

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: October 7, 2013**

<u>CASE NUMBER</u>	5864
<u>APPLICANT NAME</u>	Corporate Property Services, Inc.
<u>LOCATION</u>	4707 Airport Boulevard (South side of Airport Boulevard, 2/10± mile West of University Boulevard)
<u>VARIANCE REQUEST</u>	SIGN: Sign Variance to allow a total of three (3) menu boards for a single tenant site with one drive up window in a B-3, Community Business District.
<u>ZONING ORDINANCE REQUIREMENT</u>	SIGN: The Zoning Ordinance allows a total of one (1) menu board per drive up window for a single tenant site in a B-3, Community Business District.
<u>ZONING</u>	B-3, Community Business District
<u>AREA OF PROPERTY</u>	0.59± 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 a total of three (3) menu boards for a single tenant site with one drive up window in a B-3, Community Business District; the Zoning Ordinance allows a total of one (1) menu board per drive up window for a single tenant site in a B-3, Community Business District.

The applicant is in the beginning stages of developing the subject site as a new fast food restaurant. The applicant states that in order to quickly and efficiently move customers through the drive-thru, two order stations are desired, making a second menu board necessary. The third menu board is referred to as a “pre-sale board”, which is intended to assist customers in determining their order prior to reaching the main menu board, thereby keeping traffic moving during peak service hours.

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 two proposed menu boards at the order stations are approximately 16 square feet each, while the “pre-sale board” is just over 8 square feet, which means they all fall under the maximum size of 25 square feet for a menu board. It should also be noted that one of the proposed menu boards at an order station is located within the 25’ front setback; however, the applicant has a separate pending variance request to allow this.

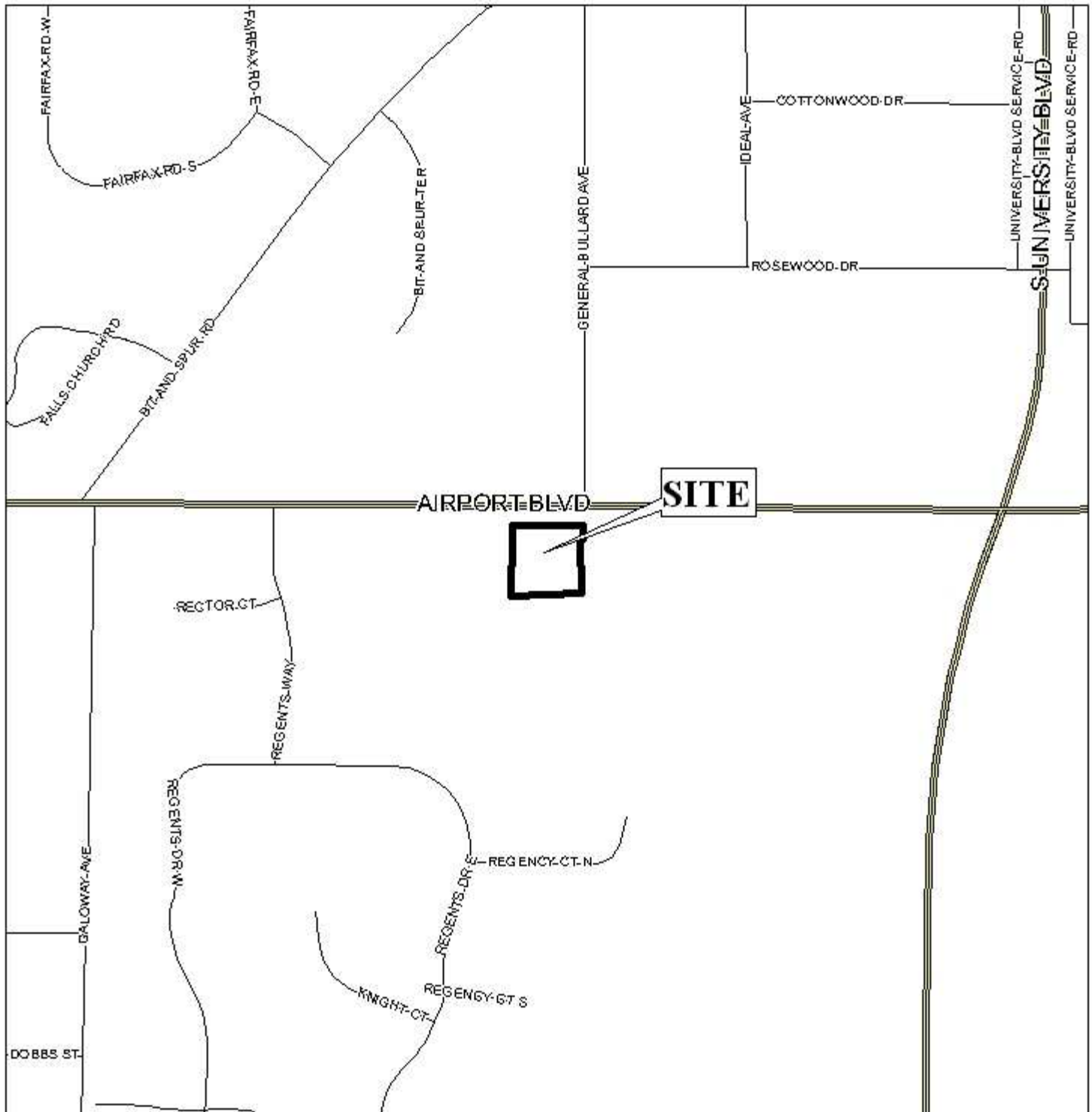
While the applicant states the additional menu boards are necessary to facilitate the quick movement of customers through the drive-thru, there is no mention of any hardship for the site which would differentiate this site from any other fast food restaurant. The sign regulations are intended to prevent the city from having an unnecessary amount of signage, and the approval of this request would set a precedent for any other fast food restaurant in the city to make a similar request.

