



CIVILITY PLEDGE

The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.

Michael Simpson, Chairman
Jason Morris, Vice Chairman
Kelly Esti
Richard Neal
Brittany Williams
Melanie Williams

Board of Appeals Meeting

700 Doug Davis Drive
Hapeville, GA 30354

October 26, 2023 6:00 PM

AGENDA

1. **Call to Order**
2. **Roll Call**
Michael Simpson, Chairman
Jason Morris, Vice Chairman
Kelly Esti
Richard Neal
Brittany Williams
Melanie Williams
3. **Approval of Minutes**
3.I. Minutes of September 28, 2023
4. **Public Hearing**
4.I. 400 Porsche Avenue Variance Request

Background:

The Sign Store Online, Inc. is requesting to increase the allowable size of an LED sign at 400 Porsche Avenue, Parcel Identification Numbers 14 0096 LL0585. The property is zoned B-P, Business Park and is subject to the zoning regulations under section 93-3.3-8 (General sign regulations) of the City of Hapeville Zoning Ordinance.

Documents:

1. Application - 400 Porsche Avenue_Sign Variance_Redacted
 2. Plans - 400 Porsche Avenue_Sign Variance
 3. Planners Report - 400 Porsche Ave_Sign Variance
 4. Legal Ad - 10-26-2023_400 Porsche Avenue_Sign Variance
5. **Next Meeting Date - Thursday, November 16, 2023 at 6:00 PM**
 6. **Adjourn**



Michael Simpson, Chairman
Jason Morris, V. Chairman
Kelly Esti
Richard Neal
Brittany Williams
Melanie Williams

Board of Appeals Meeting

**700 Doug Davis Drive
Hapeville, Georgia 30354**

September 28, 2023 6:00 PM

MINUTES

1. Called to Order at 6:00 p.m.

2. Roll Call

Michael Simpson, Chairman
Jason Morris, Vice Chairman
Kelly Esti
Richard Neal
Brittany Williams
Melanie Williams

3. Approval of Minutes

3.1. Minutes of August 24, 2023

MOTION ITEM: Brittany Williams made a motion to approve the minutes of August 24, 2023, as submitted. The motion was seconded by Kelly Esti. Motion Carried: 5-0.

4. Public Hearing

4.1. 3034, 3038, and 3044 Springdale Road Variance Request

Background:

Rodrigo Castillon of Lessard Design requested a variance to reduce the required setbacks at 3034, 3038, and 3044 Springdale Road, Parcel Identification Numbers 14-0099-0001-023-4, 14-0099-0001-088-7, 14-0099-0001-022-6. The properties are zoned V, Village and are subject to the zoning regulations under sections 93-11.5-6 (Area, placement, and buffering requirements) and 93-22.1-1 (Chart of dimensional requirements) of the City of Hapeville Zoning Ordinance. The lots will be consolidated, and 59 townhomes will be located on the site.

Findings:

The properties are zoned V, Village and are subject to the zoning regulations under Section 93-11.5 of the City of Hapeville Zoning Ordinance.

Two of the units, lots 55 and 56 will have a separation of 24' on the first story with a 22' separation on the second story with the bump out. The second story encroachment on the corner is approximately 1'.

The applicant received approval for the Site Plan from the Planning Commission on May 9, 2023, and approval from the Design Review Committee on June 21, 2023. During a redesign, the addition of the second story bump outs as placed on the plan presented a reduction in the separation and an encroachment in the corner lot setback.

Recommendation

Staff requested the applicant evaluate shifting 51-55 to the north 1' to stay about the setback, however, the applicant indicated the topography of the property would make that difficult. There is no perceived issue with the second story encroachment in the setback or between the buildings. The aesthetics would be improved. Staff recommends granting the variance for the reduced setback and separation reduction as requested above.

Public Comment:
Terry Cown

MOTION ITEM: Jason Morris made a motion to approve the variance request to reduce the required setbacks for the properties located at 3034, 3038, and 3044 Springdale Road as a result of the topography of the properties. The motion was seconded by Melanie Williams. MOTION CARRIED: 5-0.

5. Next Meeting Date – October 26, 2023, at 6:00 p.m.

6. Adjourn

MOTION ITEM: Brittany Williams made a motion to adjourn the meeting at 6:28 p.m. The motion was seconded by Richard Neal. MOTION CARRIED: 5-0.

Respectfully submitted by,

Michael Simpson, Chairman

Adrienne Senter, Secretary

23-BDA-10-09

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

Name of Applicant The Sign Store Online, Inc
Mailing Address 1836 Broadway, Macon GA 31201
Telephone [REDACTED] Mobile # [REDACTED] Email permits@signstoremacon.com
Property Owner (s) Atlanta Postal Credit Union
Mailing Address 3900 Crown Road, Atlanta, GA 30380
Telephone [REDACTED] Mobile # [REDACTED]
Property Address/Location: 400 Porsche Avenue
Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14 0096 LL0585
Square Foot of Property 10.54 Ac Building Size 134,596 SF Zoning BP
Present Land Use Commercial
Variance Requested Sign Allowance
Applicable Code Section Sec 93-3.3-8 General Sign Regulations

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered to. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

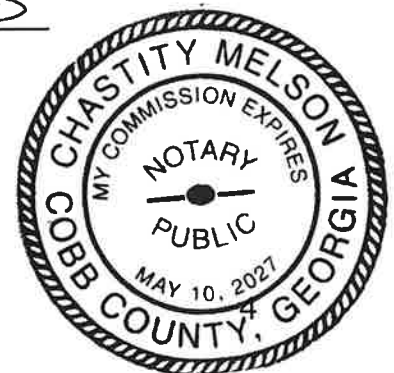
Rebecca A. Hill
Applicant's signature

Date: 9/22/2023

Sworn to and subscribed before me

This 22nd day of September, 2023.

Chastity Melson
Notary Public



**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

WRITTEN SUMMARY

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that would qualify for a variance.

APCU is requesting a signage variance to allow for digital signage on their monument sign at 40% of the allowable monument sign area per Hapeville's signage ordinance. The sign ordinance currently states that up to 40% of the monument sign is allowed to be changeable copy, but only 10% is allowed to be a digital sign. APCU is requesting a variance to increase the digital signage allowance to 40% for displaying information regarding APCU's services and events, as well as community information and events on their monument sign (the new headquarters will have a large community room available for community events as well as credit union training and events). The reason this property is requesting this variance is due to the shape of their site. APCU's property has a long narrow connection to Porsche Ave, which requires the building to be set back far from the road. A digital sign would allow for a better connection to the community and would provide better wayfinding for building visitors since the building location is set back from the street.

Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

The current ordinance only allows 5 SF of digital signage for APCU's monument sign. This size will not allow for adequate space to display any credit union or community event information at the monument sign.

Since the building cannot be experienced at the street, a larger digital sign would allow the credit union to share events and information at the sign to help members and the community with wayfinding.

If granted the variance, the total allowable area for digital signage would be 40% of the 50 allowable SF (20 SF max).

Explain how these conditions are peculiar to the particular piece of property involved.

APCU's property is a flag shaped lot, with a 320' long x 100' wide portion of land which connects the property to Porsche Avenue. The building set back from the road (approx. 590'), which will impede views from the street. A digital sign would help to provide wayfinding to APCU's entrance as well as provide updates to upcoming community and credit union events. The goal is to allow for a connection to the community at the street, even though the building needs to be set back.

What, if any, detriment to the public good would the proposed project have if a variance was granted?

The granting of this variance would not have any detriment to the public good if granted.

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

400 Porsche Ave.

Parcel I.D. 14 00 96 LL 0585

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF A VARIANCE FOR THE PROPERTY.

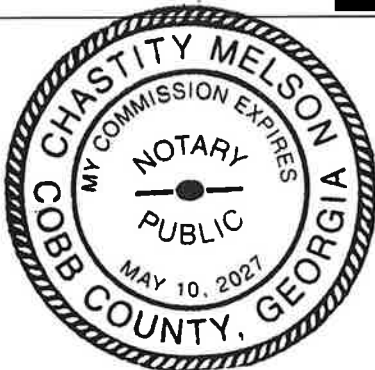
Name of Applicant

Atlanta Postal Credit Union

Address of Applicant

3900 Crown Road, Atlanta, GA 30380

Telephone of Applicant



Belinda Hill

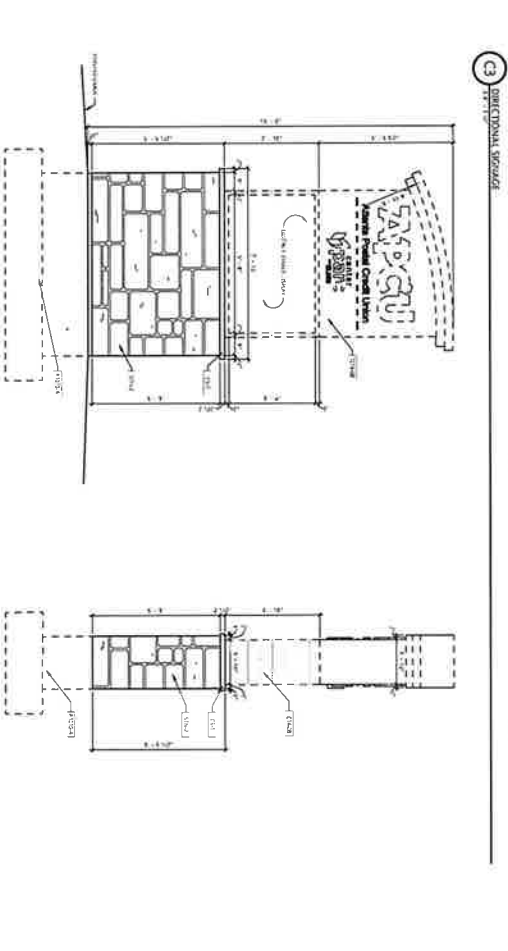
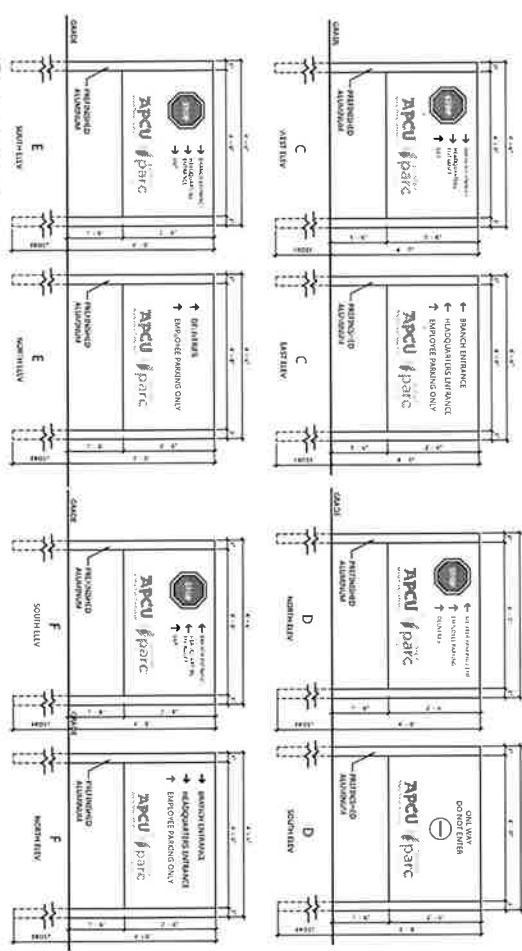
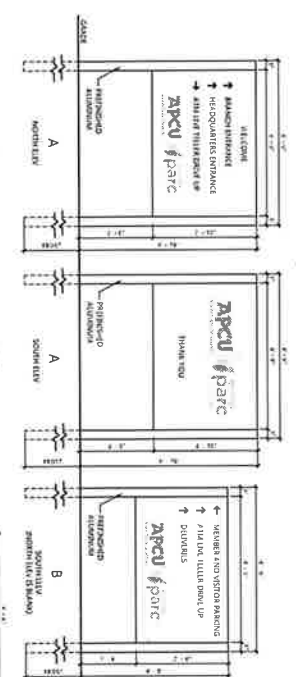
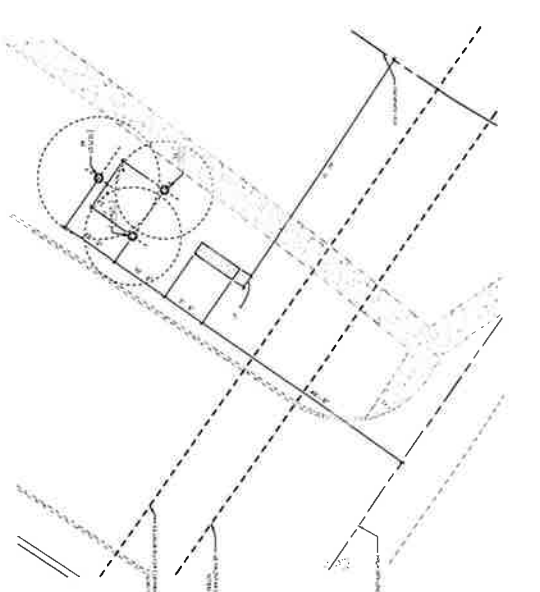
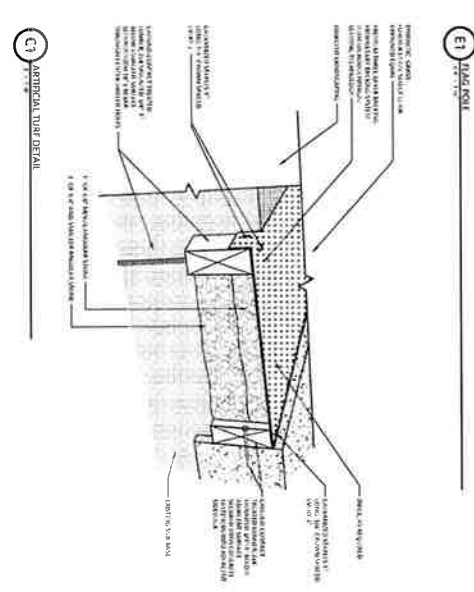
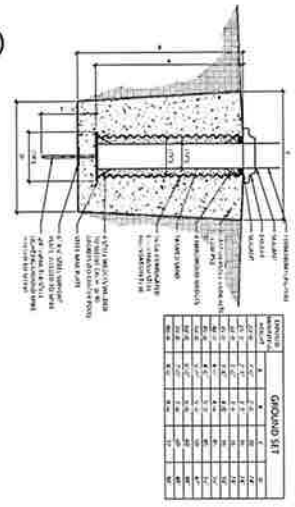
Signature of Owner

