

**Zoning Board of Appeals February 25, 2026, Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 26-0002 – 872 Briarwood Cir**

**Background:**

**Location:** Redeveloped east tenant wing at Briarwood Mall  
**Building Footprint (approx.):** 60,000 sq ft  
**Parcel Identification Number:** 09-12-08-100-037  
**Property Owner/Applicant:** Erica Chappell/Patrick Stieber  
**Zoning District:** C2B Business Service District

**Description:**

The applicant seeks to install two (2) wall signs with illuminated channel letters on the subject building:

	<b>Wall Sign Area</b>	<b>Tenant Building Frontage</b>	<b>Wall Sign Height</b>	<b>Building Height</b>
<b>North Elevation</b>	127.4 sq ft	271 LF	32 ft	35 ft
<b>South Elevation</b>	199.1 sq ft	271 LF	42 ft	46 ft

**Requests:**

	<b>Maximum</b>	<b>Proposed</b>
<b>Wall Sign Area</b>	200 sq ft	326.5 sq ft
<b>Wall Sign Height</b>	20 ft	32 ft (north elevation)

- (1) A 126.5-square-foot variance from Section 5.24.5.B.1 of the Unified Development Code (UDC) to permit 326.5 square feet of wall sign area on a building where a maximum of two-hundred (200) square feet of sign area is permitted; and
- (2) A twelve (12)-foot variance from Section 5.24.5.B.2, Table 5.24-3 of the UDC to permit a wall sign to be thirty-two (32) feet in height from finished grade where wall signs shall be within the lowest twenty (20) feet of the building.

**UDC Standards:**

Note that per Section 5.24.5.B.1 of the UDC, each building is permitted two (2) square feet of sign area per linear foot of building frontage up to a maximum of two-hundred (200) square feet of sign area for permanent signs (the subject tenant space has approximately 542 linear feet of building frontage).

**TABLE 5.24-3: OTHER MIXED-USE AND NONRESIDENTIAL AND SPECIAL PURPOSE ZONING DISTRICTS PERMANENT SIGNS**

SIGN TYPE	HEIGHT	PLACEMENT	MAXIMUM NUMBER
Projecting Signs	Max.: 30 ft. but no higher than the top of the <i>building</i> Min.: 8 ft. if projecting into <i>public right-of-way</i>	May not project more than 4 ft. from the <i>building</i>	1 per business frontage
Wall Signs	Min.: 8 ft. if projecting into <i>public right-of-way</i>	Must be within lowest 20 ft. of the <i>building</i> . If the <i>building height</i> is 45 ft. or higher, may be placed within the uppermost 15 ft. of the <i>building</i> and may extend up to 3 ft. above the top of the <i>building</i> .  May not project more than 2 ft. from the <i>building</i>	No maximum

**Variance Standards:**

Under State law and the City Charter and Code, the Zoning Board of Appeals (ZBA) has the authority to grant nonuse variances. In considering a variance request, the ZBA shall consider the following criteria in Section 5.29.13.C of the UDC:

1. A variance may be allowed by the ZBA only in cases involving practical difficulties after the ZBA makes an affirmative finding that each of these criteria are met:
2. That the alleged practical difficulties are exceptional and peculiar to the property of the Person requesting the variance, and result from conditions that do not exist generally throughout the City.

*APPLICANT RESPONSE: "Lack of identification due to the significant setback of the building. Dick's is taking over the old Sears location and they have visibility on the North and South elevations."*

3. That the alleged practical difficulties that will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.

*APPLICANT RESPONSE: "The practical difficulty is the building setback. Dick's also has a vast storefront and there are also mature trees combined with existing site features such as parking lots and access drives that significantly obstructs the visibility of standard height signage from the road. Many other commercial properties in the City are closer to the street and have unobstructed sign visibility."*

4. **That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the practical difficulties 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.**

*APPLICANT RESPONSE: "Allowing the variance will offer proper wayfinding for patrons trying to find the new store. Due to the size and setback of the store, they need maximum visibility. This will not affect others as these are just wall signs."*

5. **That the conditions and circumstances on which the variance request is based are not a self-imposed practical difficulty.**

*APPLICANT RESPONSE: "This is not a self imposed practical difficulty as this is an existing building. The challenges stem from the inherent characteristics of the site which include the substantial setback, building size and mature trees."*

6. **The variance to be approved is the minimum variance that will make possible a reasonable use of the land or structure.**

*APPLICANT RESPONSE: "The proposed signs were calculated to meet the need without exceeding what is essential for clear, functional signage."*

Respectfully submitted,

Erik Perdonik, AICP  
Zoning Coordinator

