

MEMO

To: Planning Commission, Mayor Santini & City Council

From: Randy Mannino, David Hardegree, and Zack Arnold

Date: February 19, 2025

Re: *Text Amendment T25-03. Adding Charley Harper Drive to the list of allowed streets for electronic billboard signs.*

Erika Bodzy, 4 Charley Harper Drive, proposes a revision to the Sign Ordinance, *Section 20-25(2)(b), Electronic Freestanding Signs*, to add “Charley Harper Drive” as an allowed street section for electronic freestanding signs on non-residential use properties. Currently, electronic signs are not allowed on any portion of Charley Harper Drive.

The fuel station/convenience store being constructed at 4 Charley Harper Dr is proposing this change to allow for an electric fuel price sign to be installed along Charley Harper Dr. The sign will be in addition to the electronic sign that is planned to be installed on West Avenue.

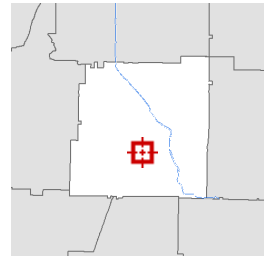
The current sign requirements for a non-residential sign in this area of Charley Harper Drive are a maximum height of 10ft, a maximum total sign area of 32 sq. ft, for a non-electronic sign face.

The proposed electronic sign is also required to be at least 100ft. from a residential dwelling. This requirement can be met at 4 Charley Harper Drive.



This proposed sign will also need to go through the variance process to increase the allotted size from 32 square feet to 61.32 square feet. The case goes to the Board of Zoning Appeals on April 10, 2025.



