

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

Waiver of: LDC 8.3.3.A.1 allowing no more than three signs on any one façade of a building, to allow four signs, one of which is a small directional arrow on the side of the building to direct traffic.

Explanation of Waiver: The waiver is sought to address the functionality of the signage: there are three code-compliant signs on the building façade with one additional “sign”, a directional sign, having only three arrows on one façade, and having three arrows and the words “Drive Through Coffee” on the other façade, indicating which direction one should go to obtain the product via vehicle. This fourth directional sign is the one for which the waiver is requested.

1. The waiver will not adversely affect adjacent property owners because the fourth sign only serves to direct traffic on the site, and a better flow of traffic can only help, not hurt, adjacent property owners. The directional sign is on the building and not so visually distracting as to affect adjacent property owners. The additional façade sign also enables the public to identify access via vehicles to the coffee products, as distinct from the walk-up window to order product. The fourth sign, being only a directional sign, serves to eliminate any confusion regarding the movement through the property.
2. The waiver will not violate the Comprehensive Plan for all the reasons set forth in the Detailed Statement of Compliance with all applicable Guidelines and Policies of the 2040 Comprehensive Plan filed with the original rezoning application.
3. The extent of waiver of the regulation is the minimum necessary to afford relief to the applicant because the additional signage addresses a very specific site-based function that will facilitate safety and convenience for the public in their interactions at the business.
4. Strict application of the provisions of the regulation would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant because it would jeopardize traffic safety and potentially lead to confusion of patrons on the site.