

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: June 3, 2013**

<b><u>CASE NUMBER</u></b>	5835
<b><u>APPLICANT NAME</u></b>	BRR Architecture
<b><u>LOCATION</u></b>	6575 Airport Boulevard (South side of Airport Boulevard, ¼ mile West of Hillcrest Road)
<b><u>VARIANCE REQUEST</u></b>	<b>SIGNAGE:</b> Sign Variance to allow two informational signs larger than 20 square feet in a B-3, Community Business District
<b><u>ZONING ORDINANCE REQUIREMENT</u></b>	<b>SIGNAGE:</b> The Zoning Ordinance does not allow informational signs larger than 20 square feet in a B-3, Community Business District
<b><u>ZONING</u></b>	B-3, Community Business District.
<b><u>AREA OF PROPERTY</u></b>	0.54 ± Acre
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	None received
<b><u>CITY COUNCIL DISTRICT</u></b>	District 4

**ANALYSIS** The applicant is requesting a Sign Variance to allow two informational signs larger than 20 square feet in a B-3, Community Business District; the Zoning Ordinance does not allow informational signs larger than 20 square feet in a B-3, Community Business District.

The applicant submitted illustrations of one wall sign approximately 188.5 square feet and two informational signs providing the location of their pharmacy drive thru. A 62.68 square feet sign located on the Northern elevation and a 39.90 square feet sign located on the Western elevation over the actual drive thru are proposed.

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 states the sign package submitted for the variance requests that four signs be allowed for the site, one freestanding and three wall signs. The Ordinance allows a single business site two wall signs not to exceed 350 square feet or 30 percent of the wall face, and also allows informational signs not to exceed 20 square feet. The application submitted clearly illustrates that two of the signs are informational not signage as determined by Section 64-11.1.1 Definitions, Sign, any object, device, or structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

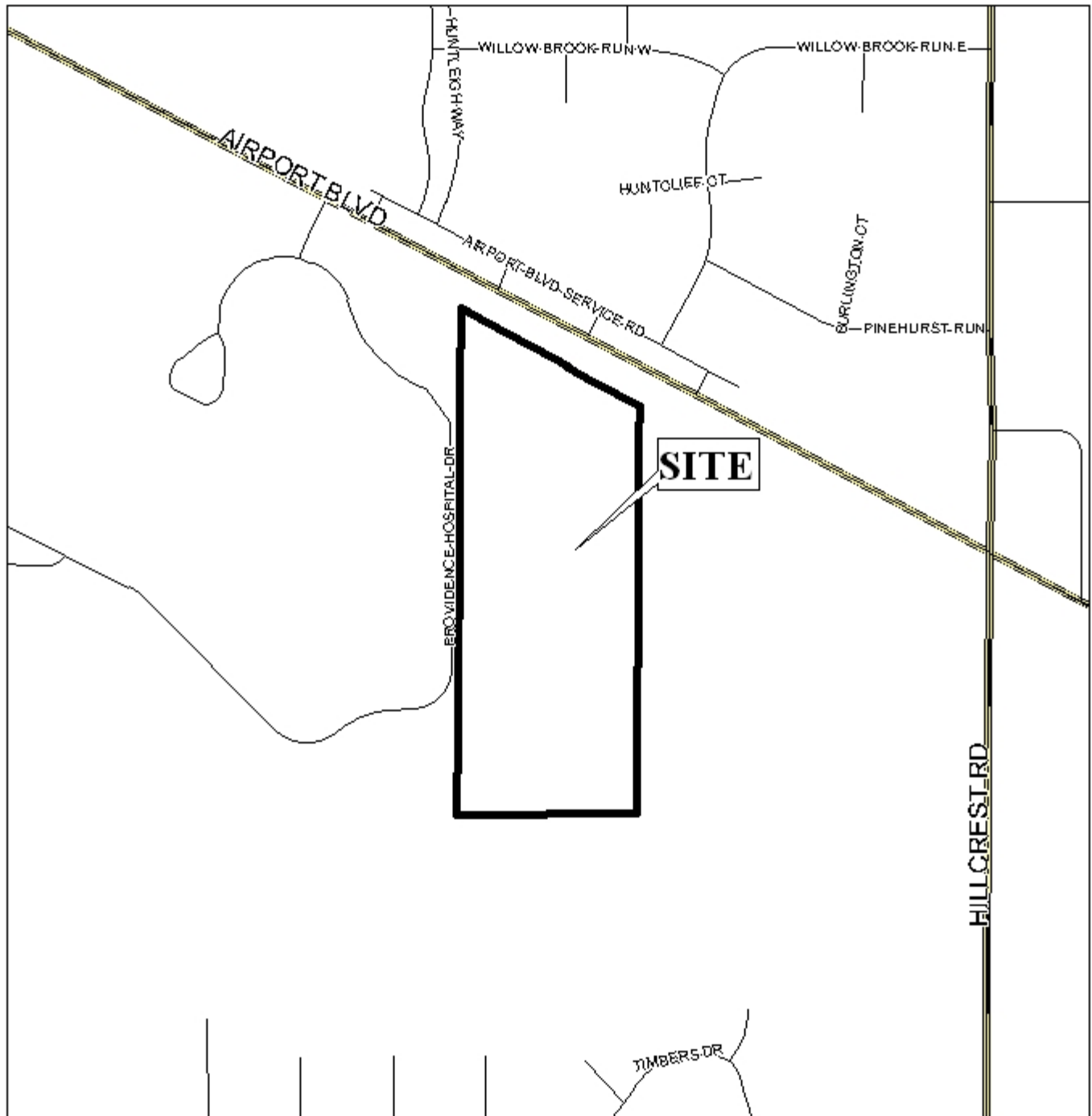
The applicant also states that since the site is also included within a Planned Unit Development, the requested exception to the code is reasonable. The site did receive PUD approval; however, the PUD approval allowed shared access and parking among several building sites, but did not include signage requests. Additionally, it is not uncommon for an applicant to request more signage if the proposal was included in the PUD application. This is not to say that staff would approve the proposal, but would review the overall development and determine if it was truly required and if it provided signs appropriate to the planned character of development.

