



STAFF REVIEW AND RECOMMENDATION

Variance Case #: V2016-49 **Legistar #:** 20160985
Board of Zoning Appeals Hearing: Monday, October 31, 2016 – 6:00 p.m.
Property Owner: Mount Paran Christian School
c/o John Sess
1275 Stanley Road NW
Kennesaw, GA 30152
Applicant: J. Clinton Austin
497 Kirk Road
Marietta, GA 30060
Address: 2250 Stilesboro Road
Land Lot: 243 **District:** 20 **Parcel:** 0810
Council Ward: 4C **Existing Zoning:** R-2 (Single Family Residential – 2 units/acre)

Special Exception / Special Use / Variance(s) Requested:

1. Variance to allow a 60 square foot sign panel on a fence at the corner of Stanley Road and Stilesboro Road. [§ 714.04]
2. Variance to allow a decorative aluminum fence with brick columns 7’4” tall along Stanley Road and Stilesboro Road. [§ 714.04]

Statement of Fact

As per section 720.03 of the Comprehensive Development Code of Marietta, the Board of Zoning Appeals may alter or modify the application of any such provision in the Development Code because of unnecessary hardship if doing so shall be in accordance with the general purpose and intent of these regulations, or amendments thereto, and only in the event the board determines that by such alteration or modification unnecessary hardship may be avoided and the public health, safety, morals and general welfare is properly secured and protected. In granting any variance the board of zoning appeals shall designate such conditions in connection therewith as will, in its opinion, secure substantially the objectives of these regulations and may designate conditions to be performed or met by the user or property owner, out of regard for the public health, safety, comfort, convenience, and general welfare of the community, including safeguards for, with respect to light, air, areas of occupancy, density of population and conformity to any master plan guiding the future development of the city. The development costs of the applicant as they pertain to the strict compliance with a regulation may not be the primary reason for granting a variance.

Criteria:

1. Exceptional or extraordinary circumstances or conditions *are/are not* applicable to the development of the site that do not apply generally to sites in the same zoning district.

2. Granting the application *is/is not* necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.
3. Granting the application *will/will not* be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

PICTURES



Proposed location of fence and sign (intersection of Stanley and Stilesboro Roads)



Proposed sign and fence



Recommended Action:

Approval with stipulations. Mt. Paran Christian School, Inc. is requesting variances to construct a sign at the corner of their campus at Stilesboro Road and Stanley Road. The property is approximately 57 acres in size, is zoned R-2 (Single Family Residential – 2 units/acre) with a variance to allow a school. The property has frontage along Barrett Parkway, Stilesboro Road, Stanley Road, and backs up to railroad right of way. The school’s main entrance is along Stanley Road, but has secondary entrances along Stilesboro Road. There is no access from Barrett Parkway.

With this request, it is the school’s intention to build a sign facing the intersection of Stilesboro Road and Stanley Road; and to integrate the sign into the fence surrounding the campus. The face of the sign, which would read “Mount Paran Christian School”, will be approximately 60 square feet in size. The fence surrounding the campus would be constructed of decorative aluminum pickets between brick columns between 6 and 8 feet in height.

The City does not have any allowances within the Sign Ordinance for schools, but does allow a 32 square foot monument sign, no more than 8 feet tall, for places of assembly operating in residential districts. The ordinance also allows subdivisions to have signs incorporated into an entrance wall or fence as long as it does not exceed a height of 8 feet, a sign face greater than 64 square feet, and is more than 5 feet from the property line. Although this property is not a subdivision, the area is predominately residential in nature and the subject property is zoned residential. The sign is within the allowances for subdivision signs and would be an aesthetic improvement to a corner recently improved by Cobb DOT.

As a result, staff recommends approval of the variance for the proposed sign and to increase the height of the proposed fence and columns for Mount Paran Christian School with the stipulations that the sign shall not exceed 64 square feet; and that the fence and columns shall not exceed 8 feet in height.



Department of Development Services
205 Lawrence Street
Marietta, GA 30060
Brian Binzer, AICP, Director

APPLICATION FOR VARIANCE OR APPEAL
(Owner/Applicant/or Representative must be present at all public hearings)

For Office Use Only:

Application #: V2016-49 Registrar #: BZA Hearing Dt: 10-31-16
City Council Hearing Dt (if applicable) #: - PZ #: 16-531

This is a variance/appeal application for:

[X] Board of Zoning Appeals [] City Council

Owner's Name Mount Paran Christian School c/o John Sess
Address 1275 Stanley Road NW Kennesaw Zip Code: 30152
Telephone Number: 404-550-6599 Email Address: jsess@mtparanschool.com

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant J. Clinton Austin
Address 497 Kirk Road Marietta Zip Code: 30060
Telephone Number 404-277-0430 Email Address: clintaustin@oldmountain.net

Address of property for which a variance or appeal is requested:

2250 Stilesboro Road Date of Acquisition: 29 March 2007

Land Lot(s) 243 District 20 Parcel 2 Acreage 10.1 Zoned R2 Ward 4C FLU CSE
02430 0810

List the variance(s) or appeal requested (please attach any additional information):

The applicant wishes to construct a proposed sign for the owner that would be larger than allowed by city code.