There are no unique factors to this site which makes the approval of additional menu boards a necessity. It is simply the applicant’s desire to have more signage the Zoning Ordinance allows.

RECOMMENDATION:
for denial.

Based on the preceding, this application is recommended

LOCATOR MAP



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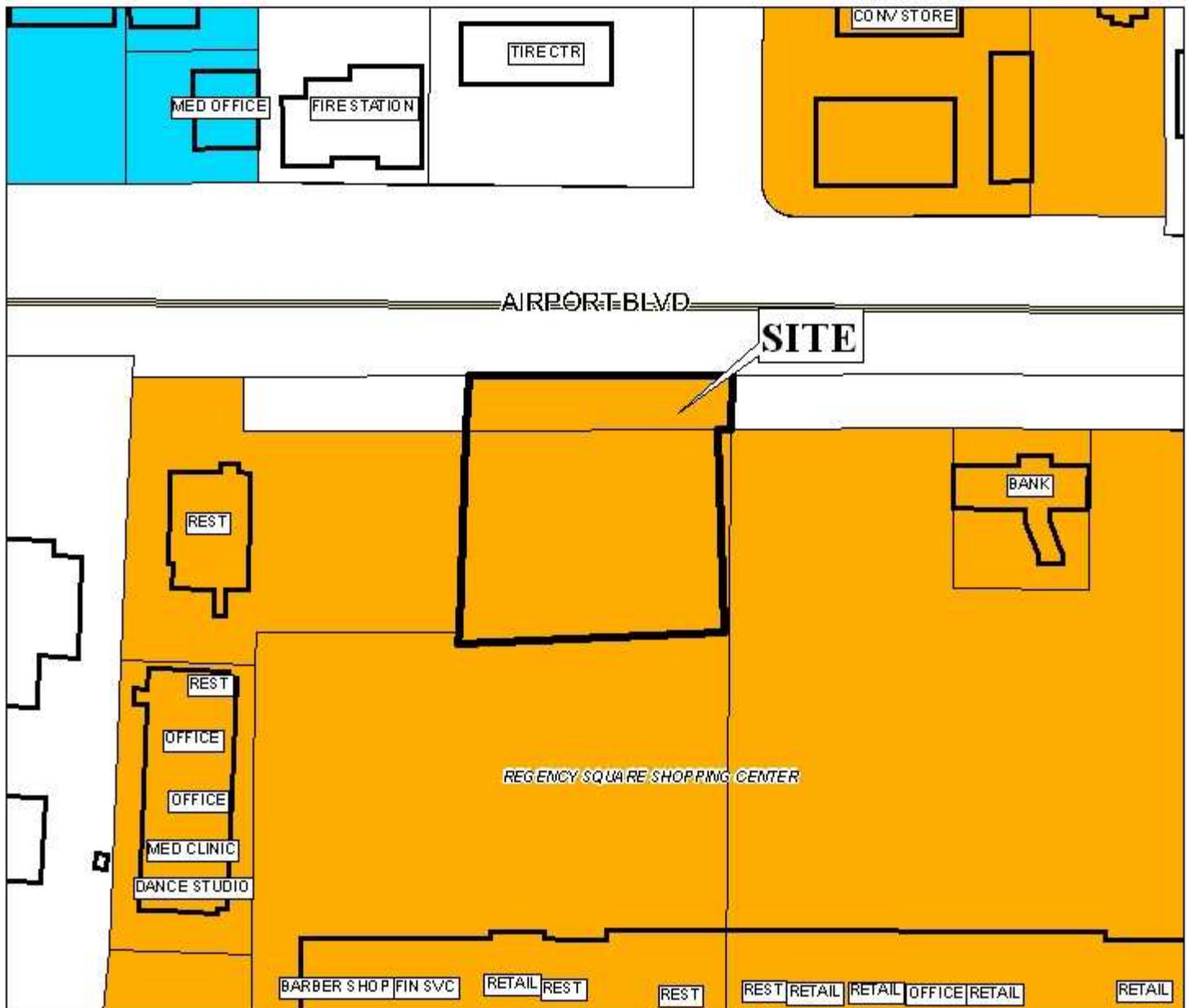
APPLICANT Corporate Property Services, Inc.