Overview



Legend

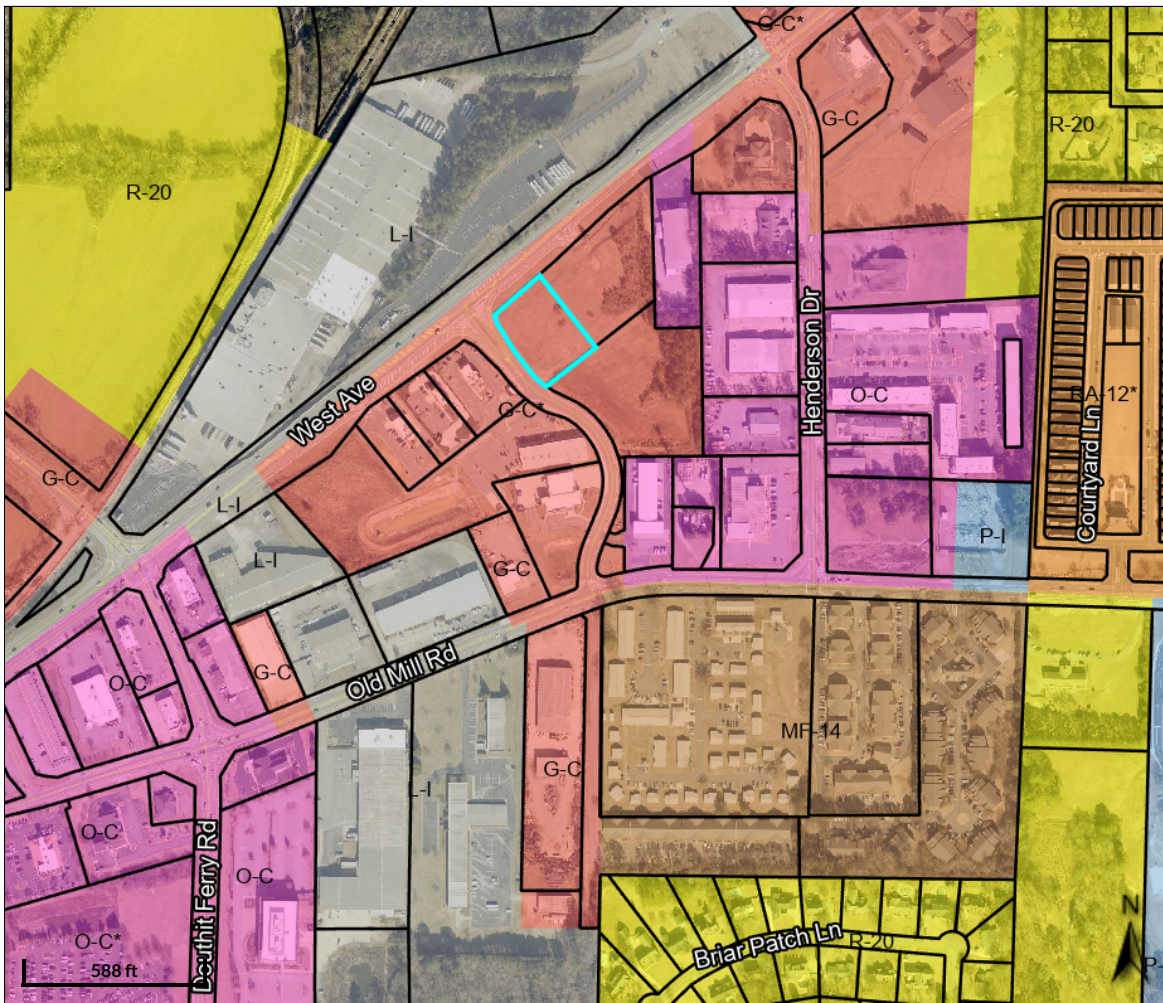
-  Parcels
-  Roads

Parcel ID	C022-0004-034	Alternate ID	52507	Owner Address	J&J ONE INVESTMENTS LLC
Sec/Twp/Rng	n/a	Class	Commercial		3 WESTWILLOW LANE NW
Property Address	4 CHARLEY HARPER DR	Acreage	1.25		ROME, GA 30165
District	Cartersville				
Brief Tax Description	LL 593/594 LD 4 3RD SEC				
	(Note: Not to be used on legal documents)				

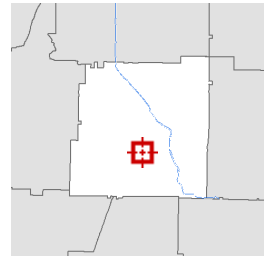
Date created: 2/21/2025

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Overview



Legend

Parcels

Roads

Cartersville Zoning

- AG
- DBD
- G-C
- G-C*
- H-I
- H-I*
- L-I
- L-I*
- M-U
- M-U*
- MF-14
- MF-14*
- MN
- O-C
- O-C*
- P-D
- P-D*
- P-I
- P-S
- P-S*
- R-10
- R-10*
- R-15
- R-15*
- R-20
- R-20*
- R-7
- R-7*
- R-D
- RA-12
- RA-12*

Parcel ID C022-0004-034
 Sec/Twp/Rng n/a
 Property Address 4 CHARLEY HARPER DR

Alternate ID 52507
 Class Commercial
 Acreage 1.25

Owner Address J&J ONE INVESTMENTS LLC
 3 WESTWILLOW LANE NW
 ROME, GA 30165

District	Cartersville
Brief Tax Description	LL 593/594 LD 4 3RD SEC
	(Note: Not to be used on legal documents)

Date created: 2/27/2025

Last Data Uploaded: 2/26/2025 9:14:58 PM

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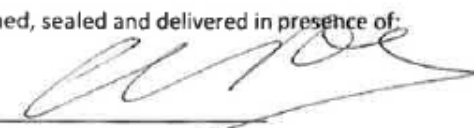
Application for Text Amendment(s)
To Zoning Ordinance
City of Cartersville

Case Number: T25-03
Date Received: 1-17-2025

Public Hearing Dates:

Planning Commission 3-11-2025 1st City Council 3-20-2025 2nd City Council 4-3-2025
5:30pm 7:00pm 7:00pm