Belinda Hill

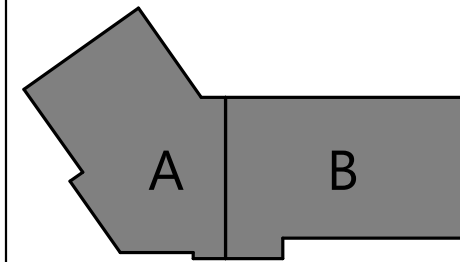
Print Name of Owner

Personally Appeared Before Me this 22nd day of September, 2023.

Chastity Melson
Notary Public



REV	DATE	DESCRIPTION
1	01/15/2020	Initial Release
2	02/15/2020	Revised for Construction
3	03/15/2020	Revised for Construction
4	04/15/2020	Revised for Construction
5	05/15/2020	Revised for Construction



Issued for Construction

Project Number	19091	
Date	03/03/2023	
Revisions		
#	Description	Date
1	Addendum 1 BP1	3/3/2023

KEYNOTES PER SHEET	
0550-01	4" DIAMETER CONCRETE FILLED STEEL BOLLARD (SHOP PRIMED WITH BOLLARD COVER).
0550-02	6" DIAMETER CONCRETE FILLED STEEL PIPE BOLLARD (SHOP PRIME AND FIELD PAINT ARCH TO SPECIFY COLOR)
1122-03	ITM (VERIFY SIZE CLEARANCE AND LOCATION WITH FINANCIAL EQUIPMENT CONTRACTOR).
1122-12	DRIVE-THRU ITM CLEARANCE BAR (BY FINANCIAL EQUIPMENT CONTRACTOR). SEE STRUCTURAL DRAWINGS FOR FOUNDATIONS
2605-02	FUTURE EV CHARGING STATION - DUAL POST MOUNTED
2605-03	FUTURE EV CHARGING STATION - SINGLE POST MOUNTED
3231-01	8 FOOT HIGH, BLACK VINYL COATED FENCE - TO MATCH EXISTING FENCE ALONG SOUTH PROPERTY LINE (EXTENT SHOWN DASHED)
3233-01	BIKE RACK; SEE SPECIFICATIONS
3330-01	LIFT STATION; SEE CIVIL DRAWINGS

ZONING SUMMARY - 400 PORSCHE AVENUE

EXISTING ZONING DISTRICT
B-P (BUSINESS PARK)

ZONING REQUIREMENTS (ZONE B-P)

MINIMUM NUMBER OF OFF-STREET PARKING SPACES REQUIRED

4 PARKING SPACES PER 1,000 SF OF GROSS FLOOR AREA = 541 SPACES
SIZES: 10'X18' (FOR MAX 70% OF STALLS)
9'X18' (FOR MIN OF 30% OF STALLS)