Required Information

- 1. Application fee (\$250)
2. Completed notarized application. The original application must be submitted with ALL original signature(s) - Copies of the application or signature(s) will NOT be accepted.
3. Copy of the deed that reflects the current owner(s) of the property.
4. Letter describing the reason for the variance request, stating why strict adherence to the code would result in a particular hardship (as distinguished from a mere inconvenience or desire to make more money).
5. Site plan - drawn to scale. Site plans must illustrate property lines and all relevant existing information and conditions in addition to proposed additions or modifications within the referenced property lines of the tract(s). Copies Required: One (1) - (8 1/2" x 11") -or- (11" x 17") drawn to scale. Optional Additional Plat size: (24"x 36"). If providing (24"x 36") then 25 copies REQUIRED.
6. Copy of current tax bill showing payment or documentation certified by the City of Marietta Tax Office.
7. Documentation authorizing applicant to submit application by property owners if applicant is not owner.

Note: The Department of Development Services reserves the right to obtain additional information that reasonably may be required in order that an informed decision may be made.

OVER



September 16, 2016

Rusty Roth
Planning and Zoning Manager
City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

RE: APPLICATION FOR VARIANCE – 2250 STILESBORO ROAD

Dear Mr. Roth:

I am writing as applicant on behalf the owner of 2250 Stilesboro Road, which is Mount Paran Christian School. The owner has engaged us to construct a proposed sign at the intersection of Stilesboro Road and Stanley Road and we are therefore seeking a permit for the proposed sign construction. The sign as proposed would not strictly meet with city code and as such as we therefore applying for a variance in order to proceed with construction of the sign.

We would respectfully request that the Application for Variance be granted for the following reasons:

1. The size of the sign needs to be larger than allowed by city code in order to allow those traveling to the owner's facility to be able to readily see the sign and read it from the large roadway and intersection in front of the sign.
2. The size of the sign as proposed, while not strictly in keeping with city code, would not be out of character for other signage within line of sight of the location for the proposed sign.
3. The sign would fit with other construction already present on the owner's property and we believe would increase the aesthetics of the intersection where it would be placed (please see the rendering of the proposed sign submitted along with this Application for Variance).

Please reach me at the contact information below if you need further on this matter. We greatly appreciate your attention to this matter.

Very respectfully,

J. Clinton Austin
President
Old Mountain Contracting Company
(404) 277-0430
clintaustin@oldmountain.net

TO: Marietta Daily Journal
FROM: City of Marietta
RUN DATE: October 14, 2016

**CITY OF MARIETTA
PUBLIC NOTICE OF VARIANCES and SPECIAL LAND USE PERMIT**

The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the following variance requests. The Board of Zoning Appeals will consider the following requests on **Monday, October 31, 2016 at 6:00 P.M.**, City Hall. Anyone wishing to attend may do so and be heard relative thereto.

V2016-49 [VARIANCE] MOUNT PARAN CHRISTIAN SCHOOL is requesting variances for property located in Land Lot 243, District 20, Parcel 0810, 2nd Section, Marietta, Cobb County, Georgia and being known as 2250 Stilesboro Road. Variance to allow a 60 square foot sign panel on a fence at the corner of Stanley Road and Stilesboro Road; variance to allow a decorative aluminum fence with brick columns 7'4" tall along Stanley Road and Stilesboro Road. Ward 4C.

