

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: October 4, 2010**

<b><u>CASE NUMBER</u></b>	5635
<b><u>APPLICANT NAME</u></b>	Eddie Spence
<b><u>LOCATION</u></b>	2540 Old Shell Road (Northeast corner of Old Shell Road and North Florida Street)
<b><u>VARIANCE REQUEST</u></b>	<b>SIGNAGE:</b> Sign Variance to allow a total of three wall signs for a single corner tenant with frontage on two streets in a multiple-tenant commercial site.
<b><u>ZONING ORDINANCE REQUIREMENT</u></b>	<b>SIGNAGE:</b> One wall sign per street frontage the tenant faces for a multiple-tenant commercial site.
<b><u>ZONING</u></b>	B-2, Neighborhood Business District.
<b><u>AREA OF PROPERTY</u></b>	27,483 square feet/0.63 ± Acre
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	None received
<b><u>CITY COUNCIL DISTRICT</u></b>	District 1

**ANALYSIS** The applicant is requesting a Sign Variance to allow a total of three wall signs for a single corner tenant with frontage on two streets in a multiple-tenant commercial site in a B-2, Neighborhood Business District; the Zoning Ordinance allows one wall sign per street frontage the tenant faces for a multiple-tenant commercial site in a B-2, Neighborhood Business District.

The applicants have leased space in this building, with was formerly a single-tenant building. The space was divided into two suites, and the applicants have leased the corner suite. The applicants have obtained sign permits for two wall signs, which are allowed because the tenant space has frontage on two public streets. The applicants wish to add a third sign in the form of a canopy sign.

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 applicants did not submit any justification for hardship, only stating that all of their other locations have the same type of awning which they are proposing, and that they wish to match the “thematic continuity” of the other locations. This is a self imposed hardship, and is not a basis for a variance to be granted.

**RECOMMENDATION**

for denial.

Based upon the preceding, this application is recommended

# LOCATOR MAP



APPLICATION NUMBER 5635 DATE October 4, 2010  
 APPLICANT Eddie Spence  
 REQUEST Sign Variance



# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous land use.

APPLICATION NUMBER 5635 DATE October 4, 2010

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REQUEST Sign Variance

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
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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

