

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: July 11, 2011**

<u>CASE NUMBER</u>	5683/4415
<u>APPLICANT NAME</u>	Team Holdings, LLC
<u>LOCATION</u>	1307 Government Street (Southwest corner of Government Street and Michigan Avenue)
<u>VARIANCE REQUEST</u>	SIGN: Sign Variance to allow a total of 82.7 square feet of signage for a single business site in the Leinkauf Historic District in a B-2, Neighborhood Business District
<u>ZONING ORDINANCE REQUIREMENT</u>	SIGN: Zoning Ordinance allows a maximum total of 64 square feet of signage in a Historic District.
<u>ZONING</u>	B-2, Neighborhood Business District
<u>AREA OF PROPERTY</u>	17,763 square feet/ 0.4± Acres
<u>ENGINEERING COMMENTS</u>	No comments
<u>TRAFFIC ENGINEERING COMMENTS</u>	Any sign within the sight triangle should be no more than 3' high. If you will be working in the roadway or performing any activities that will affect traffic, you must submit a Traffic Control Plan at least two working days prior to proceeding.
<u>CITY COUNCIL DISTRICT</u>	District 2
<u>ANALYSIS</u>	The applicant is requesting a Sign Variance to allow a total of 82.7 square feet of signage for a single business site in the Leinkauf Historic District in a B-2, Neighborhood Business District; the Zoning Ordinance allows a maximum total of 64 square feet of signage in a Historic District.

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.

In a historic district, a single building site is allowed a maximum of 64 square feet per site. The applicant is proposing to place two signs at the location: one wall sign which will be approximately 30 square feet, and a double-faced free-standing sign that will have a total of approximately 52.7 square feet. The applicant states that the variance is required because the store will be “tucked away” in a corner of the lot that will have several trees that would reduce the visibility of the store from the road.