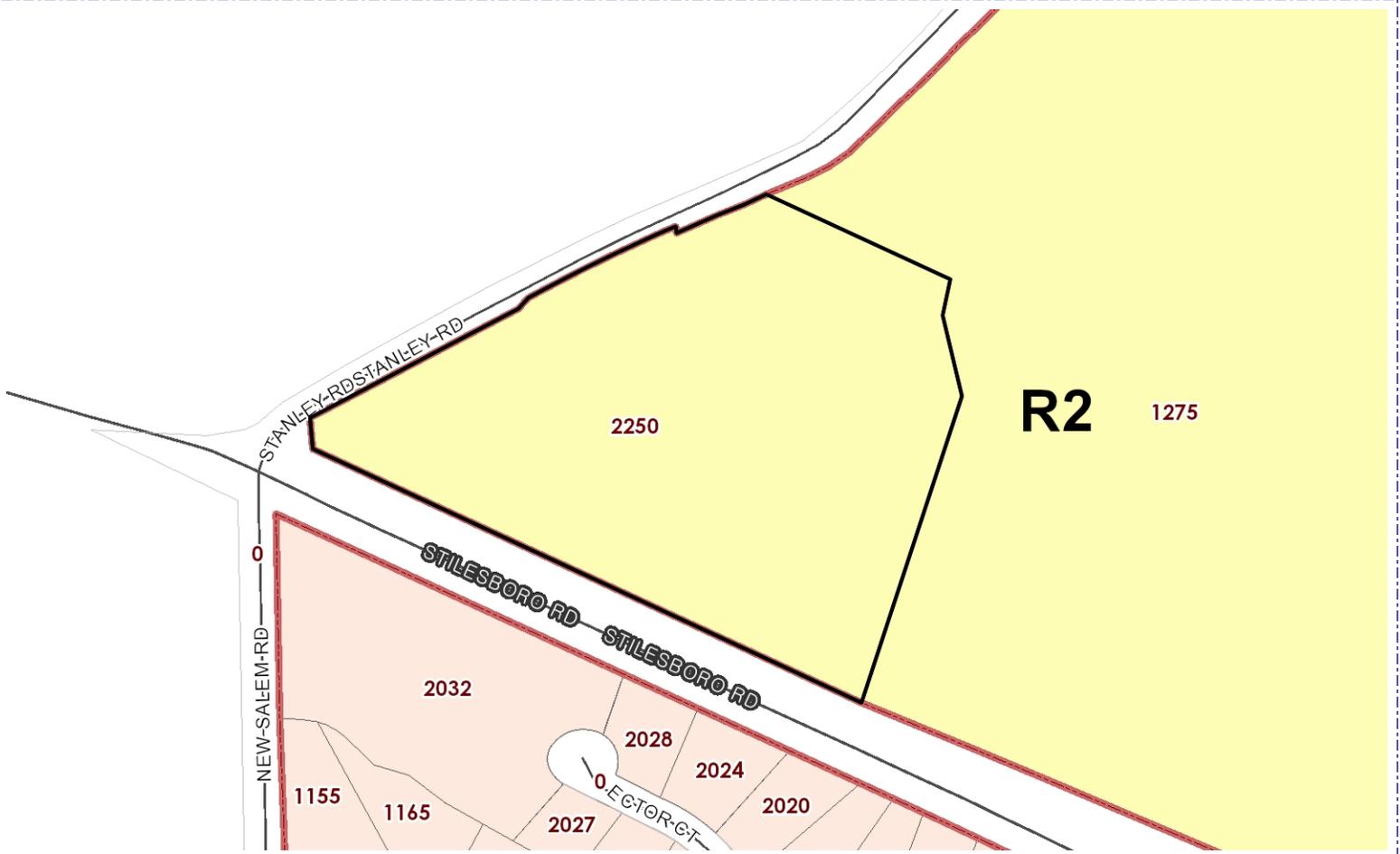
A description and plat of the property sought for the variances are on file in the Planning and Zoning Office, City Hall, and are available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

For additional information please call the Planning and Zoning Office (770) 794-5669.

Accessibility to Meetings: If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call Mr. Patrick Henley, ADA Coordinator, at 770-794-5558 (voice) or 770-794-5560 (TDD) no later than 48 hours before the date of the above meeting.

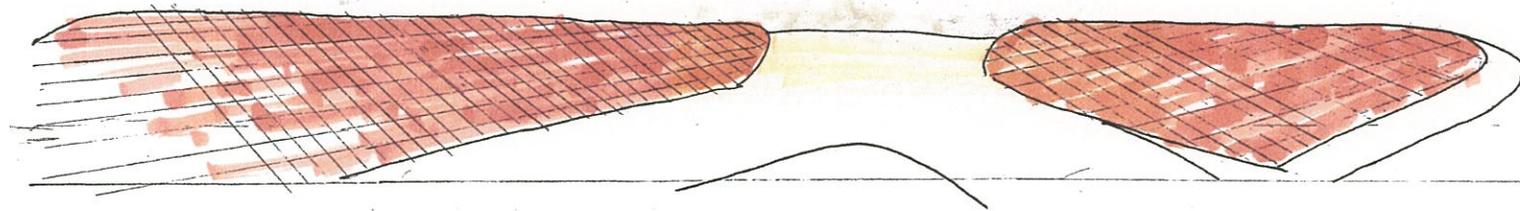
City of Marietta
205 Lawrence Street
Marietta, Georgia 30060

Variance



Address	Parcel Number	Acreage	Ward	Zoning	FLU
2250 STILESBORO RD	20024300810	10.805	4C	R2	CSI

Property Owner:	Mount Paran Christian School	Zoning Symbols --- Railroads City Limits Cobb County Pockets NA R1 - Single Family Residential (1 unit/acre) R2 - Single Family Residential (2 units/acre) R3 - Single Family Residential (3 units/acre) R4 - Single Family Residential (4 units/acre) RA4 - Single Family Residential - Attached RA6 - Single Family Residential - Attached RA8 - Single Family Residential - Attached MHP - Mobile Home Park PRD-SF - Planned Residential Dev. Single Family RM8 - Multi Family Residential (8 units/acre) RM10 - Multi Family Residential (10 units/acre) RM12 - Multi Family Residential (12 units/acre) RHR - Residential High Rise PRD-MF - Planned Residential Dev Multi Family NRC - Neighborhood Retail Commercial CRC - Community Retail Commercial RRC - Regional Retail Commercial PCD - Planned Commercial Development LI - Light Industrial HI - Heavy Industrial PID - Planned Industrial Development MXD - Mixed Use Development CBD - Central Business District OIT - Office Institutional Transitional LRO - Low Rise Office OI - Office Institutional OS - Office Services OHR - Office High Rise
Applicant:	J. Clinton Austin	
BZA Hearing Date:	10/31/2016	
Acquisition Date:		
Case Number:	V2016-49	
City of Marietta Planning & Zoning		



INSURE AND IS FOUND
1000 FEET.

Deed Book 14472 Pg 2340
Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

ON D-50

NATIONAL GEODETIC
THIS PROPERTY.

