

Board of Zoning Appeals/Planning Commission  
July 11, 2023 - 6:00PM

Opening: Chair Billy Jackson welcomed everyone and called the meeting to order.

Roll Call: Billy Jackson; Chair, Jenecia Perry; Vice-Chair, Michael Bruner; Parliamentarian, Jeff Ashley, Nancy Cox and Gary Monroe. Charles Orrel and Misty Selph were absent

Staff: Denise Grabowski (Planning Manager -Consultant) and Jonathan Trego (Planning and Zoning Supervisor)

Visitors: Enclosed

Chairman Jackson asked for a motion to approve the July 11, 2023 agenda. Vice Chair Perry made a motion to approve the agenda. Commissioner Cox seconded; vote passes with no opposition.

Chairman Jackson asked for a motion to approve June 13, 2023 minutes. Vice-Chair Perry a motion to approve the agenda, Commissioner Cox seconded, vote passes with no opposition.

**Board of Zoning Appeals**

PC2327: Sabriya Scott, Scott Realty Professionals, request a variance from Section 90-72 to build a single-family home with 5ft setbacks on each side at 0 Old Louisville Road; PIN 60825 03030

Chairman Jackson gave a reading of the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended approval of the variance request.

Latosha Hall; Scott Realty Professionals, stated the lot is 6360 sq. ft. and we are here to ask for a 5ft setback instead of the 8ft setback requirement to accommodate the development of a single-family dwelling on a smaller lot. The adjacent house is under contract and to be renovated. Lot 29 is vacant; there are no intentions to develop. The request is to build an affordable home next to the renovated home for a new resident in Garden City. We are proposing to sell both properties at the same time. Ms. Hall presented an exhibit of a lot that is an eyesore.

Commissioner Monroe asked Ms. Hall if Scott Realty has any other developments in Garden City?

Ms. Hall said yes; we currently have an office, homes and properties in Garden City.

Commissioner Monroe stated you all have a footprint in Garden City.

Chairman Jackson asked for questions, comments or those in favor of the request; being none he called for those in opposition. With no opposition, Chairman Jackson calls for a motion. Vice-Chair Perry makes a motion to approve, Commissioner Cox seconded. Vote passes with no opposition.

Chairman Jackson called for a motion to adjourn the Board of Zoning Appeals/Planning Commission meeting. Vice-Chair Perry made a motion to adjourn the ZBA meeting, Commissioner Bruner seconded, vote passes with no opposition.

### **Planning Commission**

Chairman Jackson called the Planning Commission meeting to order.

PC2313: Beacon Outdoor Billboards requests a general development plan for a billboard at 2606 US Highway 80; PIN 60926 03031.

Chairman Jackson gave a reading of the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended approval of the outdoor advertising/separate use sign permit.

Lou Ferrando; Beacon Outdoor Billboard Advertising; stated the request is to build a sign in a highly traveled area, the signs are manageable for small businesses for advertising and these signs are useful tools for critical messaging.

Commissioner Monroe stated the Amber Alert was successfully implemented because of billboards. Is the messaging in real time and how often does the sign change?

Mr. Ferrando stated the time is 10 seconds per six sides at a twelve changes per day. These signs and programming are also regulated by the State in any event of emergencies- they will take over. These signs will darken at night and be brighter during the day. The billboards allow businesses an opportunity that they can't get from traditional advertising.

Commissioner Monroe said how would allowing this request benefit the city?

Mr. Ferrando said there would be communication with the City to provide signage at no charge. We have a petition in August where the owner wants to contract as a potential partnership with the City that dedicates space for PSA announcements.

Commissioner Monroe stated these are heavily traveled corridors that would be beneficial.

Chairman Jackson asked if needed how quickly are the updates to the signage?

Mr. Ferrando said signs are monitored 24 hours a day.

Commissioner Cox said this all sounds fine but I live directly across from the proposed placement, there is nothing blocking my property from seeing this; I am concerned with the lightning. It will be a nuisance to the people that live in the area and no cares because there is money to be made. I understand the business part as I was a business owner for 30 years.

Mr. Ferrando said the dimmer on the signage is less intrusive than the lights on the convenience stores. This particular artery is in transition, the design of the sign will have no impact and will be regulated by City code. We meet the setbacks, we are following the guidelines. You will see it from your front yard but there are no flashing of lights allowed, no video and the ad changes in split seconds. There has to be a balance as time has changed along the road.

Vice-Chair Perry said what is the likelihood of move a sign a football field east of the proposed location?

Mr. Ferrando said there is low consideration as the distance is regulated by the State and deals take a lot of time; it must be a win win for both parties.

Vice-Chair Perry said I am concerned with the content that could be displayed on the signage as there are families in the area.

Mr. Ferrando said it has been stipulated by the property owner that there is to be no lewd or alcohol advertisement; it is a part of the lease agreement.