NUMBER OF OFF-STREET PARKING SPACES PROVIDED

566 PARKING SPACES
SIZES: 400 (70.7%)@ 10'X18' and 166 (29.3%) @ 9'X18'
ACCESSIBLE SPACES: 12 SPACES (MIN 2% OF TOTAL)

MINIMUM NUMBER OF LOADING SPACES REQUIRED

2 LOADING SPACES REQUIRED FOR BUILDINGS OVER 40,001 SF

NUMBER OF LOADING SPACES PROVIDED

2 LOADING SPACES

MAXIMUM ALLOWABLE HEIGHT BUILDING HEIGHT

105 FEET / 8 STORIES

PROPOSED BUILDING HEIGHT

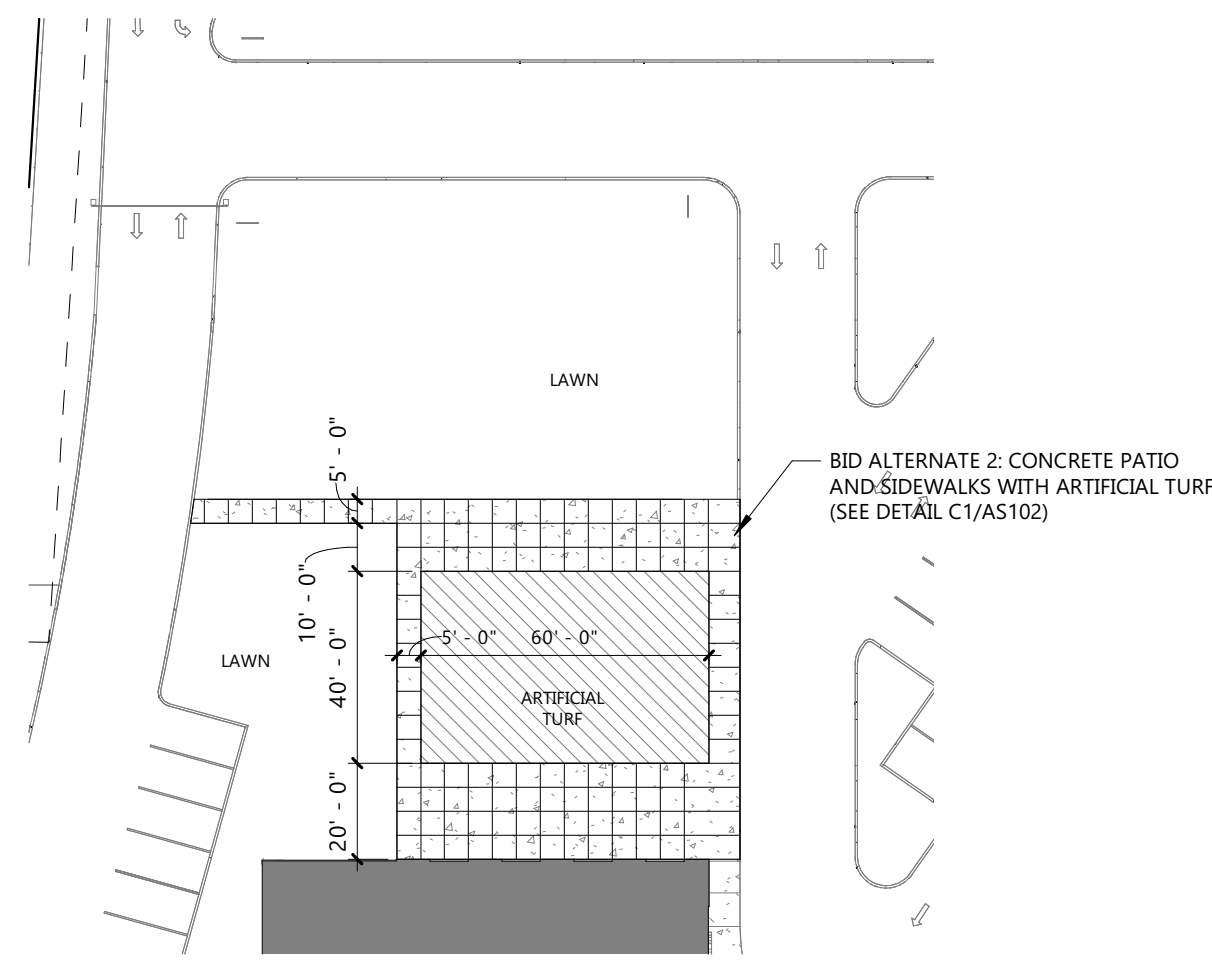
102 FEET / 5 STORIES

MINIMUM LOT AREA REQUIRED

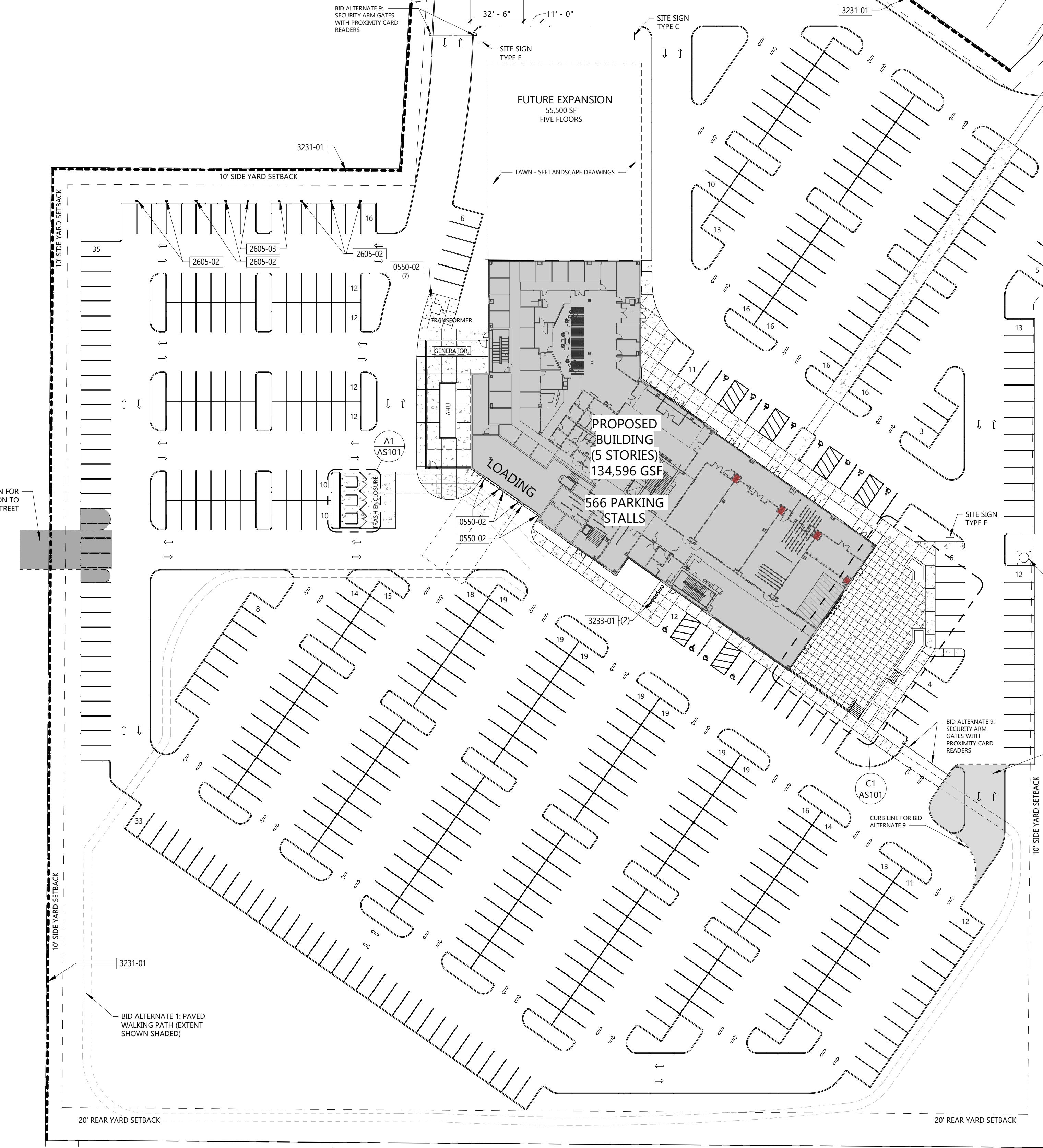
10,000 SF

LOT AREA PROVIDED

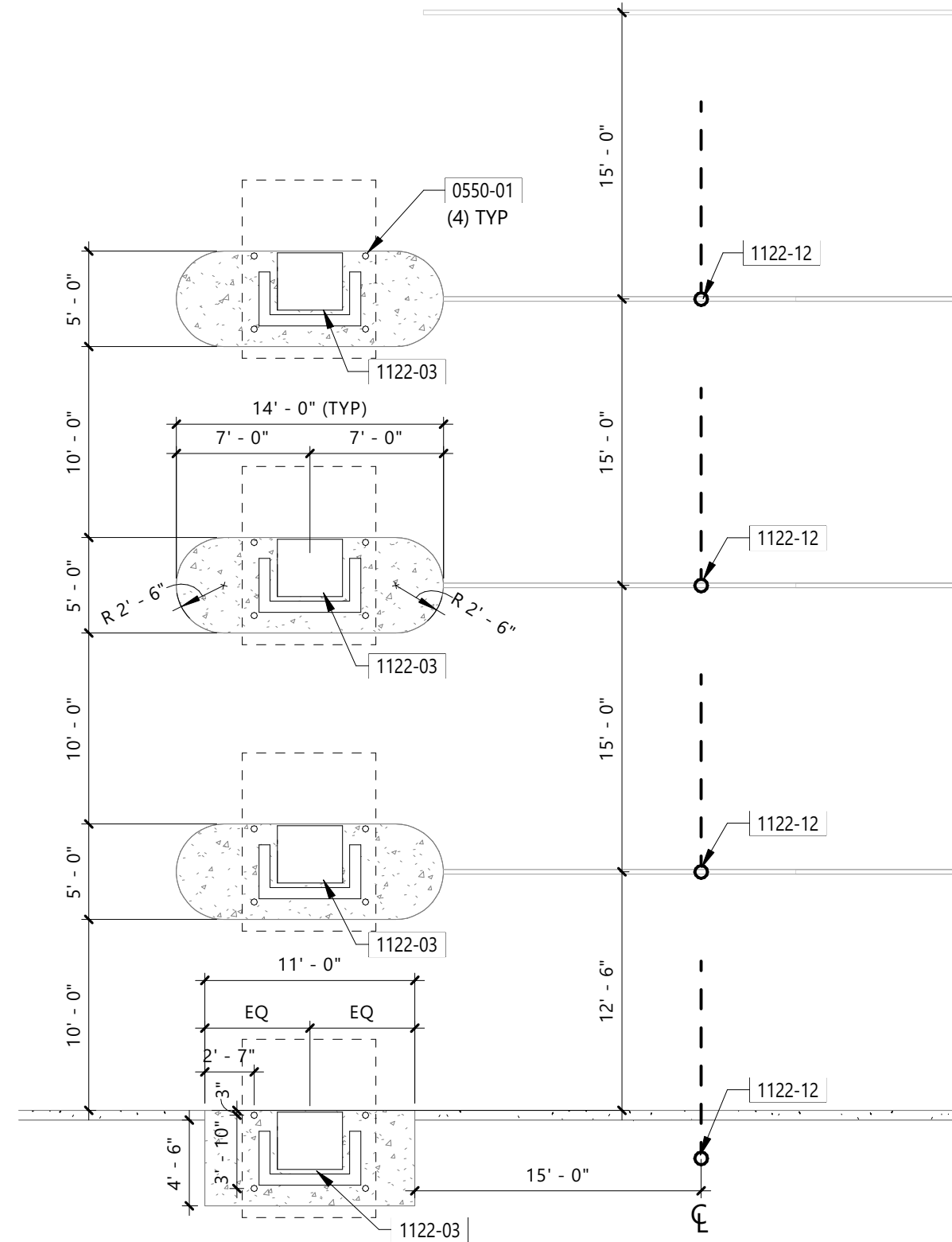
459,395 SF



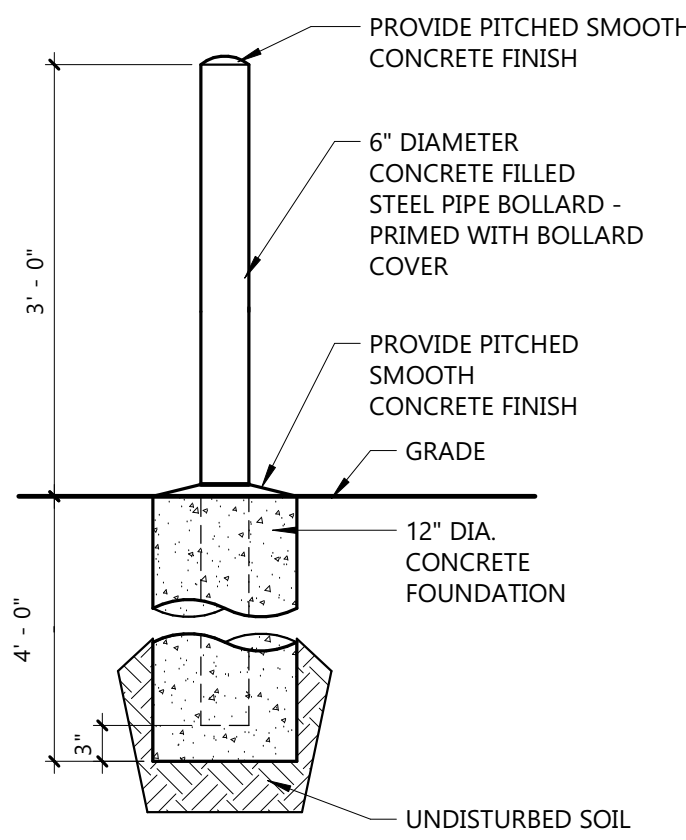
E1 SITE PLAN - BID ALTERNATE
1" = 40'-0"
SCALE: 1" = 40'-0"



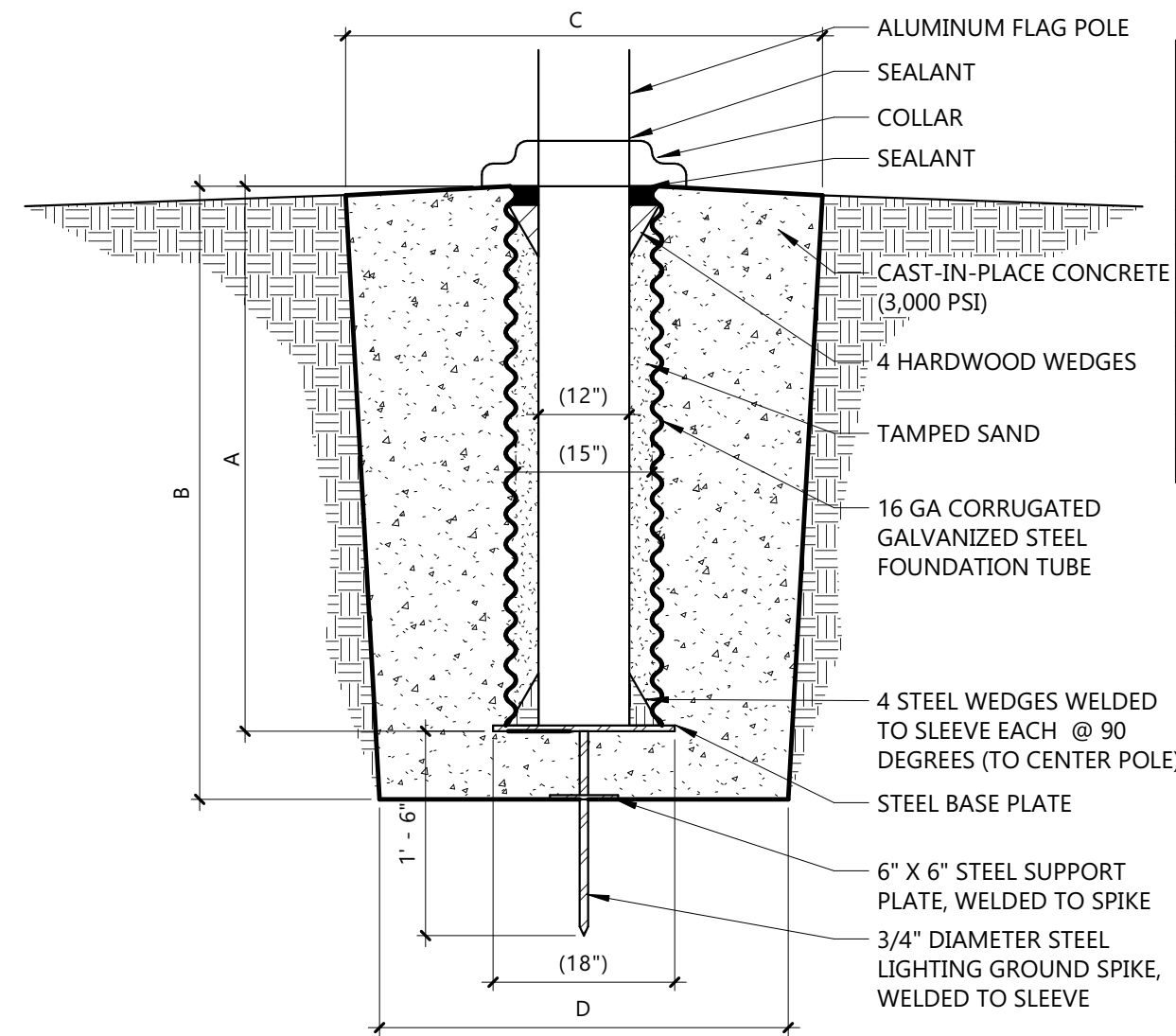
A1 SITE PLAN
1" = 40'-0"
SCALE: 1" = 40'-0"



A4 DRIVE THRU ENLARGED PLAN
1/8" = 1'-0"



A6 BOLLARD DETAIL
3/4" = 1'-0"



EXPOSED MOUNTING HEIGHT	GROUND SET			
	A	B	C	D
20'-0"	2'-0"	2'-6"	3'-0"	2'-4"
25'-0"	2'-6"	3'-0"	3'-6"	2'-4"
30'-0"	3'-0"	3'-6"	3'-6"	2'-4"
35'-0"	3'-6"	4'-0"	3'-6"	3'-0"
40'-0"	4'-0"	4'-6"	4'-6"	3'-6"
45'-0"	4'-6"	5'-0"	4'-6"	3'-6"
50'-0"	5'-0"	5'-6"	5'-0"	4'-2"
60'-0"	6'-0"	6'-6"	6'-0"	4'-8"
70'-0"	7'-0"	7'-6"	6'-0"	4'-8"
80'-0"	8'-0"	8'-6"	7'-2"	4'-8"

E1 FLAG POLE
3/4" = 1'-0"

SYNTHETIC GRASS:
FOREVER LAWN, SELECT EL OR
APPROVED EQUAL.

PREMIUM THREE-LAYER BACKING:
PROPRIETARY BACKING SYSTEM
WITH MICROMECHANICAL
SEAMING TECHNOLOGY

ADJACENT LANDSCAPING

GALVANIZED STAPLES 1" LONG,
1/4" CROWN SPACED
EVERY 3"

GROUND CONTACT TREATED LUMBER, 2x4 MOUNTED 3/4"-1" BELOW
ADJACENT SURFACE
SECURED WITH 16" L REBAR
THROUGH CENTER DRILLED HOLES.

