SANDY SPRINGS
GEORGIA

CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** December 13, 2010

FROM: John McDonough, City Manager

AGENDA ITEM: **TA10-019** - An Ordinance to Amend Section 33.12.A., Sign Variance Limitations, of the Sandy Springs Zoning Ordinance

MEETING DATE: For Submission onto the December 21, 2010, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Mark-up of Section

APPROVAL BY CITY MANAGER: JTM *APPROVED*

_____ *NOT APPROVED*

PLACED ON AGENDA FOR: 12/21/2010

CITY ATTORNEY APPROVAL REQUIRED: (✓) *YES* ( ) *NO*

CITY ATTORNEY APPROVAL: WKW

REMARKS:

SANDY SPRINGS
GEORGIA

To: John McDonough, City Manager

From: Blake J. Dettwiler, AICP, Director of Community Development

Date: December 8, 2010 for Submission onto the December 21, 2010 City Council Regular Meeting

Subject: Proposed TA10-019, An Ordinance to Amend Section 33.12.A, Sign Variance Limitations, of the Sandy Springs Zoning Ordinance

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Please find enclosed a proposed text amendment to Section 33.12.A, Sign Variance Limitations, with corresponding mark-up.

Background:
Staff has had issues regarding the City's Zoning Ordinance. Therefore, it has been determined that the Zoning Ordinance should be reviewed in its entirety to ameliorate these issues and provide clarification of the current text.

Discussion:
The City Attorney has determined to revise Section 33.12.A, Sign Variance Limitations of the City's Zoning Ordinance to clarify this portion of the sign ordinance.

Planning Commission Recommendation:
The Planning Commission heard the amendment at the November 18, 2010 meeting and recommended approval as presented by staff (6-0, Thatcher, Pond, Maziar, Rubenstein, Rupnow, and Tart for; Duncan not voting).

Alternatives:
The City Council could choose not to adopt the changes recommended by staff.

cc: Wendell K. Willard, City Attorney

SECTION 12: VARIANCE.

A. Limitations

The Board of Appeals shall be allowed to grant variances to this Article ~~only as to number, set back, building material, or sign style~~**pursuant to subsection D. below**, provided that no variance shall be granted as to the height or size of a sign which exceeds the maximum **height or size**~~size or height~~ ~~within the subject property's zoning district~~**permitted for the subject property**.

B. Timing

The Board of Appeals shall hear and decide upon a variance within ~~sixty (60)~~**seventy-five (75)** days of the submission of a complete and accurate application **on the filing deadline adopted by Mayor and City Council**.

C. Procedure

Except as modified by this Article, the procedures for requesting a variance from the standards of this Article shall be the same procedures as that for seeking a variance from the City's ordinances regulating zoning.

D. Standards

The standards which shall be considered for granting a variance from the standards of this Article shall be only the following:

1. The topography of the lot on which the sign is located or to be located renders it impossible to comport with the strict standards of this Article.

2. The natural features of the lot on which the sign is located or to be located, or of the land immediately adjacent to the lot, impairs the visibility of the sign such that it cannot be seen.