



# City of Cartersville

PLANNING AND DEVELOPMENT

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120  
Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

## MEMO

**To:** BZA  
**From:** Randy Mannino/David Hardegree/Meredith Ulmer  
**CC:** Keith Lovell  
**Date:** April 27, 2021  
**Re:** File # V21-08

**#V21-08: To increase the sign area of a wall sign from 200sf to 244 sf.**

### **Section 1: Project Summary**

Variance application Anverse, Inc. for the Savoy Museum property located at 101 Savoy Lane, zoned G-C, General Commercial. Said property contains approximately 36.94 acres. The applicant would like to install a wall sign over the allowable square footage of 200 sq ft. The sign proposed is 244.1 sq ft. The sign will be installed on the museum wall facing Hwy 20 (West), but will also be visible from north bound traffic on Hwy 411 and possibly traffic from Hwy 41. The percentage increase of the wall sign is approximately 22%.

The only wall sign will be located between the main entrance and the round portion (theater) of the building. It will be located on the theater exterior (round portion of the building). There will not be a sign over the main entrance. There are no current plans for a sign on the 411 side of the building. There most likely will be a sign on the corner of 411 and Hwy 20 but that has not been designed and likely will not exceed the current sign ordinance.

### **The variance request is for the following:**

1. To increase the allowable wall sign area from 200sf. to 244sf.

### **Section 2. Department Comments**

**Electric Department:** No comments received.

**Fibercom:** Takes no exception.

**Fire Department:** No comments received.

**Gas Department:** Takes No Exception.

**Public Works Department:** No comments received.

**Water Department:** No comments received.

### **Section 3. Public Comments Received by Staff**

None.

### **Section 4. Variance Justification:**

*Please review the following findings, as stated in the Zoning Ordinance, that are to be utilized in determining justification for approval or denial of variance request(s).*

#### **Sec. 20-26. - Wall signs; canopy signs; awning signs; projecting signs; and window signs.**

All signs under this section require a permit. Wall signs, canopy signs and awning signs for all nonresidential use properties except the DBD district shall comply with the following:

(1) *Area.* Wall signs shall have an aggregate area not to exceed two (2) square feet for each linear foot of building face, not to exceed two hundred (200) square feet in area. Canopy and awning signage shall be deducted from allocated wall sign area.

#### **Sec. 21.3. - Powers and duties of the board of zoning appeals.**

The board of zoning appeals shall have the following powers and duties:

21.3.1. *Appeals.* To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of this chapter. Appeals to the board of appeals may be taken by any person aggrieved or by any officer, department, board, or agency of the City of Cartersville affected by any decision of the zoning administrator. Such appeal shall be taken within thirty (30) days of said decision by filing with the zoning administrator a written notice of appeal specifying the grounds thereof. Decisions on appeals shall be issued in writing within ten (10) business days of the hearing on the appeal.

21.3.2. *Continuance of a nonconforming use.* The board of zoning appeals may allow a nonconforming use to be reestablished after discontinuance for twelve (12) consecutive months. The procedure for the request shall be the same as if it was a variance. If it is deemed by the board of zoning appeals that one (1) or more of the following apply, the board may grant said request.

- A. The design, construction, and character of the building is not suitable for uses permitted in the district in which the nonconforming use is situated; and
- B. Undue hardships to the property owner would result in not allowing the building to be reopened for a nonconforming use; and

- C. Adjacent property would not be unduly damaged by such use of the building; and
- D. The use is to be identical or similar to the prior nonconforming use of the building.

21.3.3. *Variances.* The board of appeals has the power to hear requests for variances from the provisions of this chapter. Variance may be granted only if the board finds all of the following to exist:

- A. That one (1) of the following is true, through no action or fault of the property owner or predecessor:
  - 1. The property is exceptionally narrow, shallow or unusually shaped;
  - 2. The property contains exceptional topographic conditions;
  - 3. The property contains other extraordinary or exceptional conditions; or
  - 4. There are existing other extraordinary or exceptional circumstances; and
- B. That the strict application of the requirements of this chapter would result in practical difficulties to, or undue hardship upon, the owner of this property; and
- C. That the requested variance relief may be granted without substantially impairing the intent and purpose of this chapter.

