

**Zoning Board of Appeals
January 24, 2024 Regular Meeting**

STAFF REPORT

Subject: ZBA 23-0035; 2501 Avant Avenue

Summary:

Araneae Inc., representing property owners, are requesting a variance from Table 5.24-4 Residential Zoning Districts Permanent Signs. The owners are proposing to install 13 illuminated logo signs approximately 35 feet from the ground. The maximum height for wall signs for a multiple-family dwelling district is 10 feet from the ground. The applicants are also seeking to install two logo signs on six buildings for the development. The sign ordinance allows for one wall sign per building. The property is zoned R4B, Multiple-Family Dwelling District.

Background:

The subject property is located on the west side of South Maple Road at the Pauline Boulevard intersection west of Interstate 94. The property is currently under construction for a new 256 unit townhome complex.

Description:

The proposed LED illuminated logo signs are 5.83 square feet each to be installed on the third floor peak of the building. The logo signs are a black and white letter "A". Each monogram sign is used to identify the two main entrances of each building. Each building has two sets of eight rental units. The logo signs are proposed to be installed on buildings 4, 6, 11, 12, 14 and 16.

Standards for Approval- Variance

The Zoning Board of Appeals has all the power granted by State law and by Section 5.29.12, Application of the Variance Power from the Unified Development Code (UDC). The following criteria shall apply:

- (a). ***That the practical difficulties are exceptional and peculiar to the property of the person requesting the variance and result from conditions which do not exist generally throughout the City.***

By only allowing one (1) "A" monogram sign per building per the sign ordinance, it will cause confusion for residents, guests and emergency personnel in trying to locate a unit or a resident by not knowing there are actually two (2) main entrances for two different sets of rental units in each building.

- (b). ***That the practical difficulties will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.***

Yes, this is more than an inconvenience, it's a safety factor. If the two main entry points for each of the buildings are not properly identified, when there is an emergency and someone needs immediate help, the emergency personnel would go to the one entrance that is marked with the "A" monogram sign, not realizing that there is a second entrance. By going to the wrong entrance, the emergency personnel could lose critical time in getting people the help they need.

- (c). ***That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.***

Having two (2) "A" monogram signs per apartment building would have no effect on neighboring communities. These signs would be inside the community to help enhance residence, guests and emergency personnel's ability in locating the specific units they are looking for.

- (d). ***That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.***

Due to the site layout with multiple buildings and due to the length of the apartment buildings, having two (2) "A" monogram signs per building will make identifying the two (2) entrance points per building much easier for the residents, guests and emergency personnel. By only having one (1) "A" monogram sign per building will make it more difficult for people to find their way around the community and find the unit they are looking for.

- (e). ***A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.***

Due to the design of the apartment buildings, having two separate main entrances is necessary to efficiently maximize the number of units in each building, as well as give the residents, guests and emergency personnel the ease of access to the units.

Respectfully submitted,



Jon Barrett-
Zoning Coordinator