EXCEPTED.
ID SURVEYOR NO. 2235.

02°08'42" E
45.19'

STANLEY ROAD
VARIABLE R/W

R=280.13'
L=104.98' S 54°57'54" W
CH=104.36'

Area Tract 1
443,561.0 sq.ft.
10.183 acres
IMPROVEMENTS NOT SHOWN

STILESBORO ROAD
VARIABLE R/W

ECTOR CHASE

constitute a release of any
previously held by the City of
right-of-way or other interest in
retains any and all current or

is true and correct, prepared from
the field under my supervision on the

Surveyor No. 2235 Date

Mayor of the City of Marietta,
on plat for the recording of same
Superior Court of Cobb County.

Georgia Date

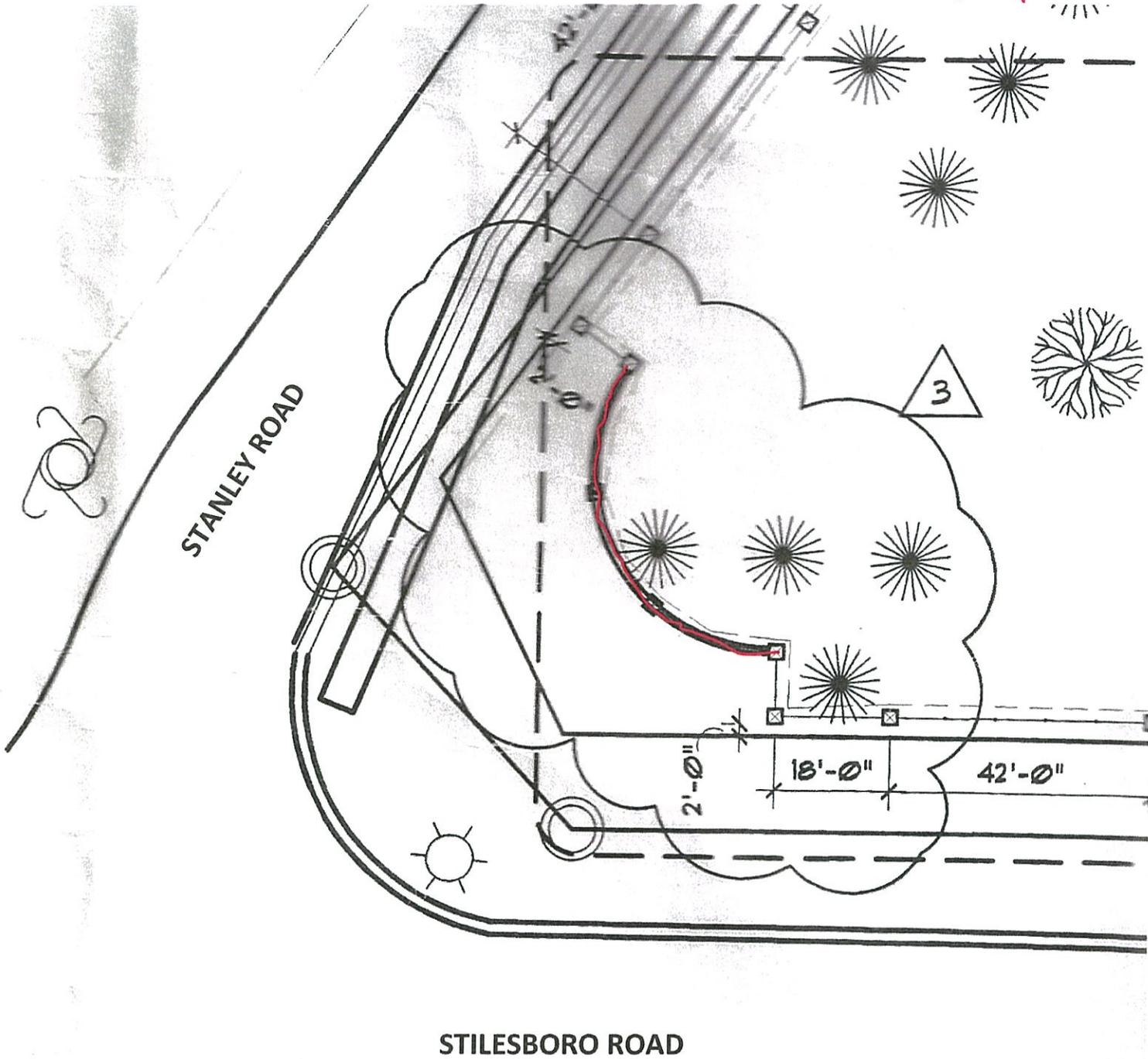
Engineering Director of the City of
on exemption plat for the recording
the Superior Court of Cobb

