

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: September 10, 2012****CASE NUMBER**

5783/4683

APPLICANT NAME

Victor Sign Company (Justin Thompson, Agent)

LOCATION3100 Cottage Hill Road
(North side of Cottage Hill Road, 500' ± West of Bel Air
Boulevard)**VARIANCE REQUEST****SIGN:** Sign Variance to amend a previous variance to allow two wall signs for a single tenant and nine freestanding signs at a multi-tenant site in a B-1, Buffer Business District.**ZONING ORDINANCE
REQUIREMENT****SIGN:** The Zoning Ordinance allows one wall sign per tenant at a multi-tenant site in a B-1, Buffer Business District.**ZONING**

B-1, Buffer Business

AREA OF PROPERTY

6.9± Acres

**TRAFFIC ENGINEERING
COMMENTS**

No comments.

**CITY COUNCIL
DISTRICT**

District 5

ANALYSIS

The applicant is requesting a Sign Variance to amend a previous variance to allow two wall signs for a single tenant and nine freestanding signs at a multi-tenant site in a B-1, Buffer Business District; the Zoning Ordinance allows one wall sign per tenant at a multi-tenant site in a B-1, Buffer Business District.

The subject site was granted a Sign Variance in 1997 to allow nine freestanding monument signs at various locations throughout the office complex. Now a tenant, ITT Technical Institute, proposes to have a second wall sign on the front wall of its tenant unit. It currently has a permitted wall sign on a side wall of the unit. Since this is a multi-tenant site and not located at a public street corner, the applicant is limited to one wall sign even though located within a front corner unit of the complex; hence this variance request.

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 2007, the applicant received a sign permit for the existing 31' wide by 2'-2" high illuminated channel letter sign on the East face of the tenant unit at the front corner of the building. The applicant states that when traveling East on Cottage Hill Road, the building orientation to the road will not allow that sign to be visible because it can only be seen when traveling West due to the building not being parallel to the street front. A second wall sign similar to the existing is proposed to face Cottage Hill Road on the South or front wall of the building.

With regard to the permitted sign not being readily visible from moving traffic, the applicant and sign contractor should have assessed the site for the most advantageous location for the sign to provide maximum visibility. It should be noted that ITT also currently has an un-permitted tenant panel atop a monument sign located within approximately 40' of that tenant's unit and approximately 10' from the Cottage Hill Road right-of-way at the entrance to the complex. As that sign serves primarily to indicate the tenant's presence on the site, it addresses the allegation that the intent is for signage to be visible to moving traffic, thus the existing wall sign would be sufficient to locate the tenant while maneuvering within the parking lot.