REQUEST Sign Variance



BOARD OF ADJUSTMENT

VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial land use.

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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
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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial land use.

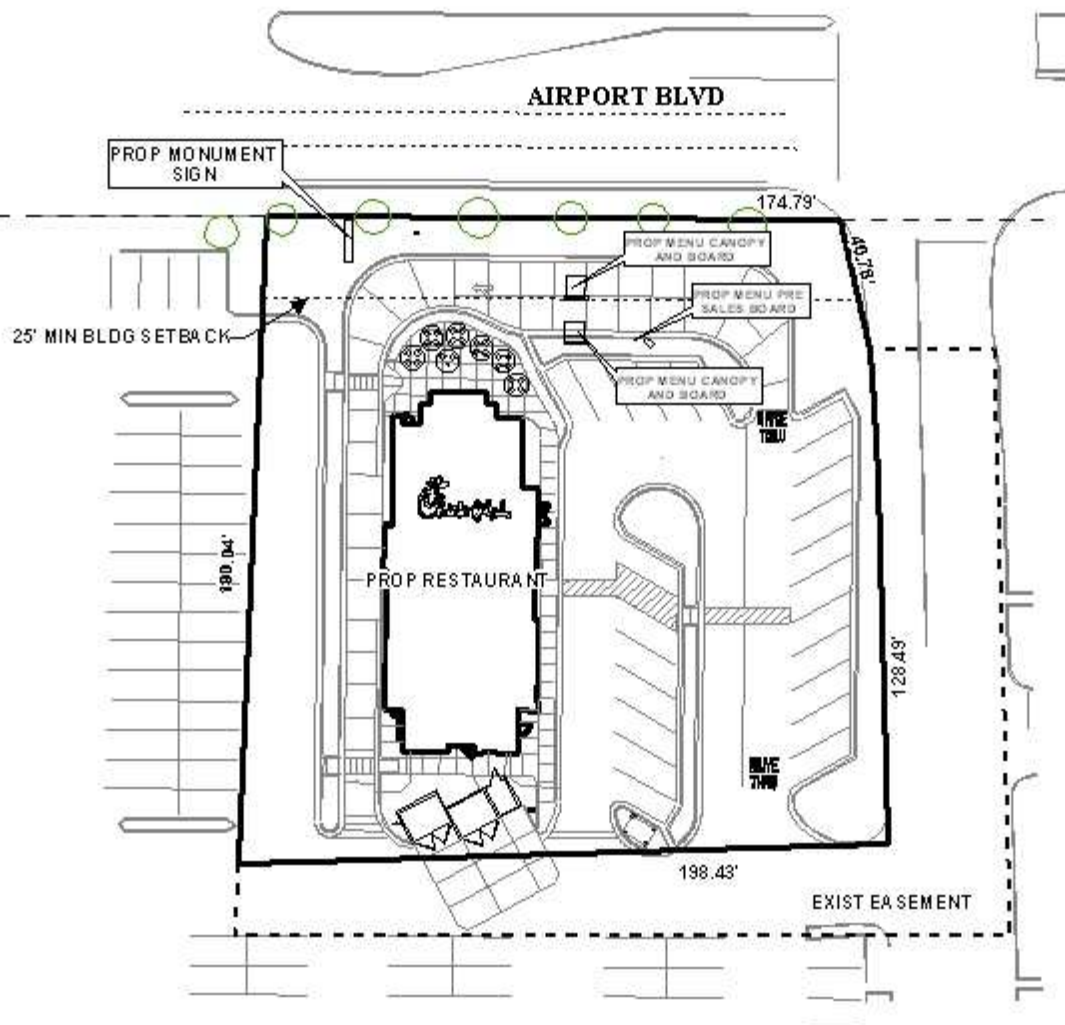
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SITE PLAN