Variance decisions shall be issued in writing within ten (10) business days of the hearing.

21.3.4. *Conditions.* In granting a variance, the board of appeals may attach such conditions regarding the location, character and other features of the proposed building, structure, property, development standards or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured and substantial justice done.

21.3.5. *Limitations on variances; improper variance requests.* Variances cannot be given to totally remove a requirement or to exempt a property or applicant entirely from a requirement. If a variance is being sought that is, in the judgment of the zoning administrator, a request that would constitute a text amendment, then the application shall not be accepted. The applicant shall instead be directed to file for a text amendment. Furthermore, the board of appeals shall not be authorized to grant a density variance or a use variance to permit a use in a district in which the use is prohibited. A variance application shall not be accepted if the variance seeks something that cannot be varied. A variance application shall not be accepted if the variance is contradictory to the ordinance.

21.3.6. *Self-inflicted hardship.* The board shall not grant variances when the hardship was created by the property owner or his predecessor, and shall not grant hardship variances based on shape or topography for lots of record not existing prior to November 7, 1996. Configuring a subdivision to create lots that are difficult to build is an example of a hardship created by the property owner or predecessor, that does not justify a variance.

Sections 21.3.7, *Place of worship*, and 21.3.8, *Group homes*, omitted. *Not applicable.*

Consideration should be given to the following criteria when reviewing a sign variance application:

**Sec. 20-39. Variance.**

- (a) *Limitations.* The board of zoning appeals shall be allowed to grant variances to this article.
- (b) *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.
- (c) *Standards.* The standards which shall be considered for granting a variance from the standards of this article shall be only the following:
  - (1) Relief to this article may only be granted where existing foliage or structures bring about a hardship whereby a sign meeting the maximum letter size, square footage and height requirements cannot be read from an adjoining road;
  - (2) The application of the particular provision of this sign ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or
  - (3) Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements can not be read from adjoining public road.
- (d) *Timing.* The board of zoning appeals shall hear and decide upon a variance within eighty (80) days of the submission of a complete and accurate application.
- (e) The fee assessed pursuant to this section is as referenced on the fee schedule in the City of Cartersville Code subsection 17-90(c).

(Ord. No. 26-12, 5-3-12)

Source:

[https://library.municode.com/ga/cartersville/codes/code\\_of\\_ordinances?nodetid=COOR\\_CH20SIOUAD\\_ARTIISIOR\\_S20-39VA](https://library.municode.com/ga/cartersville/codes/code_of_ordinances?nodetid=COOR_CH20SIOUAD_ARTIISIOR_S20-39VA)



**City of Cartersville**  
**Application for Variance**  
**Board of Zoning Appeals**

Hearing Date: May 17<sup>th</sup> 5:30pm

Application Number: V21-08  
Date Received: 3/25/2021

Applicant <u>Anverse, INC.</u> <small>(printed name)</small>		Office Phone <u>770 607-8870</u>	
Address <u>P.O. Box 3188</u>		Mobile/ Other Phone _____	
City <u>Cartersville</u>	State <u>GA</u>	Zip <u>30120</u>	Email <u>forrestm@reicon.com</u>
Representative's printed name (if other than applicant) <u>Forrest McClain</u>		Phone (Rep) <u>678 721 0251 ext. 334</u>	
Representative Signature 		Email (Rep) _____	
Signed, sealed and delivered in presence of:		My commission expires: <u>April 27, 2021</u>	
Notary Public 			

* Titleholder <u>Highlands Development Assoc., LLC - Land</u> <u>Anverse, INC. - Building</u> <small>(titleholder's printed name)</small>		Phone <u>770 607-8870</u>	
Address <u>P.O. Box 3188, Cartersville, GA</u>		Email <u>forrestm@reicon.com</u>	
Signature 			
Signed, sealed, delivered in presence of:		My commission expires: <u>April 27, 2021</u>	
Notary Public 			

