

**CITY OF COVINGTON
BOARD OF APPEALS AND ADJUSTMENTS
PUBLIC HEARING MINUTES
FEBRUARY 15, 2011
2:00 PM**

MEMBERS PRESENT:

Ray McFadden, Chairman
Fred Harwell
David Waller
Jack Clark
Lee Aldridge
Sid Haggard

STAFF PRESENT:

Scott Gaither, Senior Planner

ABSENT: Liz Pope & Smithie Baccus

1. OPENING STATEMENT:

Mr. Ray McFadden welcomed everyone in attendance and stated a quorum was present

2. APPROVAL OF AGENDA:

Mrs. Lee Aldridge made a motion to approve the agenda. Mr. Jack Clark seconded the motion and the motion passed unanimously.

3. APPROVAL OF MINUTES:

Mr. David Waller made a motion to approve the minutes of April 20, 2010. Mrs. Lee Aldridge seconded the motion and the motion passed unanimously.

4. CITY OF COVINGTON: NEW BUSINESS:

ITEM – 1

BOAA #1(2011)

VARIANCE REQUEST:

1. To allow parking spaces and drive isles to be located between the building and Highway 142.
2. To allow a drive isle to be located between the building and Industrial Boulevard.
3. To allow the drive thru operations to be located onsite as per the site plan.
4. To increase the maximum number of allowable parking spaces from twenty (20) to fifty-one (51).
5. To increase the maximum number of building signs located on a building elevation from one (1) to two (2).

APPLICANT:

**INTEGRITY ENGINEERING & DEVELOPMENT SERVICES,
INC.**

3615 Braselton Highway
Suite 203
Dacula, GA 30019

AGENT:

Waylon Hoge, P.E.

LOCATION:

Unaddressed parcel located at the northwest corner at the intersection of Industrial Boulevard and Highway 142.

LAND LOTS:

275 - 9th District

TAX PARCEL(S):

CO81-74D

PRESENTATION:

Mr. Scott Gaither introduced the item and gave a brief presentation of the applicant's multiple variance requests based from the staff report provided to the BOAA members.

Mr. McFadden asked for clarification regarding the original letter of intent submitted by the applicant which had asked for a variance to increase the building signage square footage from a maximum allowed of 70 sq.ft. to 130.62 sq.ft.

Mr. Gaither stated that upon review of the application it was found that the proposed signage, when measured correctly, was within the 70 sq.ft. total so there was no need for the variance.

APPLICANT PRESENTATION:

Mr. Waylon Hoge introduced himself and stated he is the engineer hired by his client; McDonald's Corporation, to design this site for a new restaurant. Mr. Hoge gave a brief explanation of his purpose for the multiple requests.

DISCUSSION:

Mr. Harwell asked Mr. Gaither why the Wendy's restaurant near this site was allowed more parking spaces without the need for a variance.

Mr. Gaither stated that the Wendy's was constructed under the previous By-Pass Corridor Overlay District which allowed for additional parking per square footage than the current ordinance which was adopted in 2008.

STAFF RECOMMENDATION:

Mr. Gaither stated, that although all the criteria for granting a variance as set forth in Code Section 16.12.170(A)(3) may not have been met, staff believes that a strict adherence to portions of the code would be out of line given the development patterns in the area. Therefore staff recommends **APPROVAL** of the following requests:

- 1) Variance to allow parking spaces and drive isles to be located between the building and Highway 142.**
- 2) Variance to allow a drive isle to be located between the building and Industrial Boulevard.**
- 3) Variance to allow the drive thru operations to be located onsite as per the attached site plan submitted by the applicant, drawn by Integrity Engineering and Development Services, INC. dated 9/27/2010.**
- 4) Variance to increase the maximum number of allowable parking spaces from twenty (20) to fifty-one (51). With the condition that forty-seven (47) parking spaces shall be constructed of pervious material as approved by the Director of the City of Covington Engineering Department.**

Staff would also recommend **DENYING** the following variance requests:

- 1) Variance to increase the maximum number of building signs located on a building elevation from one (1) to two (2).**

As a side note: the applicant needs to be aware that other zoning and development standards shall be met prior to the issuance of a permit for development.

MOTION:

Mr. Harwell made the motion to **approve** the applicant's following variance request:

- 1) **Variance to allow parking spaces and drive isles to be located between the building and Highway 142.**
- 2) **Variance to allow a drive isle to be located between the building and Industrial Boulevard.**
- 3) **Variance to allow the drive thru operations to be located onsite as per the attached site plan submitted by the applicant, drawn by Integrity Engineering and Development Services, INC. dated 9/27/2010.**
- 4) **Variance to increase the maximum number of allowable parking spaces from twenty (20) to fifty-one (51). With the condition that forty-seven (47) parking spaces shall be constructed of pervious material as approved by the Director of the City of Covington Engineering Department.**

as presented but wanted further discussion regarding the variance request to allow two signs per building elevation. Mr. Sid Haggard seconded the motion and the motion passed unanimously.

DISCUSSION:

Mr. Harwell asked why the recommendation to deny additional signage.

Mr. Gaither stated that given the legal nature of signage that once you deviate from your ordinance you pretty much render it useless and the BOAA has been good about staying consistent within our code as no other business has multiple building signs per elevation. In addition to this, the applicant could not satisfy the requirements for granting a variance for additional signage.

Mr. Harwell asked Mr. Hoge if McDonald's could incorporate the double arches with the McDonald's wording to avoid having more than one sign per elevation.

Mr. Hoge introduced Philip Wall with McDonald's Corporation to discuss this matter. Mr. Wall stated that for those traveling out of the Wal-Mart parking lot they will not be able to see the signage as proposed without additional building signs.

The suggestion was made to incorporate the double arches into the brick work so as to avoid more than one sign per building elevation.

Other discussion was had among the members.

MOTION:

Mr. Harwell made the motion to **deny** the applicant's request to **increase the maximum number of building signs located on a building elevation from one (1) to two (2)**. Mr. David Waller seconded the motion and the motion passed unanimously.

6. REPORTS:

Mr. Gaither stated that due to the infrequent meetings of the BOAA that the minutes will be emailed to the member for their review and will accept a vote via email as a reply-to-all.

Mr. McFadden asked the members about having a work session prior to the public meetings; it was determined that it would be a case-by-case basis.

7. ADJOURN:

Mrs. Lee Aldridge made a motion to adjourn. Mr. Jack Clark seconded the motion and the motion passed unanimously.

These minutes of the February 15, 2011 public hearing are approved.

Ray McFadden
Chairman
[Signature]
Recorder

Feb. 21, 2011
Date
2/21/2011
Date