

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: September 10, 2012**

<u>CASE NUMBER</u>	5776/5038
<u>APPLICANT NAME</u>	Wrico Signs, Inc.
<u>LOCATION</u>	6353 Cottage Hill Road (South side of Cottage Hill Road, 350'± East of Hillcrest Road).
<u>VARIANCE REQUEST</u>	SIGN: Sign Variance to allow two wall signs for a tenant in a multi-tenant site in a B-2, Neighborhood Business District.
<u>ZONING ORDINANCE REQUIREMENT</u>	SIGN: The Zoning Ordinance allows one wall sign per tenant at a multi-tenant site in a B-2, Neighborhood Business District.
<u>ZONING</u>	B-2, Neighborhood Business District
<u>AREA OF PROPERTY</u>	2.0± Acres
<u>TRAFFIC ENGINEERING COMMENTS</u>	No comments.
<u>CITY COUNCIL DISTRICT</u>	District 6

ANALYSIS The applicant is requesting a Sign Variance to allow two wall signs for a tenant at a multi-tenant site in a B-2, Neighborhood Business District; the Zoning Ordinance allows one wall sign per tenant at a multi-tenant in a B-2, Neighborhood Business District.

A sign variance was granted for the site in 2002 to allow an off-premise freestanding sign at 2521 Hillcrest Road. The applicant now states that an additional 84 square foot wall sign is desired in order to generate necessary attention for a commercial business.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement of the Ordinance will result in an unnecessary hardship. The Ordinance also

states that a variance should not be approved unless the spirit and intent of the Ordinance is observed and substantial justice done to the applicant and the surrounding neighborhood.

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

The applicant currently has permits for a single wall sign, an on-site tenant panel, and an off-site tenant panel which was allowed by the 2002 variance. The applicant states that visibility of signage is key for commercial success of a business, and the Zoning Ordinance restrictions do not allow an adequate number of signs to generate necessary attention. The applicant further states that visibility of building identification is key for traffic safety to provide drivers an earlier opportunity to identify their destination to allow for safer braking distance when making turns.