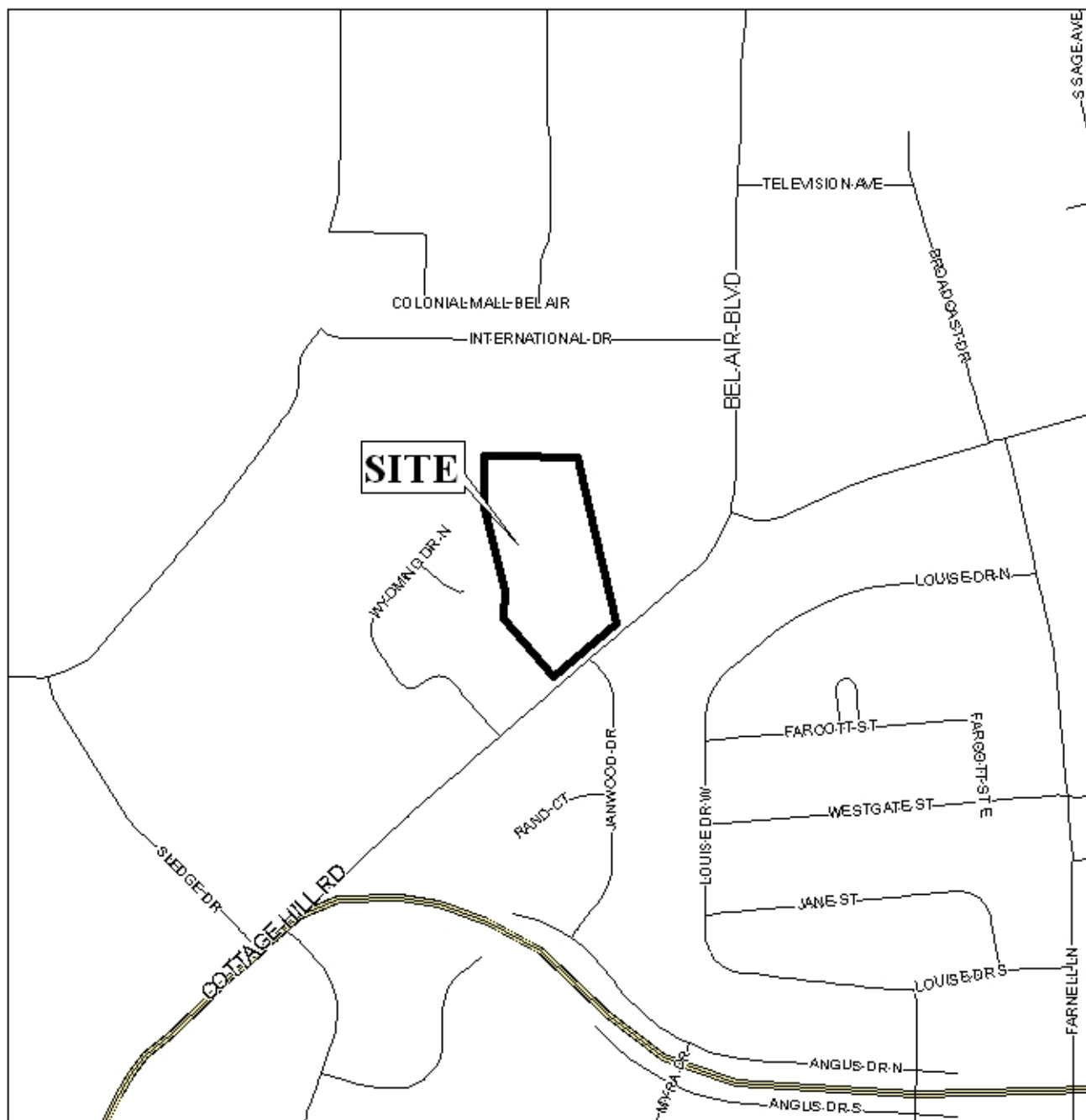
One of the intentions of the Sign Regulation Provisions of the Zoning Ordinance is to protect the general aesthetics of the city by controlling the proliferation of signage and to ensure the fair and reasonable application of regulations so that businesses are provided equal opportunities and not given undue advantages. The applicant simply desires