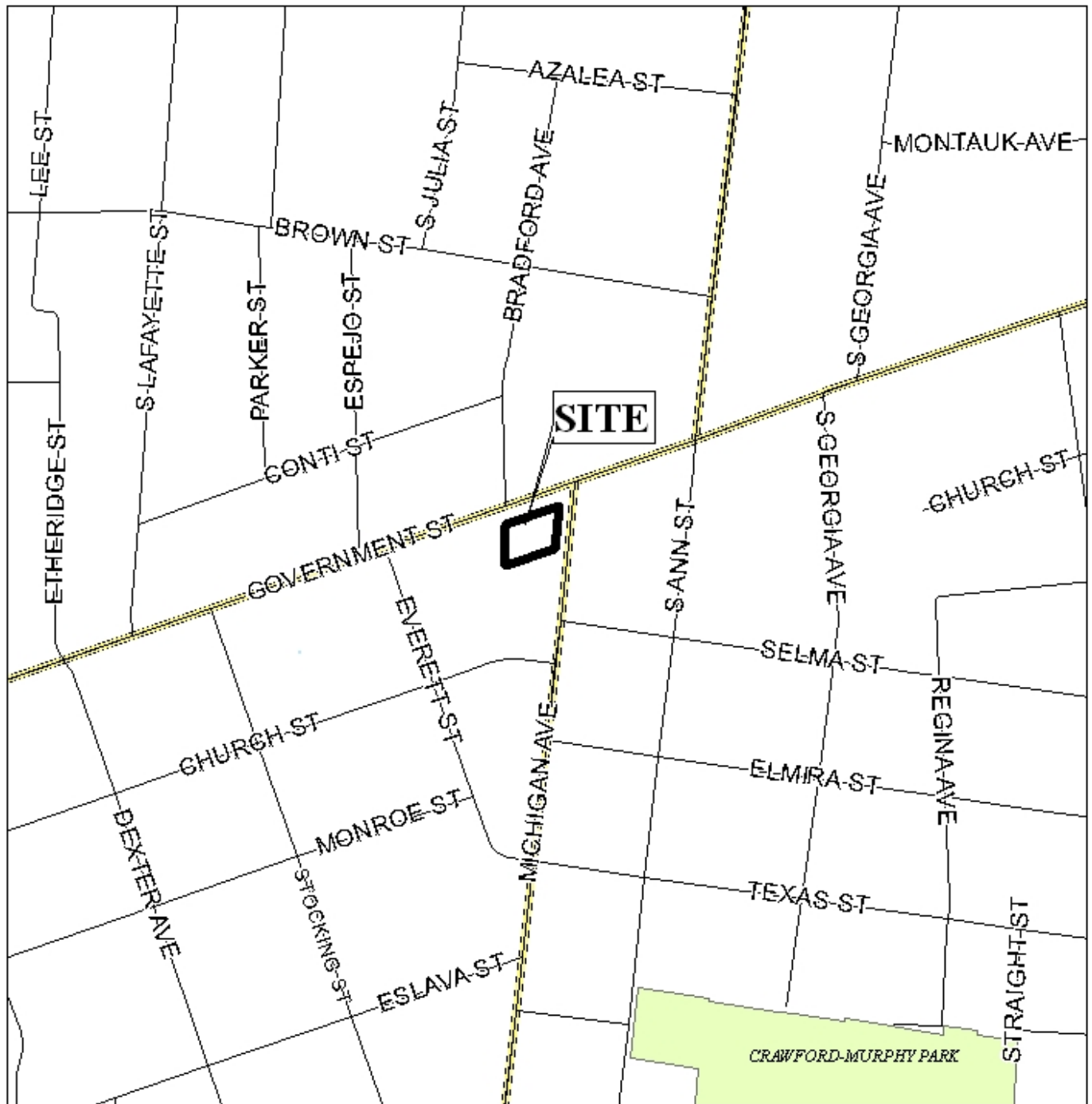
It should be noted that the Board of Zoning Adjustment has approved three similar variances at locations within 340'± of the current site. At its October 2, 1995 meeting, the Board of Zoning Adjustment approved a similar variance at 1300 Government Street to allow a total of 120.6 square feet of signage in a historic district. Also, at its March 1, 1999 meeting, the Board of Zoning Adjustment approved a variance at 150 South Ann Street to allow 80 square feet of signage in a historic district. Finally, at its March 5, 2001 meeting, the Board of Zoning Adjustment approved a variance at 1312 Government Street to allow 80 square feet of signage in a historic district. It should be noted that in none of these instances trees were the basis for approval.

The applicant has failed to illustrate that a literal enforcement of the Zoning Ordinance would result in an unnecessary hardship. It is simply the applicant's desire to have signage in excess of the Ordinance requirements.

RECOMMENDATION
recommended for denial.

Based upon the preceding, this application is

LOCATOR MAP



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APPLICANT Team Holdings, LLC

REQUEST Sign Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial land use.

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APPLICANT Team Holdings, LLC

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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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

