shown on the submitted materials received on September 3, 2020





DeKalb County Department of Planning & Sustainability

Hon. Michael Thurmond
Chief Executive Officer

Andrew Baker, AICP,
Director

ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING
(VARIANCES, SPECIAL EXCEPTIONS, APPEALS OF ADMINISTRATIVE DECISIONS)

BOA No. \_\_\_\_\_

Applicant and/or
Authorized Representative Site Enhancement Services (Shawn Smith)

Mailing Address: 6001 Nimtz Parkway

City/State/Zip Code: South Bend, IN 46628

Email: sts@sesbranding.com

Telephone Home: 574-532-3968 Business: 800-599-7696 Fax No.: 574-237-6166

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: CPI Tucker I LLC, CPI Tucker II LLC and CPI Tucker III LLC

Address (Mailing): 195 North Street, Suite 100

City/State/Zip Code: Teterboro, New Jersey 07608

Email: cbozzelli@cpifunds.com ASSET MANAGER, CPI FUND MANAGER AS ACTING AGENT.

Telephone Home: 201-373-8048 Business: Fax No.:

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 3924 Lavista Road City: Tucker State: GA Zip: 30084

District(s): 04 Land Lot(s): Block: Parcel: 18 190 01 010

District(s): Land Lot(s): Block: Parcel:

District(s): Land Lot(s): Block: Parcel:

Zoning Classification: C-1 Commission District & Super District:

CIRCLE TYPE OF HEARING REQUESTED

- VARIANCE (From Development Standards causing undue hardship upon owners of property.)
SPECIAL EXCEPTIONS (To reduce or waive off-street parking or loading space requirements.)
OFFICIALS APPEALS OF ADMINISTRATIVE DECISIONS.

TO BE COMPLETED BY PLANNING AND SUSTAINABILITY DEPARTMENT

Date Received: \_\_\_\_\_

Fee Paid: \_\_\_\_\_



# ZONING BOARD OF APPEALS APPLICATION AUTHORIZATION OF THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals  
To inspect the premises of the Subject Property

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property subject to the application.

DATE: \_\_\_\_\_

Applicant: \_\_\_\_\_  
Signature

DATE: \_\_\_\_\_

Applicant: \_\_\_\_\_  
Signature



DeKalb County  
GEORGIA

3

**ZONING BOARD OF APPEALS APPLICATION**

**AUTHORIZATION TO REPRESENT THE PROPERTY OWNER**

I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property and that I authorize the applicant/agent to apply for a hearing to the Zoning Board of Appeals for the requests as shown in this application

DATE: \_\_\_\_\_ Applicant/Agent: \_\_\_\_\_  
Signature \_\_\_\_\_

TO WHOM IT MAY CONCERN:

(I)/ (WE) CPI Tucker I LLC, CPI Tucker II LLC and CPI Tucker III LLC  
(Name of Owners)

being (owner/owners) of the property described below or attached hereby delegate authority to:

Site Enhancement Services (Shawn Smith)  
(Name of Applicant or Representative)