Present Zoning District <u>G0</u>			
Acreage <u>36.94</u>	Land Lot(s) <u>22, 23, 50</u>	District(s) <u>4th</u>	Section(s) <u>3rd</u>
Location of Property: <u>3 Savoy Lane, Cartersville, GA 30121 (Hwy. 411 and Hwy. 20)</u> <small>(street address, nearest intersections, etc.)</small>			
Zoning Section(s) for which a variance is being requested: <u>3rd</u>			
Summary Description of Variance Request: <u>± 22% increase in sign square footage area.</u>			
<small>(Additional detail can be provided on Justification Letter)</small>			

\* Attach additional notarized signatures as needed on separate application pages.

## CONDITIONS VERIFICATION

List the Article(s), Section(s) and Subsection(s) of the Zoning Ordinance for which a variance is requested.

Article 20 Section 26 Subsection 1  
Article \_\_\_\_\_ Section \_\_\_\_\_ Subsection \_\_\_\_\_  
Article \_\_\_\_\_ Section \_\_\_\_\_ Subsection \_\_\_\_\_

The Board of Zoning Appeals was established to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of the zoning ordinance. The Board has the power to hear requests for variances from the provisions of the zoning ordinance, Article XXI APPEALS. See Section 21.3 for additional information pertaining to conditions.

To assist staff and the Board of Zoning Appeals in the analysis of the variance application, please check all of the following conditions that apply to your variance request:

1. \_\_\_\_\_ The property is exceptionally narrow, shallow or unusually shaped,
2. \_\_\_\_\_ The property contains exceptional topographic conditions,
3. \_\_\_\_\_ The property contains other extraordinary or exceptional conditions; and
4. \_\_\_\_\_ There are other existing extraordinary or exceptional circumstances; and
5. \_\_\_\_\_ The strict application of the requirements of this ordinance would result in practical difficulties to, or undue hardship upon, the owner of this property;
6. X \_\_\_\_\_ The requested variance relief may be granted without substantially impairing the intent and purpose of this ordinance

Additional Comments by Applicant: The size of the building requires a building sign that matches the scale of the building. The building is set back 390 feet from Hwy. 20, requiring the sign to be increased in size.

---

---

---

---

**LIST OF ADJACENT PROPERTY OWNERS**  
**(Not required if City mails public notices)**

The following are all of the individuals, firms, or corporations owning property on the sides, rear, and in front of (across street from) the subject property:

	<u>NAME</u>	<u>ADDRESS</u>
1.	<u>Brenda Hudson, 42 Old Tennessee Road, Cartersville, GA 30121</u>	<u></u>
2.	<u>Henry Owens, 39 Old Tennessee Road, Cartersville, GA 30121</u>	<u></u>
3.	<u>Robert Beeler, 25 Oak Dr., NE, Cartersville, GA 30121</u>	<u></u>
4.	<u>David Edwards, 33 Oak Dr., NE, Cartersville, GA 30121</u>	<u></u>
5.	<u>Patricia Fortner, 41 Oak Dr., NE, Cartersville, GA 30121</u>	<u></u>
6.	<u>Keith Baker, 47 Oak Dr., NE, Cartersville, GA 30121</u>	<u></u>
7.	<u>Board of Regents, 5441 Hwy. 20, Cartersville, GA 30121</u>	<u></u>
8.	<u>Family Savings Credit Union, 3 Ryan Blvd., NE, Cartersville, GA 30121</u>	<u></u>
9.	<u>Highlands Investment Holdings, 7 Ryan Blvd., NE, Cartersville, GA 30121</u>	<u></u>
10.	<u>Speedway, LLC c/o Real Estate Dept., 1395 Hwy 411, Cartersville, GA 30121</u>	<u></u>
11.	<u></u>	<u></u>
12.	<u></u>	<u></u>
13.	<u></u>	<u></u>
14.	<u></u>	<u></u>
15.	<u></u>	<u></u>

Attach additional names if necessary.

(Indicate property owned by the above persons on plat accompanying this application.)