1" OF 3/8" MINUS ANGULAR STONE
3" OF 3/4" AND SMALLER ANGULAR STONE

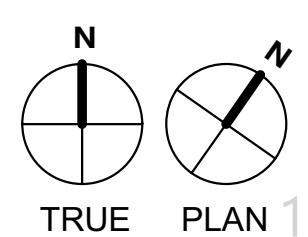
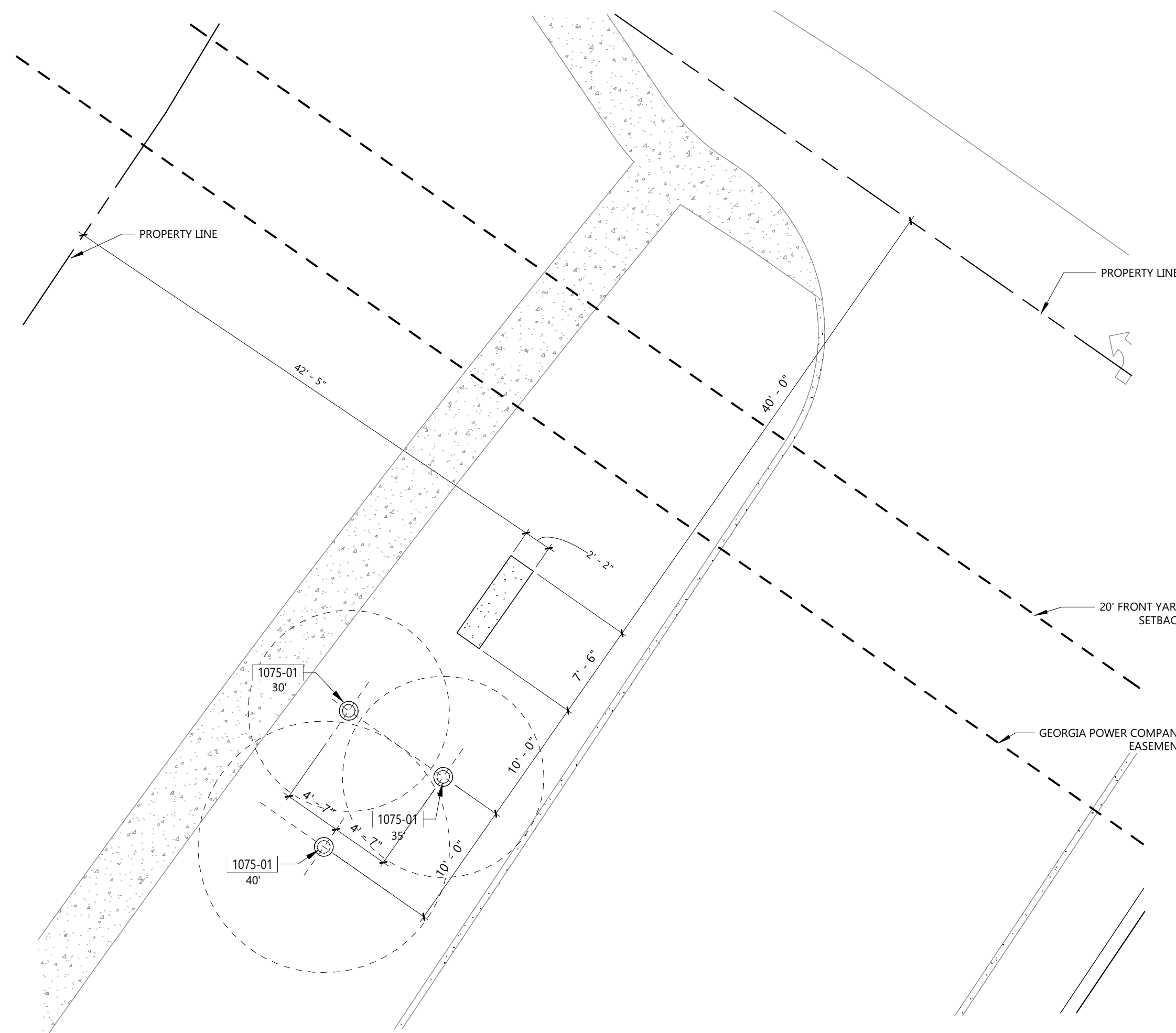
INFILL AS REQUIRED

GALVANIZED STAPLES 1" LONG, 1/4" CROWN SPACED
EVERY 3"

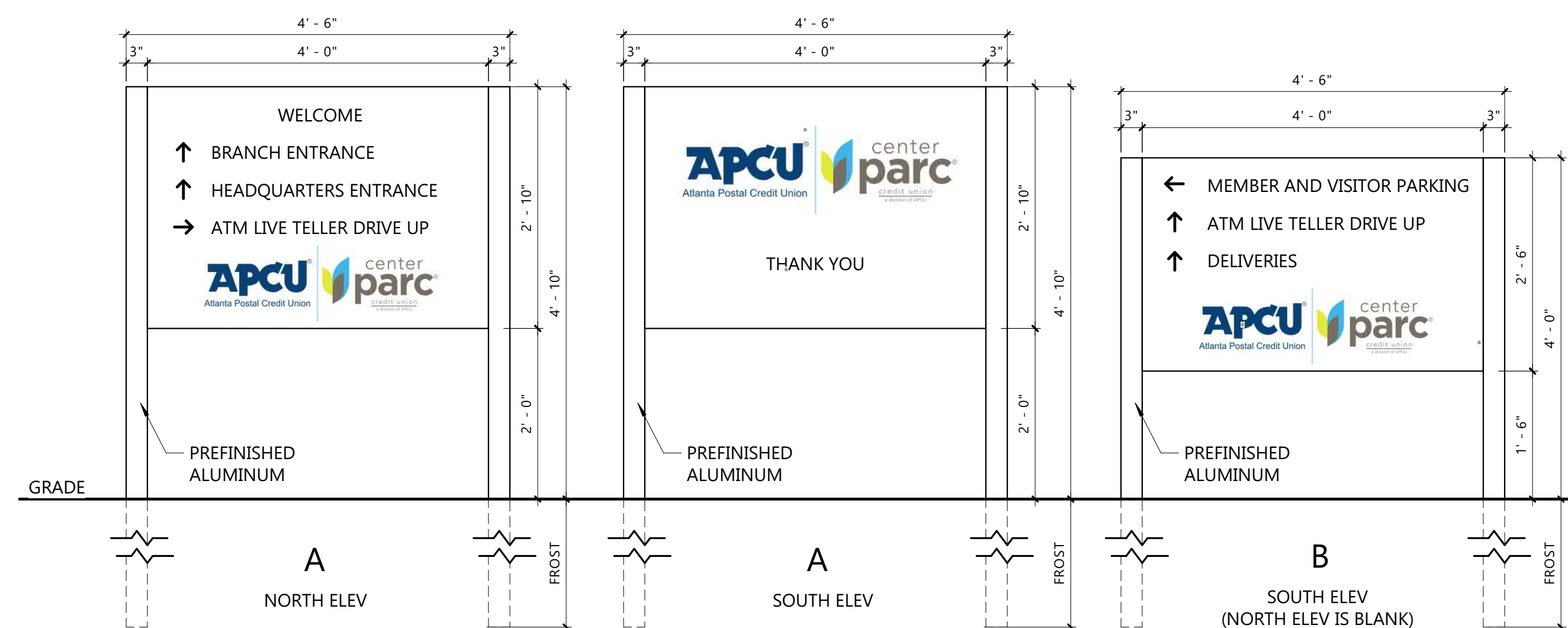
GROUND CONTACT TREATED LUMBER, 2x4 MOUNTED 3/4"-1" BELOW
ADJACENT SURFACE
SECURED WITH CONCRETE
FASTENERS INTO ADJACENT
SIDEWALK.

