

BOARD OF ZONING APPEALS

Minutes

December 17, 2012

Eron Moore, Chairman	Present
Ronnie Allen	Present
Mark Burson	Present
John Pentecost	Present
Sandra Futch	Present

Chairman Moore called the meeting to order at 6:00 pm and declared a quorum present.

Mr. Moore asked for the approval of the prior meeting minutes. A motion was made by Mrs. Futch to approve the prior meeting minutes of November 26, 2012. The motion was seconded by Mr. Allen. The motion carried. 4-0

OLD BUSINESS

1. V-12-03

**QuikTrip Corporation
200 & 511 S. Clayton St.
Lawrenceville, GA 30046
5-147-197 & 5-147-122**

To allow the following:

- 1) Off-premise sign**
- 2) Three (3) freestanding signs on a single property (One pole and two monument)**
- 3) Maximum area of 276.95 sq. ft. increased to 359 sq. ft.**
- 4) Increase in the maximum sign height from fifteen (15) feet to twenty-four and two tenths (24.2) feet on pole sign along S. Clayton St.**
- 5) Reduction of minimum setback requirement from ten (10) feet to one (1) foot along Scenic Highway.**

Mr. Moore asked for a presentation from the Planning Department. Mr. Ferguson gave the presentation and outlined each variance request and why the variance was needed. Mr. Ferguson stated that variances 1-4 pertained to a freestanding Wendy's sign which the applicant planned to locate on the QuikTrip property. The fifth variance pertained to a freestanding QuikTrip sign to be located along Scenic Highway that did not meet the required 10' setback and even encroached into a required sidewalk. Mr. Ferguson stated that staff recommends denial of all variance requests.

Mr. Moore asked if the applicant was present. Mr. Lee Tucker gave the presentation on behalf of the applicant. Mr. Tucker explained that the overall plan for the site is to move the Wendy's development further toward Neal Blvd. and QuikTrip would redevelop on the corner of Scenic Hwy. and Grayson Hwy. Mr. Tucker stated that because the Wendy's restaurant has been on the corner of Scenic Hwy. and Grayson Hwy. for some

time, they wished to maintain a presence and visibility from the intersection. Mr. Tucker stated that the proposed QuikTrip sign was shown to encroach into the sidewalk but he would adjust as necessary.

Mr. Moore entertained a motion. Mrs. Futch said that she wished to hear and vote on each variance request separately and made that in the form of a motion. The motion was seconded by Mr. Allen. The motion carried. 4-0

Mr. Moore entertained a motion for variance request 1) To allow an off-premise sign. Mr. Allen made a motion to deny the variance request. The motion was seconded by Mr. Pentecost. The motion carried. 4-0

Mr. Moore entertained a motion for variance request 2) To allow three (3) freestanding signs on a single property (One pole and two monument). Mrs. Futch made a motion to deny the variance request. The motion was seconded by Mr. Allen. The motion carried. 4-0

Mr. Moore entertained a motion for variance request 3) To allow the maximum area of 276.95 sq ft increased to 359 sq ft. Mr. Pentecost made a motion to deny the variance request. The motion was seconded by Mr. Allen. The motion carried. 4-0

Mr. Moore entertained a motion for variance request 4) To allow an increase in the maximum sign height from fifteen (15) feet to twenty-four and two tenths (24.2) feet on pole sign along S. Clayton. Mr. Burson made a motion to deny the variance request. The motion was seconded by Mr. Pentecost. The motion carried. 4-0

Mr. Moore entertained a motion for variance request 5) To allow an reduction of minimum setback requirement from ten (10) feet to one (1) foot on monument sign along Scenic Highway. Mr. Pentecost made a motion to deny the variance request. The motion was seconded by Mr. Allen. The motion carried. 4-0

NEW BUSINESS

**1. Nathan S. Ramirez
2031 Spring End Court
Lawrenceville, GA 30044**

Appeal of Alcohol Pouring Permit Denial

Mr. Moore asked for a presentation from the Planning Department. Mr. Ferguson gave the report and stated that the denial of the original application from the Police Department should serve as the staff recommendation.

Mr. Moore asked if the applicant was present. Mr. Ramirez gave the presentation and stated that he previously had a pouring permit in Gwinnett County and did not understand why he could not get one in the City of Lawrenceville. He stated that he needed to keep the job and a pouring permit would help him do so. Mr. Allen asked the applicant to expand on why he stated in his letter of appeal that the law has no logic. Mr. Ramirez said that he did not understand how a conviction related to a controlled substance pertains to his ability to pour alcohol at a restaurant.

Mrs. Futch said that throughout the applicant's presentation he made no statement of remorse. Mr. Ramirez stated that he did feel remorse for his previous actions and realizes the consequences.

Mr. Moore entertained a motion. Mr. Pentecost made a motion to deny the appeal. Mr. Allen seconded the motion. The motion carried. 4-0

Mr. Moore then called for a motion for adjournment. Mrs. Futch made a motion to adjourn. Mr. Allen seconded the motion. The motion carried 4-0

Eron Moore, Chairman

Joshua M. Ferguson, Director
Planning and Zoning Department