

**Zoning Board of Appeals
December 7, 2022 Regular Meeting**

STAFF REPORT

Subject: ZBA 22-2026; 215 N Maple Road

Summary:

Allied Signs, Inc. representing property owner, is requesting variances from Sections 5.24.5 B (1) Permanent Signs/Area and Table 5.24-3 Other Mixed Use and Nonresidential and Special District Permanent Signs to install a 298 square foot wall sign exceeding the 20 foot height limit. The business is permitted a 200 square foot wall sign. The property is zoned C3 Fringe Commercial District.

Background:

The subject property is located within the Maple Village Shopping Center on the west side of Maple Road across the street from Veterans Park. The retail center was originally constructed in 1965 and contains approximately 230,000 square feet of commercial space with varying tenants. The shopping center completed a major renovation in 2015-2016.

Description:

The new tenant Burlington is requesting two variances to install a 298 square foot wall sign that will be 7.5 feet above the allowable 20 foot height from grade maximum.

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 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.***

Applicant states a lack of identification. The building is setback 725' from the road and there is a lack of visibility.

- (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.***

The practical difficulty is how far back the building sits from the road. Burlington has a large storefront and needs maximum visibility.

- (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***

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allowance of the variance.

The practical difficulty is how wide their storefront is and how far back the building sits from the road, there is a lack of identification. The sign needs to be larger and installed higher on the building for better visibility for the patrons trying to find the store.

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

The public benefits are better visibility when trying to find the store. It will allow for proper wayfinding for patrons.

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

Owners contend it is not self-imposed as the building is existing and sits back 725' from the road.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett".

Jon Barrett
Zoning Coordinator