APPLICANT INFORMATION

Applicant <u>Erika Bodzy</u> (printed name)		Office Phone _____	
Address <u>4732 N Atlanta Royal Dr</u>		Mobile/ Other Phone <u>404.455.0248</u>	
City <u>Tucker</u>	State <u>GA</u>	Zip <u>30084</u>	Email <u>erikabodzy@gmail.com</u>
Representative's printed name (if other than applicant) _____		Phone (Rep) _____	
Representative Signature _____		Email (Rep) _____	
Signed, sealed and delivered in presence of: _____  Notary Public		Applicant Signature <u>Catalina Ifergan Bodzy</u> My commission expires: _____ NOTARY PUBLIC Fulton County, GEORGIA My Commission Expires 05/16/2026	

1. Existing Text to be Amended:

Article 2, Section 20-25, Subsection (2)(B)

Existing Text Reads as Follows: Electronic freestanding signs on nonresidential use properties shall be prohibited except when located adjacent to one (1) of the following roads:
Burnt Hickory Road (beginning at, and including, the intersection with West Avenue and running north).
Cassville Road (beginning at, and including, the intersection with North Erwin Street and running northwest
etc...

2. Proposed Text:

Proposed Text Reads as Follows: We would like to add Charley Harper Dr to the list
of streets allowing electronic signs

(Continue on additional sheets as needed)

3. Reason(s) for the Amendment Request: _____

We feel a 2nd sign for our site is needed due to the traffic counts on Charley Harper as
As well as the street angles when approaching our site

(Continue on additional sheets as needed)

**REQUIREMENTS FOR FILING
AN APPLICATION FOR TEXT AMENDMENT(S)
CITY OF CARTERSVILLE, GA**

Completed applications must be submitted to the City of Cartersville Planning & Development Department, located at 10 N. Public Square, 2nd Floor. Cartersville, GA 30120.

Requirements

- 1. Completed Application:** Include all signatures. Complete items 1, 2 and 3.
- 2. Filing Fee:** A non-refundable filing fee of **\$400.00** must accompany the completed application.
- 3. Public Notice Fee (Optional):** The applicant may choose to have city staff prepare and manage the public notification process outlined in **Requirement 4** below. If this option is requested, there is an additional, non-refundable fee of **\$50.00** which covers the cost of the newspaper ad and Publication affidavit.
- 4. Public Notification:** The applicant is responsible for the following **public notification** process unless the applicant has requested that staff manage this process as outlined in **item 4** above:
 - a. Not less than fifteen (15) days and not more than forty-five (45) days prior to the scheduled date of the public hearing being the final action by the City Council and not less than ten (10) days prior to the Planning Commission meeting, a **notice of public hearing** shall be published in the legal notice section of the Daily Tribune newspaper within the City of Cartersville. Such notice shall state the application file number, and shall contain the location of the property, its area, owner, current zoning classification, and the proposed zoning classification. Such notice shall include both the Planning Commission and the City Council meeting dates. (See attached Notice of Public Hearing).

Attn: City of Cartersville

Letter of Intent:

Re: Sign Variance; 4 Charley Harper Dr, Cartersville, GA Sign Variance

Date: December 2024

We are requesting a sign variance to allow us to increase the size of our price sign from 32 SF to 62 SF in a monument style sign. Article 2; Section 20-25; Subsection 3

We feel that a 32 SF sign in this location with 6" numerals for fuel pricing will limit our visibility. The side street's (Charley Harper) access of our parcel has a sharp curve in the road when approaching our station. This road lends to Cartersville Garden Apartments and Hannah Apartments with 6150 cars per day per GDOT traffic counts and 11,500 on Old Mill rd. In limiting our visibility to the cars turning left off Charley Harper on West Ave., we are losing potential customers. In today's competitive fuel market, pricing is what drives fuel gallons. We feel we have an extreme hardship with 6" numerals making it hard to compete with our competition.

The owners have invested lots of money in developing this site from the ground up. It will be a modern, clean and well-lit store for the community with a QSR and they are very proud of this new build. It is unfortunate that the main tactic used to drive business lacks visibility and affects profits.