Commissioner Cox said do you allow ads for guns?

Mr. Ferrando stated it's allowed if deemed appropriate, there's not much ads for gun sales but I can't say that it would be turned away. We must use discretion and play by the rules. A simple letter from the City to the Power Company can make a sign go dark. We'll do business with people in your area.

Vice-Chair Perry said it will not affect the request if the sign is moved down; there are families and children that live in this area – there should be more consideration for what is to be placed in neighborhoods.

Commissioner Monroe said I wished that we would share and show the same sentiment to all areas in Garden City when it comes to issues that negatively impact the residents. There was a request for signage near the development of where Popeyes is now located; across from Krystal and the residents believed the signage would impact the quality of life. This request passed; I went back and talked with the residents and the residents stated that there was minimal impact. I will never live down of what took place with the Farmer's Market. I supported the community but it passed – I don't have a problem with it.

Chairman Jackson asked for questions, comments or those in favor of the request; being none he called for those in opposition. With no opposition, Chairman Jackson calls for a motion. Commissioner Monroe makes a motion to approve; Commissioner Bruner seconded. Vote passes by majority with Vice-Chair Perry and Commissioner Cox voting in opposition.

PC2314: Beacon Outdoor Billboards requests for a general development plan for a billboard at 211 US Highway 80; PIN 60020 06002B

Chairman Jackson gave a reading of the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended approval of the outdoor advertising/separate use sign permit pending approval by the Georgia Department of Transportation.

Lou Ferrando; Beacon Outdoor Billboard Advertising stated this is a new sign where an old sign was removed. It is permitted for Highway 80 but visible from Highway 21. The sign is too short and too small for the interstate; it is intended for Highway 80.

Chairman Jackson asked for additional comments or questions; being none he calls for those in opposition. With no opposition; Chairman Jackson calls for a motion. Vice-Chair Perry makes a motion to approve; Commissioner Ashley seconded. Vote passes without opposition.

PC2315: Beacon Outdoor Billboards requests a general development plan for a billboard at 4904 Augusta Road; PIN 60009 02004

Chairman Jackson gave a reading of the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended approval of the outdoor advertising/separate use sign permit.

Lou Ferrando; Beacon Outdoor Billboard Advertising stated this is a new sign at the garage; it is the same characteristics as the two previous requests.

Chairman Jackson asked for questions, comments or those in favor of the request; being none he called for those in opposition. With no opposition, Chairman Jackson calls for a motion. Vice-Chair Perry makes a motion to approve; Commissioner Cox seconds the motion. Vote passes without opposition.

PC2310: Roberts Management Inc requests a general development plan for a billboard at Heidt Avenue; PIN 60802 07001A

Chairman Jackson gave a reading of the item. Planning Consultant Denise Grabowski gave an overview of the proposal. The City Staff recommended approval of the outdoor advertising/separate use sign permit for a static billboard, not to exceed 30 feet in height.

Denise Grabowski; Planning Consultant stated that there was an error in the GDOT office therefore denying the Lamar Outdoor advertising; Lamar is still within their appeals timeframe. The GDOT approval for the multi-message is still pending. The error is at no fault of the applicant. The Planning Commission could make approval contingent upon the final GDOT approval.

Commissioner Monroe said are all designs the same in nature?

Lou Ferrando; Beacon Outdoor Billboard Advertising said this has one side, GDOT issues two types of permits – static and MMS(Multi-Message); with the conversion it must be 5000 ft. apart, once approved there will be a mile separation difference. Mr. Ferrando stated that because of a public agenda Lamar Advertising submitted for a signage petition; however, we can't build either sign if obligations aren't met.

Commissioner Bruner said is the height requirement an issue?

Mr. Ferrando said he would like to discuss with Staff; would like for 40ft instead of 30ft.

Denise Grabowski; Planning Consultant said the petitioner would need to request for a variance for the height change; if GDOT denies this application, the City cannot issue a permit.

Vice Chair Perry said for clarity you do have approval for these two items?

Mr. Ferrando said if we can't get the multi-message approval, we will only build the static sign.

Chairman Jackson asked for questions, comments or those in favor of the request; being none he called for those in opposition. With no opposition, Chairman Jackson calls for a motion. Commissioner Bruner made a motion to approve with stipulation on meeting the 30ft vertical height requirement and it receives GDOTs approval for multi-message. Commissioner Ashley seconded the motion. Vote passes without opposition.

Denise Grabowski; Planning Consultant said I would like to address the concerns for 211 Highway 80 – the staff report references a double side sign as petitioned with the application. The application includes both MMS and static as approved; therefore, you would not have to go back and revisit the request.

Chairman Jackson said I would like to thank the Board and Staff for your dedicated service. Chairman Jackson calls for a motion to adjourn. Vice-Chair Perry makes a motion to adjourn, Commissioner Cox seconds; motion passes with no opposition.

Respectfully submitted  
TTR