

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: August 6, 2012**

<b><u>CASE NUMBER</u></b>	5772
<b><u>APPLICANT NAME</u></b>	Image Designs, Inc.
<b><u>LOCATION</u></b>	2010 West I-65 Service Road South (West side of West I-65 Service Road South, 3/10 mile± South of Government Boulevard)
<b><u>VARIANCE REQUEST</u></b>	<b>SIGN:</b> Sign Variance to allow five wall signs for a two-tenant commercial site in a B-3, Community Business District.
<b><u>ZONING ORDINANCE REQUIREMENT</u></b>	<b>SIGN:</b> The Zoning Ordinance limits the number of wall signs to one per tenant on a multi-tenant commercial site in a B-3, Community Business District.
<b><u>ZONING</u></b>	B-3, Community Business District
<b><u>AREA OF PROPERTY</u></b>	116,886 square feet/2.7±Acres
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	No Comments
<b><u>CITY COUNCIL DISTRICT</u></b>	District 4

**ANALYSIS** The applicant is requesting a Sign Variance to allow five wall signs for a two-tenant commercial site in a B-3, Community Business District; the Zoning Ordinance limits the number of wall signs to one per tenant on a multi-tenant commercial site in a B-3, Community Business District.

The applicant is proposing to add two wall signs to an existing building which has three existing wall signs.

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 site in question was developed in 2007-2008, and three wall sign permits were issued for the site as a single tenant site in 2008. The three existing signs are 194 square feet each.

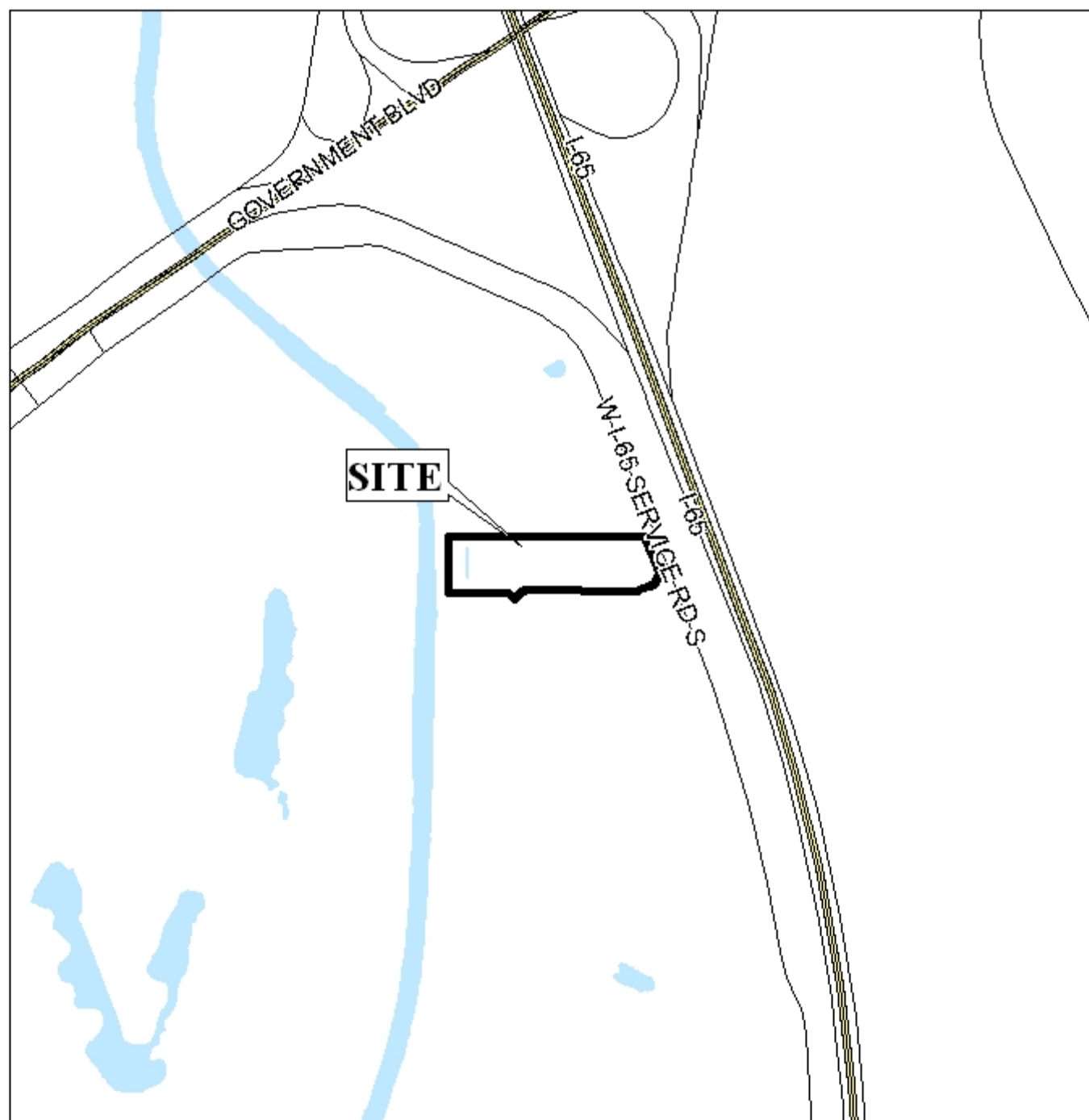
In 2009, building permits were issued to create a second tenant space in the building. A zoning clearance was issued in 2011 for the second tenant. Now, in 2012, the second tenant wishes to add two 78 square foot signs to the second floor of the existing building, with one sign on the front of the building and one on the South side of the building.