The site plan illustrates the proposed development and signs.

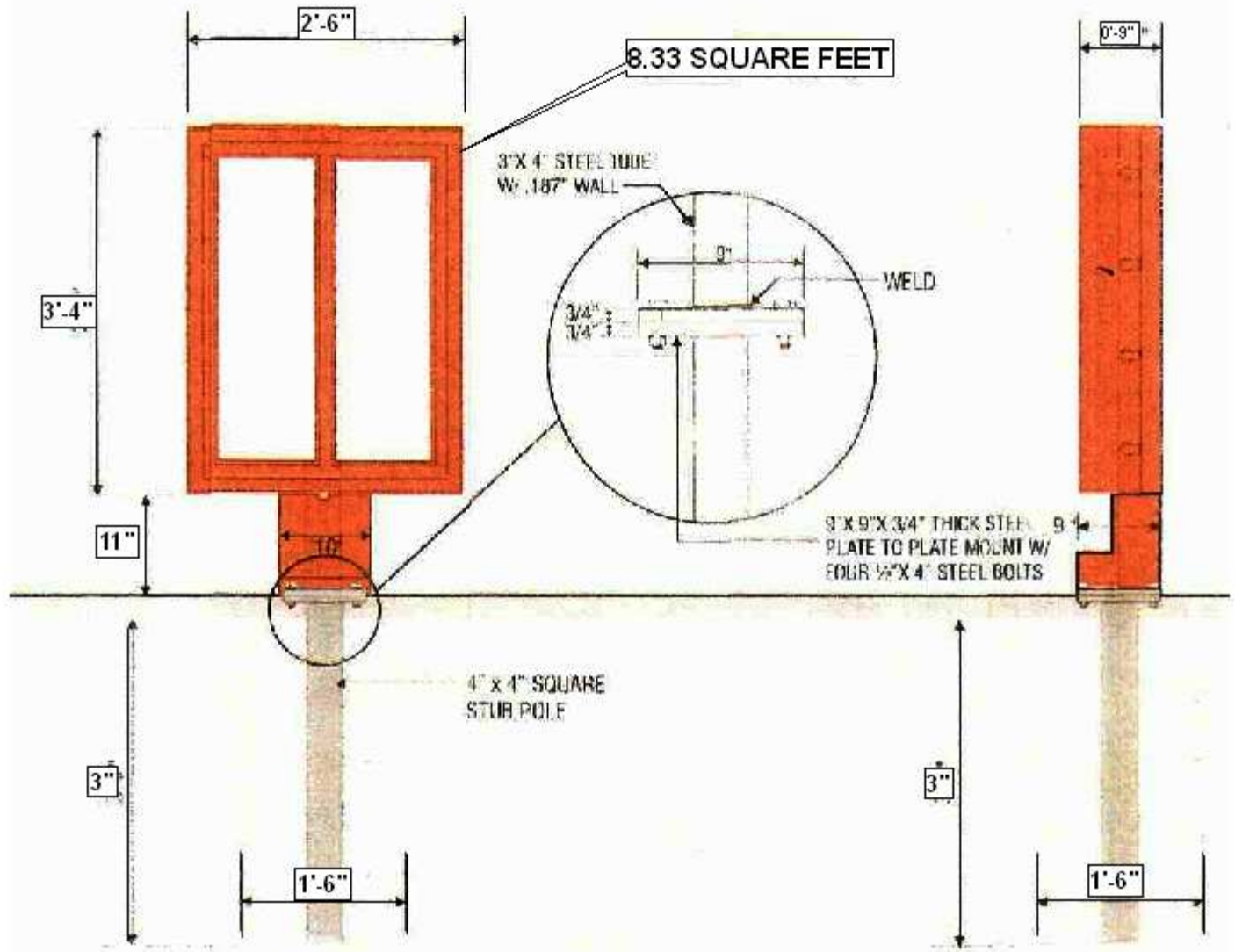
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MENU PRE-SALES BOARD DETAIL



