







**Petition for Variance – City of Burleson, TX**

In Re: McNairn Plaza  
826 SW Wilshire Boulevard

This is a Petition for the award of a Variance for the proposed placement of the multi-tenant sign at 826 SW Wilshire Boulevard. The tenants to be identified on this sign will be located in the multi-tenant building. The proposed signage and placement was shown on the drawings submitted to the City for review and approval, and the city has been aware that meeting the setback and distance between signs requirements would not be possible.

The Burlington City Council is authorized to approve deviation from any restriction set forth in the sign ordinance, including, but not limited to, the number, type, area, height, or setback of signs, or any other aspect involved in the sign permitting process.

Special conditions exist in that visibility of the multi-tenant building is blocked by the individual tenant lots (Lots 1, 2, and 3) that front Wilshire Boulevard, which creates an extreme hardship for the tenants who will be located in this building. The lack of visibility and visible identification places these tenants at a profound disadvantage and puts the likelihood of their success at risk.

The strict interpretation of the provisions of the sign ordinance would deprive the tenants located in the multi-tenant building the ability to identify their businesses in a way that will be visible to the public and potential customers.

The special conditions existing at this property do not result from actions of the applicant. They result from the irregular shape of the property, the property line along Wilshire Boulevard located very close to the roadway, and the access drive/fire lane that touches Raising Cane's property line, leaving only a small section of McNairn's property available.

It is not possible to meet the 10' setback requirement in the placement of this sign, nor is it possible to meet the requirement that there be 50' between ground signs. The proposed placement puts the sign 35' from the existing Raising Cane's sign. Bearing in mind the critical need for this sign to be clearly visible to passing motorists and pedestrians, the proposed placement must be maintained and allowed as there is no reasonable alternative.

Granting this request will meet the objectives of the sign ordinance, is within the spirit and purpose of the ordinance, and will not be injurious to adjoining property owners or in any way detrimental to the public's welfare.

Therefore, we respectfully request that this Petition for Variance be granted and that the proposed multi-tenant sign for McNairn Plaza be allowed to be placed as shown on the official site plan for this property.

We appreciate and thank you for your time, consideration, and attention to this matter.



## Building Permits and Inspections

**Building Permit Plan Review Summary**    **Review No.:** One    **Date:** September 26, 2022

**Applicant:** Dynamic Sign Solutions    **Phone:** 936-242-0581

**E-mail:** [permits@dynamicssignsolutions.net](mailto:permits@dynamicssignsolutions.net)

**Project:** 826 SW Wilshire Blvd, McNairn Plaza Pylon Sign (Multi-Tenant)

**Contact:** Breck Barron, Plans Examiner    **Phone:** 817-426-9074

**Email:** [bbarron@burlesontx.com](mailto:bbarron@burlesontx.com)

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*The following comments are based on the review of plans received on September 14, 2022. Your application for a permit is pending compliance with all city code requirements. Please acknowledge in writing and by submitting corrected drawings where appropriate.*

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### REVIEW COMMENTS:

#### 1. Building Review Comments:

- The pylon sign cannot be approved as submitted. The city's sign ordinance requires freestanding signs to be setback a minimum of 10ft from all property lines, in the location proposed it does not meet the minimum setback requirements as it is too close to the property line adjacent to 824 SW Wilshire Blvd. The sign will either need to be moved to a different location or a sign variance will be required.
- To discuss a sign variance, please speak with a Planner in the Development Services Dept. at 817-426-9611.

Proposed sign location