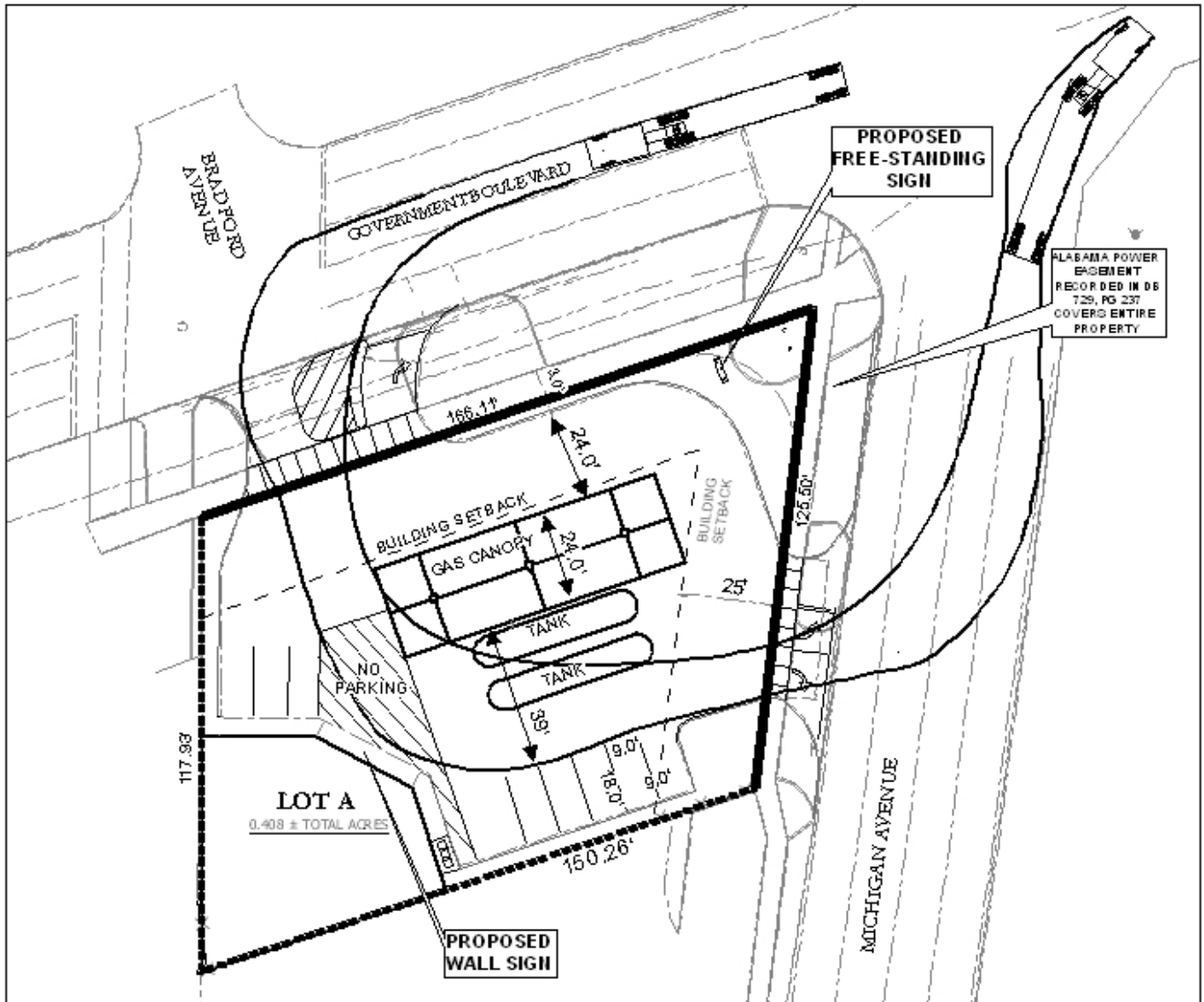


The site is surrounded by commercial land use.