The applicant has failed to show that any hardship exists on the site.

**RECOMMENDATION**  
for denial.

Based upon the preceding, this application is recommended

## LOCATOR MAP



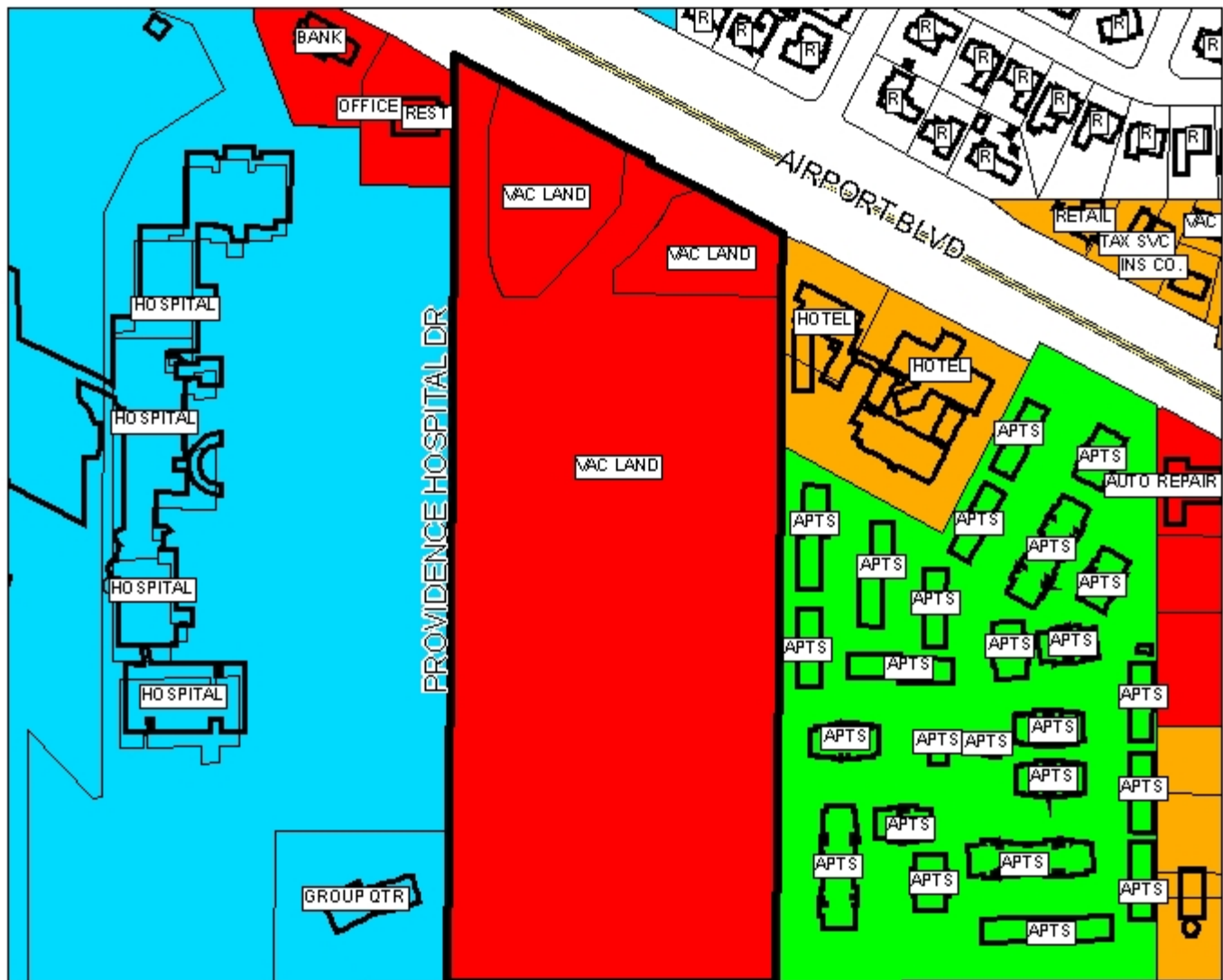
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# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