EXISTING SUB-BASE

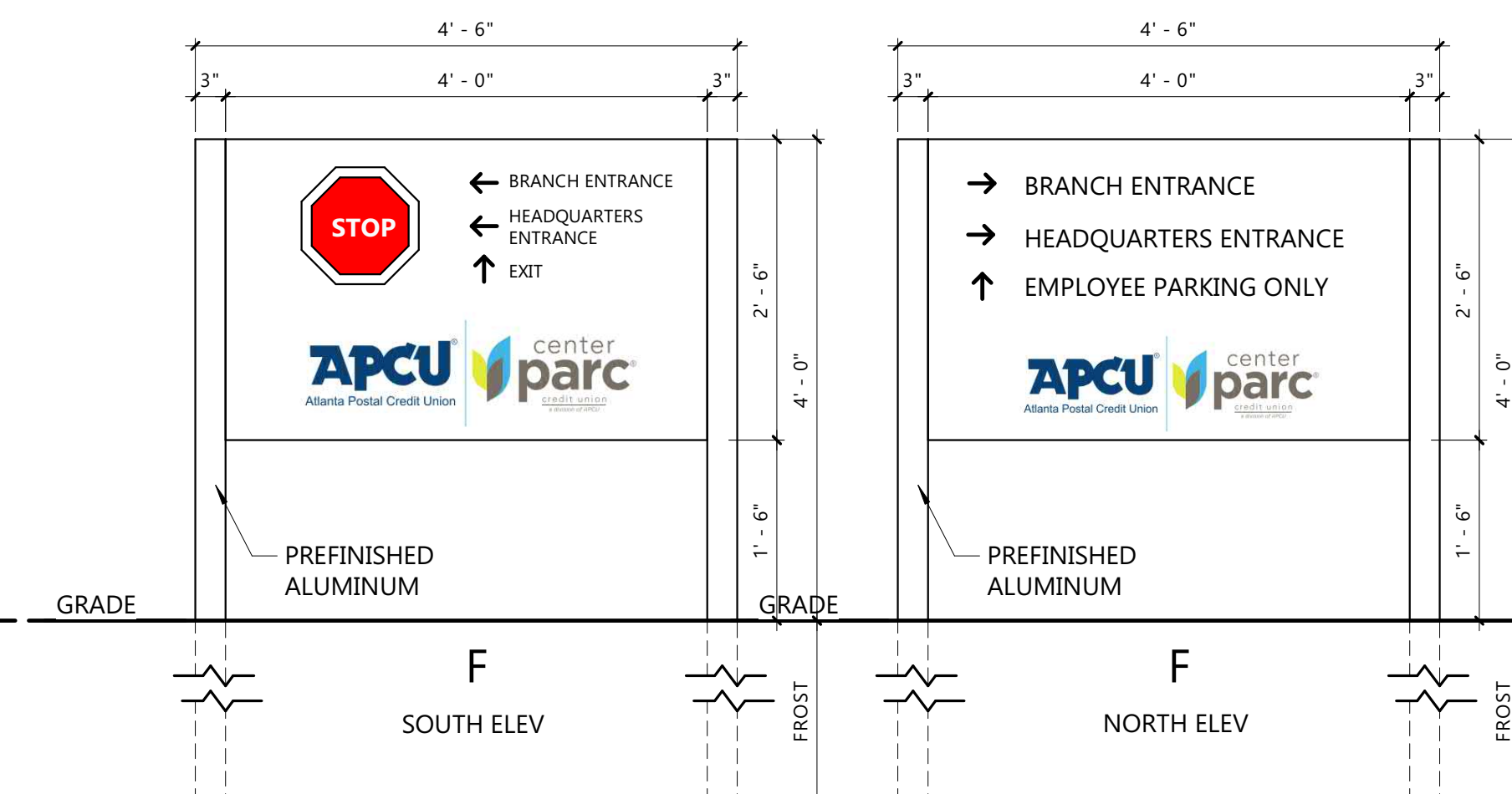
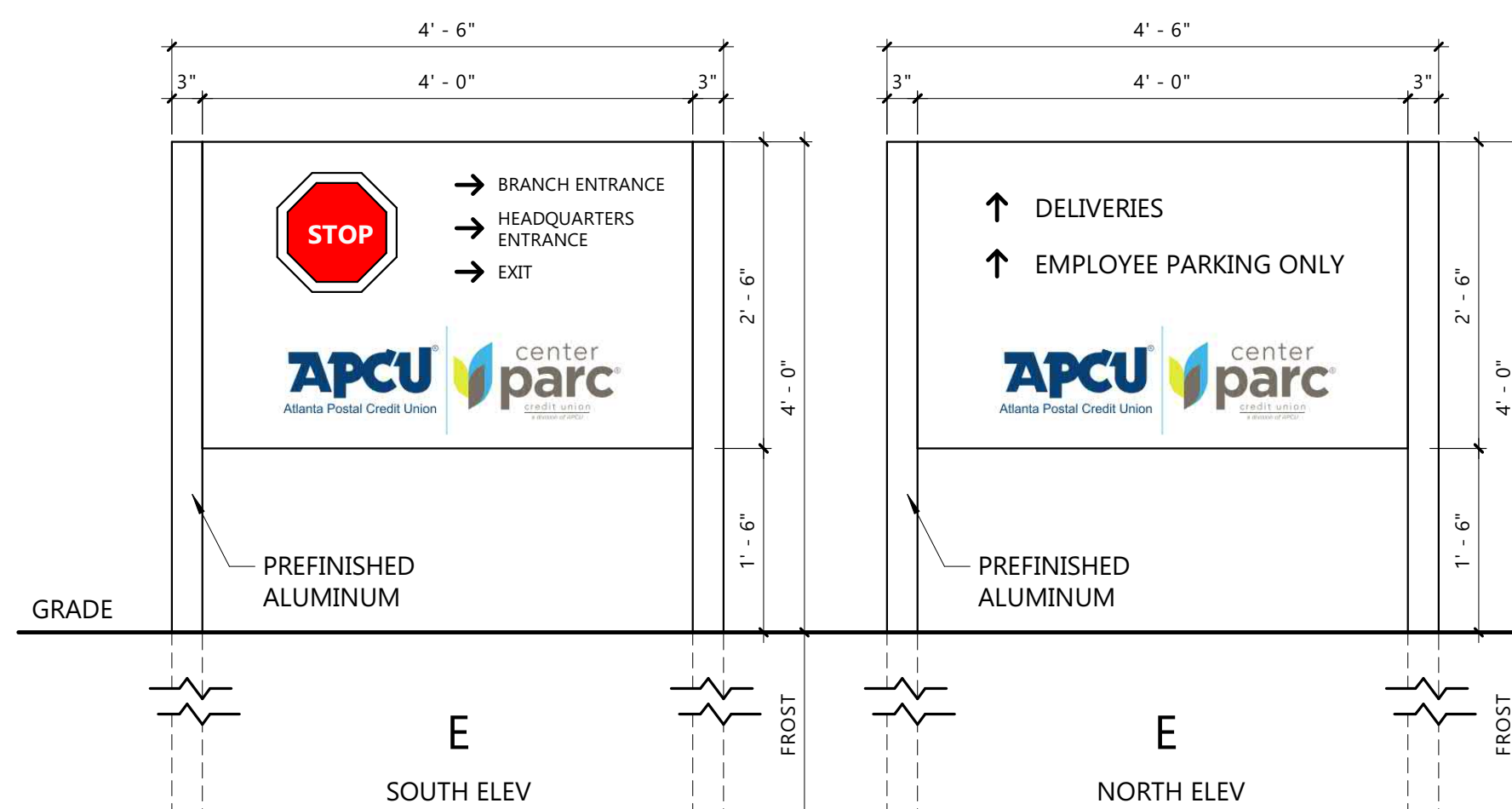
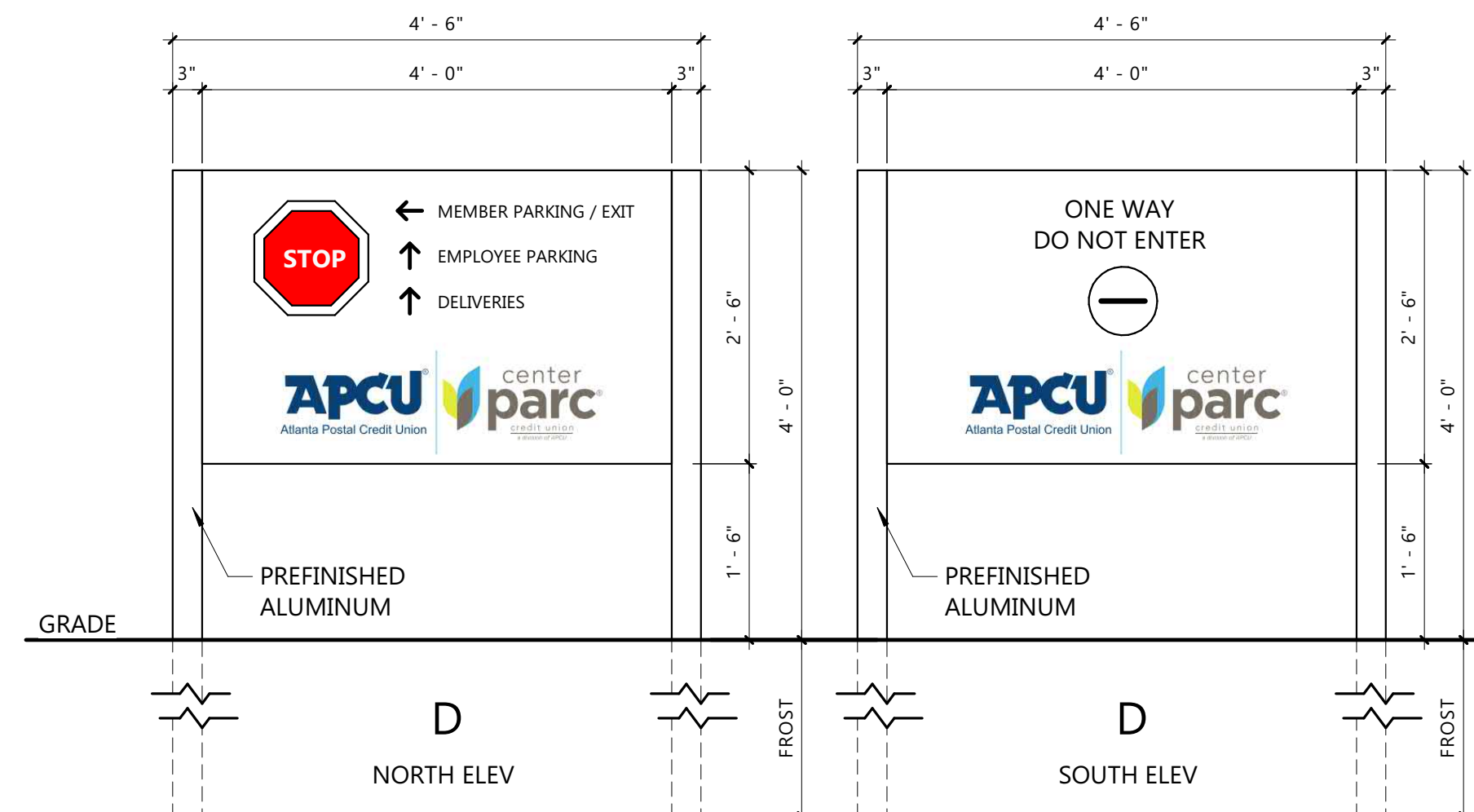
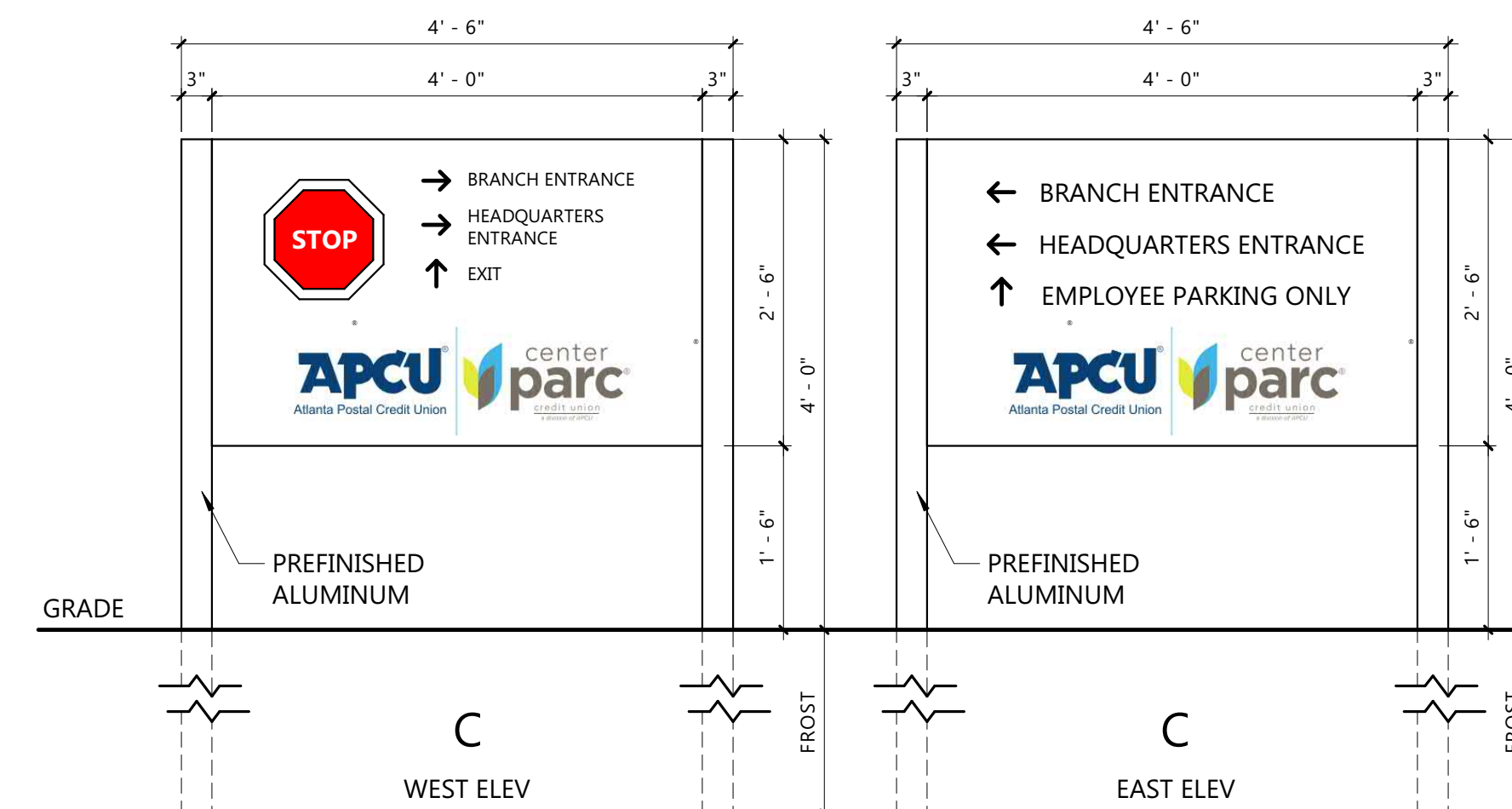
C1 ARTIFICIAL TURF DETAIL
3" = 1'-0"



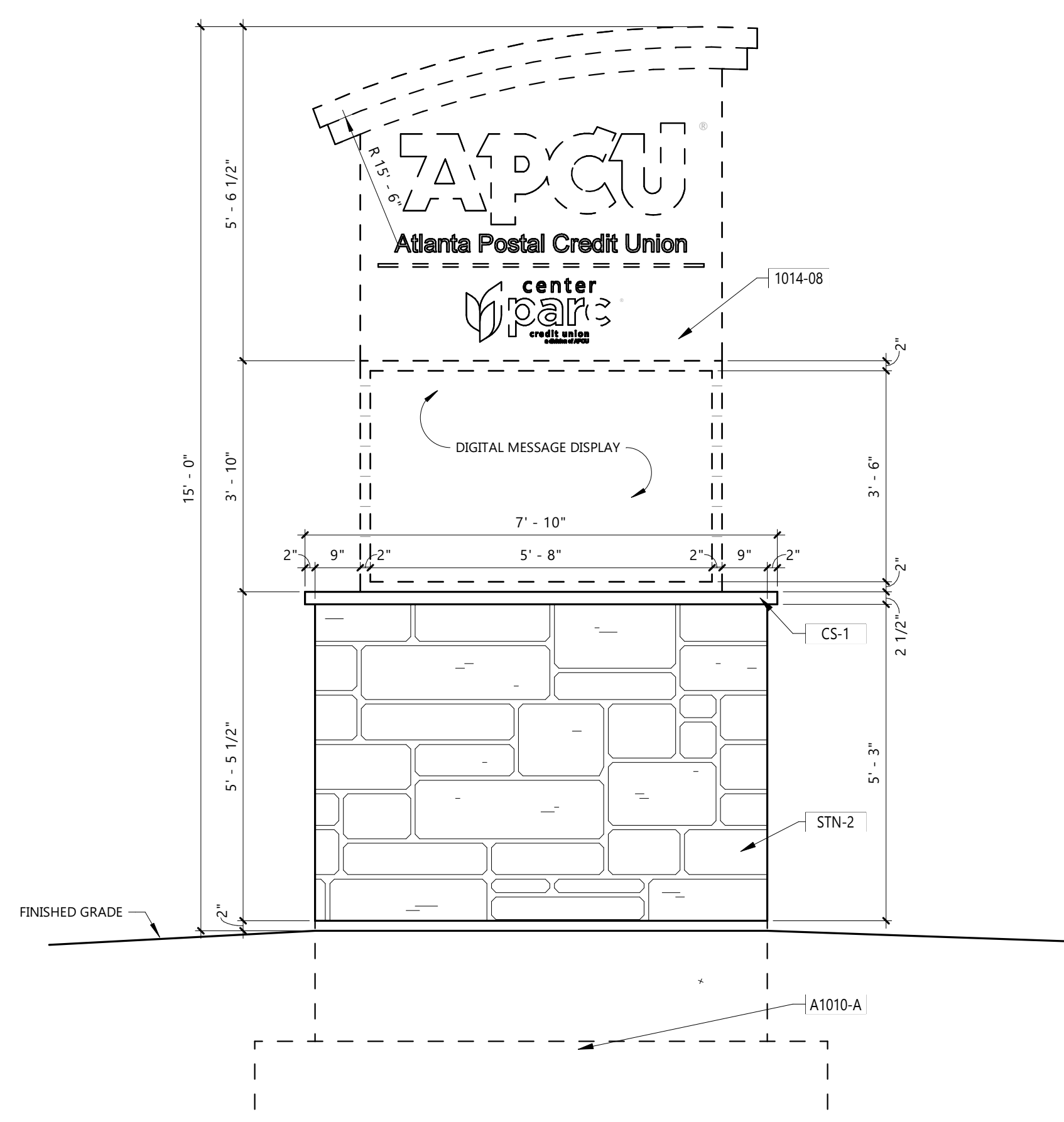
A1 ENLARGED SITE PLAN
1/8" = 1'-0"



