



**STAFF REVIEW AND RECOMMENDATION**

**Variance Case #:** V2016-17      **Legistar #:** 20160338  
**Board of Zoning Appeals Hearing:** Monday, May 23<sup>rd</sup>, 2016 – 6:00 p.m.  
**Property Owner:** Mt. Paran Christian School  
1275 Stanley Road  
Kennesaw, GA 30152  
**Applicant:** Same as above  
**Address:** 1275 Stanley Road  
**Land Lot:** 243, 244, 251, 252      **District:** 20      **Parcel:** 0250  
**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 150 sq. ft. sign on a 12' x 50' wall. [§714.04(B) & (F)]
2. Variance to allow two 5' x 10' freestanding temporary signs. [§714.05(E) 3 & 4]

**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.

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## PICTURES



**Wall facing Stilesboro Road**

### **Recommended Action:**

**Approval of #1/Denial of #2.** Mt. Paran Christian School, Inc. is requesting variances for signs at their campus, located at 1275 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, and 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.

The school's first request is to propose to attach a sign on an existing wall to the east of the fields and facing Barrett Parkway. There is an existing wall that is 12' x 50', and the proposed sign would be 150 square feet. The Sign Ordinance does not address how to regulate signage on retaining walls or any other wall not part of a structure. If it is regulated as a wall sign, it may not cover more than 15% of the wall it is placed on. In this case, the sign would cover 25% of the wall. If the sign is treated as a detached sign, then it would need variances for the face area (from 90 sq. ft. to 150 sq. ft.) and structure area (from 90 sq. ft. to 450 sq. ft.). A similar request by Wellstar Health Systems, Inc. was approved by the BZA in October 2014 (V2014-51) for a sign on a retaining wall; however, this scenario differed in that those signs also identified an entrance to the hospital campus.

Although the school's main entrance is off of Stanley Road, they have a large expanse of frontage – and a secondary entrance – on Stilesboro Road. Since most traffic to the school travels along Barrett Parkway, they would like to be able to place a sign on the existing wall to direct visiting teams, as well as other visitors, to the school from the Barrett Parkway side.

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The City's sign regulations allow commercial shopping centers that have over 100,000 square feet of floor area and multiple entrances to request an additional sign, provided that both signs are located at entryways and that the entryways are located at least 300 feet apart. The school is located on an approximately 60 acre site, and has over 2,500 linear feet of frontage along Stilesboro Road, but the sign regulations do not make any exceptions for such large properties. If such large schools were regulated similar to commercial shopping centers, then they would be allowed another sign.

Given the amount of frontage on Stilesboro Road, as well as the school's legitimate need to direct visitors to the school, ***Staff recommends approval of this variance with the stipulation that no other new signs may be placed along Barrett Parkway.*** Also, if this variance is approved, staff would suggest a stipulation to emphasize that no trees may be removed without verification of compliance with the tree ordinance from City staff.

The school is also requesting a variance to allow two 5'x10' detached banners at the intersection of Stanley and Stilesboro roads. The sign Ordinance only allows one temporary banner per property and does not allow detached temporary signage, which tends to deteriorate faster over time than permanent signs.

If the two banners are constructed in a "V" formation with an internal angle of less than 45°, then it would only be considered one, double sided banner. If the angle is greater than 45° then the sign would be considered a single face (5'x20'). There is no apparent hardship in this situation that does not apply generally to sites in the same zoning district. ***Staff recommends denial of this variance.***



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 #: V2016-17 Legistar #: 20160338 BZA Hearing Dt: 5-23-16
City Council Hearing Dt (if applicable) #: PZ #: 16-165

This is a variance/appeal application for:

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Board of Zoning Appeals

Input box

City Council

Owner's Name Mt. Paran Christian School, Inc.