ACM3 ON ALU.  
TUBE FRAME

ALUMINUM PANEL SCREEN WALL

ACM 3

SIGNAGE DESIGN BY OTHERS  
SHOWN REDUCED TO 51" HIGH  
TO COORDINATE WITH FACADE  
SYSTEM. CENTER CIRCLE AT  
CANOPY CENTER LINE

# SAVOY

LETTER SIGN 24" HIGH  
DESIGN BY OTHERS

## AUTOMOBILE MUSEUM

SILVER ACM CANOPY

CANOPY

RESTROOMS

SIGNAGE TBD

PAINT DOORS  
SILVER

6 FT ROLL  
UP DOOR

FIRE EXIT  
(WHEN OH, CLOSED)  
MATCH ADJACENT  
COLORS TO BLEND IN

ALTERNATE EVENT  
ENTRANCE & FIRE EXIT

14'-0"

joint can  
shift up



The image shows a side elevation of a building facade with a grid overlay. The word "SAVOY" is written in large, bold, black letters across the middle of the grid. Above the letters is a circular logo consisting of two concentric arcs. Below the grid, there are several architectural details: a small grey square on the left, a horizontal white bar with a red double-headed arrow indicating a length of 28'-10", and three vertical rectangular elements (two plain, one with horizontal lines) representing columns or pillars. To the right of the "SAVOY" text, the words "AUTOMOBILE MUSEUM" are written in a smaller, grey font. Red arrows and text provide various dimensions: a vertical arrow on the left indicates a height of 30'; a vertical arrow to the left of "SAVOY" indicates a height of 4'-10"; a horizontal arrow above "SAVOY" indicates a width of 12'-0"; a vertical arrow to the right of "SAVOY" indicates a height of 4'-0"; a horizontal arrow below "AUTOMOBILE MUSEUM" indicates a width of 33'-0"; and a small vertical arrow to the right of "MUSEUM" indicates a height of 2'-0".

**SAVOY**

AUTOMOBILE MUSEUM

30'

4'-10"

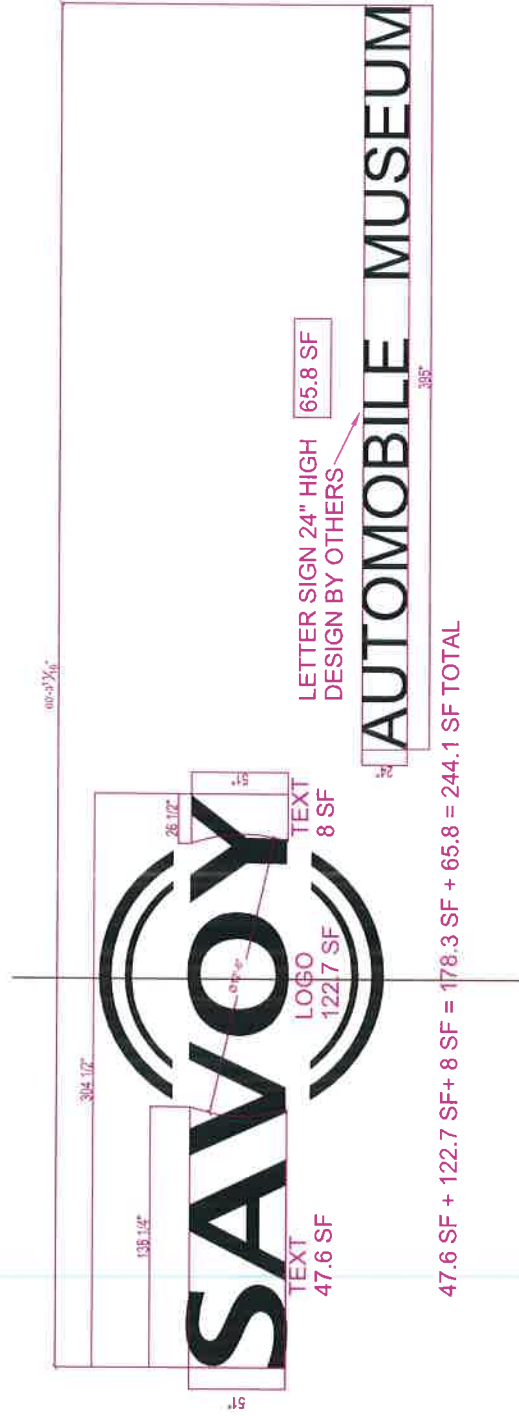
12'-0"

