

McDonald's Variance Criteria

McDonald's is requesting permission to deviate from Section 15-8(5) a.3 of the City Code to increase the permitted sign area of a ground sign at the subject property to 156.5 square feet, an increase of 99.25 square feet.

1. Describe those conditions peculiar to the specific property and not applicable to other lands, structures, or buildings in the same zoning district.

This is a unique variance request because we are requesting an additional 99.25 square feet, however, the actual measurement of the sign is 54 square feet.

The code section 15-1 Definitions – Sign Area states the following:

The entire area within and enclosed by the exterior perimeter of all cabinets or modules within a single continuous geometric figure. Including but not limited to, all written copy, logos, symbols, decorative embellishments and border or roof treatments. This shall include all open areas within said perimeters and all space separating said cabinets or modules.

If you refer to the sign measurement page, the sign has 156.5 square feet. That includes 104.5 square feet of open air space. The sign only has 54 square feet and falls within the 57.25 square feet allowed for the site frontage.

There is already an existing sign in place and the actual size of the sign is 213.61 square feet in addition to the reader board. It is considered a non-conforming sign and McDonald's is making this request to update and upgrade the sign. The proposed sign is considerably smaller than the existing sign.

2. Does special conditions or circumstances result from actions other than that of yours? Please explain.

The location of the property is between I-95 and the turnpike overpasses. The sign height is needed to make the traveling customers aware of the services conveniently located at the exit. If a variance is not obtained, the sign would look like a lower case i.

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3. Identify any undue hardships or deprivation of commonly enjoyed property rights that would result in the literal interpretation of the code for the zoning district.

McDonald's is located in the zone referred to as *I-95 and turnpike special sign district* and would like to install a sign at 50 feet as code allows. If the total sign area were limited to 57.25 square feet you would not have a readable sign.

4 What is the minimum variance that would give the reasonable use of the land, building, or structure?

The variance requested is the minimum variance required to have a proportionate sign.

5 Explain how the variance request would not impair the intent of the zoning ordinance or be detrimental to the general public welfare:

The granting of this variance does not impair the intent of the zoning ordinance and is not detrimental to the general public welfare. It may be viewed as an enhancement since it would mean that an existing, much larger, non-conforming sign would be replaced with a conforming sign.