more signage than is allowed and has not demonstrated a hardship created by a literal interpretation of the Zoning Ordinance; therefore, the Board should consider this application for denial.

RECOMMENDATION:

Based on the preceding, this application is recommended

for denial.

LOCATOR MAP



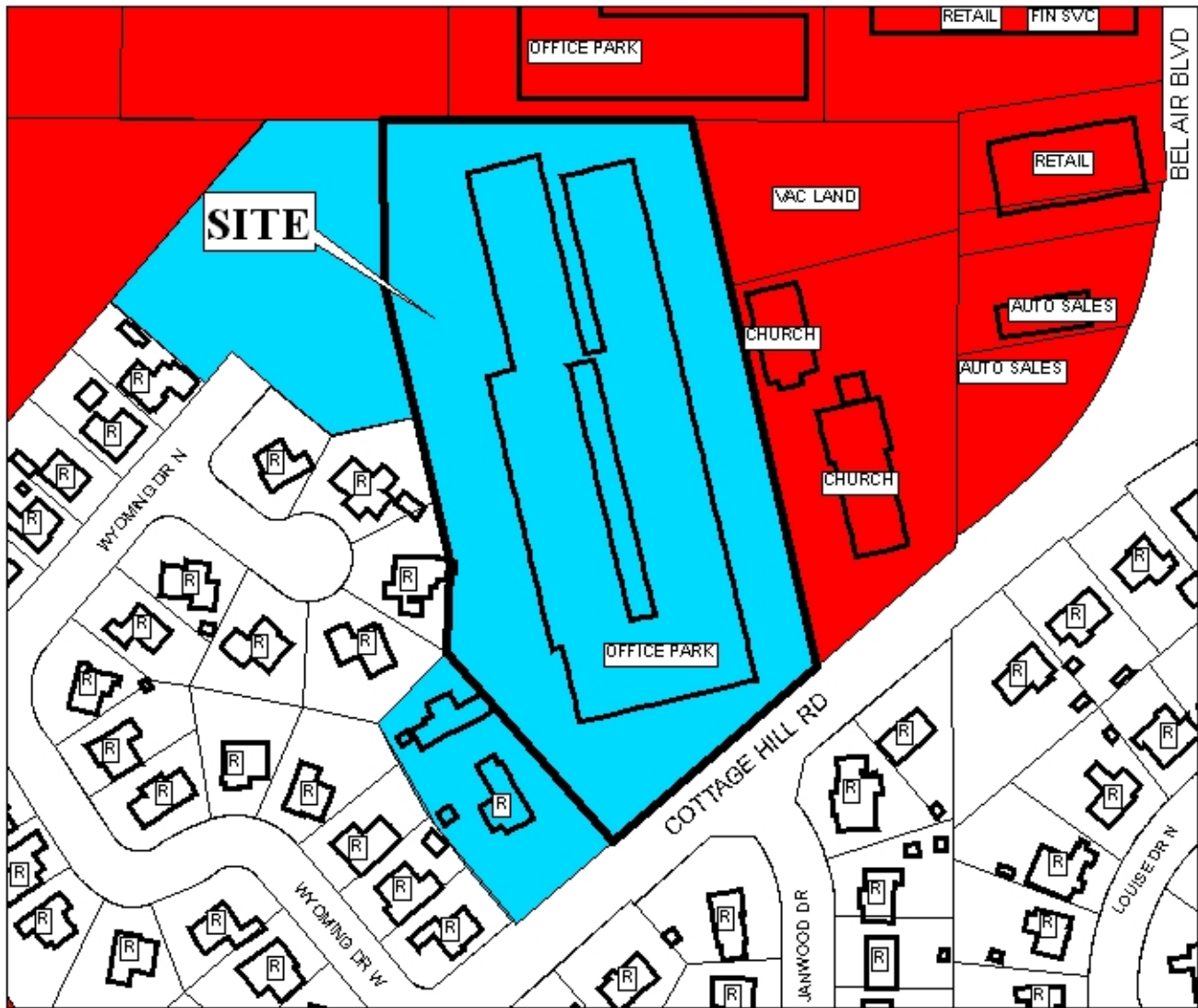
APPLICATION NUMBER 5783 DATE September 10, 2012

