

CHATHAM COUNTY ZONING BOARD OF APPEALS

ARTHUR A. MENDONSA HEARING ROOM

112 EAST STATE STREET

March 23, 2004

9:00 A.M.

MINUTES

MEMBERS PRESENT:

**Jimmy Watford, Vice Chairman
Davis Cohen
Steven Day
Michael Lee
Charles Stewart**

MEMBERS ABSENT:

Robert Sharpe

TECHNICAL STAFF PRESENT:

**Trip Van Aman, Chatham County Inspections
Department**

MPC STAFF PRESENT:

**Charlotte Moore, Director of Development
Services
Christy Adams, Assistant Secretary**

RE: Called to Order

Mr. Watford called the March 23, 2004 Chatham County Zoning Board of Appeals meeting to order at 9:00 a.m.

**RE: Petition of Harold Yellin, Agent for
R.B. Donaldson
B-04-42343-1
6407 LaRoche Avenue**

Ms. Moore stated that she received a message from the petitioner late evening Monday requesting that their petition is continued until the next regularly scheduled meeting.

Mr. Stewart stated he had a statement that he was going to make during the presentation of this petition, and would like to make a part of the record. **Attachment A.**

**RE: Petition of Timothy J. Czarkowski
B-04-34623-1
5990 Ogeechee Road**

Present for the petition was Timothy Czarkowski.

Mr. Watford called for the Staff report.

Ms. Moore gave the following Staff report.

The petitioner is appealing a decision of the Chatham County Zoning Administrator pursuant to the requirements of Sections 10-6.1, 2-65 and 7-3(A)(3) in order to install a sign on the side of a building at 5990 Ogeechee Road, within a P-B-C (Planned Community-Business) zoning district.

Findings

1. Section 10-6.1, Appeals from Actions of the Zoning Administrator, provides that the Board of Appeals shall hear and decide upon appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of the Zoning Ordinance. The petitioner is appealing a decision of the Zoning Administrator that a sign is not permitted on the side of a building.
2. Section 2-65, Definition of Signable Area, provides that the signable area is the area of the façade of a building to which a sign may be attached or erected. The Webster's Dictionary defines facade as the "front of a building".
3. Section 7-3(A)(3), Facia and Projecting Sign, provides that facia and projecting signs shall be erected only on the signable area of the structure.
4. The petitioner's site is located within a building with multiple tenants. The building is located on Ogeechee Road and is located on an outparcel between Ogeechee Road and the Wal-Mart. The building fronts an adjacent outparcel and is accessed from an interior road. The side of the building faces Ogeechee Road.
5. Facia signs for each tenant are on the front of the building that faces the adjacent outparcel. The petitioner requests another facia sign on the side of the building that faces Ogeechee Road.
6. The building is also permitted one freestanding (monument) directory sign to be located on Ogeechee Road. The directory sign is permitted one-half square foot of sign area for each linear foot of lot frontage, up to 250 square feet. The lot has 180 feet of frontage and a 90 square foot sign is permitted. There is no freestanding sign located at the petitioner's site at this time.

Summary of Findings

The Zoning Administrator's interpretation of Sections 2-65 and 7-3 that the signable area of a building is the front of a building and signs on the side of a building are not permitted is correct.

Mr. Stewart asked why is it not permitted?

Ms. Moore stated signage was not permitted on the side of the building. She said it was only permitted along the frontage.

Mr. Cohen asked what kind of sign did the petitioner want to put up?

Ms. Moore stated he wanted a fascia signage attached to the façade of the building. The Zoning Ordinance only allowed for it to be on the main façade of the building. And in this case the main façade faced into the Wendy's parcel and it was not fully visible from Highway 17. She said this was a strip shopping center with a number of businesses within this building.

Mr. Stewart asked how many businesses?

Ms. Moore stated either 4 or 5.

Mr. Stewart asked if there was a sign out front?

Ms. Moore stated no, although they are permitted to have a directory sign, they have chosen not to erect the sign.

Mr. Lee asked if she could indicate where they could put a freestanding sign if it is granted.

Ms. Moore stated in this area (area shown on an overhead photograph).

Mr. Lee asked how large would that sign be?

Ms. Moore stated 90 square feet. She added in the future that Highway 17 will be widened, so the road will be closer to the building at some point.

Mr. Stewart stated if they wanted to put up a directory sign where could they put it?

Ms. Moore stated the directory sign would be somewhere behind the landscaping.

Mr. Day asked how high could the directory sign be?

Ms. Moore stated in this area 10 feet has been allowed on the out parcels. But they could go to the MPC and request a higher sign up to 20 feet. She said the intent was there was a master plan for the Wal-Mart site. And the intent was to keep all the out parcel signage low profile monument style, which Wendy's restaurant and Captain's D's both have.

Mr. Stewart asked who owned the land in front?

Ms. Moore stated that was the right-of-way.

Mr. Day asked if she was saying that they could not put a monument sign in there?

Ms. Moore stated no they could not. She said they would only be able to place it behind their row of shrubs.

Mr. Day asked if she was saying that they could only put a monument sign within 5 feet or 10 feet from their building?

Ms. Moore stated yes.

Mr. Cohen asked if it would be attached to the building?

Ms. Moore stated the petitioner is asking to attach their signage to the side of the building, in which the Zoning Ordinance did not allow signage to be attached to the side of the building, only along the principle façade.

Mr. Day stated he has looked at the site and there were a number of businesses out there including service stations and other businesses that have signs on two or three different sides of the building. He said he would say that they probably did it without any approval or coming to any Board for a variance, primarily gas stations, convenience stores, and things of that nature.

Mr. Cohen asked has there been any objections filed or anyone respond to the notices that were mailed out?

Ms. Moore stated it was properly noticed and she did not hear any response.

CZBA Action: Mr. Stewart made a motion that the Chatham County Zoning Board of Appeals approve the petition as submitted. Mr. Cohen seconded the motion and it was unanimously passed.

RE: Minutes

1. Approval of CZBA Special Meeting Minutes – February 4, 2004
2. Approval of CZBA Minutes – February 24, 2004

CZBA Action: Mr. Day made a motion that the Chatham County Zoning Board of Appeals approve the Special meeting minutes of February 4, 2004, and the Regular meeting minutes of February 24, 2004. Mr. Stewart seconded the motion and it was passed. Mr. Cohen and Mr. Lee abstained from the motion.

RE: Other Business

There being no further business to come before the Chatham County Zoning Board of Appeals the meeting was adjourned approximately 9:15 a.m.

Respectfully submitted,

Charlotte Moore,
Director of Development Services

CM/ca