

VARIANCE JUSTIFICATION

Commonwealth Sign Co.

5138 Dixie Highway

The proposed variance, which will allow the applicant to add a changing image sign to an existing non-conforming sign at the subject property on Dixie Highway, will not adversely affect the public health, safety or welfare. The existing sign was previously code-compliant, but became non-conforming upon the adoption of new sign regulations. The new changing image sign will replace an existing panel below the primary signage on the pylon, but will not increase the overall size, height, or footprint of the existing sign. The new changing image sign will not adversely affect the public health, safety or welfare as it will comply with all requirements for changing image signs set forth in LDC Chapter 8.2.1(D).

The variance will not alter the essential character of the general vicinity as the changing image sign will be consistent with the design of other signs along the Dixie Highway commercial corridor both north and south of the subject property. To the north, the Walgreens at 5100 Dixie Highway, the Heitzman Bakery at 4749 Dixie Highway, the Transcend Credit Union at 4652 Dixie Highway all have changing image signs similar to that proposed by the applicant. To the south, the Holy Cross High School at 5144 Dixie Highway (directly across the street from the subject property), the Brakeway at 5206 Dixie Highway, and the Raising Cane's restaurant at 5212 Dixie Highway all have changing image signs similar to that proposed by the applicant. The replacement of the existing panel on the applicant's sign pylon with a changing image sign that will not increase the overall size, height, or footprint of the existing sign will not alter the essential character of the commercial corridor along Dixie Highway.

The variance will not cause a hazard or nuisance to the public. As stated above, the proposed changing image sign will not increase the overall size, height, or footprint of the existing sign. The proposed changing image sign will not distract drivers on Dixie Highway as this commercial corridor already contains numerous moving image signs in the vicinity of the subject property, and the proposed changing image sign will comply with all requirements for changing image signs set forth in LDC Chapter 8.2.1(D).

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. The proposed changing image sign will comply with all requirements for changing image signs set forth in LDC Chapter 8.2.1(D). The visual impact of the proposed changing image sign will be minimal given the commercial nature of the Dixie Highway corridor and the presence of numerous existing changing image signs in the vicinity.

The variance arises from special circumstances that do not generally apply to land in the vicinity of the project. A variance for the proposed changing image sign is necessary because the existing sign became non-conforming upon the adoption of new sign regulations. However, the existing sign is consistent with existing signage along Dixie Highway, and the proposed changing image sign will not increase the overall square footage or footprint of the existing sign.

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VARIANCE 1030

The strict application of the regulations would create an unnecessary hardship because it would require the applicant to revise its plans for the changing image sign. Strict application of the regulations would force the applicant to potentially re-design or drop its plans for the changing image sign although numerous other businesses along the Dixie Highway commercial corridor have similar changing image signs.

The circumstances are not the result of actions taken by the applicant subsequent to the adoption of the zoning ordinance. As set forth above, a variance is necessary here because the existing sign became non-conforming upon the adoption of new sign regulations.

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