

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: November 5, 2012**

<b><u>CASE NUMBER</u></b>	5793
<b><u>APPLICANT NAME</u></b>	Olensky Brothers Office Supplies and General Store
<b><u>LOCATION</u></b>	28 South Royal Street (Northwest corner of South Royal Street and Conti Street)
<b><u>VARIANCE REQUEST</u></b>	<b>SIGN:</b> Sign Variance to allow a 64 square foot sign on a building façade for a tenant with 30 linear feet of primary building wall in a Historic District.
<b><u>ZONING ORDINANCE REQUIREMENT</u></b>	<b>SIGN:</b> The Zoning Ordinance allows 1.5 square feet of signage per linear foot of the primary building wall (45 square feet in this case), up to a maximum of 64 square feet per tenant in a Historic District.
<b><u>ZONING</u></b>	B-4, General Business District
<b><u>AREA OF PROPERTY</u></b>	0.06± Acres
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	No traffic issues for signs attached to building.
<b><u>CITY COUNCIL DISTRICT</u></b>	District 2
<b><u>ANALYSIS</u></b>	The applicant is requesting a Sign Variance to allow a 64 square foot sign on a building façade for a tenant with 30 linear feet of primary building wall in a Historic District; the Zoning Ordinance allows 1.5 square feet of signage per linear foot of the primary building wall (45 square feet in this case), up to a maximum of 64 square feet per tenant 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.

Because the site is located in a historic district, signage allowances are determined based on 1.5 square feet of signage allowed per linear foot of primary building wall with a maximum of 64 square feet total per tenant. Because the applicant has 30 linear feet of primary building wall space, the maximum allowable amount of signage would be 45 square feet.

The applicant states that because the Zoning Ordinance only takes into consideration the linear feet of a wall space to calculate the size of signage allowed, and not the vertical space, that the allowable 45 square feet of signage allowed would not be the appropriate scale for the structure. However, the applicant does not include information regarding the available vertical space; therefore it is difficult to determine if this is an accurate claim. The applicant has submitted an architect's rendering of an original 1950s-era sign on what appears to be the subject site. The sign appears to be a similar scale to the currently proposed sign, however, it is difficult to determine the exact scale, and if there have been any changes to the building façade since that time.

The applicant has not provided sufficient information to determine the size of the building façade that the proposed sign would be located on; therefore it is difficult to determine if the allowable 45 square foot sign would not be appropriate. The applicant has not provided sufficient information to determine that a hardship exists.

**RECOMMENDATION:** Based on the preceding, this application is recommended for denial.

## LOCATOR MAP



APPLICATION NUMBER 5793 DATE November 5, 2012

APPLICANT Olensky Brothers Office Supplies and General Store

REQUEST Sign Variance



# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial land use.

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APPLICANT Olensky Brothers Office Supplies and General Store

