

Dairy Queen Sign Variances

Location:

- 1620 SW Wilshire BLVD

Applicant/Owner:

Molly Brown with Comet Signs- Applicant
Mayfield Usher LLS- Owners

Item for approval:

Variances relating to type of sign and the setback of the proposed sign.

(Case 24-365)



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Background:

A commercial site plan was approved for a new Dairy Queen that included a monument sign setback eleven feet six inches (11'6") from the front property line and outside of an existing ten (10) foot utility easement, but during Civil Plan review, an additional fifteen feet (15') was required for a total of twenty five feet (25') for the utility easement to house a new public sanitary sewer line. The approved monument sign would require a Right-of-Way Use Agreement as well as the sewer line would need to be encased in concrete due to the proximity of the sewer line and the signs designed footer. The applicant would like to request a pole sign approximately twenty six feet ten inches (26'10") from the front property line instead of the allowed monument sign and for the sign to be approximately eight feet six inches (8'6") from the northeast side property line instead of the required ten feet (10').

Request:

The applicant is requesting variances to allow for the installation of a pole sign outside of the North Wilshire Sign Corridor that is also closer to the side property line than allowed.

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Sign Variance Summary:

Section 63-50 Generally. (a) All freestanding signs shall be setback a minimum ten feet from the property line.

Section 63-56 Pole Sign. (a)(4) Signs shall be located on premises with frontage onto IH 35 and within the the North Wilshire Sign Corridor only.

a. The extent of the North Wilshire Sign Corridor is defined as properties on either side of Wilshire Boulevard, north of Elk Drive and South of IH 35.



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Considerations
Special conditions exist that are peculiar to the land, structure or building involved and are not applicable to other lands, buildings or structures in the same vicinity. The City may attach such conditions to granting all or a portion of any variance necessary to achieve the purpose of this chapter.
The strict interpretation of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the vicinity under the terms of this chapter.
Special conditions and circumstances do not result from the actions of the applicant(s) and such conditions and circumstances do not merely constitute pecuniary hardship or inconveniences.
Granting the variance will meet the objectives of the ordinance and not be injurious to the adjoining property owners or otherwise detrimental to the public welfare
The request will be the minimum variance necessary to alleviate the special hardship or practical difficulties faced by the applicant in meeting the requirements of this chapter; and
Granting the variance will be in harmony with the spirit and purpose of this chapter.

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Staff Recommendation

Staff recommends denial of the variances to Chapter 63, Sign Regulations, relating to the setback of the sign and for a pole sign outside of the North Wilshire Sign Corridor.

