

19-BOA-08-07

**CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
VARIANCE APPLICATION**

Name of Applicant CHANDRA FOWLER, SANSKRIT MOON YOGA CENTER  
Mailing Address 583-B NORTH CENTRAL AVE, HAPEVILLE, GA 30354  
Telephone SAME AS CELL Mobile # [REDACTED] Email ADMIN@SANSKRITMOON.COM  
Property Owner (s) SCOTT PENDERGAST  
Mailing Address P.O. Box 5377, ATLANTA, GA 30107  
Telephone 404-525-0457 Mobile # [REDACTED]  
Property Address/Location: 583-B NORTH CENTRAL AVE, HAPEVILLE GA 30354  
Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14 009500150463  
Square Foot of Property 4,499.75 Building Size 4,840 sq ft Zoning U-V  
Present Land Use YOGA STUDIO  
Variance Requested TO KEEP THE TRANSPARENT WINDOW MURAL  
Applicable Code Section SEC. 93-3.3-17, SEC 93-3.3-18

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered too. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

Charles E. Duke  
Applicant's signature

Date: 7/25/19

Sworn to and subscribed before me

This 25<sup>th</sup> day of July, 2019.

Heather Arrington  
Notary Public



**CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
VARIANCE APPLICATION**

**WRITTEN SUMMARY**

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that would qualify for a variance.

\* SEE ATTACHED PAPER

Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

\* SEE ATTACHED PAPER

Explain how these conditions are peculiar to the particular piece of property involved.

\* SEE ATTACHED PAPER

What, if any, detriment to the public good would the proposed project have if a variance was granted?

\* SEE ATTACHED PAPER

**In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of size, shape topography that would qualify for variance.**

- 1) Before opening my studio in January 2019, I had a local artist hand paint my window to be aesthetically in line with the businesses around me as well as serve the purpose of transparency for safety, light, & speak to the purpose of the business.
- 2) Before doing this, I visited the Community Service Building to make sure I had submitted the proper paperwork. I was told I was in good standing. As a new business owner, this is frustrating because I wanted to make sure that I wouldn't be in this situation.
- 3) The entrance is in the back, due to how the previous studio was built out. It is important to have clear signage for individuals to know how to enter the business.
- 4) The information cited in the denial of the signage permit is inaccurate.

**Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.**

We have lived in Hapeville for 11 years and never wanted to have a brick and mortar site, until Sacred Thread Yoga closed. As a resident of Hapeville, we were sad at the void and we wanted to continue the gift of yoga for our area. Our vision was to make this a community space, and we have tried hard to make a place where people are comfortable to meet their neighbors. We spent close to \$1000 to place the art mural on the window. Each month we use our own family funds/ retirement to float this business. Removing the mural would require additional money from a business that is already not breaking even. We knew it was not a money maker. We wanted to invest in the community our children will grow up in and call home.

**Explain how these conditions are peculiar to the particular piece of property involved.**

I feel if we look at the spirit of the code, the window doesn't violate the intention. The window is an outline, and therefor anyone who sees it will agree that it does not cover 50% of the window, if we take in account open spaces. Now the rectangle that needs to be drawn around the design is in question. There are many businesses that are in violation of both the spirit and the letter of the code. I am afraid that even if I alter the window, I will still be a target of code enforcement.

**What, if any, detriment to the public good would the proposed project have if a variance was granted?**

None. Literally, the mural on the window doesn't cause any harm or detriment to the community.

I chose an artist that has done various small business windows, as well as larger artwork projects, including for the Atlanta United Soccer Team. I believe it is aesthetically consistent with the other artwork in downtown Hapeville, which is one of the primary ways that the city is promoting itself.

I want everything that I bring to the table to elevate and support the home we love. I just want, as a new business owner, to be able to grow my business, and to be a part of the Hapeville Business community with the support of the Hapeville Government as I have touted in interviews on NPR ,other Podcasts & small business meetings. I truly believe that Hapeville supports small businesses and wants them to flourish.

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**AUTHORIZATION OF PROPERTY OWNER**