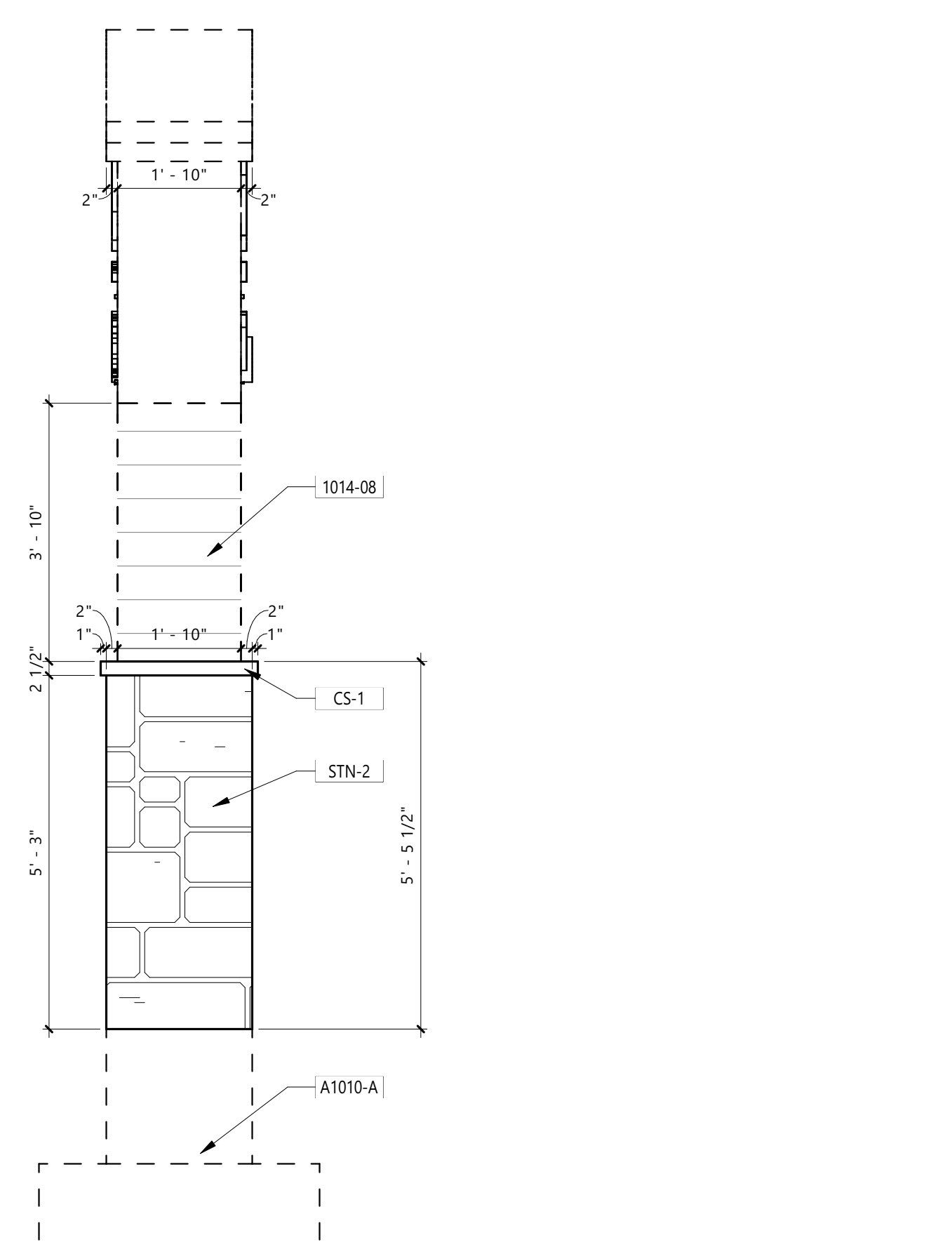
KEYNOTES PER SHEET	
1014-08	SIGNAGE AND READER BOARD BY OWNERS SIGN VENDOR. SIGNAGE VENDOR IS RESPONSIBLE FOR FINAL SIGNAGE LAYOUT AND OBTAINING APPROVALS AS REQUIRED BY OWNER AND THE CITY OF HAPEVILLE
1075-01	BID ALTERNATE 3-FLAG POLES: SEE SPECIFICATIONS
A1010-A	CAST IN PLACE CONCRETE FOUNDATION WALL (SEE STRUCTURAL DRAWINGS).
CS-1	CAST STONE
STN-2	STONE VENEER



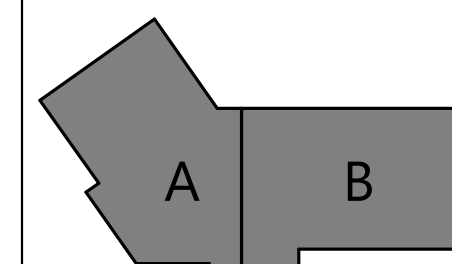
C3 DIRECTIONAL SIGNAGE
3/4" = 1'-0"



A4 MONUMENT SIGN - FRONT ELEVATION
1/2" = 1'-0"



A5 MONUMENT SIGN - SIDE ELEVATION
1/2" = 1'-0"



Issued for Construction

Project Number	19091	
Date	03/03/2023	
Revisions		
#	Description	Date

- LEGEND - LINE TYPE
- ADJOINING PROPERTY LINE
 - PROPERTY LINE
 - CREEK CENTERLINE
 - RIGHT-OF-WAY LINE
 - METAL FENCE
 - WOOD FENCE
 - WIRE FENCE
 - GUARDRAIL
 - OVERHEAD ELECTRIC LINE
 - UNDERGROUND ELECTRIC LINE
 - UNDERGROUND NATURAL GAS LINE
 - UNDERGROUND SANITARY SEWER LINE
 - UNDERGROUND STORM SEWER LINE
 - UNDERGROUND COMMUNICATION LINE
 - UNDERGROUND WATER LINE

- LEGEND - SYMBOLS
- CURB INLET
 - STORM DRAINAGE MANHOLE
 - SINGLE WING CATCH BASIN
 - DOUBLE WING CATCH BASIN
 - SANITARY SEWER MANHOLE
 - CLEAN OUT
 - FIRE HYDRANT
 - WATER METER
 - WATER VALVE
 - GAS METER
 - GAS VALVE
 - ELECTRIC METER
 - POWER POLE
 - LIGHT POLE
 - GUY WIRE
 - GUY POLE
 - TELEPHONE MANHOLE

- LEGEND - ABBREVIATIONS
- IPS IRON PIN SET
 - IPF IRON PIN FOUND (1/2" REBAR)
 - CTP CRIMPED TOP PIPE
 - OTP OPEN TOP PIPE
 - CMF CONCRETE MONUMENT FOUND
 - AIF ANGLE IRON FOUND
 - MNF MAGNETIC NAIL FOUND
 - PKF PK NAIL FOUND
 - REBAR REBAR
 - POC POINT OF COMMENCEMENT
 - POB POINT OF BEGINNING
 - RL RIGHT OF WAY
 - LAND LOT
 - DB/PFG DEED BOOK/PAGE
 - PB/PFG PLAT BOOK/PAGE
 - FOUND FOUND
 - DIST. DISTURBED
 - C.L. CENTERLINE
 - P.L. PROPERTY LINE
 - R.R. RAILROAD
 - CURB INLET
 - JB JUNCTION BOX
 - SWCB SINGLE WING CATCH BASIN
 - DWCB DOUBLE WING CATCH BASIN
 - HW HEADWALL
 - CMP CORRUGATED METAL PIPE
 - RCP REINFORCED CONCRETE PIPE
 - PVC POLYVINYL CHLORIDE PIPE
 - DIP DUCTILE IRON PIPE
 - SS SANITARY SEWER
 - SSMH SANITARY SEWER MANHOLE
 - CO CLEAN OUT
 - PH FIRE HYDRANT
 - WM WATER METER
 - WV WATER VALVE
 - GM GAS METER
 - GV GAS VALVE
 - ELEC. ELECTRIC
 - EM ELECTRIC METER
 - PP POWER POLE
 - LP LIGHT POLE
 - GW GUY WIRE
 - GP GUY POLE
 - TELE. TELEPHONE
 - TMH TELEPHONE MANHOLE
 - CONC. CONCRETE

RESERVED FOR PLAT FILING

CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS AN ANGULAR ERROR OF XX SECONDS PER ANGLE POINT AND A PRECISION RATIO OF 1 IN XXXXXX FEET. IT HAS BEEN ADJUSTED USING THE COMPASS RULE.

THE DATA SHOWN ON THIS PLAT HAS A CLOSURE PRECISION OF ONE FOOT IN 233,338 FEET.

GENERAL NOTES

THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS MAP OR PLAT WERE OBTAINED BY USING IN THE FIELD SURVEY A LEICA TS16 ROBOTIC TOTAL STATION, LEICA CS20 FIELD CONTROLLER AND LEICA GS18 GNSS RTK ROVER.

BEARINGS ARE CALCULATED FROM ANGLES TURNED FROM A SINGLE GRID BASELINE.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY eGPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983 (NAD83), STATE PLANE COORDINATE SYSTEM OF GEORGIA, WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88). ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

INITIAL FIELD WORK COMPLETED 7 FEBRUARY 2017, SUBSEQUENT FIELD WORK BEING COMPLETED ON 22 JULY 2021.

CONTOUR INTERVAL = 2'

BY GRAPHIC PLOTTING ONLY, A PORTION OF THIS SITE IS LOCATED WITHIN SPECIAL FLOOD HAZARD AREA ZONE "A", AS PER THE FLOOD INSURANCE RATE MAP (F.I.R.M.) OF THE CITY OF Hapeville, FULTON COUNTY, GEORGIA, MAP NUMBER 13121C0369F, HAVING AN EFFECTIVE DATE OF 9/16/2013. THE REMAINDER OF THE SITE IS LOCATED WITHIN ZONE "X" (AREA OF MINIMAL FLOOD HAZARD).

ALL IRON PINS SET ARE 1/2" REBAR WITH STAMPED CAP UNLESS OTHERWISE INDICATED.

ABOVE GROUND UTILITY LOCATIONS AS SHOWN HEREON WERE OBTAINED FROM FIELD OBSERVATIONS. UNDERGROUND UTILITIES WERE NOT LOCATED AS A PART OF THIS SURVEY. THE INFORMATION SHOWN ON THIS DRAWING CONCERNING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE OWNER, ARCHITECT, CONTRACTOR, AND THEIR AGENTS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATIONS AS TO THE ACTUAL SIZE, TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.

THE GENERAL CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES ON THE PROJECT. THE CONTRACTOR SHALL HIRE AN INDEPENDENT UTILITY LOCATING COMPANY TO LOCATE ALL UTILITIES PRIOR TO THE START OF WORK.

THE SURVEY AND PLAT SHOWN HEREON IS NOT INTENDED FOR USE OR RELIANCE BY ANY PARTIES OR ENTITIES NOT SPECIFICALLY LISTED IN THE TITLE. UNAUTHORIZED THIRD PARTIES SHALL INDEMNIFY AND HOLD LOWE ENGINEERS, LLC HARMLESS AGAINST ANY AND ALL LIABILITY FOR ANY LOSS ARISING OUT OF, OR RELATED TO, RELIANCE BY ANY THIRD PARTY ON ANY WORK PERFORMED THEREUNDER, OR THE CONTENTS OF THE SURVEY.

SITE INCLUDES THE FOLLOWING TAX PARCEL:
14 0096 LL0585
SOUTH CENTRAL AVENUE
HAPEVILLE, GA 30354

REFERENCES

1. A SURVEY PLAT OF AEROTROPOLIS-ATLANTA, PREPARED FOR THE CITY OF ATLANTA, AIRPORT STATION, LLC, FIRST AMERICAN TITLE INSURANCE COMPANY, AND FREEDOM TITLE & ABSTRACT CO., INC., PREPARED BY LOWE ENGINEERS, DATED 09/26/2011.

2. ALTA/ACSM LAND TITLE SURVEY PREPARED FOR PORSCHE CARS NORTH AMERICA, INC., AIRPORT STATION, L.L.C., AND CHICAGO TITLE INSURANCE COMPANY, PREPARED BY LOWE ENGINEERS, DATED DECEMBER 29, 2015.