To file an application on (my) / (our) behalf

Cheryl A. Bozzelli  
Notary Public Cheryl A. Bozzelli

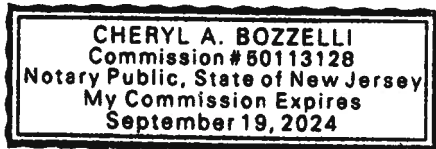
Notary Public

Notary Public

Michael M. Hanson  
Owner MICHAEL M. HANSON

Owner

Owner



## Filing Guidelines for Applications to the DeKalb County, Ga. Board of Appeals

1. **Order of Submitted Materials:**
  - a. Application Form
  - b. Signatures and authorization (including permission to go on property)
  - c. Letter of Intent
  - d. Surveys, site plans.
  - e. Other relevant materials (e.g. photographs, letters of support, citation, etc.)
  - f. Filing Fee (\$300 payable to "DeKalb County")
2. **Application Materials:**
  - a. Applications must be submitted in complete, collated packets.
  - b. All materials must be folded in stacks of 8½ x 11.
  - c. Ten copies of all materials are required.
  - d. Applicant may want to bring an 11<sup>th</sup> copy for their records.
3. **Surveys and site plans of the Subject Property:**
  - a. Must be stamped by a professional engineer or surveyor, registered in the State of Georgia.
  - b. All plans and surveys must include the following information:
    1. Must show all property lines with dimensions.
    2. Must show the location of all existing and proposed buildings, structures, parking and setbacks (their relationship to the property boundaries).
    3. Must show any other features related to the request such as trees, fences, topography, streams, etc.
    4. Must be to-scale
    5. Must show lot area and lot coverage (impervious materials, including paving and structures).
    6. Larger and small scale plans (8½ x 11) are generally required.
4. If property is not located in a platted subdivision, a legal description must be included.
5. **Letter of Intent:**
  - a. A typed statement indicating the request and clarifying justification for the proposal based on the criteria as indicated in Section 27-7.5.3 or 7.5.4 of the DeKalb County Zoning Ordinance (see attached information).
  - b. Reference the section of the code you are requesting to vary and the amount of requested change, (such as to reduce the rear yard setback from forty (40) feet to twenty (20) feet to construct an addition).
6. **Authorization:**
  - a. If property owner is different from the applicant, the form to authorize the application must be signed by the owner and stamped by a notary.
  - b. If property is owned by more than one property owner, all property owners must authorize the request.
  - c. Authorize staff and members of the Board of Appeals to go on the property for site analysis and to post signs.
7. Application Fee is **\$300**. All checks must be payable to "DeKalb County". **There are no refunds after notice has been sent to the newspaper for advertisement.**
8. For all applications longer than 15 pages, a pdf or word document on a cd or thumb drive must be submitted with the application.



June 16, 2020

**RE: Mavis Tire – 3924 Lavista Road**

Enclosed is the variance application and supporting information for the Mavis Tire at 3924 Lavista Road Tucker, GA

Mavis is proposing a minor variation from Northlake Commercial Center Overlay District to allow a slight increase over the allowed 24” letter height dimension. This location will be re-branded to Mavis new design standards. The sign being proposed will be constant with the signage located in the area. The building is set back approximately 113’ feet from the roadway and the request to to increase slightly to 31” in letter height. This proposal is very close to the existing signage in square footage. The original sign is 100 SF in area and the proposed will be 104. With the additional tagline due to name update the additional letter height is requested to provide travels the ability to read the sign accurately and make safe driving decisions.

The site is unique due to the access point of the property and additional traffic maneuvers the driver is required to make to access/locate the property. With the slight increase in area Mavis would be able to properly give advanced notification to the motoring public assisting with navigation. The building is also set back considerable from the roadway and the slight relief will allow Mavis to be very visible to the drivers.

The request is constant with this commercial corridor and is inline with the development standards of the area. It will not provide a competitive advantage over neighboring businesses. It is a minor request which is in harmony, looking out for the health and safety of the public.

If you have any questions or need any additional information, please contact me at 574-532-3968 or [sts@sesbranding.com](mailto:sts@sesbranding.com)

Thank You,

Shawn Smith  
Site Enhancement Services  
6001 Nimitz Parkway  
South Bend, IN 46628  
P: 574-532-3968  
[sts@sesbranding.com](mailto:sts@sesbranding.com)