Marietta, Georgia Date

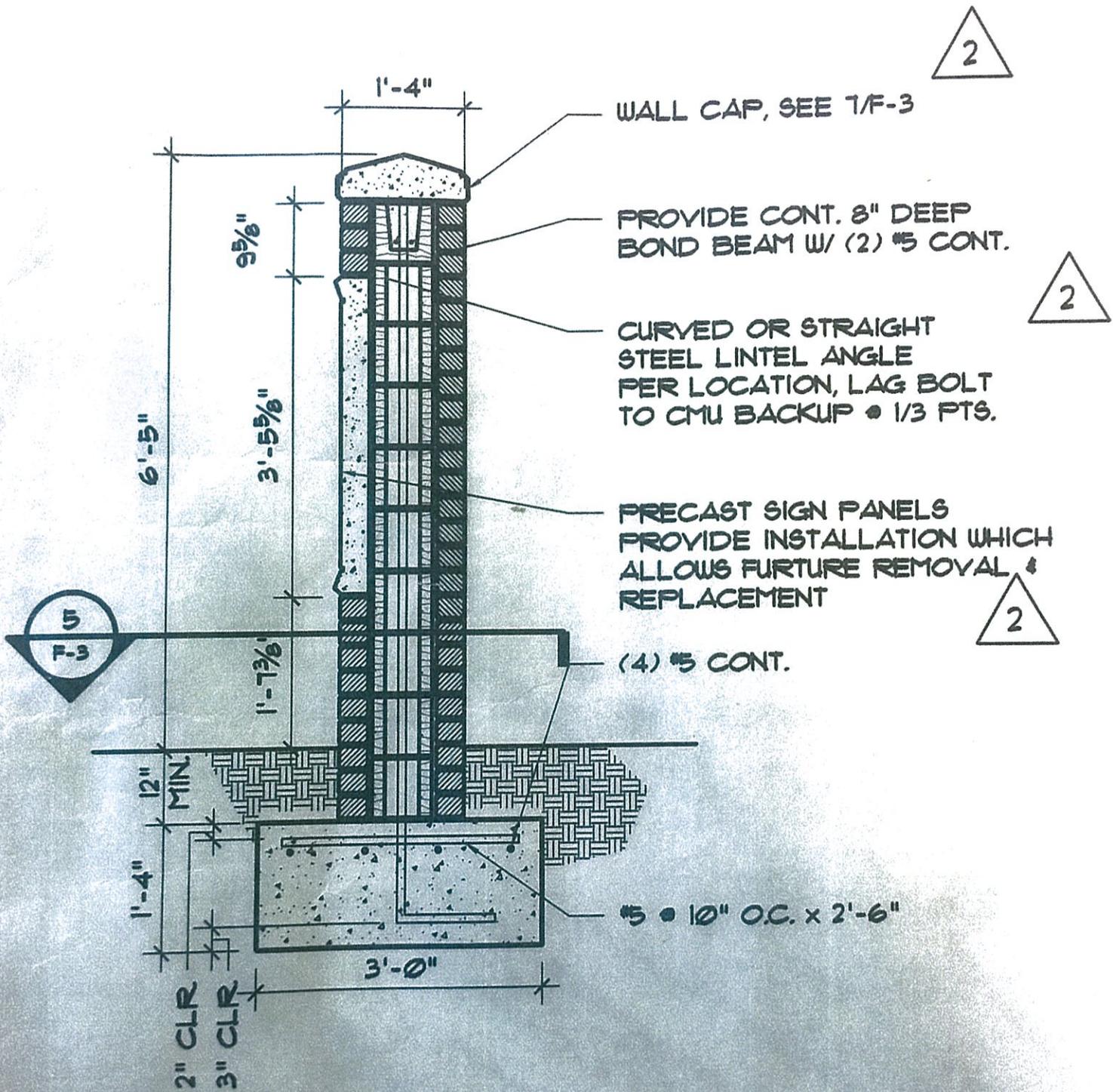


Total

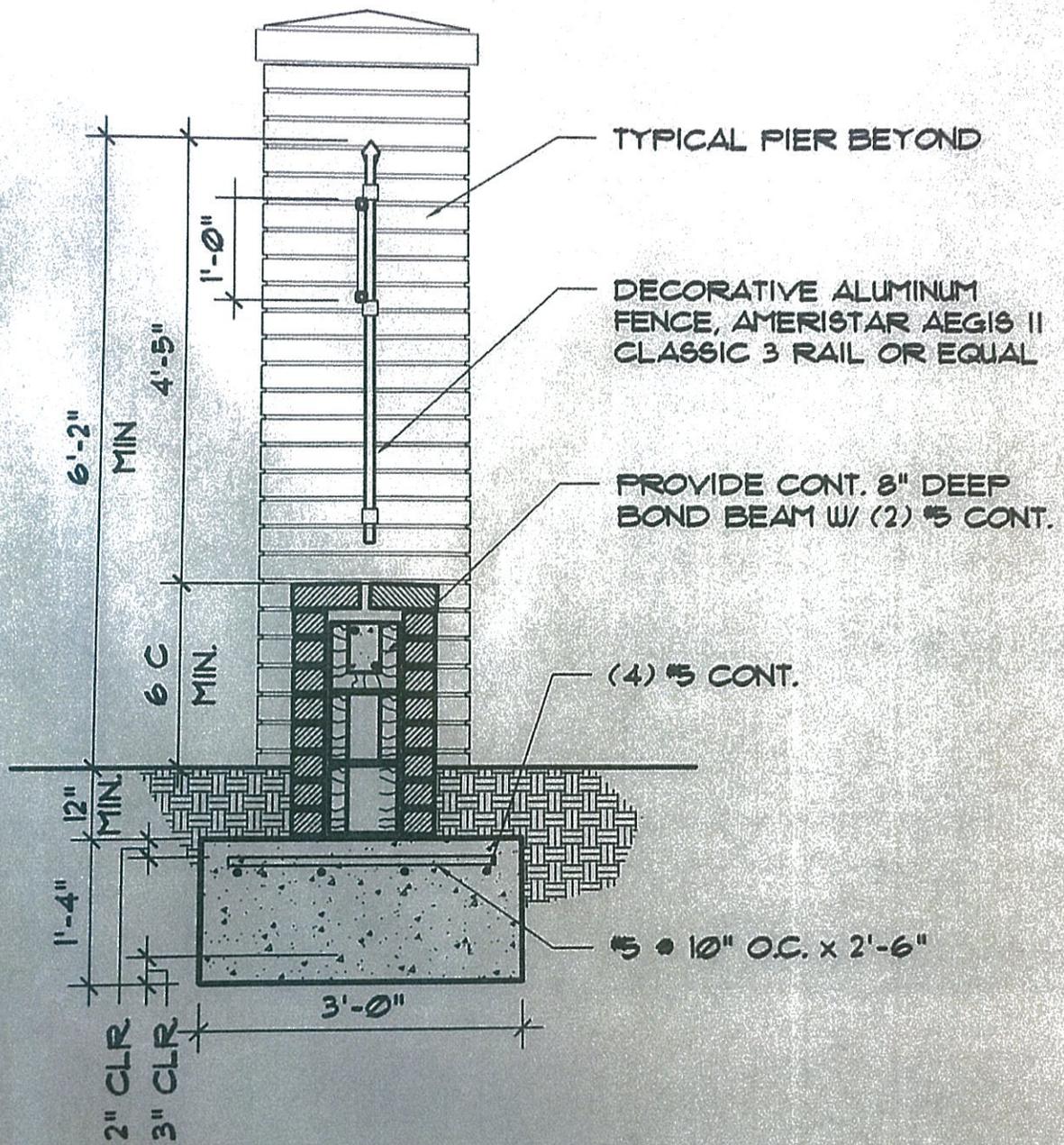
Not updated to realigned road



