

Variance Justification:

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

1. Explain how the variance will not adversely affect the public health, safety or welfare.

Only the lettering and neon will illuminate on sign, so there will not be excessive illumination (or any other element) to affect the public health, safety or welfare. The new sign panel will be the same style as the existing panels for River House/Levee, which has not caused any issues.

2. Explain how the variance will not alter the essential character of the general vicinity.

The essential character in the general vicinity is not altered because the new sign panel matches the existing sign panels on the structure for River House and Levee Lounge. The aged pole structure is not being altered and is a nautical theme which is appropriate for River Road.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The aged pole structure has not caused a hazard or nuisance to the public in its' decades of existence. Adding the panel to the top of the structure would not change that. If Savor is not allowed the sign, drivers could easily get confused on the location and result in distracted driving.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The use of the building on this property (3015) has changed significantly. It is unique in that it houses a restaurant, lounge, a soon-to-be event space, a patio and new boat docks. It is reasonable to utilize the existing structure and allow each business to have a sign.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

River Road has seen a great deal of new commercial growth, including condominiums & botanical gardens, which helped to stimulate the immediate success of these new entertainment/food venues. This type of combined business is new to the area giving rise to this special circumstance.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

Savor will be an event space operating on the 2nd floor above Levee Lounge. The building is not visible from the street. If they are not allowed a sign on the road, the clientele could become confused and irritated, leaving a bad first impression and/or deciding to go elsewhere.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

A boat storage facility was converted into River House Restaurant, Levee Lounge and soon-to-be Savor. The existing sign structure has been in place for decades.

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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.**

1. Will the waiver adversely affect adjacent property owners?

The adjacent property owners would not be adversely affected by allowing the existing structure to remain as is, which is not a pylon or monument sign as defined by LDC.

2. Will the waiver violate the Comprehensive Plan?

No. The existing non-conforming sign structure meets multiple goals of the Comprehensive Plan, such as revitalization, adaptive reuse of the existing structure; diminished environmental impact; safety of vehicular by providing clear signage for a new event venue not visible from the street; and promotes the economic success of the new event space located above Levee Lounge and River House Restaurant.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

Applicant is also applying for a Variance to increase the size of the allowable square footage on the existing structure.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

Savor will be an event space and operate as a separate business on the 2nd floor above Levee Lounge and River House Restaurant. King Fish also utilizes this structure. The buildings are not visible from the street. If they are not allowed a sign on the road, the clientele could become confused and irritated, leaving a bad first impression of the business. Also, if visitors are looking for a venue to host their event, they may not consider this space as an option if it is difficult to find.

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