

**BOARD OF ZONING ADJUSTMENT  
STAFF REPORT****Date: April 1, 2013**

<b><u>CASE NUMBER</u></b>	5819
<b><u>APPLICANT NAME</u></b>	Soul Kitchen
<b><u>LOCATION</u></b>	219 Dauphin Street (South side of Dauphin Street, 85'± East of South Joachim Street)
<b><u>VARIANCE REQUEST</u></b>	<b>SIGN:</b> Sign Variance to allow a total of 110.76 square feet of wall signage in a historic district.
<b><u>ZONING ORDINANCE REQUIREMENT</u></b>	<b>SIGN:</b> The Zoning Ordinance allows a maximum of 64 square feet of signage for a business in a historic district.
<b><u>ZONING</u></b>	B-4, General Business
<b><u>AREA OF PROPERTY</u></b>	0.5± Acre
<b><u>TRAFFIC ENGINEERING COMMENTS</u></b>	No comments.
<b><u>CITY COUNCIL DISTRICT</u></b>	District 2

**ANALYSIS** The applicant is requesting a Sign Variance to allow a total of 110.76 square feet of wall signage in a historic district; the Zoning Ordinance allows a maximum of 64 square feet of signage for a business in a historic district.

The applicant is proposing to install a wall sign on the front face of a sign board of a canopy projecting over the public sidewalk. The sign board is an existing architectural feature of the former Woolworth's department store within the Lower Dauphin Street Historic District and spans the entire 69 linear feet of building street frontage. The Sign Regulation Provisions of the Zoning Ordinance allow up to 1.5 square feet of signage per linear foot of street frontage in a historic district, up to a maximum of 64 square feet of signage. Without the 64 square-footage maximum limitation, the applicant would be allowed 103.5 square feet of total signage. Staff calculations indicate a total of 110.76 square feet of signage are proposed; 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.

The applicant states that the building is historic and that the original sign on the sign board would not have fit within the current sign regulations. It is further stated that the subject building is the only one on this particular block face with more than 30 linear feet of store frontage and the original sign board is in scale with the building and the proportions call for a "Soul Kitchen" sign that is larger than the regulations allow.

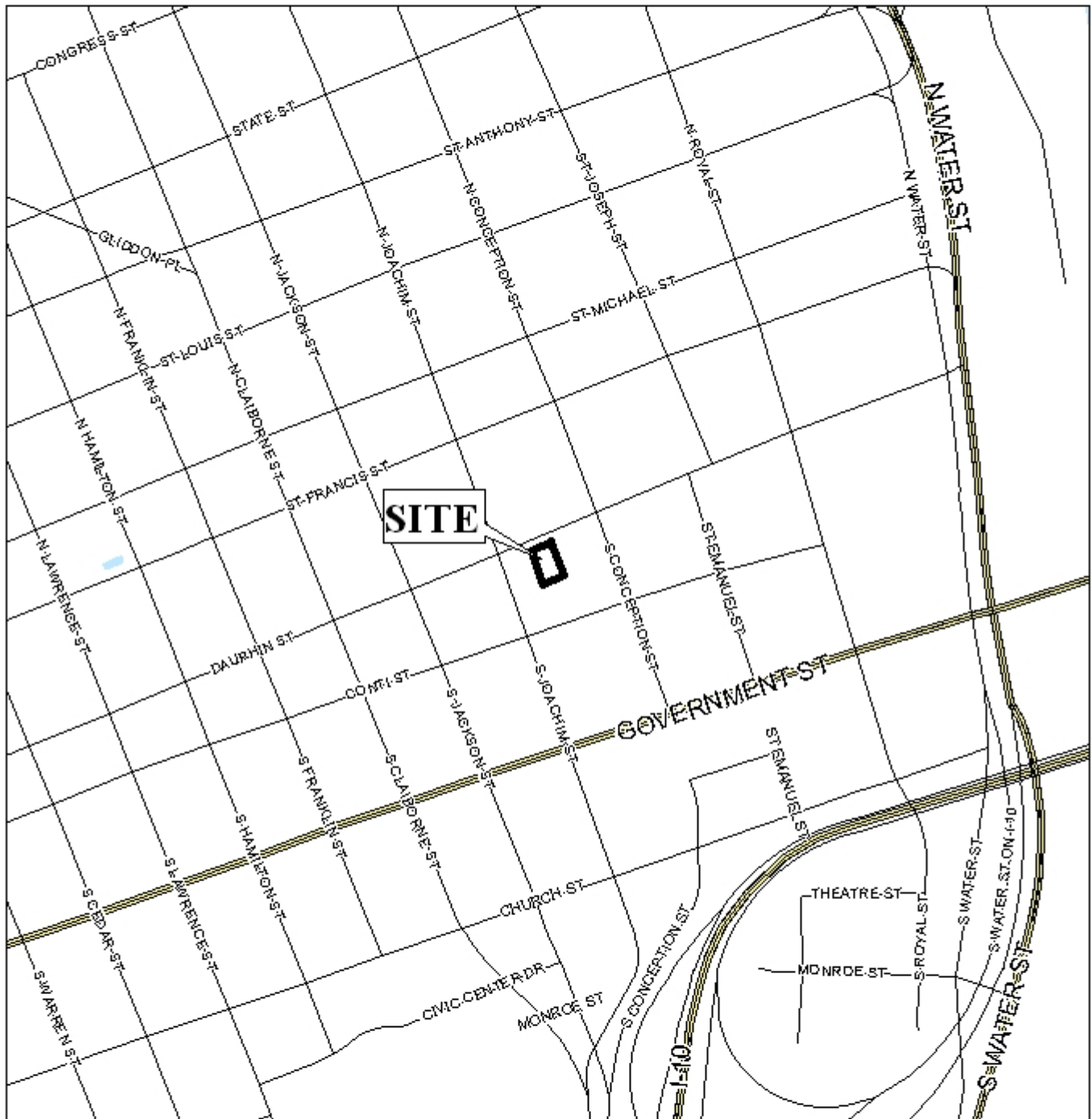
The applicant has illustrated that a hardship may exist for the property. The Woolworth's building was developed prior designation of the are as a historic district and prior to the adoption of the current Zoning Ordinance with a sign board intended to hold a large sign proportional to the building front. The Architectural Review Board (ARB) staff supports the additional square footage on account of the design and location of the signage and states that it is in keeping with the 1930's style of the building. The ARB staff further states that the sign would not impair the architectural or historical character of the building or district.