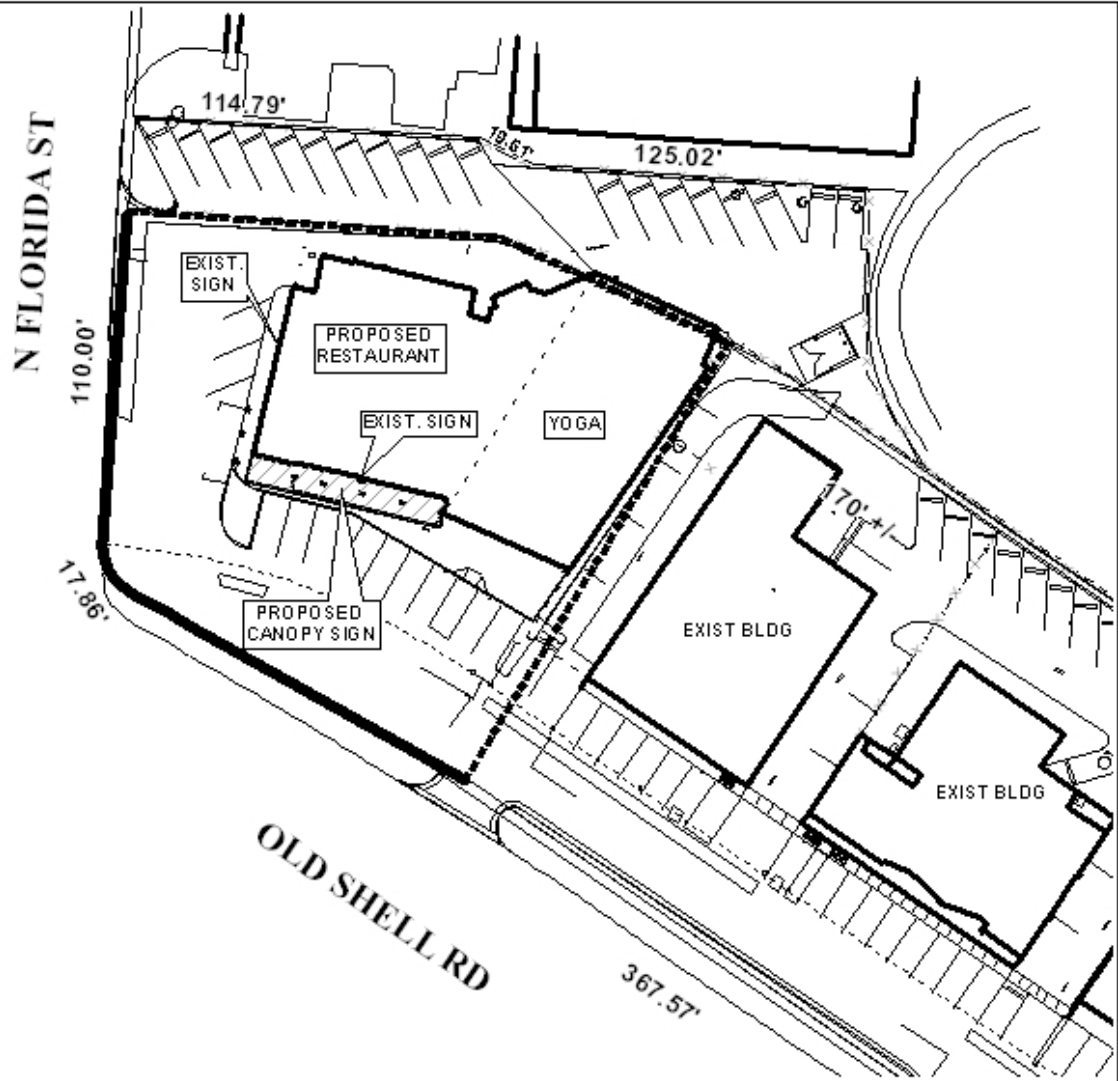


Augusta Evans Elementary School is to the north of the site, a cleaning service is to the southeast, a restaurant and single family residential units are south of the site, and there is retail to the west.

APPLICATION NUMBER 5635 DATE October 4, 2010  
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NTS

# SITE PLAN



The site plan illustrates existing buildings and parking.

APPLICATION NUMBER 5635 DATE October 4, 2010

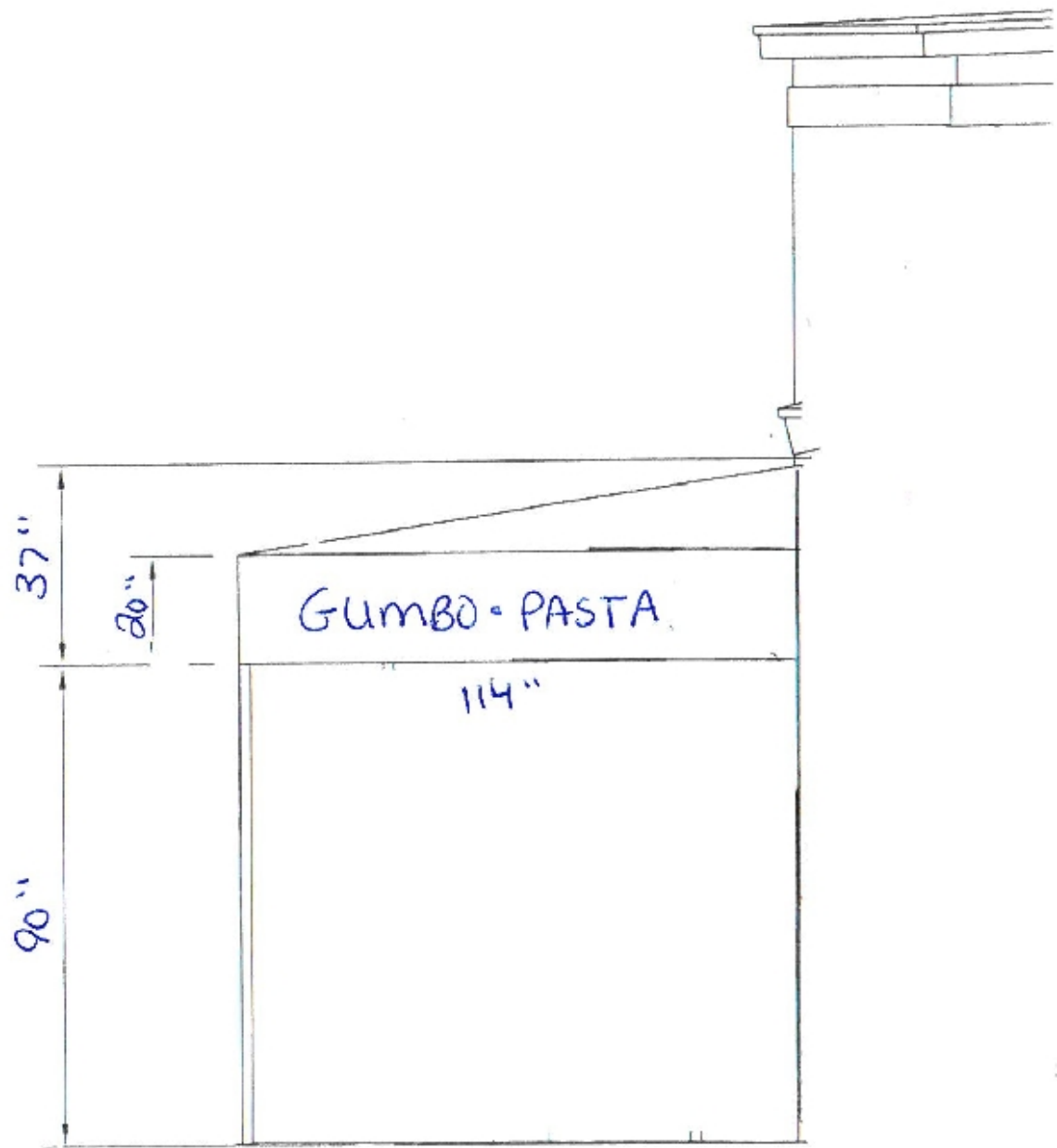
APPLICANT Eddie Spence

REQUEST Sign Variance



NTS

## SIGN DETAIL 1



APPLICATION NUMBER 5635 DATE October 4, 2010

APPLICANT Eddie Spence

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NTS

## SIGN DETAIL 2



APPLICATION NUMBER 5635 DATE October 4, 2010

APPLICANT Eddie Spence

REQUEST Sign Variance

N  
↑  
2  
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