The site does not have a freestanding sign of any sort, thus all signage for the site is via the building walls. The site, which fronts onto the service road for Interstate 65, contains a two story building. All of the existing signage on the building is on the second floor, to maximize visibility, with one sign each facing North, East and South. There is sufficient room on the site to add, with proper permits, a free standing sign that would allow each tenant additional signage space.

The applicant has not shown any hardship regarding the conversion of the site from a single-tenant to a multi-tenant building, as it relates to signage or the unique nature of the site. Therefore compliance is required for all tenants, including the removal of existing signs in excess of Zoning Ordinance requirements.

**RECOMMENDATION:** Based on the preceding, this application is recommended for denial: All existing and proposed signage must comply with the signage requirements for multi-tenant sites.

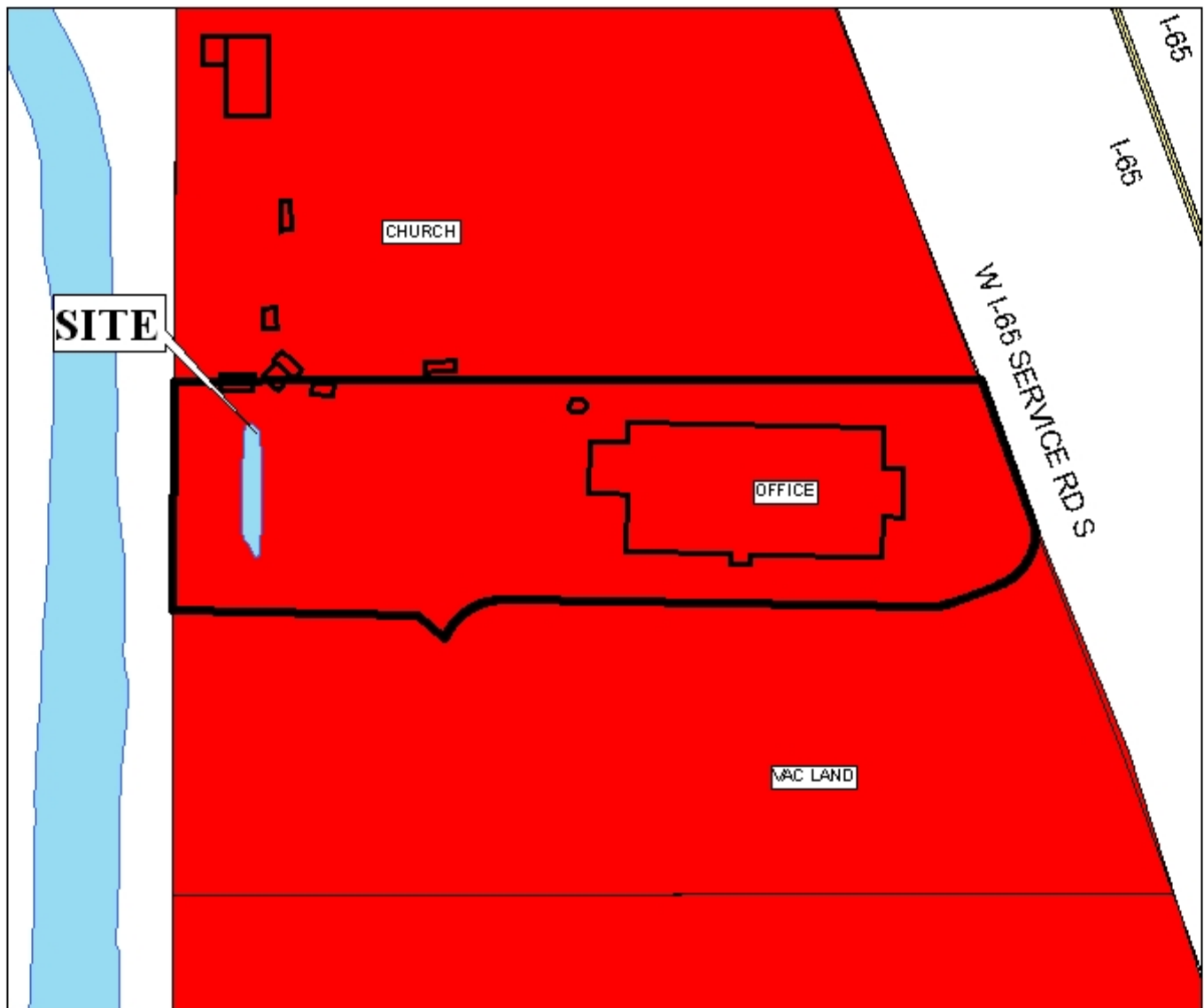