Address 1275 Stanley Road, NW Zip Code: 30152

Telephone Number: 770-578-0182 Email Address:

COMPLETE ONLY IF APPLICANT IS NOT OWNER:

Applicant

Address Zip Code:

Telephone Number Email Address:

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

Same as above Date of Acquisition: 2002
243, 244, 251, 252 R-2 Institution
Land Lot (s) 02430 District 20 Parcel 0250 Acreage 57 Zoned R2 Ward 4C FLU CSI

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

Square Footage of Signage (See transmittal letter)

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



Ms. Shelby Little  
Zoning Administrator  
Planning & Zoning  
Department of Planning & Zoning  
205 Lawrence Street  
Marietta, Georgia 30061

Re: School Logo on Existing Wall, Temporary Event Signage

Ms. Little,

Thank you for meeting with representatives of Mt. Paran Christian School on February 12, 2016 to discuss signage the school is considering on the southeast side of the property that fronts Barrett Parkway.

Our school currently has no entrance nor signage along Barrett Parkway and we would like to inform the public of our presence. The right-of-way stops right behind the retaining wall on Barrett Parkway and the county property line is clearly marked with concrete markers. We would like to place the signage on the back side of an existing wall, which is approximately 70 feet from the property line at Barrett Parkway. The wall, which is 12' x 50' (600 square feet) already exists and is currently used for lacrosse activities.

We have prepared a rendering of the existing wall (the picture of which was taken facing away from Barrett Parkway) with the size of the signage in proportion to the face of the wall. The logo we would like to place on the wall would take up approximately 150' square feet. Given the sign's distance from the road, the sign needs to be 150' sq ft in order to be clearly visible from the road. From a public safety standpoint, the sign should not pose a distraction as it will only show our school's logo.

We do not plan to place the address of the school on the sign as we do not have an entrance on that side of the school. We have spoken with Chief Jackie Gibbs and he is receptive to not having an address on the sign as the entrance to the school is well known by first responders.

Additionally, our long term plan is to have a monument signage with a message board adjacent to one of the primary entrances of the school for community and other school-related announcements. During the interim, however, we would like the ability to erect from time to time two 5'x10' temporary banners in a "V" pattern on school property (within parameters you suggest) at the intersection of Stanley and Stilesboro's Road. As the school continues to grow, we are finding it increasingly necessary to inform the public of school events, such as open houses, concerts, our recent Drug Awareness Symposium, and other school and community functions. We are comfortable with the existing 60 aggregate day limit in a calendar year and no sign would be erected longer than 10 days. No part of the supporting structure will be showing above ground when the banners are not in use.

We are hopeful you will take up the application at the next available opportunity. Thank you for your consideration. Should you have any questions, please contact Dave Lowery with our school (404-374-3830).

Sincerely,

Dr. David Tilley  
Headmaster

**TO: Marietta Daily Journal**  
**FROM: City of Marietta**  
**RUN DATE: May 6, 2016**

### **PUBLIC NOTICE OF VARIANCES**

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, May 23, 2016 at 6:00 P.M.**, City Hall. Anyone wishing to attend may do so and be heard relative thereto.