3 FENCE PLAN
F-1 SCALE: 1" = 30'-0"



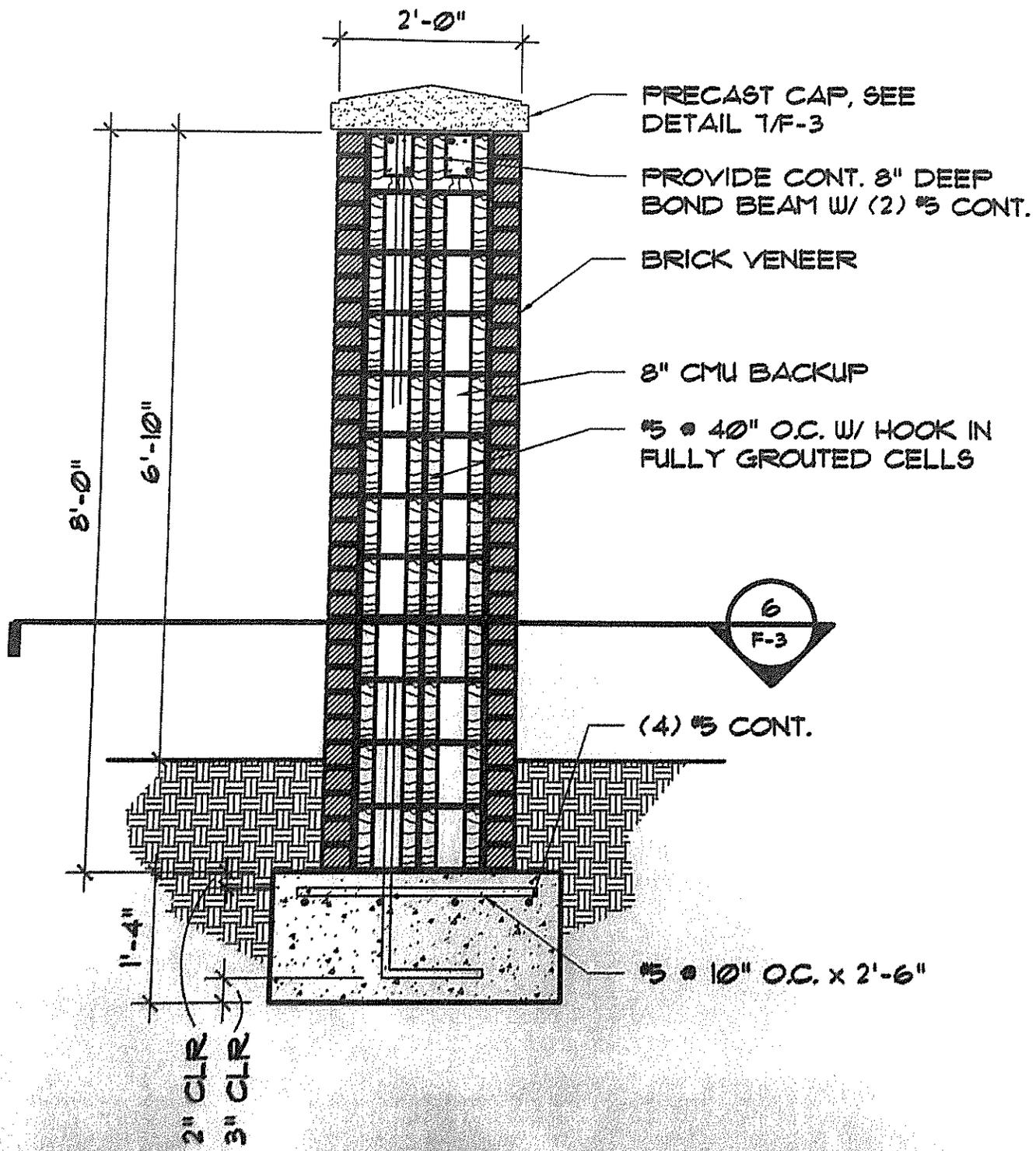
8 BRICK SIGN WALL SECTION
 SCALE: 1/2" = 1'-0"