4'-0"

28'-10"

33'-0"

2'-0"



LETTER SIGN 24" HIGH  
DESIGN BY OTHERS

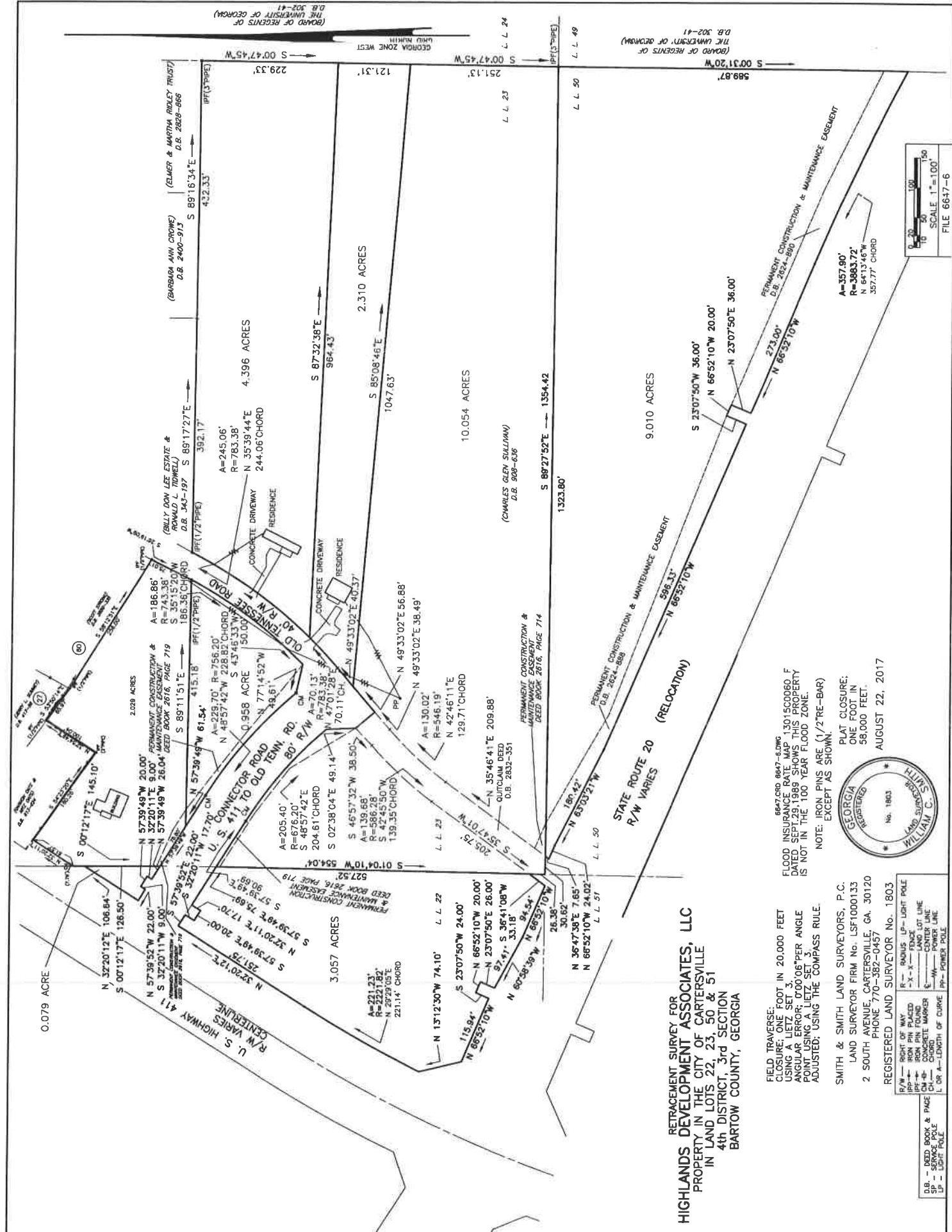
65.8 SF

AUTOMOBILE MUSEUM

$47.6 \text{ SF} + 122.7 \text{ SF} + 8 \text{ SF} = 178.3 \text{ SF} + 65.8 = 244.1 \text{ SF TOTAL}$