## LOCATOR MAP



APPLICATION NUMBER 5772 DATE August 6, 2012  
APPLICANT Image Designs, Inc.  
REQUEST Sign Variance



# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING


















A church is located to the north of the site.  
Vacant land is located to the south of the site.

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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

N  
NTS

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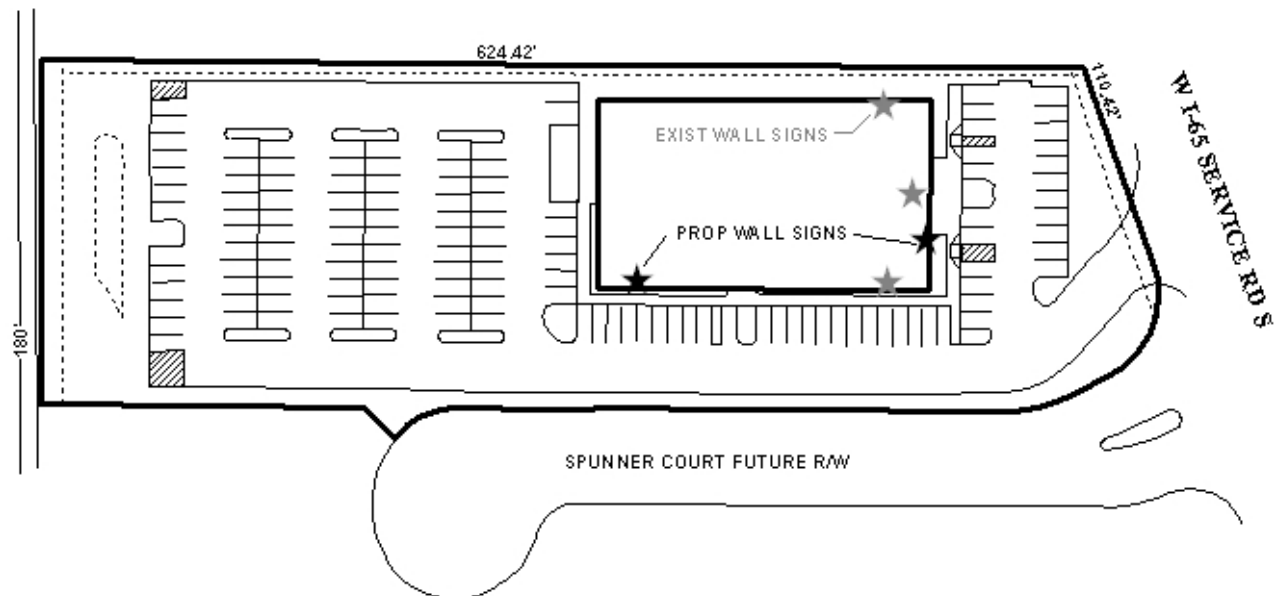


A church is located to the north of the site.  
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N  
NTS

# SITE PLAN



The site plan illustrates the existing and proposed signage.

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N  
NTS

## DETAIL SITE PLAN



ROUTED ALUMINUM BUILDING LETTERS  
.125 (5052) ALUMINUM - PAINTED

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N  
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NTS