As the existing sign board and building are located within a historic district, the approval of this application may not be contrary to public interest and special conditions may exist for the property which would justify the amount of requested signage to be considered appropriate for this particular site. The Board should consider this application for approval, subject to conditions.

**RECOMMENDATION:** Based on the preceding, this application is recommended for approval, subject to the following conditions:

- 1) approval of the Architectural Review Board; and
- 2) full compliance with all other municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 5819 DATE May 6, 2013  
APPLICANT Soul Kitchen  
REQUEST Sign Variance

N  
NTS

# 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





# BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

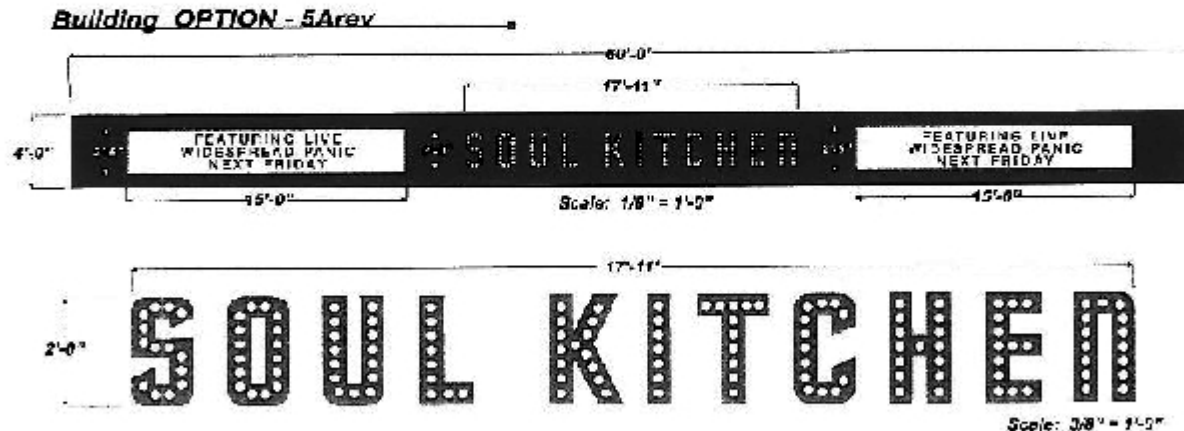


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# PROPOSED SIGN DETAIL



## Detail

OPEN CHANNEL  
LETTERS WITH  
SINGLE LINE  
YELLOW LIGHT BULBS



## Specifications

MANUFACTURE AND INSTALL ONE SINGLE FACE LIGHTED BUILDING DISPLAY. THE "SOUL KITCHEN" LETTERS WILL BE 3" DEEP ALUMINUM FABRICATED OPEN CHANNEL LETTERS PAINTED RED INSIDE AND OUT WITH SINGLE LINE YELLOW LIGHT BULBS. THE ALUMINUM FABRICATED READER BOARD SIGNS WILL HAVE FLAT FACES WITH THREE ROWS OF SIX INCH CHANGEABLE LETTERS. THE CABINET AND RETAINERS TO BE PAINTED RED.

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