SOUTH BEND

6001 Nimitz Pkwy | South Bend, IN | 46628 | p. 888.276.7107 | f. 574.237.6166



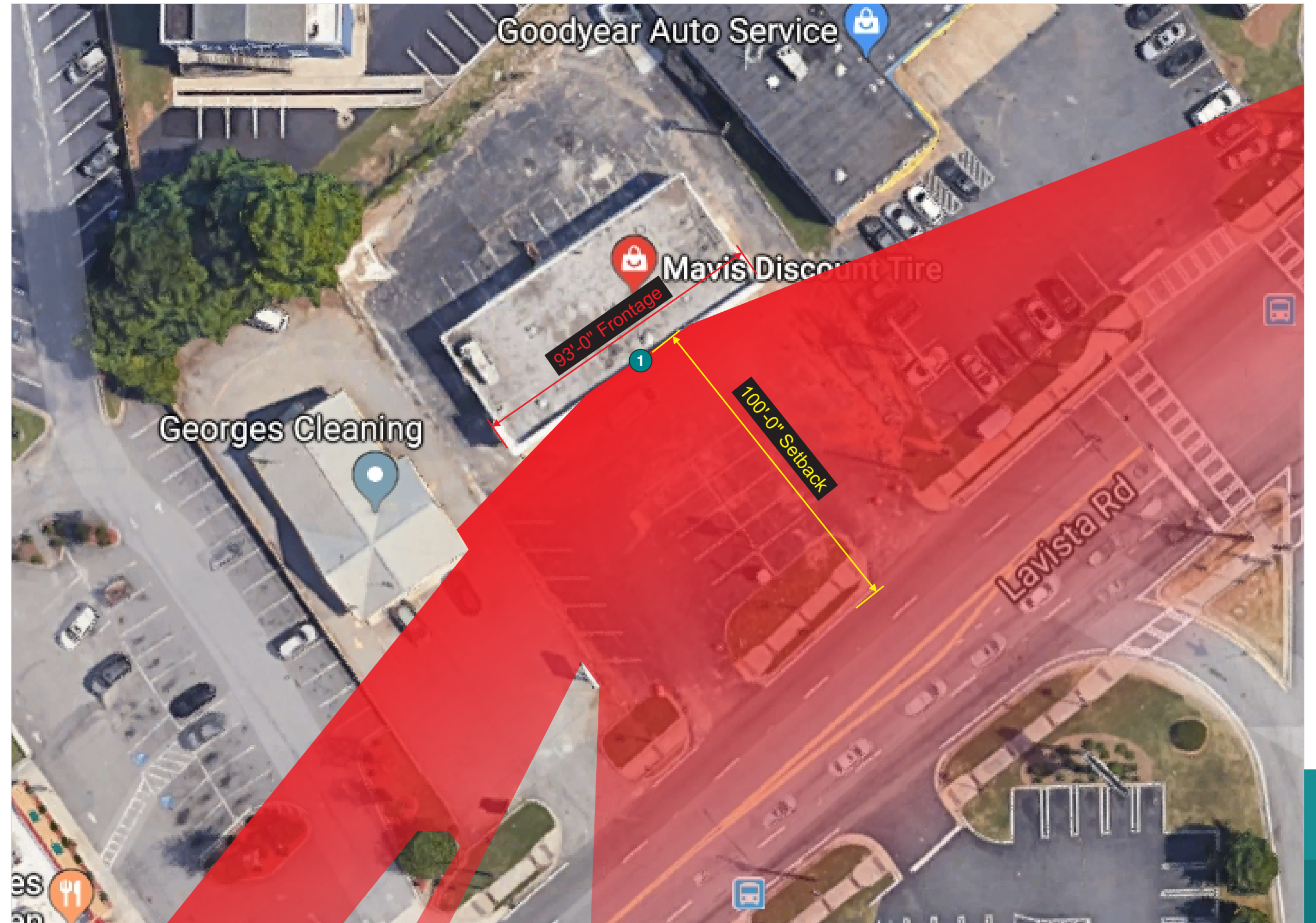
# **MAVIS TIRES & BRAKES** At **DISCOUNT PRICES**

## Site Survey Program



Site ID: 624  
Site Name: Mavis Tucker  
Address: 3924 Lavista Road  
City: Tucker  
State: GA  
Zip: 30084

06-19-20

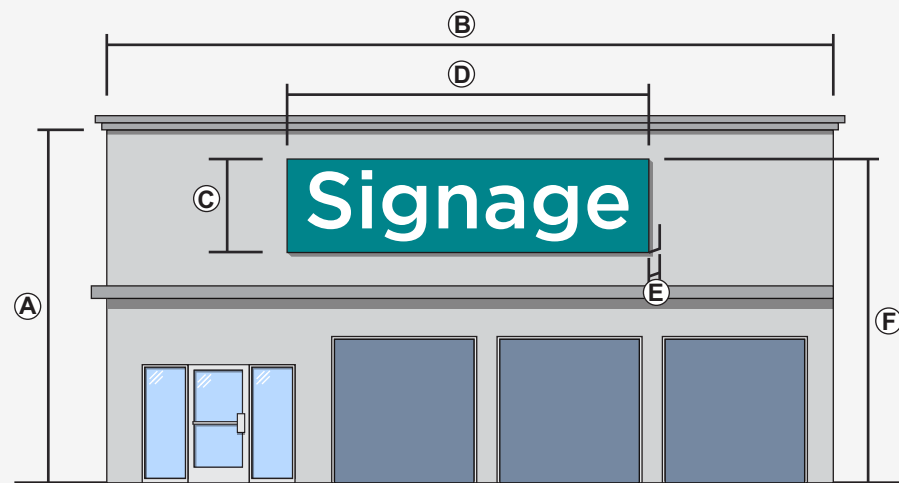




Sign 1

Existing

Description:	Wall Sign - Cloud Letters	Attachment:	Flush
Face Count:	1	Available Height:	6'-1 1/4"
Illumination:	Internally Illuminated	Available Width:	39'-5 1/8"
Sign Material:	Painted Aluminum, Plex	Fascia PMS Color:	601c
Wall Material:	Block		



A. Building Height:	19'	D. Sign Width:	38'-2 1/8"
B. Building Width:	93'	E. Sign Depth:	5"
C. Sign Height:	2'-7 1/2"	F. Overall Height:	14'-8 1/8"
		Existing SF:	100 SF

