

Harvey Smith stated that he thought that was part of the concurrent variance right now. Not on the north side, not to the south side, the existing. He is thinking about the Slope's side, that is the north side.

Jackie Deibel clarified that the side that Mark Renier is discussing is the side next to Slope's and there is not a variance requested on that portion of the property. Mark Renier stated that was correct. Deibel stated that if they want to add something to reduce it or to eliminate it, they can do so at this time.

Cheryl Greenway stated that her question to Harvey Smith is does he want to add that as a condition. Harvey Smith stated that he does not think it is necessary to add that as a condition since it wasn't requested.

Lisa DeCarbo stated that her second still holds.

Cheryl Greenway asked if there was any further discussion. Hearing none she called the question.

The motion passed unanimously.

REZONING

11-0767

RZ11-18

SHERWIN WILLIAMS PAINT

2830 Holcomb Bridge Road

Land Lot: 824

Jackie Deibel stated that the subject property is located at 2830 Holcomb Bridge Road. It is currently zoned FC-A (Fulton County Annexed) with an underlying of C-1. There is no request for a rezoning. The applicant is requesting to remove a condition, which was placed on the property in 1988 from Fulton County when it was in Fulton County. At that time this entire tract, which is here as a rectangle that Deibel is outlining, was rezoned for commercial use. And in that rezoning they conditioned them to one monument sign for the entire tract.

The applicant is requesting that that condition be removed or allow them for this tract where Sherwin Williams is currently located, would like to have a monument sign on the property. Currently there are two signs on the entire tract. There was one sign located here, which was the sign that was permitted via the 1988 zoning and there is one other ground sign that is located here, which was permitted by the city of Roswell after the annexation took place. That was permitted in early 2000.

Currently there are two ground signs located on the property. The applicant is requesting the removal or a change in that condition in order for the Sherwin Williams property to have their own monument sign. All of the properties are

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currently their own parcel and land of record now so it is no longer one large tract.

Jackie Deibel asked if there were any questions for her from the Commission.

Harvey Smith stated that in the Commission's booklet there is a sample of the sign proposed. Is this the proposed sign? Jackie Deibel stated that is an example of what Sherwin Williams has and that is currently located on Arnold Mill Road. That is not technically what they may do and that is something that staff would approve anyway. It meets the code so as long as they meet the staff requirements or the zoning code requirements for signage, staff approves that. It does not go to any boards.

Smith clarified that part of the request is just to allow a sign. The Commission does not need to get into where the sign would be located tonight. They are not going to design the sign. They are just going to grant the applicant permission to make a sign application. Is that correct? Jackie Deibel stated that was correct.

Cheryl Greenway asked if there were any other questions for the city. Hearing no other questions Greenway thanked Deibel. She asked the applicant to please come forward and state his name and address.

Martin L. Kuykelhan stated that he resides at 3440 Mary Taylor Road in Birmingham, AL. He works for the sign company, I.D. Associates. They do surveys and they build all of the signage for Sherwin Williams in the southeast. This store was brought up to Kuykelhan because they could not get a sign permit for it. He understands that there are restrictions. They asked that the condition be changed to allow them one low-profile monument sign that would tie in with the architecture of the building, the colors and be tastefully done. Right now they have no identification by the road as the Commission can see.

Kuykelhan stated that he drove to Roswell for the first time about three months ago. And he drove past the property. He is not use to driving through Atlanta with the mph pace and the traffic that drives that close to each other. And personally, he drove past the property. He did turn around and he found it. One can see it up on the hill. They are situated up there in that if the average person is looking out of their car window or their door it doesn't jump out at him at all. Kuykelhan thinks for a safety reason, if they had an identification sign out there it would give their customers a chance to stop, get into the merge lane and pull into their property.

Cheryl Greenway asked if there were any questions for the applicant.

Hearing no questions from the Commission Cheryl Greenway asked if there was anyone that would like to speak in of the applicant. For the record, no one came forward. Cheryl Greenway asked if anyone would like to speak in opposition of the applicant. For the record, no one came forward.

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Cheryl Greenway asked the applicant if there was anything he would like to say at this time. Martin Kuykelhan stated that was it for now.

Cheryl Greenway closed the public portion of this discussion. She asked if there any questions or discussion items for the Commission. Hearing none she called for a motion.

Motion

Mark Renier made a motion to approve RZ11-18 based on the resolution attached to this application by staff.

Cheryl Greenway clarified that would include the conditions listed. Renier stated that was correct.

Harvey Smith seconded the motion.

Cheryl Greenway asked if there was any further discussion. Hearing none she called the question.

The application was approved unanimously.

**PRELIMINARY PLAT
12-0009
CRABAPPLE MANOR
350 & 370 Rucker Road
Land Lot: 1240**

Jackie Deibel stated that this was a preliminary plat for Crabapple Manor. The Commission saw this rezoning last year in the fall. This preliminary plat contains 27 residential lots. They have two storm water detention areas as well as two common landscape areas. It was rezoned to R3-A in November of 2011 under case number RZ11-09. The lots all meet their required dimensional requirements under the R3-A zoning classification.

This is a recommendation for an approval of the preliminary plat so that the applicant can move one to the land disturbance phase of the project.

Harvey Smith stated that he didn't have a chance to really go back to when this came before the Planning Commission. Did this incorporate all of the comments by both parties or was the compromise...he knows they were not going to connect the two parcels.

Jackie Deibel stated that what happened is the condition was that there was supposed to be common detention but the council gave them 45 days to work it

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