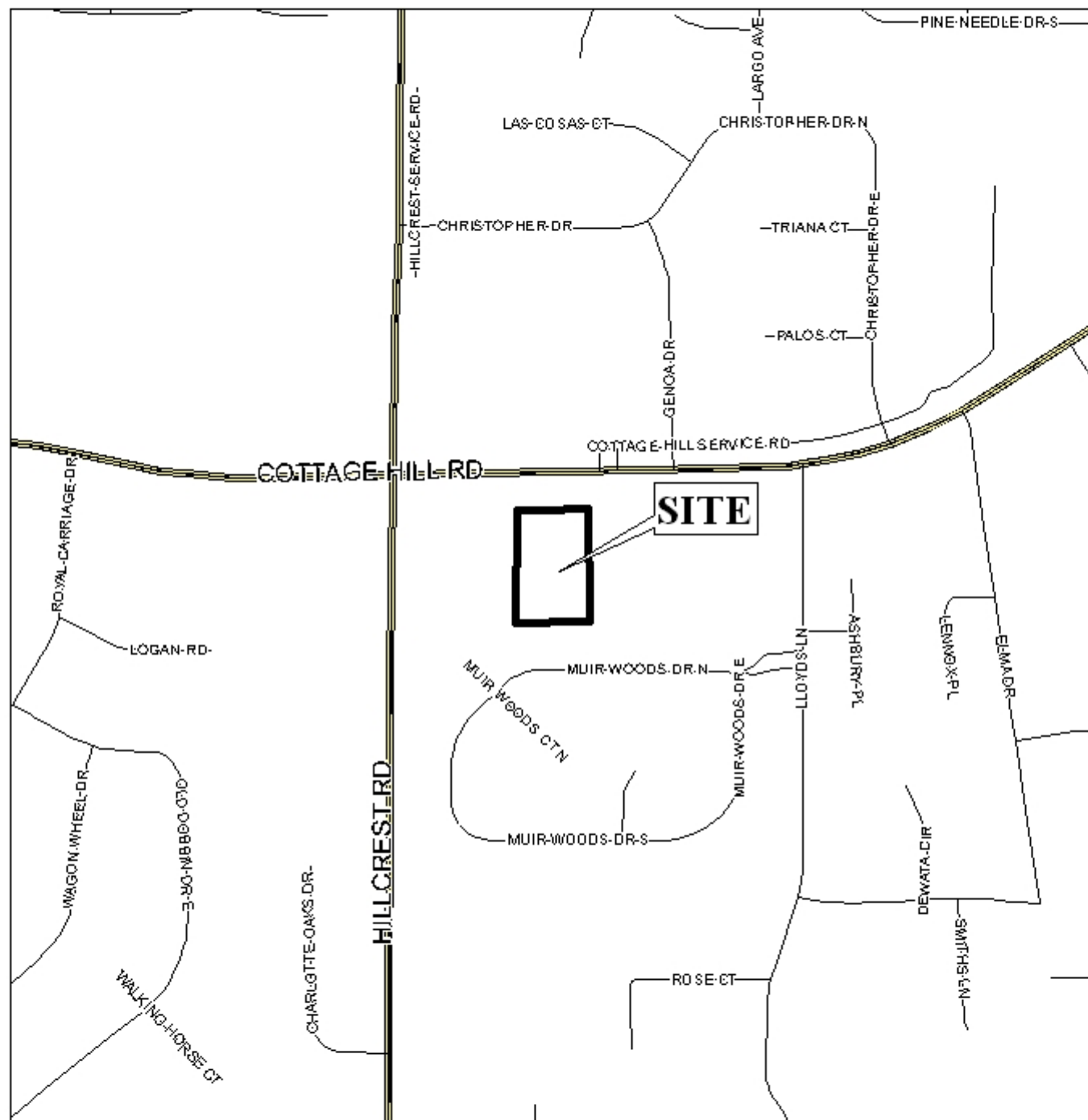
It should be noted that the Blockbuster that occupied the subject suite from 1990 until 2011 had the same number of signs in the same locations that the applicant currently has. It should also be noted that the off-premise sign has a reader board that the various tenants in the shopping center take turns displaying messages on, while the applicant is the only tenant in the shopping center that has a permanent tenant panel. Furthermore, when the site was the subject of a subdivision in 1990, 40' was dedicated to allow for right-of-way of a service road. Because of this dedication, the freestanding sign in front of the shopping center is technically off-site and in the city right-of-way.

If the intent of the variance request is for public safety and to increase site identification, the existing wall sign could be relocate to the spot of the proposed sign. The fact that the previous occupant of the subject suite was able to operate for 21 years with the same number of signage in the same locations as the applicant currently has, shows that a business is able to operate successfully without having multiple wall signs. It is simply the applicant's desire to place additional signage that is not in compliance with the Zoning Ordinance regulations.

RECOMMENDATION:
for denial.