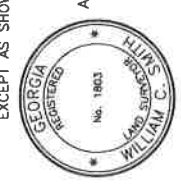
**RETRACEMENT SURVEY FOR  
HIGHLANDS DEVELOPMENT ASSOCIATES, LLC  
PROPERTY IN THE CITY OF CARTERSVILLE  
IN LAND LOTS 22, 23, 50 & 51  
4th DISTRICT, 3rd SECTION  
BARTOW COUNTY, GEORGIA**

FIELD TRAVERSE: FOOT IN 20.000 FEET  
USING A LETZ SET 3  
ANGULAR ERROR: 0'00'06" PER ANGLE  
POINT USING A LETZ SET 3  
ADJUSTED: USING THE COMPASS RULE.

SMITH & SMITH LAND SURVEYORS, P.C.  
LAND SURVEYOR FIRM NO. LSF1000133  
2 SOUTH AVENUE, CARTERSVILLE, GA. 30120  
PHONE 770-382-0457

REGISTERED LAND SURVEYOR No. 1803

FIELD TRAVEL: X - RADIUS UP - LIGHT POLE  
X - RADIUS DOWN - LIGHT POLE  
X - IRON PIN PLACED  
X - IRON PIN FOUND  
X - CONCRETE MARKER  
X - CENTER LINE  
X - POWER LINE  
X - LENGTH OF CURVE  
X - POWER POLE



6647CRD 6647-5LDWG  
FLOOD INSURANCE RATE MAP 13015C0060 F  
DATED SEPT.29,1989 SHOWS THIS PROPERTY  
IS NOT IN THE 100 YEAR FLOOD ZONE.

NOTE: IRON PINS ARE (1/2" RE-BAR)  
EXCEPT AS SHOWN

PLAT CLOSURE:  
ONE FOOT IN  
56,000 FEET.  
AUGUST 22, 2017



FILE 6647-6

(BOARD OF REGENTS OF THE UNIVERSITY OF GEORGIA)  
D.B. 302-41

(BOARD OF REGENTS OF THE UNIVERSITY OF GEORGIA)  
D.B. 302-41

D.B. - DEED BOOK & PAGE  
L.P. - LIGHT POLE  
L OR A - LENGTH OF CURVE  
PP - POWER POLE



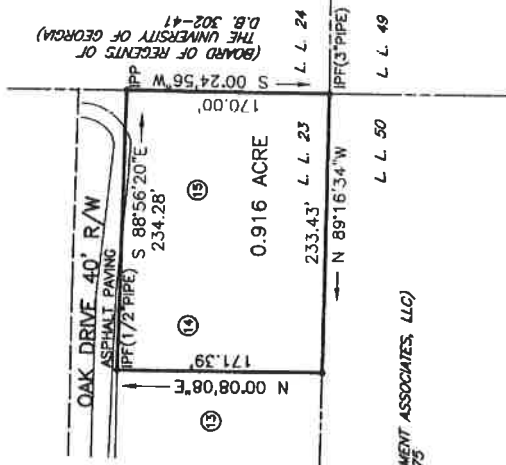
SPACE FOR CLERK OF SUPERIOR COURT

RETRACEMENT SURVEY FOR  
**HIGHLANDS DEVELOPMENT ASSOCIATES, LLC**  
LOTS 14 & 15, BLOCK 1  
OAKLAND HEIGHTS  
IN LAND LOT 23  
4th DISTRICT, 3rd SECTION  
BARTOW COUNTY, GEORGIA  
TOTAL AREA = 2.373 ACRES

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which create the parcel or parcels are stated hereon.  
RECOGNITION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



