

DALTON-WHITFIELD BOARD OF ZONING APPEALS
Meeting Minutes
November 11, 2015

I. Call to order

Chairman Kenneth Harless called to order the meeting of the unified Dalton-Whitfield Board of Zoning Appeals at 12:00 PM on Wednesday, November 11, 2015 in the council chambers at Dalton City Hall.

II. Roll call

The following persons were present:

Board members:

Mike Brown
Kenneth Harless
Austin King
Debby Peppers
Tracy Ward

Others:

Jean Price-Garland, Dalton-Whitfield Zoning
Robert Smalley, County Attorney
Bobby James, Masstar Sign Corp.

III. Approval of minutes from last BZA meeting

Motion to approve the minutes of the September 9, 2015 Dalton-Whitfield Board of Zoning Appeals meeting was made by Debby Peppers and seconded by Tracy Ward. The motion was approved 5-0.

IV. New Business

Hearing #1

Applicant: Masstar Sign Corp.

Owner: Walmart – 815 Shugart Road (city of Dalton property)

The applicant was represented at the hearing by Bobby James. Staff presented a GIS layout of the property area, and explained the circumstances surrounding the case. The subject property is located adjacent to the east right-of-way of I-75 and is accessed from Shugart Road. The 24.52-acre lot contains the Walmart store. The property is zoned C-2, General Commercial and is located within the city limits of Dalton. A free-standing pylon sign is located in the northwest corner of the property adjacent to I-75. This sign does not meet the definition of billboard since it is not located with the defined quadrant for placement of billboards.

In 2003, Walmart was granted a variance to increase the free-standing sign display area from the maximum allowed 128 square feet to 289 square feet. During that same variance hearing, the owner was denied the opportunity to increase the height of the free-standing sign from the maximum allowed 60 feet. Under today's City of Dalton Sign Ordinance, the maximum allowed sign height is 40 feet above the adjacent roadway, and the maximum allowed display area for a single sign is 200 square feet. The applicant originally filed an appeal application to remove their existing free-standing pylon sign and replace and relocate a new sign which is 80 feet in height (approximately 50 feet above the adjacent roadway) and which has a display area of 495 square feet. Mr. James told the Board since the original request of two separate variances is prohibited under the Dalton code, they would withdraw their request to increase the sign height.

Mr. James explained the Walmart property is 30 feet below grade of I-75. The existing free-standing sign for the most part not currently visible to I-75 traffic. It is Walmart's plan to install the new sign along the middle west side property line and in a break in the tree line adjacent to I-75. This should allow the sign to be visible to northbound I-75 traffic. Mr. James further explained Walmart has an agreement with Kohl's and Academy Sports to place their advertising logos on the same sign. This will eliminate the need for either of those stores to have a separate free standing sign in the area. The applicant requested a **variance from Section 4-5.2(a)(1) to allow a free-standing sign which exceeds the 200 square foot maximum sign display area for a single sign by an additional 295 square feet.**

Noting the peculiar circumstances of the topography of the property, Debby Peppers made a motion, seconded by Tracy Ward, to approve the variance request.
The motion passed 5-0.

V. Other business

Staff reported there was no other business to discuss.

VI. Adjournment

Chairman Kenneth Harless adjourned the meeting at 12:23 PM.

Minutes respectfully submitted by: **Jean Price-Garland**