We are part of the Chevron brand and they have standardized "sign sizes". We are limited to this family of sizes; We are presenting the next size up available within the Chevron product line and Chevron has personally requested we plead our hardship for this site to help drive sales in this bustling area of Cartersville

We feel that between the daily traffic counts, street geography and financial hardship, this site merits a larger sign on their secondary frontage

Please feel free to reach out to me directly with any questions and concerns.

Thank you,

A handwritten signature in black ink, appearing to read 'Erika Bodzy', with a stylized flourish at the end.

Erika Bodzy

APEC IMAGING & CANOPIES AUTHORIZATION FORM

4732 N Royal Atlanta Dr, Tucker, GA 30084

678-943-4898

The purpose of this Authorization Form is to grant APEC IMAGING AND CANOPIES permission to pull permits on the behalf of the owners or authorized agents' permission. This is also granting permission to any such work to do with the permit that is being applied for at the address listed below.

Store address: 4 Charley Harper Drive Cartersville GA

Owner/Agents Printed Name: Johnny Adhikari

Owner/Agents Signature: Johnny Adhikari
Johnny Adhikari (Nov 6, 2024 17:17 EST)

Owner/Agents Address: 3 Westwillow LN NW Rome GA 30165

Registered Business Name: J&J One Investments LLC

Phone: 678-938-8934

Date: 06/11/2024

OPTIONAL

Please list type of POS if needed for sign controller:

APEC IMAGING AUTHORIZATION FORM[2]