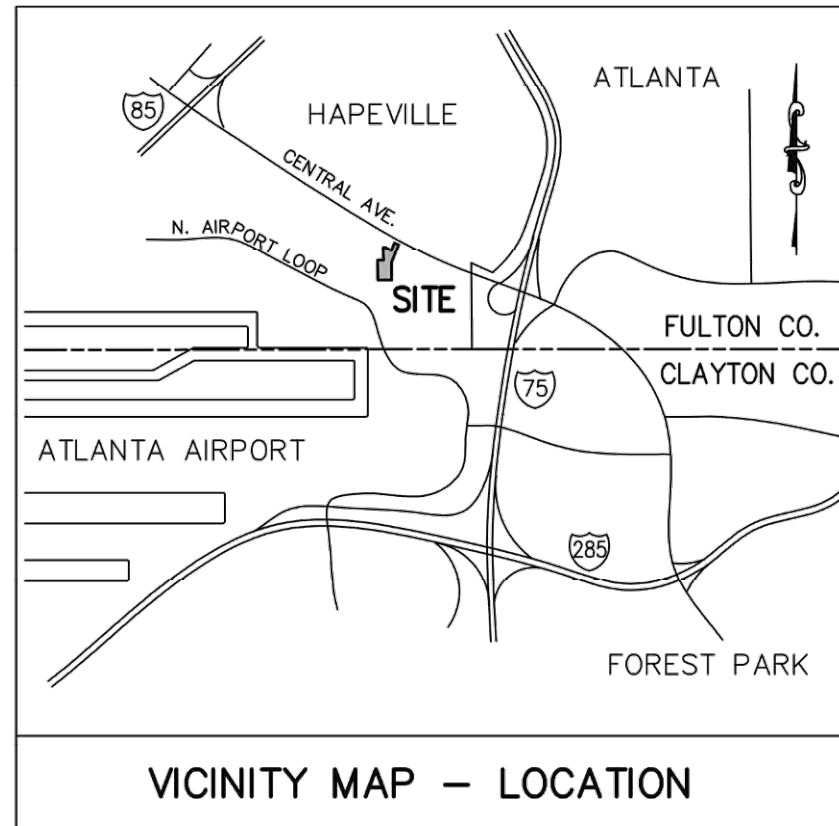
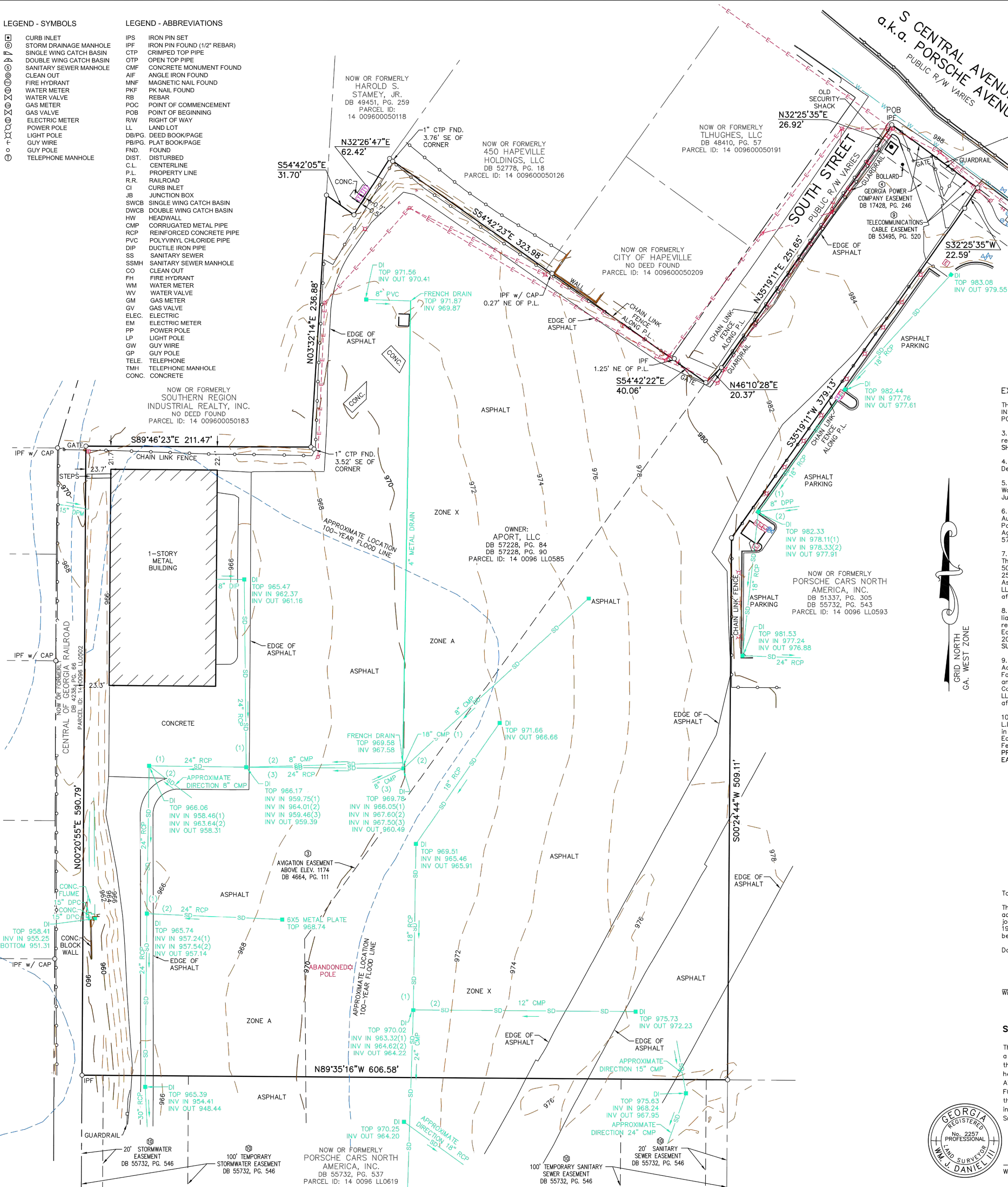
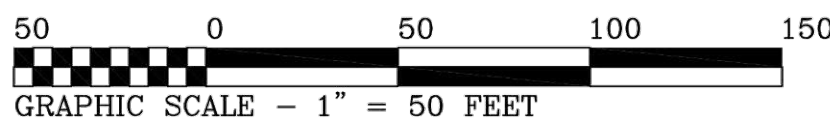
Legal Description

All that tract or parcel of land lying and being in Land Lot 96 of the 14th District, City of Hapeville, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin found (1/2" rebar) located at the intersection of the southeasterly right-of-way line of South Street (having a variable width Public right-of-way) with the southwesterly right-of-way line of S Central Avenue a.k.a. Porsche Avenue, f.k.a. Henry Ford II Avenue (having a variable width Public right-of-way), said iron pin found being the TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence run southeasterly along said southwesterly right-of-way line of S Central Avenue a.k.a. Porsche Avenue, f.k.a. Henry Ford II Avenue S53°39'04"E a distance of 100.23 feet to a point; thence leave said southwesterly right-of-way line and run S32°25'35"W a distance of 22.59 feet to a point; thence run S35°19'11"W a distance of 379.13 feet to a point; thence run S00°24'44"W a distance of 509.11 feet to a point; thence run N89°35'16"W a distance of 606.58 feet to an iron pin found (1/2" rebar) located on the easterly right-of-way line of Central of Georgia Railroad (having a variable width right-of-way); thence run northerly along said easterly right-of-way line N00°20'55"E a distance of 590.79 feet to a point; thence leave said easterly right-of-way line and run S89°46'23"E a distance of 211.47 feet to a point; thence run N03°32'14"E a distance of 236.88 feet to a point; thence run S54°42'05"E a distance of 31.70 feet to a point; thence run N32°26'58"E a distance of 62.42 feet to a point; thence run S54°42'22"E a distance of 40.06 feet to a point located on the northwesterly right-of-way line of South Street; thence leave said northwesterly right-of-way line and run S54°42'22"E a distance of 40.06 feet to a point located on the southeasterly right-of-way line of South Street; thence run northeasterly along said southeasterly right-of-way line the following courses and distances: N46°10'28"E a distance of 20.37 feet to a point; N35°19'11"E a distance of 251.65 feet to a point; N32°25'35"E a distance of 26.92 feet to an iron pin found (1/2" rebar) located at the intersection of the southeasterly right-of-way line of South Street with the southwesterly right-of-way line of S Central Avenue a.k.a. Porsche Avenue, f.k.a. Henry Ford II Avenue said iron pin found being the TRUE POINT OF BEGINNING.

Said tract or parcel of land containing 10.546 acres.



AREA = 10.546 ACRES

EXCEPTIONS

THE FOLLOWING ARE EXCEPTIONS AS LISTED IN SCHEDULE B OF ALTA OWNER'S POLICY OF TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, CASE NUMBER 64415.08, WITH A POLICY DATE OF FEBRUARY 28, 2017.

3. Gift of Aviation Easement dated October 13, 1966 from Ford Motor Company to City of Atlanta recorded in Fulton Deed Book 4664, Page 111, aforesaid records. (AFFECTS SUBJECT PROPERTY AS SHOWN HEREON)

4. Georgia Power Easement dated November 10, 1993, from Ford Motor Company recorded in Fulton Deed Book 17428, Page 246, aforesaid records. (AFFECTS SUBJECT PROPERTY AS SHOWN HEREON)

5. Restrictive Covenants and Non-Exclusive Remediation Access Easement as reserved in Limited Warranty Deed dated June 11, 2008, from Ford Motor Company to Airport Station, LLC as recorded June 12, 2008, in Fulton County Deed Book 46856, Page 678, aforesaid records.

6. Conservation Easement and Agreement between Ford Motor Company, Hapeville Development Authority and The City of Hapeville Georgia, dated June 11, 2008, in Fulton County Deed Book 46856, Page 663, aforesaid records, with Assignment and Assumption of Conservation Easement and Agreement from Airport Station, L.L.C. to Apert, LLC dated February 27, 2017, recorded in Deed Book 57228, page 99, aforesaid records. (AFFECTS SUBJECT PROPERTY; NOT A PLOTTABLE EXCEPTION)

7. Easement Agreement by and between Airport Station, L.L.C., a Georgia limited liability company and The City of Atlanta, Georgia, dated September 30, 2011, filed October 5, 2011, recorded in Deed Book 50440, page 499; as amended by Amended and Restated Agreement dated May 11, 2012, filed June 25, 2012, recorded in Deed Book 51337, page 235, aforesaid records and with Assignment and Assumption of Amended and Restated Easement Agreement from Airport Station, L.L.C. to Apert, LLC dated February 27, 2017, filed February 28, 2017, recorded in Deed Book 57228, page 93, aforesaid records. (AFFECTS SUBJECT PROPERTY; NOT A PLOTTABLE EXCEPTION)

8. Easement and Operation Agreement by and between Airport Station, L.L.C., a Georgia limited liability company and Porsche Cars North America, Inc., dated June 21, 2012, filed June 25, 2012, recorded in Deed Book 51337, page 322, aforesaid records, with Assignment and Assumption of Easement and Operation Agreement from Airport Station, L.L.C. to Apert, LLC dated February 23, 2017, filed February 27, 2017, recorded in Deed Book 57228, page 111, aforesaid records. (AFFECTS SUBJECT PROPERTY; DRAINAGE EASEMENT IS BLANKET IN NATURE AND CANNOT BE PLOTTED)

9. Limited access rights contained in Easement Deed by Court Order in Settlement of Landowner Action in Civil Action #3-02-CV-05-WBH, George L. Tedder and Elizabeth C. Tedder, Lena Mae Fabian, Harry L. Bacon, Jr., George Heald, Harold Barrett and Barrett Heald Partnership, individually and on behalf of all other similarly situated vs. Witel Communications, LLC f/k/a Williams Communications, Inc., Sprint Communications Company, L.P. and Qwest Communications Company, L.L.C. dated February 8, 2013, filed January 10, 2014, recorded in Deed Book 53495, page 520, aforesaid records. (AFFECTS SUBJECT PROPERTY AS SHOWN HEREON)

10. Utility Easement Agreement by and between Porsche Cars North America, Inc. and Airport Station, L.L.C., a Georgia limited liability company, dated December 31, 2015, filed January 4, 2016, recorded in Deed Book 55732, page 546, aforesaid records and with Assignment and Assumption of Utility Easement Agreement from Airport Station, L.L.C. to Apert, LLC dated February 27, 2017, filed February 28, 2017, recorded in Deed Book 57228, page 100 aforesaid records. (AFFECTS SUBJECT PROPERTY - UTILITY EASEMENT IS GENERAL IN NATURE AND CANNOT BE PLOTTED; SANITARY SEWER EASEMENT IS SHOWN ON SURVEY; STORMWATER EASEMENT IS SHOWN ON SURVEY)

To: The Redmond Company and XXXX Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 8, 13, 18 and 19 of Table A thereof. The initial fieldwork was completed February 7, 2017, with subsequent fieldwork being completed on 22 July 2021.

Date of Plat or Map: XX July 2021

PRELIMINARY

William J. Daniel, III GA RLS No. 2257

Date

SURVEYOR'S CERTIFICATE (STATE OF GEORGIA)

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

PRELIMINARY

WILLIAM J. DANIEL, III GA RLS No. 2257

DATE

REVISIONS		DATE	PER CLIENT COMMENTS
NO.	1	02.27.2017	UPDATE
2	07.XX.2021		
3			
4			
5			
6			
7			

ALTA/NSPS LAND TITLE SURVEY PREPARED FOR:
THE REDMOND COMPANY AND XXXX TITLE
INSURANCE COMPANY

LOCATED IN LAND LOT 96
14th DISTRICT
CITY OF Hapeville
FULTON COUNTY, GEORGIA

DATE: 02.15.2017

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THIS IS THE PROPERTY OF LOWE ENGINEERS, LLC
AND IS TO BE USED ONLY FOR THE PROJECT SPECIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR EXTENDED TO THIS PROJECT, IN WHOLE OR IN PART, WITHOUT THE WRITTEN CONSENT OF LOWE ENGINEERS, LLC. THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT IS PROPERLY SIGNED AND SEALED.

