



309 Hardee Street  
V-2024-02  
April 29<sup>th</sup>, 2024

Malak Elgaydi, Commission Secretary  
City of Dallas  
320 E Foster Avenue  
Dallas, GA 30132

Re: Planning Report  
309 Hardee Street  
**V-2024-02**  
Applicant's Name: Benson Funeral Home, Inc.  
Property Owner: Benson Funeral Home, Inc  
Land Lot 303, District 2, Section 3  
Parcel # 137.2.3.017.0000  
Lot Size: 1.92 Acre +/-  
Current Zone: R-1 Single-Family Residential District  
Ward: 4  
City Council Member: Jim Henson  
City of Dallas, Paulding County, Georgia

Dear Miss Elgaydi:

This planning report is prepared in response to a variance request submitted by Benson Funeral Home, Inc. ("the Applicant") for the property located at 309 Hardee Street. The purpose of this report is to provide an analysis of the variance request and make recommendations for the Zoning Board of Appeals' consideration.

Background:

The property currently features a building constructed in 1876 that was expanded in 1989. The property currently features a funeral home and a florist shop. The building is 15,700 square feet and has accessory parking lots on the lot. Benson's Funeral Home has owned the parcel since 1975. The property is almost entirely surrounded by residential uses except a second florist shop to the south of the site.

Variance Request:

The applicant is requesting a variance to remove and replace an existing non-illuminated monument sign along Hardee Street with an illuminated monument sign. The current sign is 82.5" (L) x 15" (D) x 100" (H). The new sign is proposed to be 134" (L) x 24" (D) x 124" (H). The applicant proposes to install the signs in the same location, 217" (18') from the roadway. The base of the sign is proposed to be 24" in height. The new sign is proposed to be 125 sq. feet, whereas 15 sq. ft. is proposed in residential zones.

Section 28-10(4)(a) - *Animated signs and signs with series, lines or rows of electric, neon, or other lights:*

- a. Animated signs and signs with series, lines or rows of electric, neon, or other lights will not be allowed in any residential zoning, in the downtown historic district, or in the commercial neighborhood district.



Section 28-11 states, “All signs shall be located on private property and are not allowed in the street right-of-way. **Other than subdivision entrance signs allowed under section 28-12, parcels located in residential zoning districts shall not contain signs having an aggregate sign area greater than 15 square feet. No individual sign shall exceed six square feet in sign area in a residential zoning district. No signs having a height greater than five feet above the grade level of the center line of the adjacent street shall be located in residential zoning districts.** Signs meeting the standards of this section are exempt from permitting requirements.”

Site Analysis:

The parcel faces residential parcels to the north, west and east and borders commercial property to the south (zoned residential). The site is not located within an overlay zone and is not located along a jurisdictional boundary.

Zoning:		Future Land Use Map:	
North:	R-1	North:	Residential
South:	R-1	South:	Residential
East:	R-1	East:	Residential
West:	R-1	West:	Residential

Review of Criteria for Granting a Rezoning:

The Zoning Ordinance of the City of Dallas, Section 28-18 *Variances*, requires the Zoning Board of Appeals to pay reasonable regard to the following when preparing and considering proposed amendments:

1. **Standards:**

- a. Where visibility of a conforming sign from the public street and within 50 feet of the proposed sign would be substantially impaired by existing trees, plants, natural features, signs, existing buildings or structures on a different lot; and

**A conforming sign would not be impaired by any land features.**

- b. Placement of the sign elsewhere on the lot would not remedy the visual obstruction; and such visibility obstruction was not created by the owner of the subject property; and the variance proposed would not create a safety hazard to traffic.

**No visual obstruction exists. The proposed nonconforming sign would not create a safety hazard to traffic should the lighting of the sign meet ordinance requirements.**

Recommendation:

Based on our analysis, we recommend that the Zoning Board of Appeals **deny** the variance request submitted by Benson Funeral Home, Inc. for the property at 309 Hardee Street. Our recommendation is based on the following findings:

- No visual obstruction exists on the lot.

Conditions of Approval (if applicable):

N/A



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Public Comments:

No Public Comments have been received by the Planning and Zoning staff as per the date of this report.

Conclusion:

In conclusion, this planning report has provided an analysis of the variance request and recommended a course of action for the City Council consideration. The decision should be made in accordance with the city's zoning regulations, sign regulations, and the best interests of the community.

If you have any questions or need additional information, please contact me.

Sincerely,

Ron Johnson, AICP  
Community Development Director