Based on the preceding, this application is recommended

LOCATOR MAP

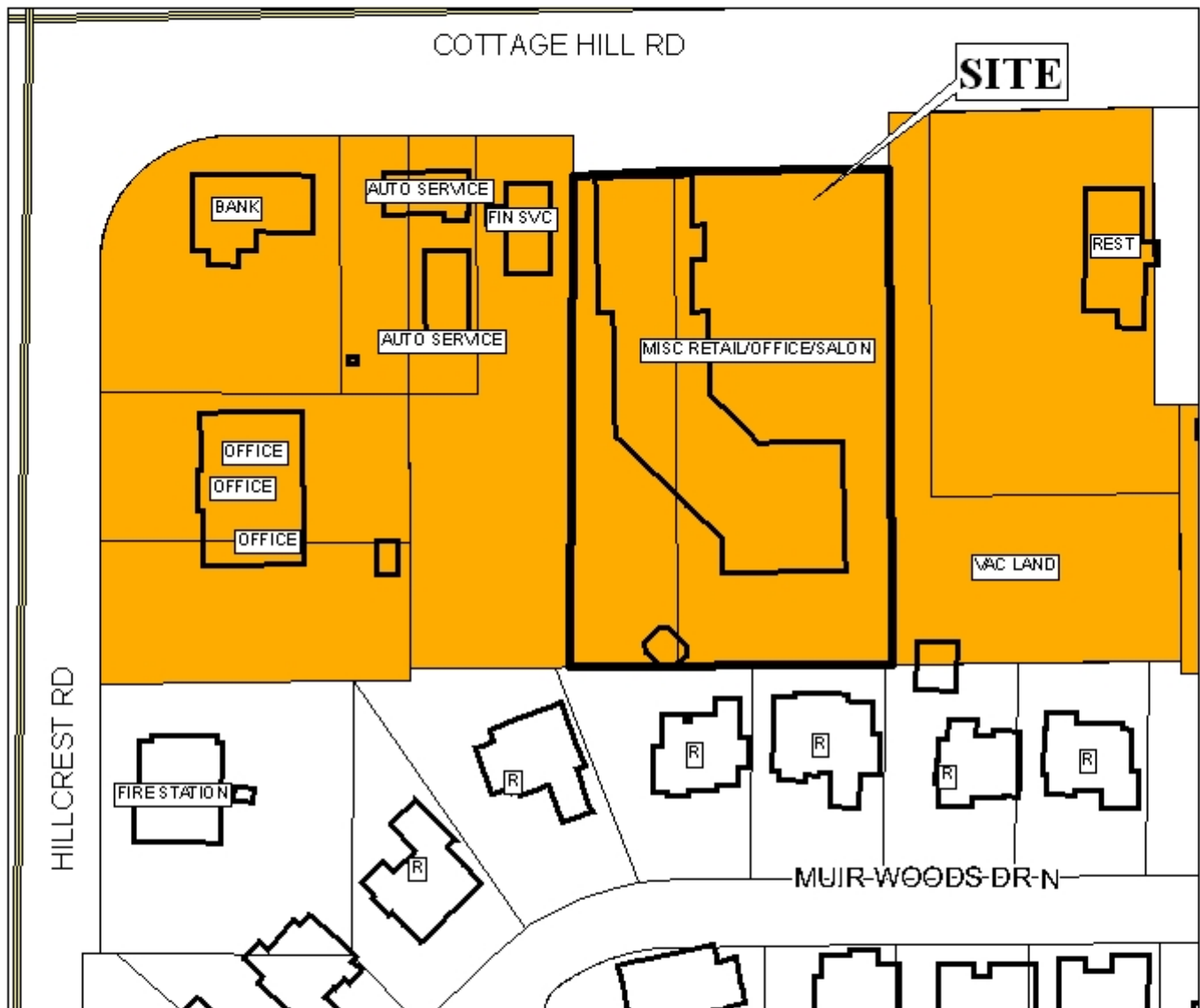


APPLICATION NUMBER 5776/5038 DATE September 10, 2012
 APPLICANT Wrico Signs, Inc.
 REQUEST Sign Variance



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



Businesses are located to the east and west of the site.
Single-family residences are located to the south.