*William C. Smith*  
WILLIAM C. SMITH, GEORGIA REGISTERED LAND SURVEYOR No. 1803  
DATE OF LAST FIELD SURVEY WORK: 9-03-2019



(HIGHLANDS DEVELOPMENT ASSOCIATES, LLC)  
D.B. 2948-775

FIELD TRAVERSE:  
CLOSURE: ONE FOOT IN 20,000 FEET  
USING A LIETZ SET 3  
ANGULAR ERROR: 0'00'06\"/>

SMITH & SMITH LAND SURVEYORS, P.C.  
LAND SURVEYOR FIRM No. LSF1000133  
2 SOUTH AVENUE, CARTERSVILLE, GA. 30120  
PHONE 770-382-0457

REGISTERED LAND SURVEYOR No. 1803

R/W — RIGHT OF WAY  
R — RADIUS UP — LIGHT POLE  
IPP — IRON PIN PLACED  
-X-X- FENCE  
IPF — IRON PIN FOUND  
CH — CONCRETE MARKER  
CH — CHORD  
L OR A — LENGTH OF CURVE  
L — LIGHT POLE  
PP — POWER POLE  
W — POWER LINE  
C — CENTER LINE  
E — LAND LOT LINE

D.B. — DEED BOOK & PAGE  
SP — SERVICE POLE  
LP — LIGHT POLE

6647.CRD 6647-12.DWG  
FLOOD INSURANCE RATE MAP 13015C0258 H  
DATED OCT. 5, 2018 SHOWS THIS PROPERTY  
IS NOT IN THE 100 YEAR FLOOD ZONE.

NOTE: IRON PINS ARE (1/2\"/>

PLAT CLOSURE;  
ONE FOOT IN  
174,000 FEET.

SEPTEMBER 3, 2019



FILE 6647-12

SPACE FOR CLERK OF SUPERIOR COURT

RETRACEMENT SURVEY FOR  
**HIGHLANDS DEVELOPMENT ASSOCIATES, LLC**  
LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11, BLOCK 1  
OAKLAND HEIGHTS  
IN LAND LOT 23  
4th DISTRICT, 3rd SECTION  
BARTOW COUNTY, GEORGIA

PRELIMINARY  
40' R/W  
OLD TENNESSEE ROAD



WILLIAM C. SMITH  
REGISTERED LAND SURVEYOR NO. 1803



DATE: 02-28-2018  
WILLIAM C. SMITH REGISTERED LAND SURVEYOR NO. 1803  
DATE OF LAST FIELD SURVEY TOUR: 02-28-2018

This plan is a retracement of an existing parcel or parcels of land and does not include or create a new parcel or make any changes to any real property boundaries. It is intended to correct errors in the original deed, map, plat, or other instruments which create the parcel or parcels shown hereon, and is not a subdivision of land. COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR ANY OTHER APPLICABLE LAWS, IS THE RESPONSIBILITY OF THE LANDOWNER. The undersigned land surveyor certifies that this plan complies with the technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 47-6-67.

FIELD TRAVERSE:  
CLOSURE, ONE FOOT IN 20,000 FEET  
USING A LEITZ SET 3,  
RANGE 1000 YARDS, 1000' PER ANGLE  
ADJUSTED; USING THE COMPASS RULE.

SMITH & SMITH LAND SURVEYORS, P.C.  
LAND SURVEYOR FIRM NO. L5FT000133  
2 SOUTH PHONE 770-382-0457  
CANTERSVILLE, GA 30120

REGISTERED LAND SURVEYOR No. 1803

DATE OF SET: 02-28-2018  
DATE OF FIELD SURVEY TOUR: 02-28-2018  
DATE OF LAST FIELD SURVEY TOUR: 02-28-2018  
DATE OF SET: 02-28-2018  
DATE OF FIELD SURVEY TOUR: 02-28-2018  
DATE OF LAST FIELD SURVEY TOUR: 02-28-2018