Final Audit Report

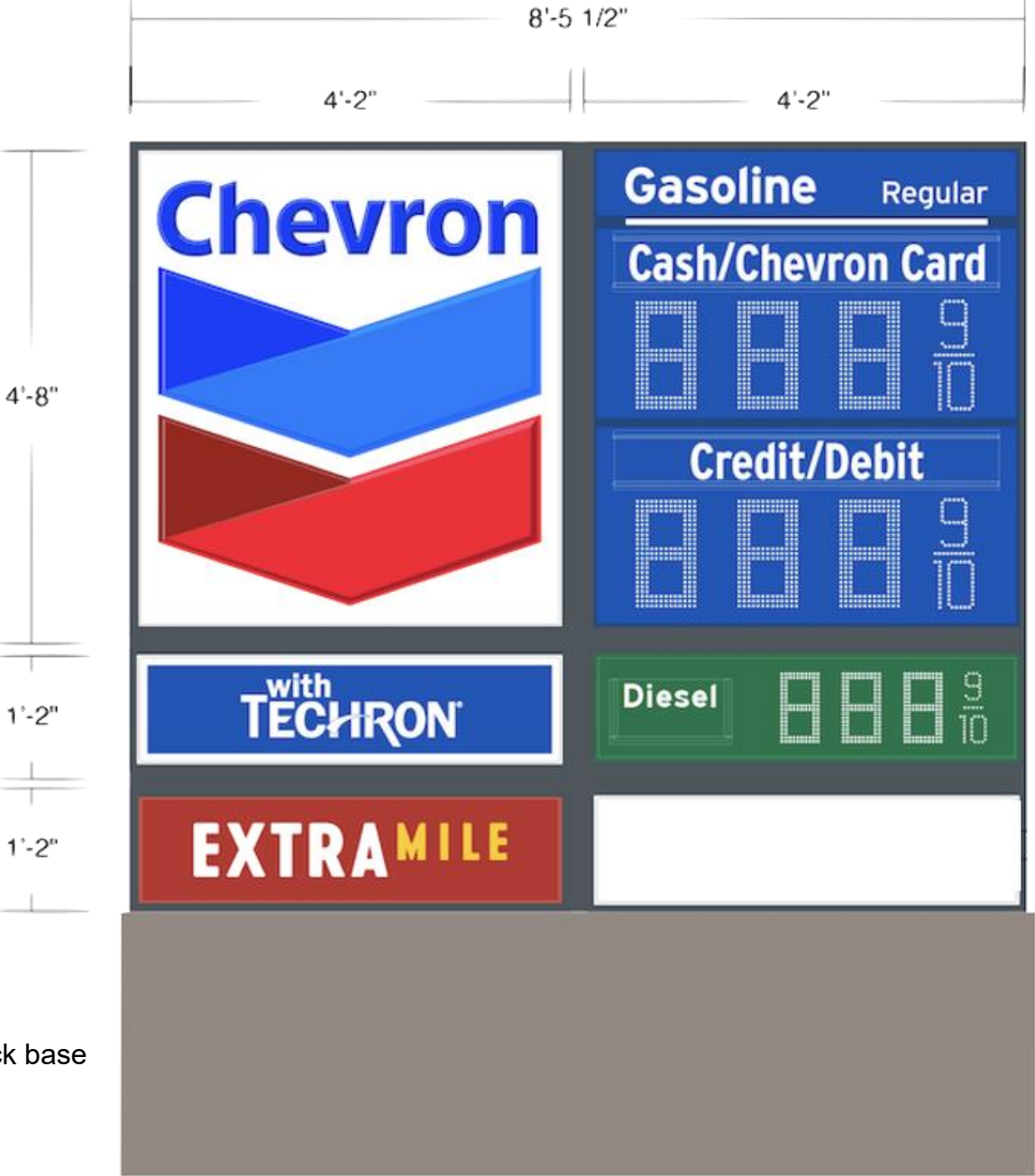
2024-11-06

Created:	2024-11-06
By:	John Cowden (jmcowden4493@gmail.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAadjH4kR_DFOheEJmxwQbpTKGwdpoZvvYH

"APEC IMAGING AUTHORIZATION FORM[2]" History

-  Document created by John Cowden (jmcowden4493@gmail.com)
2024-11-06 - 10:16:38 PM GMT
-  Document emailed to Johnny Adhikari (johnnyadhikari@gmail.com) for signature
2024-11-06 - 10:16:42 PM GMT
-  Email viewed by Johnny Adhikari (johnnyadhikari@gmail.com)
2024-11-06 - 10:17:30 PM GMT
-  Document e-signed by Johnny Adhikari (johnnyadhikari@gmail.com)
Signature Date: 2024-11-06 - 10:17:49 PM GMT - Time Source: server
-  Agreement completed.
2024-11-06 - 10:17:49 PM GMT

61.32 SF



PMS
Grey 7

Note: Base By Others
Stone Gray
PMS Warm Gray 7

Chevron COLOR SPECS			
Color	Lacryl	PMS FOR PRINT	vinyl for plastic
Blue		2935C	3120SL (ARLON)
Red		186C	83 REGAL
Cyan		Cyan	337 PROCESS
Dark Red		202	3630-53
Dark Grey		431C	
Green		3415	3630-26



NOTE: NOT TO SCALE

Cash/Chevron Card
Credit/Debit

5 5/8" x 3'-7 3/4"
Insert Panel copy is
Interstate Bold Condensed

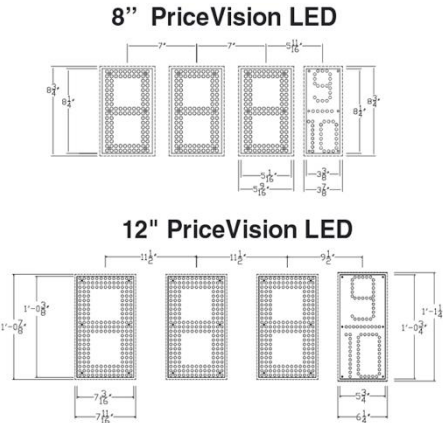
Diesel

7" x 13"
Diesel copy
to be Interstate Bold

12" and 8" PriceVision LED
"Gasoline" copy to be Interstate Bold Condensed futher condensed
Condensed 85%
"Regular" copy to be Interstate Regular font.