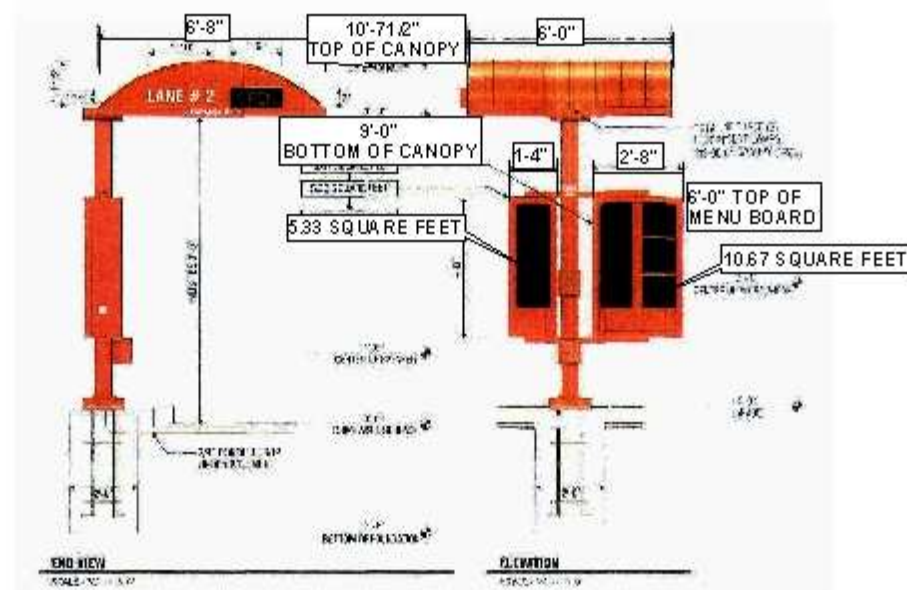
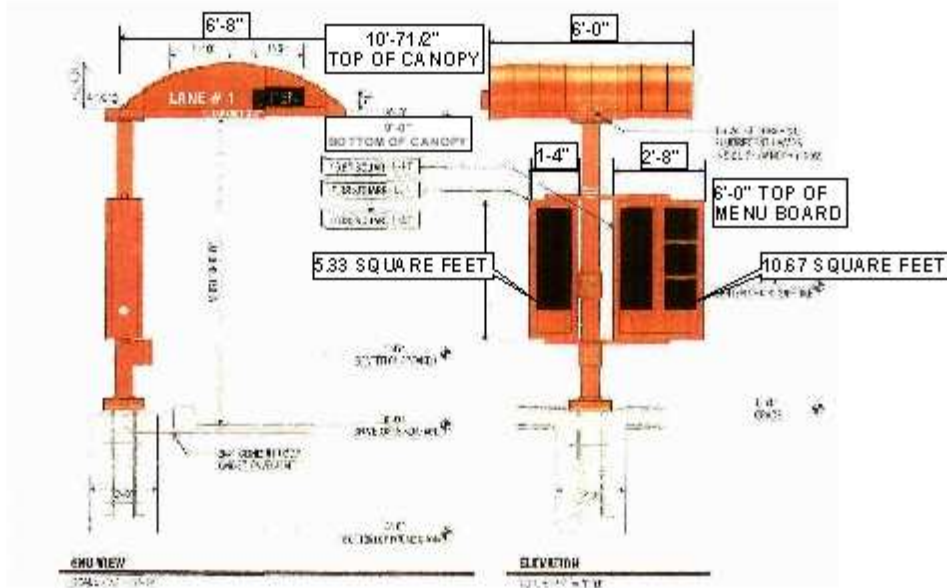
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MENU BOARD AND CANOPY DETAIL



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REQUEST_____Sign Variance