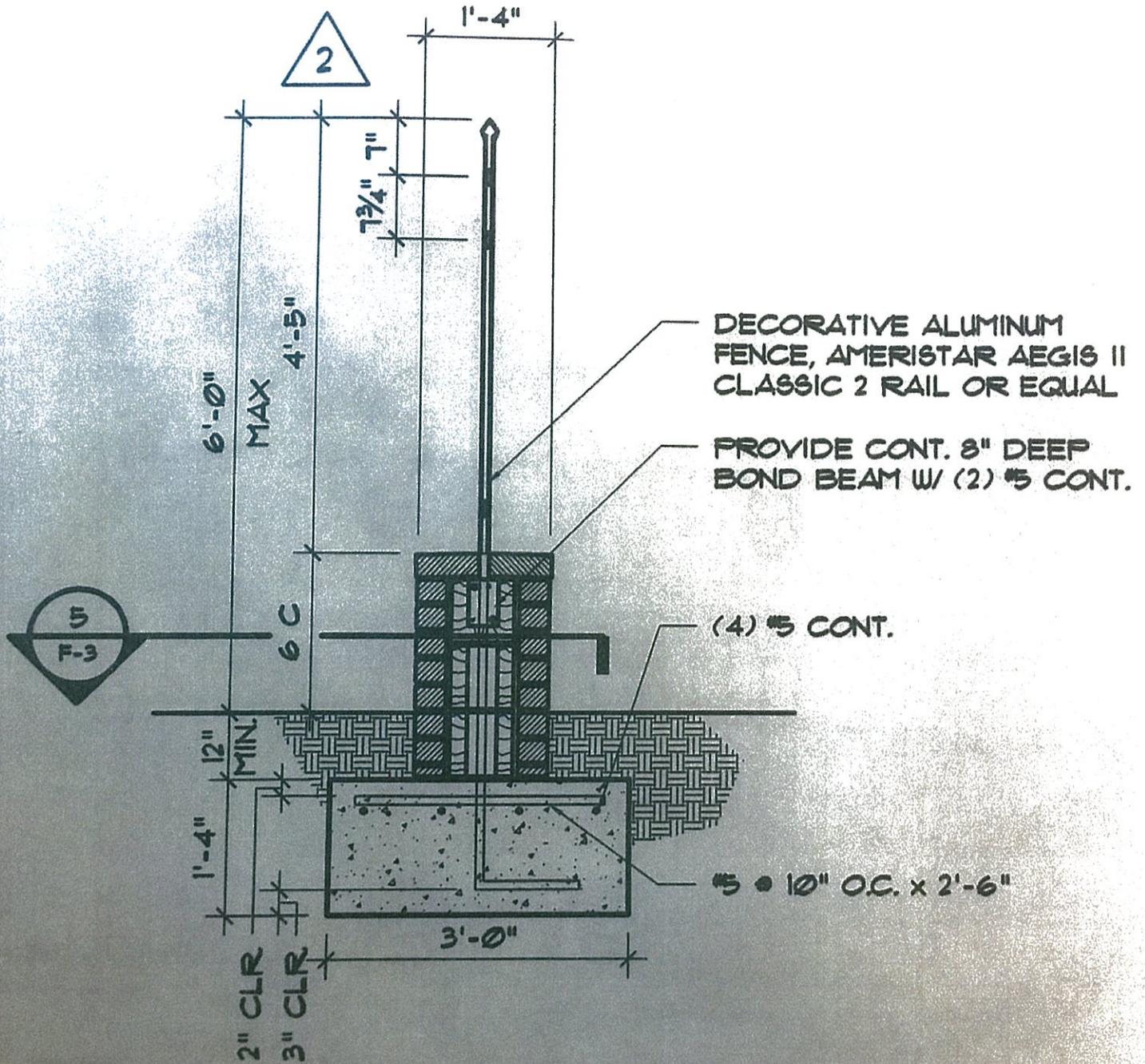
1
F-3

DECORATIVE FENCE SECTION

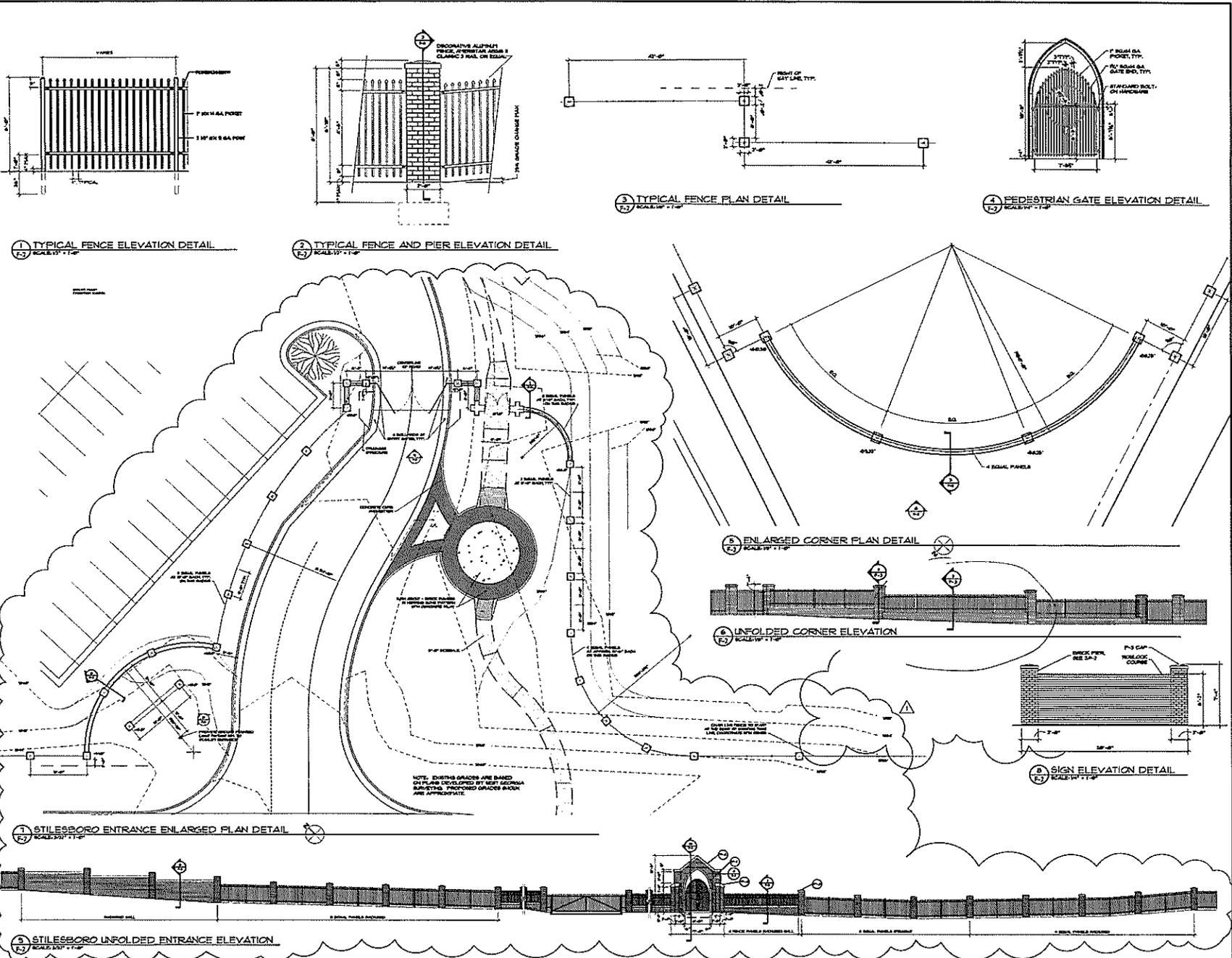
SCALE: 1/2" = 1'-0"



2 SECTION DETAIL AT PIER
 F-3 SCALE: 1/2" = 1'-0"



3 FENCE WALL SETION
 F-3 SCALE: 1/2" = 1'-0"



1 TYPICAL FENCE ELEVATION DETAIL
SCALE: 1/2" = 1'-0"

2 TYPICAL FENCE AND PIER ELEVATION DETAIL
SCALE: 1/2" = 1'-0"

3 TYPICAL FENCE PLAN DETAIL
SCALE: 1/2" = 1'-0"

4 PEDESTRIAN GATE ELEVATION DETAIL
SCALE: 1/2" = 1'-0"

5 STILESSBORO ENTRANCE ENLARGED PLAN DETAIL
SCALE: 1/8" = 1'-0"

6 ENLARGED CORNER PLAN DETAIL
SCALE: 1/8" = 1'-0"

7 UNFOLDED CORNER ELEVATION
SCALE: 1/8" = 1'-0"

8 SIGN ELEVATION DETAIL
SCALE: 1/2" = 1'-0"

9 STILESSBORO UNFOLDED ENTRANCE ELEVATION
SCALE: 1/8" = 1'-0"

NOTE: EXISTING GRASSES ARE BASED ON PLANS DEVELOPED BY MOUNT AIRY CHRISTIAN SCHOOL. PROPOSED GRASSES ALONG ARE APPROPRIATE.