ExtraMile
Vacuum-thermo formed UV Polycarbonate plastic face

- Returns of the face will be PMS 7620
- Mask and Spray
- 2nd surface decoration





Sec. 20-25. Freestanding signs.

All signs under this section require a permit.

- (1) *Location.* If a lot has more than one (1) street frontage and a freestanding sign is proposed on each street, then the freestanding sign allowed on each frontage can be no closer to the intersection of said streets than half the distance of the frontage on each street.
- (2) *Electronic freestanding signs.*
 - a. Electronic freestanding signs which are directly illuminated; exhibit animation; blink; change copy; display moving pictures or images; flash; contain light emitting diode (LED); and/or contain liquid crystal display (LCD) shall be prohibited for residential use properties and the downtown business district (DBD).
 - b. Electronic freestanding signs on nonresidential use properties shall be prohibited except when located adjacent to one (1) of the following roads:
 1. Burnt Hickory Road (beginning at, and including, the intersection with West Avenue and running north).
 2. Cassville Road (beginning at, and including, the intersection with North Erwin Street and running northwest).
 3. Charley Harper Drive
 3. Church Street (beginning at, and including, the intersection with North Tennessee Street and running east).
 4. Collins Drive.
 5. Douthit Ferry Road (beginning at, and including, the intersection with West Avenue and running south until, and including, intersection with Indian Mounds Road).
 6. East Main Street, stationary electronic sign only (beginning at U.S. 41 and running east to the east side of the I-75 interchange).
 7. Felton Road (beginning at, and including, the intersection with Tennessee Street and running east until, and including, the intersection with U.S. 41).
 8. Gentilly Boulevard.
 9. Grassdale Road (beginning at, and including, the intersection with U.S. 41 and running north).
 10. Henderson Drive.
 11. Jones Street (within three hundred twenty (320) feet of the intersection with Aubrey Street).
 12. Martin Luther King Jr. Drive (between Roosevelt Street and Felton Street).
 13. Old Mill Road (beginning at, and including, the intersection with Henderson Drive and running west).
 14. State Route 20.
 15. Tennessee Street.
 16. U.S. 41 and corresponding frontage roads.

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17. U.S. 411 and corresponding frontage roads.
 18. West Avenue (beginning five hundred (500) feet northeast of the intersection with Henderson Drive as measured from the centerline of Henderson Drive at West Avenue, and running southwest).
- c. Electronic freestanding signs, including animated illumination or effects; electronic sign; electronic sign, stationary; and/or flashing as defined herein, shall in no case exceed fifty (50) percent of total sign face.
 - d. No more than one (1) electronic freestanding sign may exist on a single lot.
 - e. No electronic freestanding sign may be located within one hundred (100) feet of a single-family residential dwelling.
 - f. Any permit for an electronic freestanding sign shall include a maximum number of displays per cycle for the structure. No more than six (6) displays per minute shall be allowed, and each display shall not change more frequently than once every ten (10) seconds.
 - g. Such displays shall contain static messages only, changed instantaneously, through dissolve or fade transitions, or other subtle transitions that do not have the appearance of moving text or images. In any event, such signs may not have movement, or the appearance of or illusion of movement, of any part of the sign structure, design or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating, or varying of light intensity.
 - h. All such signs shall be programmed to automatically freeze in a single display in the event of a malfunction or computer/system error.
 - i. The planning and development department shall be provided with an on-call contact person and phone number for each permitted electronic freestanding sign. The contact person must have the ability and authority to make immediate modifications to the displays and lighting levels should the need arise. In the event the contact person is unobtainable or unresponsive, the permit holder grants to the planning and development department the authority to access and disable the sign in cases of emergency or when the sign poses a threat to public safety.
 - j. All new electronic freestanding sign installations are required to submit to the city a report certifying that the daytime and nighttime light levels are compliant with the brightness level requirements stated in item (k) below.
 - k. Each sign must have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change to ensure the brightness is decreased in low light situations. Brightness levels may not exceed more than two-tenths (0.20) foot candles above ambient light levels (at measurement conditions) as measured at a distance of one hundred twenty-five (125) feet.
 - l. If the sign is located in the line of sight of a residential dwelling, such sign shall not operate at brightness levels of more than one-tenth (0.1) foot candles above ambient light levels (at measurement conditions) as measured to the nearest property line of the residential dwelling from the electronic sign.
 - m. In the course of investigating a brightness complaint, the planning and development department may request a certification of the brightness (under measurement conditions) by an independent contractor, if the sign has not been certified within the preceding twelve (12) months. If the investigation and certification indicate that the sign exceeds the brightness levels specified in this chapter, the owner of the sign shall turn off the sign until the brightness of the sign is brought into compliance with this chapter within twenty-four (24) hours of a request. Compliance with these requirements will be at the owner's expense.