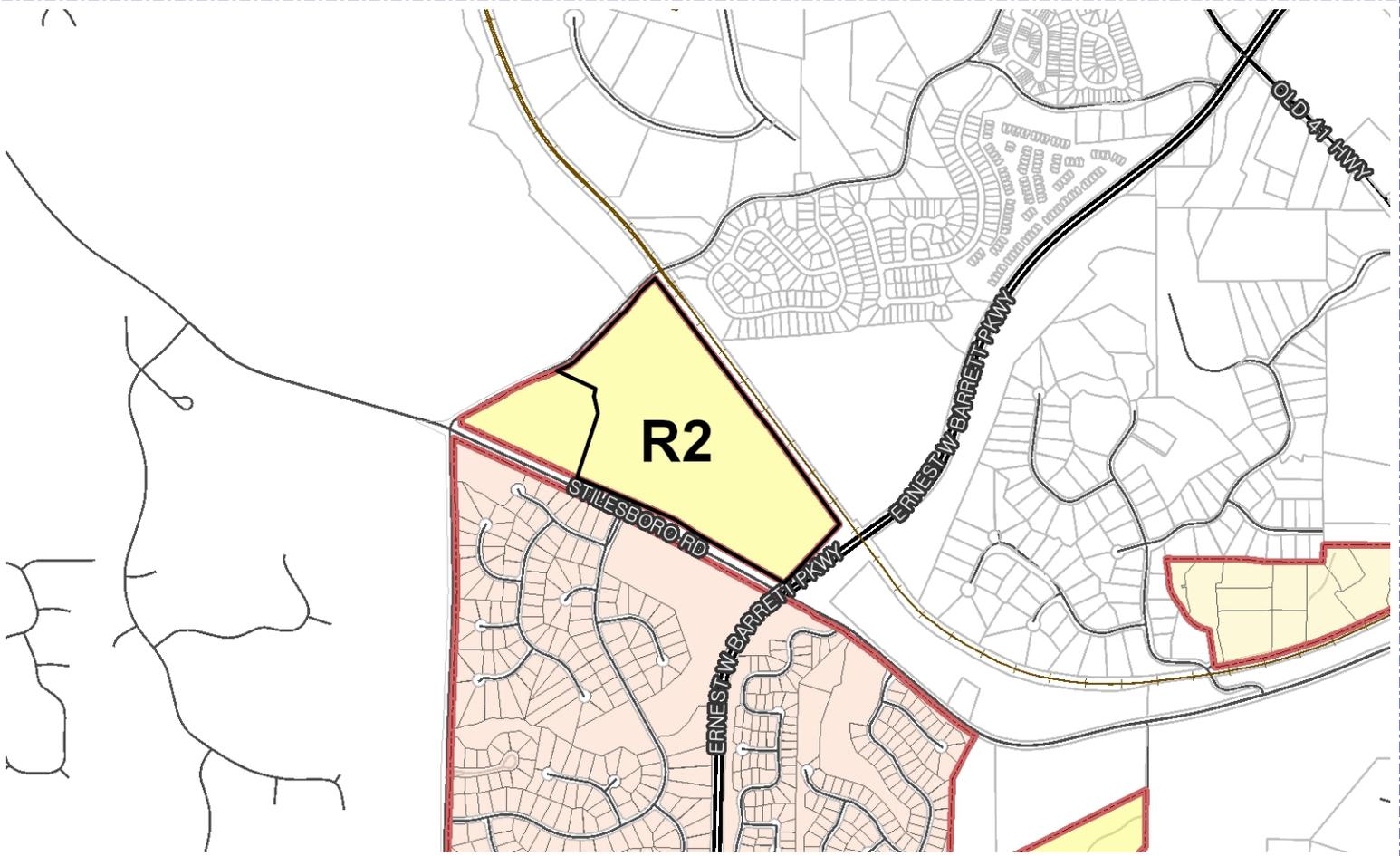
**V2016-17 [VARIANCE] MT. PARAN CHRISTIAN SCHOOL** is requesting variances for property located in Land Lots 243, 244, 251, & 252, District 20, Parcel 0250, 2<sup>nd</sup> Section, Marietta, Cobb County, Georgia and being known as 1275 Stanley Road. Variance to allow a 150 sq. ft. sign on a 12' x 50' wall; variance to allow two 5'x10' freestanding temporary signs. 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



Address	Parcel Number	Acreage	Ward	Zoning	FLU
1275 STANLEY RD	20024300250	52.008	4C	R2	CSI

Property Owner:	Mt. Paran Christian School	<b>Zoning Symbols</b> 
Applicant:		
BZA Hearing Date:	05/23/2016	
Acquisition Date:		
Case Number:	V2016-17	
<b>City of Marietta Planning &amp; Zoning</b>		

# Variance Request

Mt. Paran Christian School

## Legend

-  Existing Wall
-  Mount Paran Christian School

Mount Paran-Christian School

Stilesboro Road

Existing Wall

Barrett Pkwy

Google earth

© 2016 Google



700 ft

County ROW Marker Indicating  
Property Line, which runs parallel to  
Barrett Parkway.





MOUNT PARAN  
CHRISTIAN SCHOOL

150 sq. ft.