



ZBOA Agenda Item # 4

NOVEMBER 5, 2019

Variance Request by Mark Gaskins

File #: APP-2019-07

Mark Gaskins is requesting a variance to LDR Section 230-9(E)(6)(a) as it relates to the location of a variable message board. The subject property is located at 3050 James Circle, consists of 0.79 acres, and is zoned C-H. The parcel contains a building under construction for a rug/floor covering store. The applicant is requesting a variance to allow two variable message boards as wall signage. The property obtained a variance in July of 2019 for relief from the metal building façade requirements.

The LDR allows variable message boards as a part of a freestanding sign in certain commercial zoning districts. The applicant is eligible to have a freestanding sign that includes a variable message board, but wants to have a variable message board as a part of his wall sign package. The applicant is asking for two variable message boards—one on the tower facing N. St Augustine Road, and one on the left hand side facing I-75. The signs are proposed to be 5 ft. by 10 ft each, for a total of 50 square feet per each variable message sign. Wall signage is calculated one of three ways—1 sq. ft of sign per 1 linear ft. of elevation, 5% of the wall area, or 50 sq. feet, up to 400 cumulative sq. ft per elevation with no single wall sign being larger than 250 sq. ft. Because of the building's size (height and length), it is allowed more signage than the average single-story building. For instance, if using the 1 sq. ft of signage per every 1 ft of elevation length, the front elevation (N. St Augustine Road) would allow up to 124 sq. ft of signage. Due to its height, using the 5% rule allows more wall signage—in this instance, up to 244.25 sq. ft of wall signage.

The goal of signage is many-fold—to identify a street, to direct traffic, or to advertise for a business, for instance. In this instance, the applicant desires to advertise his business to traffic on I-75 as well as to traffic on N. St. Augustine and James Circle. A well placed, well planned static sign can do the same job, and is permitted by right—no variance needed. Additionally, the building is very visible from the street system, due to its height of 39 feet with a tower that rises to a maximum height of 46 feet. Because of the building's large size (height and length) it is allowed slightly more square footage of wall signage than for a shorter, single-story building. A valid static wall signage plan would generate a very similar impact in terms of advertising/identification as a variable message board, and meet the requirements without needing a variance. Variances are intended to relieve those instances in which there is hardship beyond design's control. There is no hardship under these circumstances; there are other options for placement of freestanding signage other than under/near a power line. If ZBOA opts to grant the variance, staff recommends placing a condition on the approval stating that no variable message boards will be allowed as a part of freestanding signage.

Staff Recommendation: Find inconsistent with the Variance Review Criteria and **deny** the variance request.