APPLICATION NUMBER 5776/5038 DATE September 10, 2012

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LEGEND

														
R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

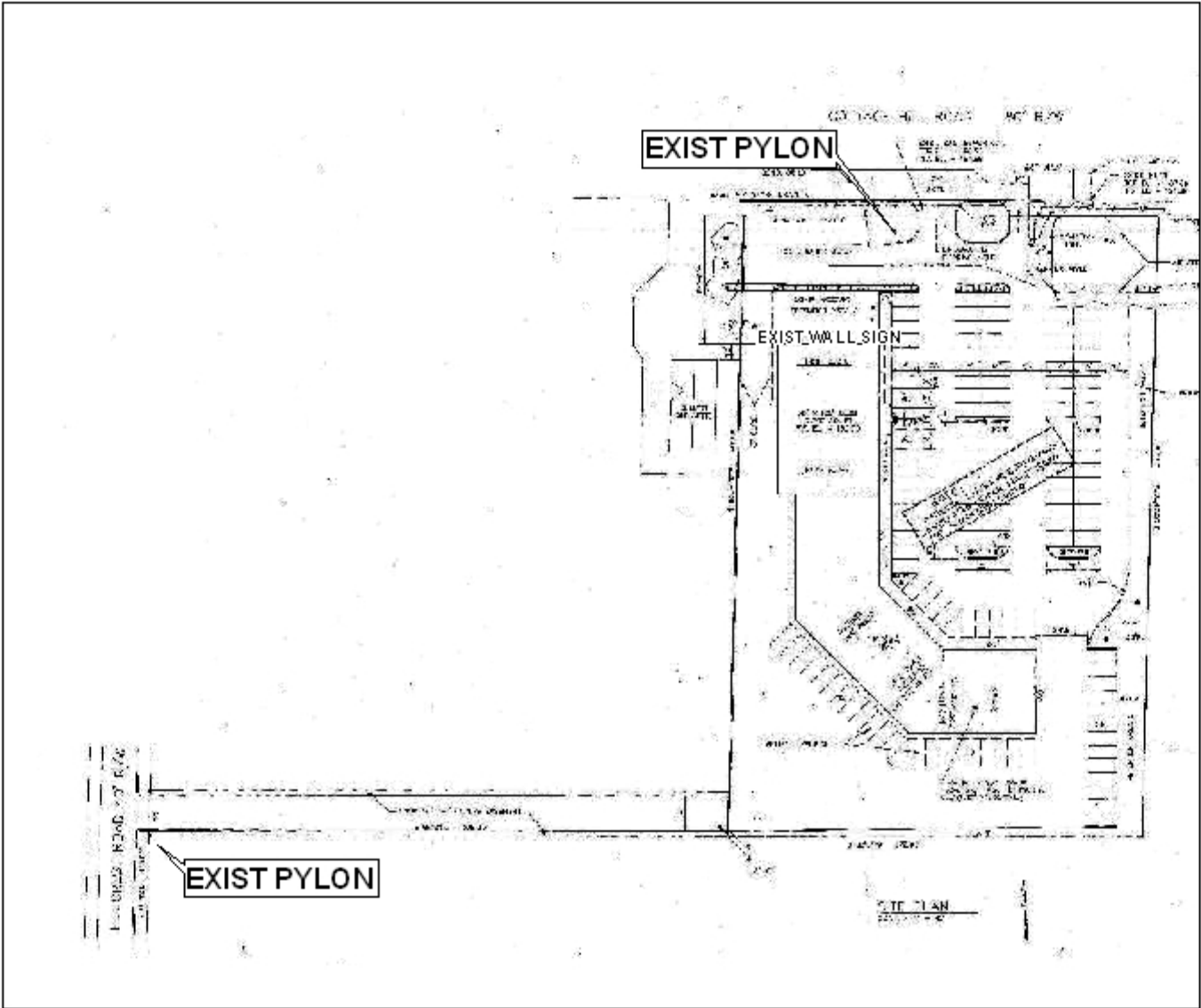


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APPLICATION NUMBER 5776/5038 DATE September 10, 2012
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SITE PLAN

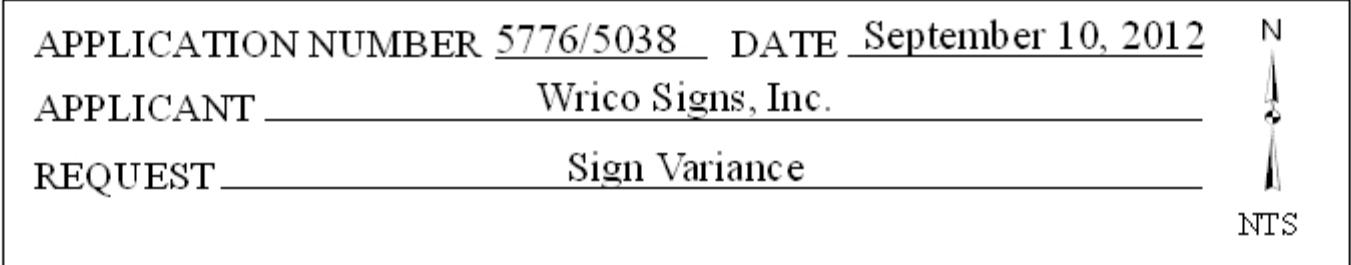


The site plan illustrates the existing signage.

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