APPLICANT Victor Sign Company (Justin Thompson, Agent)

REQUEST Sign Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

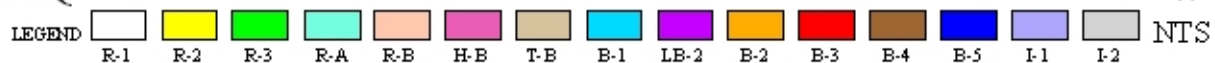


Single-family residences are located to the west and south of the site. A church and businesses are located to the east.

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

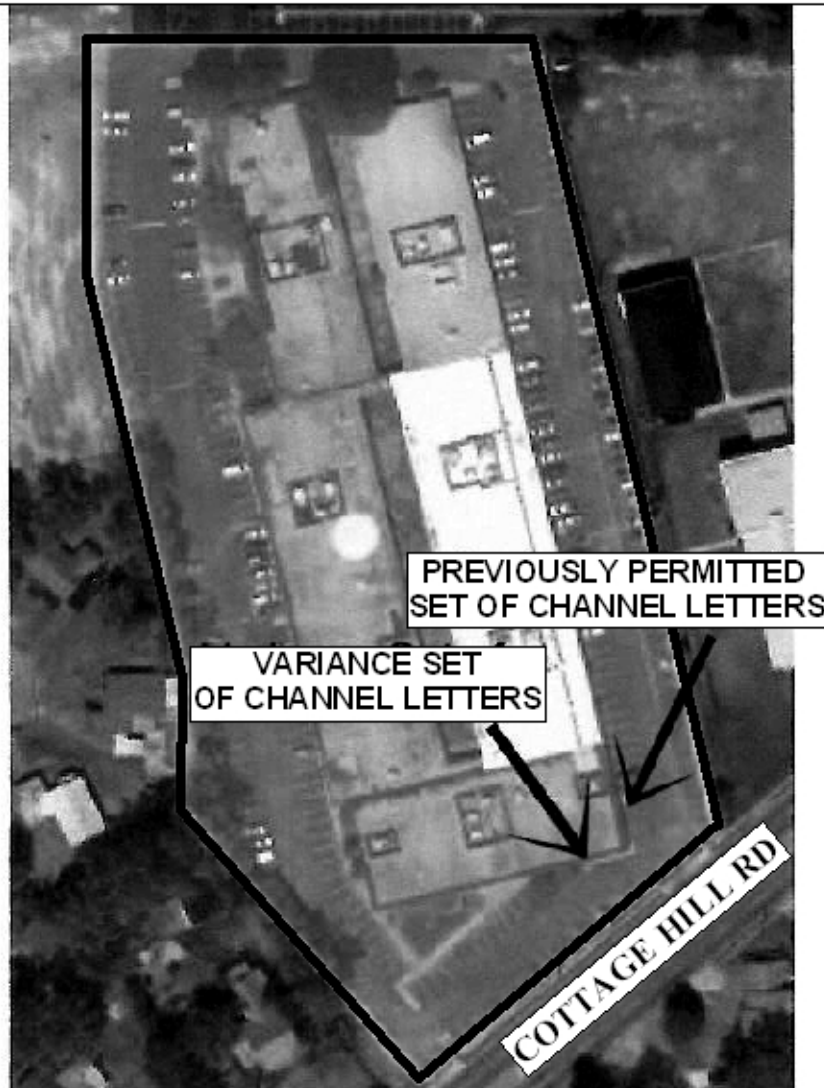


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SITE PLAN

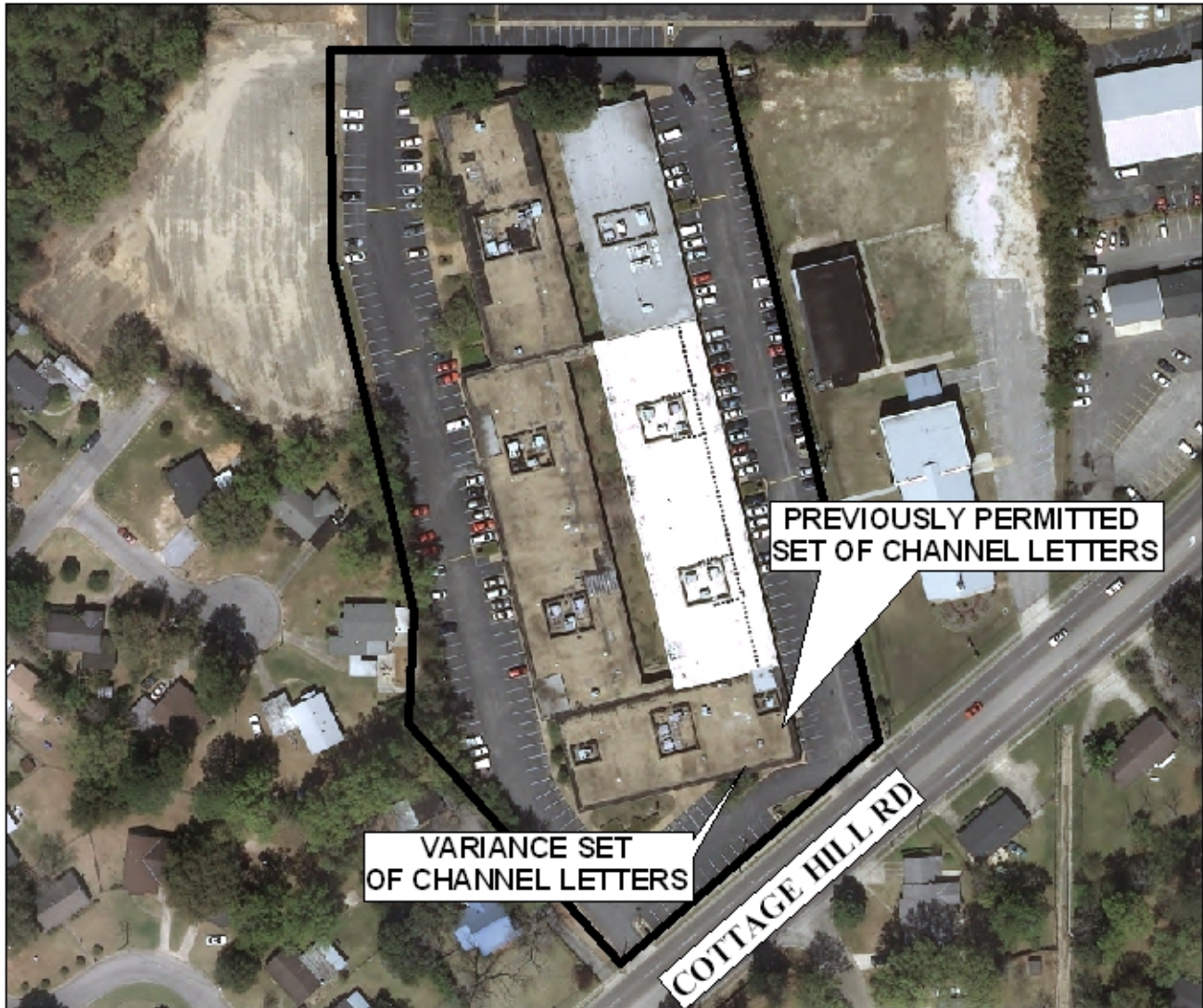


The site plan illustrates the existing and proposed signage.

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NTS

DETAIL SITE PLAN

Variance Set of Channel Letters.



Previously Permitted set of Channel Letters.



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NTS