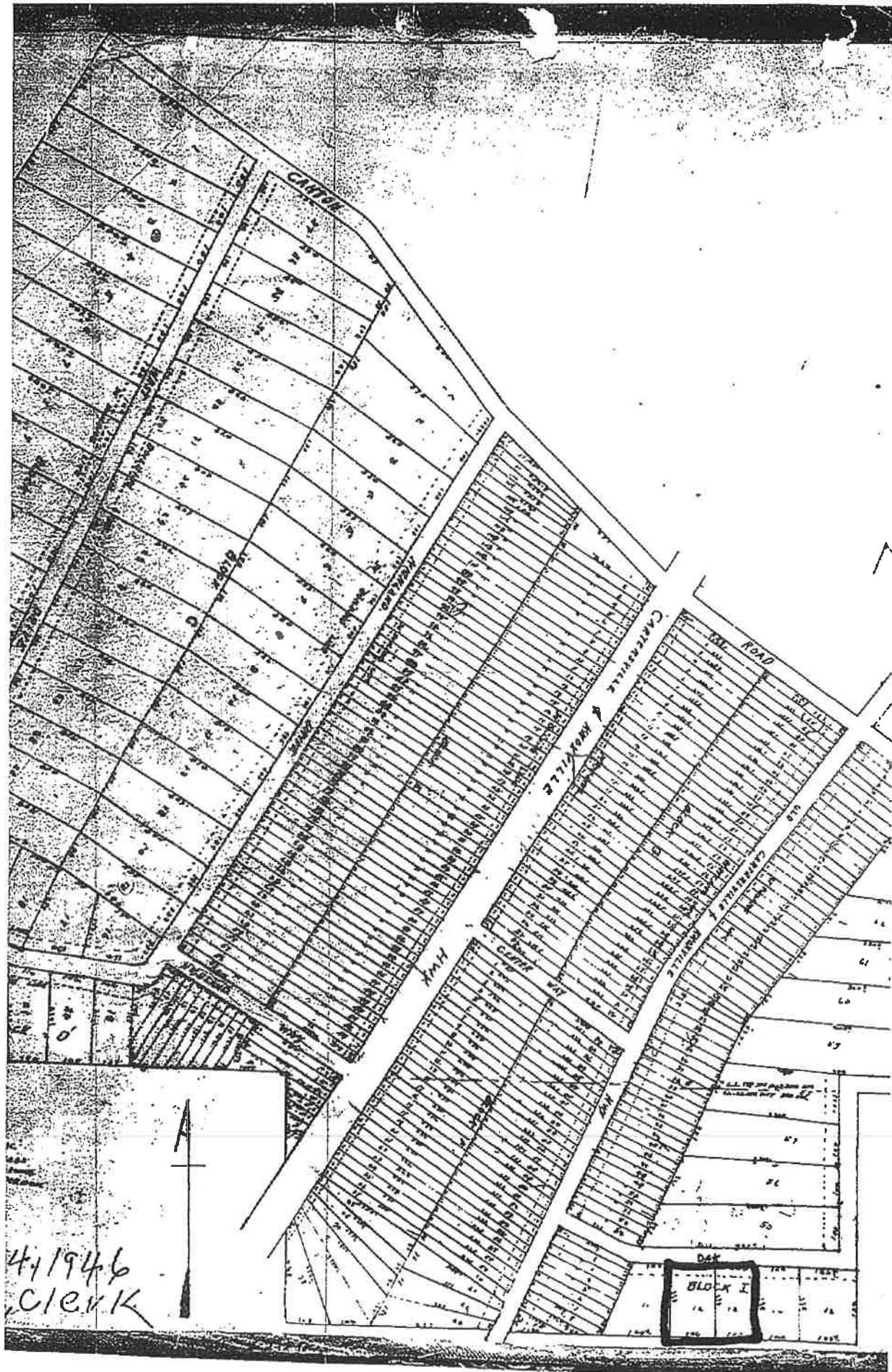
NOTE: IRON PINS ARE (1/2" DIA - 6" LONG)  
EXCEPT AS SHOWN.

PLAT CLOSURE:  
ONE FOOT IN  
341,000 FEET.

FEBRUARY 28, 2018



SCALE: 1" = 100'  
FILE: 8847-9



41946  
CIEVK