**I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:**

583-B N. Central Avenue

**City of Hapeville, County of Fulton, State of Georgia**

**WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF A VARIANCE FOR THE PROPERTY.**

Name of Applicant

Chandra Fowler

Address of Applicant

583-B N. Central Ave

Telephone of Applicant

Scott Pendergrast

Signature of Owner

Scott Pendergrast

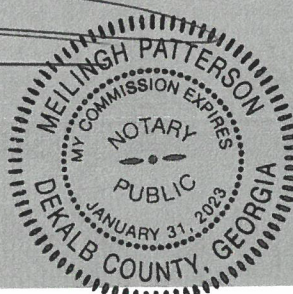
Print Name of Owner

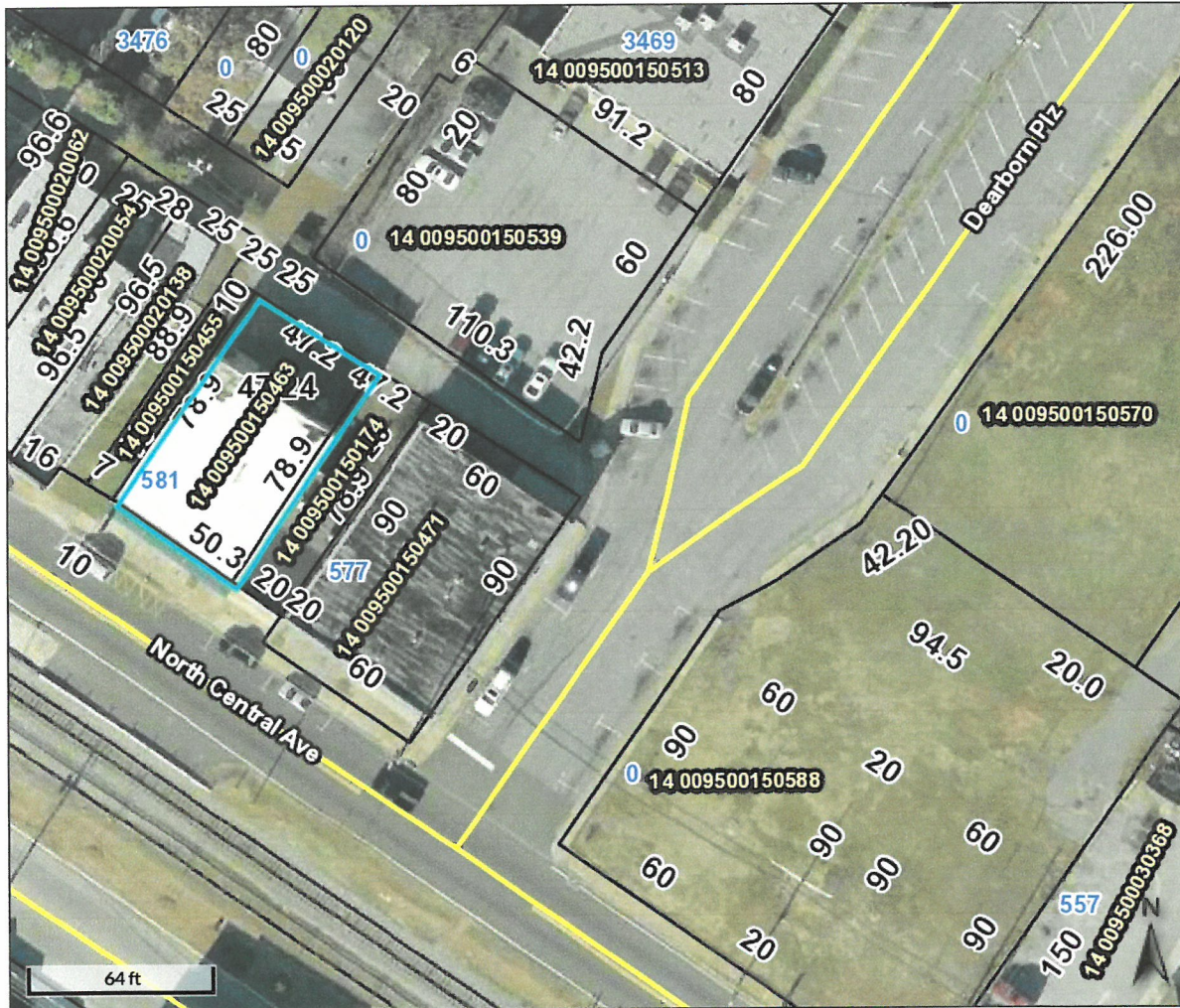
Managing Member, Point Center Partners, LLC

Personally Appeared Before Me this 24<sup>th</sup> day of July, 2019.

Meilingh Patterson

Notary Public





Overview



Legend

- Parcels
- Roads

|                 |                 |                  |                       |              |          |                          |      |
|-----------------|-----------------|------------------|-----------------------|--------------|----------|--------------------------|------|
| Parcel ID       | 14 009500150463 | Physical Address | 581 NORTH CENTRAL AVE | Last 2 Sales |          |                          |      |
| Class Code      | C3              | Owner            | POINT CENTER PARTNERS | Date         | Price    | Reason                   | Qual |
| Taxing District | 30              |                  | P O BOX 5377          | 3/29/2006    | \$345000 | Invalid Sale - Undefined | U    |
| Acres           | 0.1033          |                  | ATLANTA GA 31107      | 7/23/2003    | 0        | Sale <= 1000             | U    |
|                 |                 | Assessed Value   | \$450,800             |              |          |                          |      |

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Developed by Schneider  
GEOSPATIAL

**EVERLONG CREATIVE ART  
FOR SANSKRIT MOON  
YOGA**

**DOOR ART HEIGHT- 25.5 IN.**

**DOOR ART WIDTH- 17 IN.**



**FRONT WINDOW ART**

**PANEL 1- 57 IN. H**

**23.5 IN. W**

**PANEL 2- 29.5 IN. H**

**23 IN. W**

**PANEL 3- 57 IN. H**

**23.5 IN. W**

