

**SPALDING COUNTY APPEALS BOARD**  
**Regular Meeting**  
**June 12, 2014**

The Spalding County Appeals Board held its regular monthly meeting on June 12, 2014 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Michelle Cannon, Chairman, presiding; Ed Brown; Curtis Keys and Robert Lattimore. Member Bill Slaughter was not present.

Also present were: Chad Jacobs, Community Development Director; Newton Galloway, Zoning Attorney and Yvonne Langford to record the minutes.

Ms. Cannon called the meeting to order and invited anyone present that was not the applicant wanting to address the Board on any of the applications to come forward and sign the request form.

**ELECTION OF CHAIR  
MOTION**

Mr. Keys made a motion to lift Election of Chair from the table. The motion passed on a second by Mr. Brown with Mr. Brown, Ms. Cannon, Mr. Keys and Mr. Lattimore voting for the motion.

Mr. Brown nominated Ms. Cannon for Chair. Mr. Lattimore seconded the nomination.

**MOTION**

Mr. Brown made a motion to close the nominations and declare Ms. Cannon elected by acclamation. The motion passed on a second by Mr. Keys with Mr. Brown, Ms. Cannon, Mr. Keys and Mr. Lattimore voting for the motion.

**ELECTION OF VICE-CHAIR  
MOTION**

Mr. Keys made a motion to lift Election of Vice-Chair from the table. The motion passed on a second by Mr. Brown with Mr. Brown, Ms. Cannon, Mr. Keys and Mr. Lattimore voting for the motion.

Mr. Brown nominated Mr. Keys for Vice-Chair. Mr. Lattimore seconded the nomination.

**MOTION**

Mr. Brown made a motion to close the nominations and declare Mr. Keys elected by acclamation. The motion passed on a second by Mr. Lattimore with Mr. Brown, Ms. Cannon, Mr. Keys and Mr. Lattimore voting for the motion.

**Application #14-04V:** Race Trac Petroleum, Inc., Owner – Melissa D. Griffis of Rosenzweig, Jones, Horne and Griffis, P.C., agent – 4200 North Expressway (11.392 acres located in Land Lot 108 of the 3<sup>rd</sup> Land District) – requesting a Variance from sign requirements in the C-1B District.

John Cunningham – 32 South Court Square – Newnan, Georgia

Mr. Cunningham said he was an attorney representing Race Trac in this application. Race Trac is requesting two sign variances. Their sign package is tasteful and not cluttered. The first variance they need is the free standing sign at the front of the property. The ordinance requires this sign to be no more than 80 square feet and they are requesting 91 square feet. The gas portion of the sign is 72 square feet. Any gas station would need a variance from the 80 square feet because their main need is to advertise gas. The other variance they are requesting is for overall sign allowance which is 200 square feet and they are requesting 415 square feet. The ordinance requires a hardship in order for the variance to be permitted. They understand that there is nothing that would require the Board to grant the variance under that criteria. The ordinance does provide relevant factors to be considered as a guide for the Board to make a decision. The reason a variance is allowed is because one size fits all does not work. Some businesses require more signage than others and that is the reason there are factors that exist that would allow the Board to grant variances. They are remodeling the existing store to include food services with a Speedy Avocado and a Swirl World of Yogurt. This will be more like a neighborhood market rather than just a gas station. This location is set back off the road 230 feet from the closest lane of traffic and 275 feet from the center line. It has two road front sides to the building. They are requesting signage for the other side of the building as well as on the front of the building. This location has 500 feet of road frontage with a 5600 square front building set on 11 acres of land.

Allen Bell – 3225 Cumberland Boulevard – Atlanta, Georgia

Mr. Bell said they are in the process of remodeling the building. Since this building was designed and constructed, they have changed the entire concept of their buildings. They have added the Speedy Avocado and the Swirl World Yogurt to their facilities. The current building is six years old. He gave an overview of their proposed sign package for the newly designed building to include signs for the Speedy Avocado and the Swirl World Yogurt. They additionally have an area that is set into the wall and designed for interchangeable graphics for advertising. This area would normally be used for windows but due to the location of some of the facilities in the building they cannot located window there and have designed that to be built like window casing for advertising. They want to upgrade the free-standing sign to an LED sign and include advertising for the Speedy Avocado. He provided pictures of the newly designed facilities along with the signs to be included. He provided the square footage for the proposed new signs.

Chad Jacobs said the staff recommendation is for denial as it will impair the spirit of the ordinance.

The Appeals Board members reviewed the application in light of the allowable square footage. It was noted that the request is double the square footage allowed by the ordinance. This includes the 120 square feet requested in the “windows”. It was noted the Appeals Board has limited authority to allow variances. The members were impressed with the design of the signs but were concerned that the total package was double the allowed square footage. Discussion was held regarding the fact that if the 120 square feet planned for the “window signs” was not included this would bring the requested variance down to 280 square feet which was still 80 square feet higher than allowed. It is difficult to allow variances because it then becomes the standard for future applications for variances. Ms. Cannon said she has a problem with including the 120 square feet “window casing” because she does not consider that as part of the signage. She feels that should not be included as part of the 200 square feet allowed for signage.

**MOTION**

Mr. Brown made a motion to deny the application except allow the 120 square feet for the “window casings” for advertising. The motion passed on a second by Mr. Lattimore with Mr. Brown, Ms. Cannon, Mr. Keys and Mr. Lattimore voting for the motion.

**MINUTES**

Mr. Brown made a motion, seconded by Mr. Lattimore, to approve the minutes of the May 8, 2014 meeting. The motion passed with Mr. Brown, Ms. Cannon, and Mr. Lattimore voting for the motion and Mr. Keys abstaining because he was not present.

**ADJOURN**

The meeting was adjourned on a motion by Mr. Keys and a second by Mr. Brown with Mr. Brown, Ms. Cannon, Mr. Keys and Mr. Lattimore voting for the motion.

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Michelle Cannon – Chairman

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Yvonne M. Langford - Recorder