A hospital is located to the west of the site. A hotel and apartment complex are located to the east.

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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



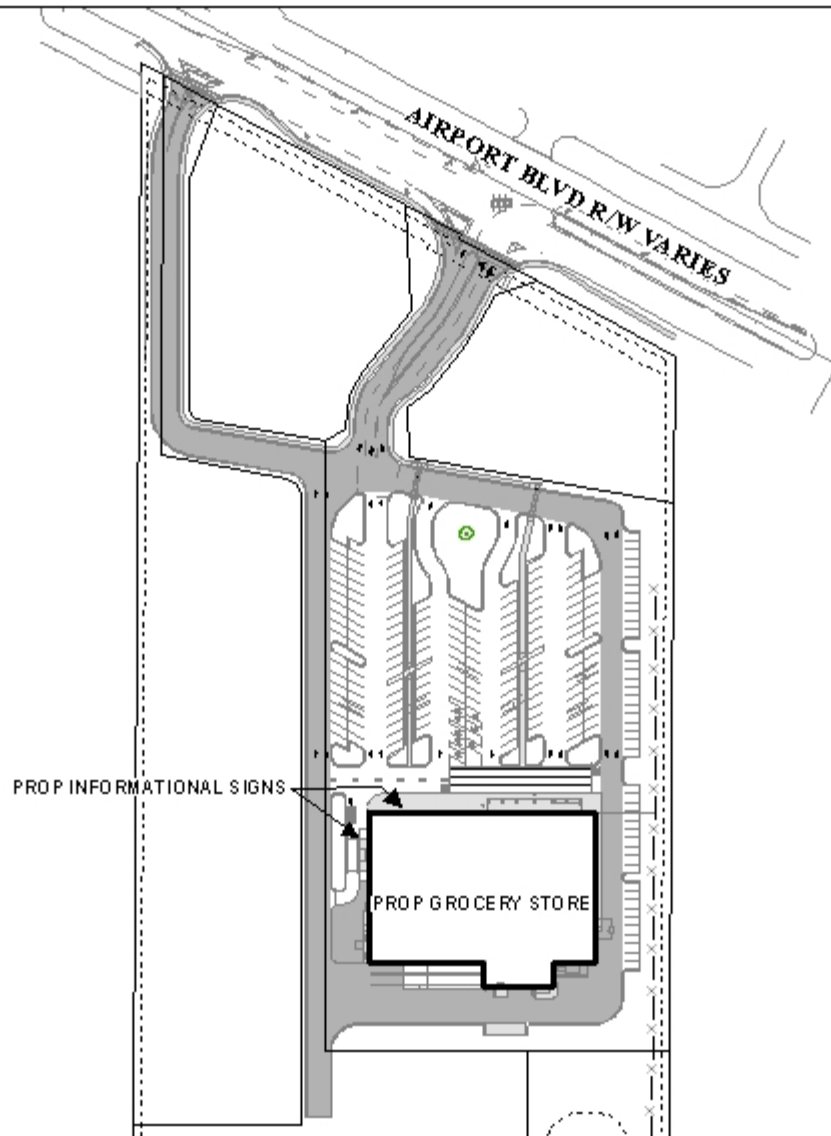
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N  
NTS



## SITE PLAN



The site plan illustrates the proposed grocery store and informational sign locations.

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N  
↑  
NTS

## DETAIL SITE PLAN



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N  
NTS

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