PROJECT NO.:
21-100031
DRAWN BY:
CAM
CHECKED BY:
TW

ALTA/NSPS LAND TITLE SURVEY

980 HAMMOND DRIVE, SUITE 900
ATLANTA, GEORGIA 30328
TEL: 770-857-8400
FAX: 770-857-8401
www.loweengineers.com
Land Surveyor Firm License No. LSF000656

LOWE
ENGINEERS

SHEET
1 OF 1

NOT ISSUED FOR CONSTRUCTION



Department of Planning & Zoning
PLANNER'S REPORT

TO: Adrienne Senter
FROM: Lynn Patterson
RE: Variance Application for 400 Porsche Ave, increased digital display
DATE: October 4, 2023

BACKGROUND

The City of Hapeville has received a variance application from The Sign Store Online, Inc. on behalf of Atlanta Postal Credit Union to request an increase in the allowable digital sign area for a monument sign to be placed at 400 Porsche Avenue. By Code, digital copy signs are restricted to 10 percent of the sign face (non-digital changeable signs are allowed up to 40%).

The proposed monument sign is 15' from base to top of sign. The total sign face proposed (including the digital sign) is approximately 9' 4.5" x 5' 8" or 53.125 SF. The digital portion of the sign is 3' 10" + 5' 6 1/2" x 5' 8" or 21.25 SF (40% of the total sign area).

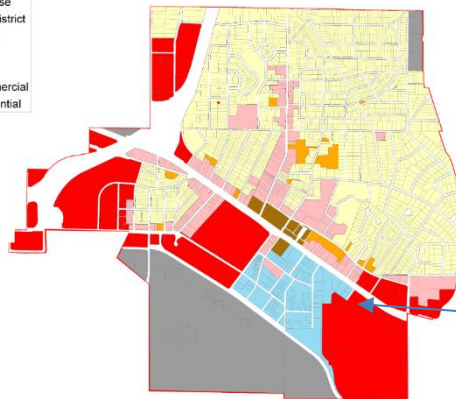
The property is currently zoned B-P, Business Park and is subject to the General Commercial Sign District regulations.

Sec. 93-3.3-2-1. - Sign district map.

City of Hapeville Sign Ordinance: Sign District Map
December 2019



- Commercial Mixed Use
- Downtown Historic District
- General Commercial
- Industrial
- Multifamily
- Neighborhood Commercial
- Single Family Residential



Subject Property, 400 Porsche Ave



ARTICLE 3.3. - SIGNS AND MURALS

Sec. 93-3.3-1. - Statement of purpose and intent.

(a) This division seeks to create the legal framework necessary to ensure a comprehensive and balanced system of signs within the city. A comprehensive regulation is necessary to ensure that signs installed in the city are compatible with the unique nature and character of the community. The purpose of this division is to preserve the right of free speech and expression, facilitate appropriate communication between people and their environment, promote the public health, safety and welfare, and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. With these concepts in mind, the provisions in this division, which regulate signs by such factors as design, size, height, spacing and location, but not on the basis of any message conveyed by such signs, and also regulate the maintenance of signs, are hereby established to achieve the following purposes:

- (1) To protect the health, safety, general welfare and property values of residents and property owners of the city.
- (2) To promote and implement the goals, objectives and policies adopted in the comprehensive plan.
- (3) To effectively balance public and private objectives by allowing adequate signs for the needs of business and developers.
- (4) To regulate the installation and placement of signs in order to provide safe operating conditions for pedestrians and motorists by eliminating unsafe, cluttered, distracting, or illegal signs.
- (5) To promote the use of signs that are aesthetically pleasing, of appropriate scale, integrated with surrounding buildings and landscape, and compatible with the character of the surrounding area.
- (6) To ensure the protection of free speech rights provided by the United States Constitution and the Georgia Constitution.

(b) It is the intent of this division to:

- (1) Provide functional flexibility, encourage variety and relate signage to basic principles of good design.
- (2) Balance the rights of individuals to convey messages through signs and the right of the public to be protected against the unrestricted proliferation of signs by regulating signs on the basis of such factors as design, height, spacing, and location, but not on the basis of the content of any message conveyed thereby.
- (3) Provide an enhanced visual environment for residents and visitors and protect existing view sheds in the community.
- (4) Promote economic development.
- (5) Ensure the fair and consistent enforcement of sign regulations.

Sec. 93-3.3-8. – General Sign Regulations.

(11) Changeable copy signs, excluding billboards:

- a. An owner or a permittee may incorporate up to 40 percent of the allowable sign area of a sign as a changeable copy sign, which shall be physically part of that sign. The changeable copy portion of the sign may not be installed absent the remaining 60 percent of the sign that shall be non-changeable copy or static in nature, excluding framing and other structural elements.
- b. No changeable copy sign may change more often than six times per minute and no message shall change more often than once every ten seconds. Signs shall accomplish message transitions as a hard cut, with no animation or delay between images. The brightness of such

signs shall not have an illumination level of more than three-tenths of a foot-candle above the average ambient light level measured 100 feet from the face of the sign.

c. Changeable copy signs with digital or electronic displays shall be subject to the following additional requirements:

1. Digital changeable copy signs shall only be located in the general commercial sign district.
2. The area of each display panel shall not exceed ten percent of the total sign face.
3. Digital changeable copy signs shall be equipped with an automatic dimming device that shall lower the intensity of the sign illumination to ensure that a hazardous condition for motorists or pedestrians is not created.
4. Digital changeable copy signs shall remain, and appear to be, fixed and static. In no instance shall the displayed content move, change, flash, or be animated or appear to move, change, flash, or be animated in any way.
5. The color of any characters, symbols, text, mark or the like must contrast with the field of the sign to provide for maximum visibility and legibility, and each character, symbol, text, mark or the like on the display panel must be the same color. The background or field of the sign shall be a solid color.
6. Individual display panels erected at fuel stations shall not exceed a size of two feet and no panel shall be larger than 30 square feet or face any property zoned for single-family residential use.
7. No digital changeable copy sign shall be located within 150 feet of any single-family residence, or any property zoned for single-family residential use.

Sec. 93-3.3-4. - Permit application submission, requirements, decision, and appeal.

(d)Appeal. An applicant who is dissatisfied by a decision of the city planner on the application for a sign permit has the right to appeal that decision. Any such appeal shall occur under the following procedures:

(1)The applicant shall deliver a written notice of appeal to the city planner within 14 calendar days of his or her receipt of the notice of the decision. In the event that that no appeal is made within the 14-day period, the decision of the city planner shall become final. In the event that an appeal is filed, the city planner shall promptly transmit to the board of appeals all documents constituting the record upon which the decision appealed from was made.

(2)The board of appeals shall:

- a.Hold a hearing on any timely filed appeal no more than 30 days after the notice of appeal was received; and
- b.Make its final determination of the appeal not more than 30 days after the date of such hearing.

The review by the board of appeals shall be limited to a determination of whether or not the decision of the city planner was clearly erroneous.

Sec. 93-3.3-5. - Variances for signs in this division.

(a) Variance. The board of appeals shall judge a request for a variance from the terms of this division based on the following criteria:

- (1) All existing permitted signs and structures on the subject property are in conformance with this division; and
- (2) The topography adjacent to the roadway is such that a sign conforming to the physical standards of this ordinance will not be visible to passing traffic in the same manner as signs of other similar establishments.

(b) Financial loss to the appellant is not sufficient grounds by itself to justify a variance.

(c) Peculiar conditions or circumstances that are the result of actions of the current or former owner of the property covered by the application cannot be considered as grounds to justify a variance.

(d) The authority to erect and maintain additional signs as may be permitted under any such variance shall terminate upon the subdivision of the lot for which such variance was granted. Any appeal of the decision of the board of appeals shall be taken to the county superior court by a petition for a writ of certiorari.

Sec. 93-3.3-17. - Sign standards by sign district.

(4) General commercial.

a. Permitted sign types and regulations for signs in the general commercial sign district include:

1. Awning signs.
2. Billboards, subject to the requirements and limitations in [section 93-3.3-22](#).
3. Flags.
4. Pole signs/Monument signs, which must be setback a minimum of ten feet from back of curb.

(i) Where a sign contains information for more than one commercial entity, an additional ten square feet per tenant is permitted, up to a maximum sign area of 100 square feet. Such signs may be increased in height by three feet per tenant, up to maximum height of 30 feet tall.

5. Projecting signs, which shall not exceed a projection of six feet from the face of any building.
6. Wall signs.
7. Window signs.
8. Temporary signs.

b. The aggregate square footage of all wall signs, awning signs, and projecting signs shall not exceed the linear width of the building or tenant façade.

c. Except as provided in subsection [93-3.3-23\(f\)](#), no wall sign or window sign shall be permitted above the ground floor of any building.

FINDINGS

There are two methods in which the applicant may request a decision from the Board of Appeals. The first is a claim that the planner was in error in determining conformity with the Code (Sec. 93-3.3-4). No formal sign application has been submitted. The applicant was advised the digital portion of the sign exceeded the allowable square footage. Therefore, the applicant is not appealing the Planner's decision.

The applicant is requesting a variance instead. This appeal falls under section 93-3.3-5 whereas the board of appeals shall judge a request for a variance from the terms of this division based on the following criteria (planner's evaluation in italics):

(1) All existing permitted signs and structures on the subject property are in conformance with this division;

There are no permitted signs currently on the subject property. The other signs provided are directional signs. The applicant has not indicated whether wall signs will be proposed, including a wall sign on the top floor of the building. A wall sign on the top floor of each façade is allowed for buildings in excess of 3 stories per code (Sec. 93-3.3-23. - Special requirements for all signs.) which would address visibility issues.

The application summary addresses wayfinding, which would be accomplished by the directional signage, the monument signage (currently 32 SF of non digital signage but allowed up to 50 SF) and any proposed compliant wall signs.

(2) The topography adjacent to the roadway is such that a sign conforming to the physical standards of this ordinance will not be visible to passing traffic in the same manner as signs of other similar establishments.

There is no adverse topographical condition adjacent to the roadway nor to the presence of the 5 story building set back on the property. The application references wayfinding to the building – there is only one entrance and the building is 5 stories.

The variance request is for digital copy, not wayfinding. The digital copy references credit union information and potentially community events though no programming has been provided regarding community events or space. The applicant has not demonstrated nor can the planner identify any significant elevation changes that would be impact a sign's visibility to passing traffic. The rationale presented in the application in support of the variance mainly centers on the ability to use digital display to communicate business and potential, undetermined community information.

RECOMMENDATION

As the applicant has not provided justification based upon the Code requirements for topography adjacent to the roadway to support a variance for the increased square footage for digital signage, Staff cannot recommend approval of the variance request.



CITY OF HAPEVILLE
3468 NORTH FULTON AVENUE
ATLANTA, GA 30354

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 09/27/2023.



Subscribed and sworn to before me this September 28, 2023



NOTICE
City of Hapeville

A Public Hearing will be held by the City of Hapeville Board of Appeals on **Thursday, October 26, 2023 at 6:00 p.m.** at the City of Hapeville Municipal Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354. The meeting will also be made available to the public by live streaming only via teleconference/videoconference in accordance with O.C.G.A § 50-14-1(g) at <https://ga-hapeville3.civicplus.com/562/Agendas-and-Minutes> to consider the following request:

Variance Request:

Variance request to increase the allowable size of an LED sign at 400 Porsche Avenue, Parcel Identification Numbers 14 0096 LL0585. The property is zoned B-P Business Park and is subject to the zoning regulations under section 93-3.3-8 (General sign regulations) of the City of Hapeville Zoning Ordinance.
Applicant: The Sign Store Online, Inc.

Variance Request:

Variance request to provide relief from Section 93-29-13 (Tree preservation trust fund) for the property located at 3189-A Jackson Street, Parcel Identification Number 14 0094 0002 086 5. The property is zoned R-SF, Residential-Single Family and is subject to the zoning regulations under Section 93-29-13 of the City of Hapeville Zoning Ordinance.
Applicant: Michael Olajubutu

Variance Request:

Variance request to provide relief from Section 93-29-13 (Tree preservation trust fund) for the property located at 3189-B Jackson Street, Parcel Identification Number 14 0094 0002 088 1. The property is zoned R-SF, Residential-Single Family and is subject to the zoning regulations under Section 93-29-13 of the City of Hapeville Zoning Ordinance.
Applicant: Joycelyn Lee

Public Hearing Comments: For those who are unable to physically attend the meeting, citizen comments must be emailed to the Planning and Economic Development Manager at asenter@hapeville.org or called in at 404-669-8269 no later than 5:00 p.m. on October 25, 2023. When emailing or verbally delivering your comment to the Planning and Economic Development Manager, please include your name, address, the agenda item, and the comment for or against the item. All comments submitted to the Planning and Economic Development Manager will be read into the record. Citizens may not make comments on public hearing agenda items via livestream or video conference.
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