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SITE PLAN



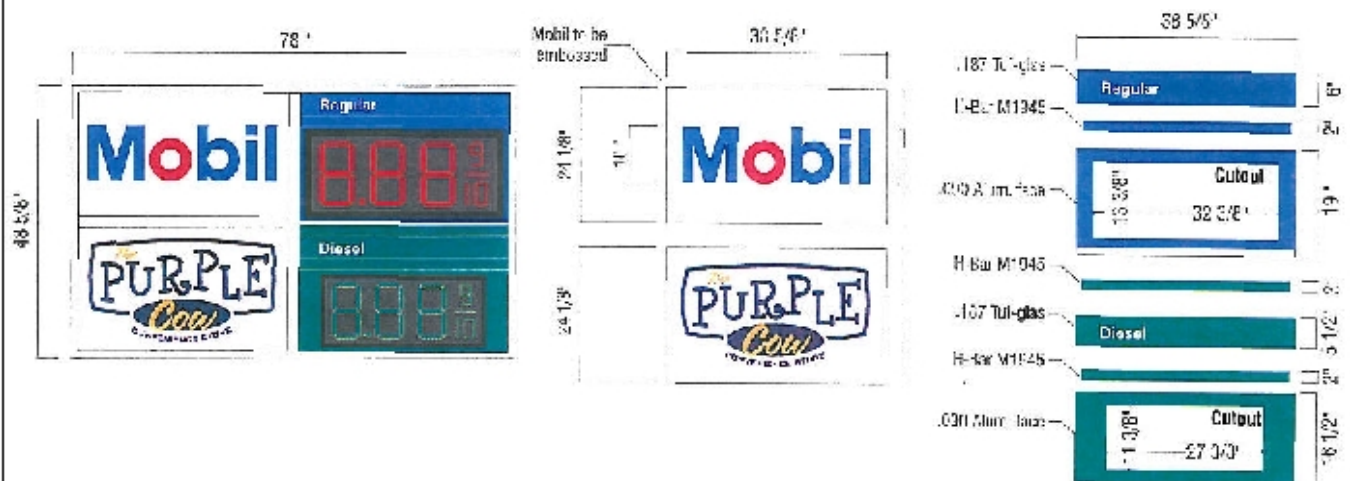
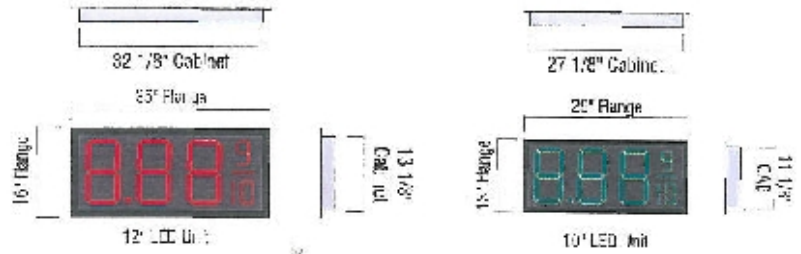
The site plan illustrates the proposed improvements.

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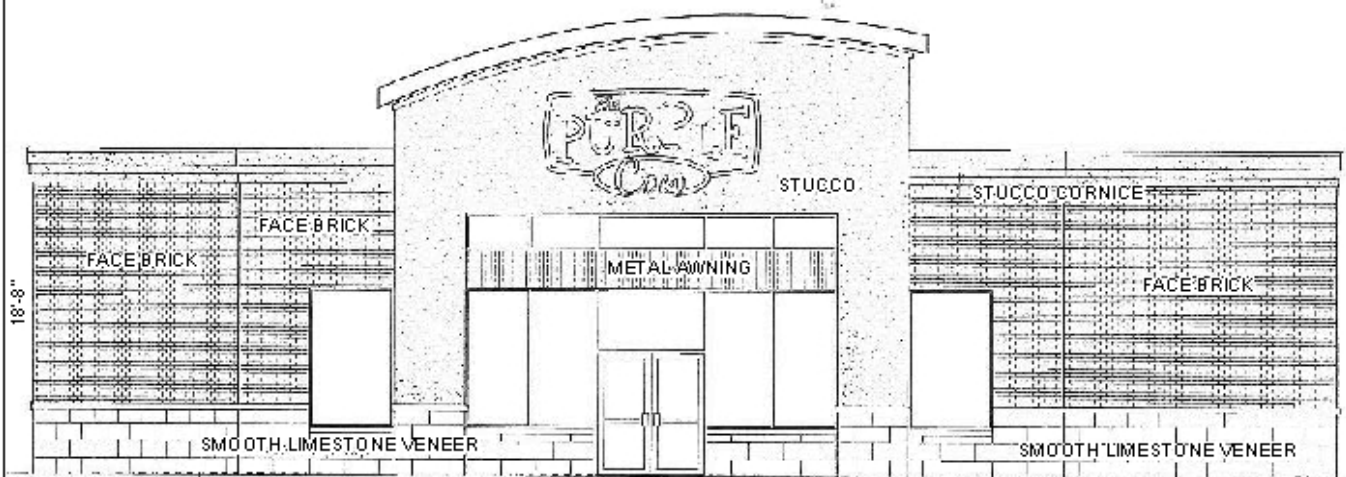
SIGN DETAIL

26SF MONUMENT



N
NTS

BUILDING DETAIL



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