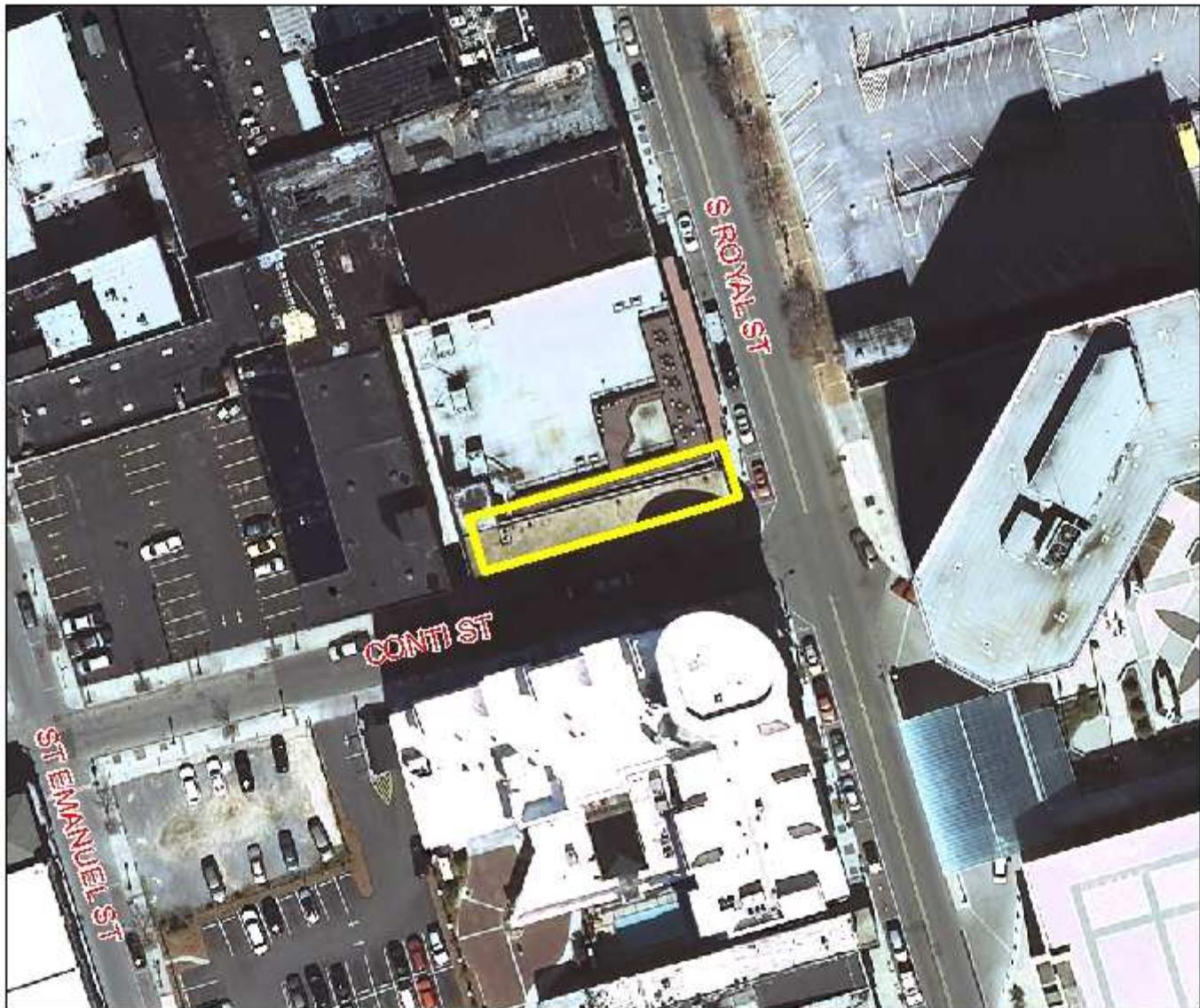
REQUEST Sign Variance

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	NTS

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NTS

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VICINITY MAP - EXISTING ZONING**



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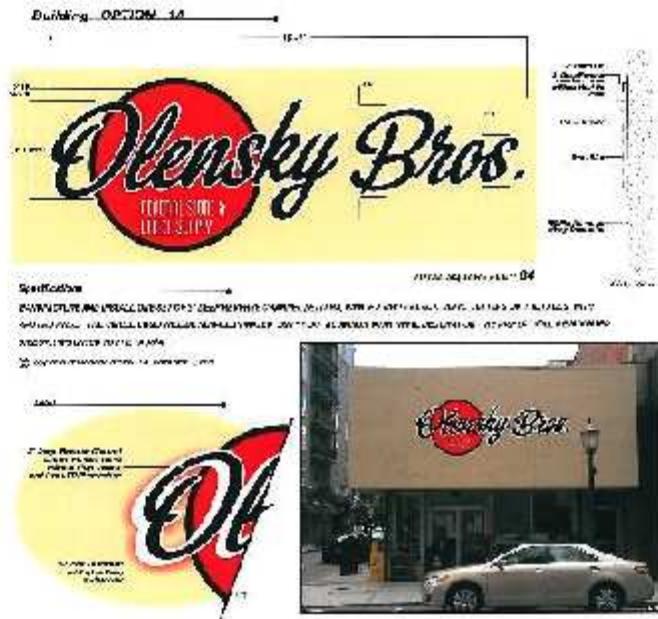
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REQUEST Sign Variance

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## PROPOSED SIGN DETAIL



Scale Rendering of Proposed Sign with Correct Layout

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## DETAIL SITE PLAN



Architect's Rendering of Original, 1950s-Era Sign

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