- (3) *Nonresidential use properties.* Freestanding signs in all nonresidential use properties except DBD shall comply with the following table of regulations:

FREESTANDING SIGN REGULATIONS FOR NONRESIDENTIAL USE PROPERTIES

Location of Property Frontage	Maximum Number and Size of Sign	Maximum Height of Sign
<ul style="list-style-type: none">- East Main St./State Route 113 (beginning at, and including, U.S. 41 and running east)- State Route 20- U.S. 41 and corresponding frontage roads- U.S. 411 and corresponding frontage roads- West Ave. (beginning at, and including, the intersection with Henderson Dr. and running southwest)	<p>One (1) sign on each property frontage with maximum 120 square feet sign area.</p> <p>Freestanding signs on all outparcel lots shall be a maximum of fifty (50) square feet in area and a maximum fifteen (15) feet in height.</p>	20 feet
<ul style="list-style-type: none">- Burnt Hickory Rd. (beginning at, and including, the intersection with West Ave. and running north)- Cassville Rd. (beginning at, and including, the intersection with North Erwin St. and running northwest)- Church St. (beginning at, and including the intersection with North Tennessee St. and running east)- Collins Dr.- Douthit Ferry Rd. (beginning at, and including, the intersection with West Ave. and running south until, and including, the intersection with Pine Grove Rd.)- East Main St. (beginning at, and including, the intersection with Tennessee St. and running east to the intersection with U.S. 41)- Felton Rd. (beginning at, and including, the intersection with Tennessee St. and running east until, and including, the	<p>One (1) sign on each property frontage with maximum fifty (50) square feet sign area.</p> <p>Freestanding signs on all outparcel lots shall be a maximum of fifty (50) square feet in area and a maximum ten (10) feet in height.</p>	15 feet

intersection with Roving Rd.) - Gentilly Blvd. - Grassdale Rd. (beginning at, and including, the intersection with U.S. 41 and running north) - Henderson Dr. - Old Mill Rd. (beginning at, and including, the intersection with Henderson Dr. and running west) - Tennessee St.		
All other streets not listed above	One (1) freestanding sign shall be allowed on each property frontage and shall have a maximum sign area of thirty-two (32) square feet.	10 feet

- (4) *Residential use properties.* Freestanding signs for all residential use properties shall not be directly illuminated, and shall comply with the following tables of regulations:

FREESTANDING SIGN REGULATIONS FOR RESIDENTIAL USE PROPERTIES

Property Frontage Location and Development Type	Maximum Number and Size of Sign	Maximum Height of Sign
Individual lots on all streets	One (1) freestanding sign shall be allowed on each property frontage and shall have a maximum sign area of six (6) square feet	4 feet
Residential subdivisions and/or developments on all streets	Two (2) subdivision or entrance signs per entrance shall be allowed into any subdivision or development and shall have a maximum sign area of thirty-two (32) square feet	6 feet

(Ord. No. 26-12, 5-3-12; Ord. No. 01-15, § 6, 3-5-15; Ord. No. 10-18, §§ 1, 2, 4-19-18; Ord. No. 12-18, § 1, 6-7-18; Ord. No. 34-19, § 1, 9-5-19; Ord. No. 19-22, § 1, 10-6-22)