

VARIANCES

The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator will consider the variance criteria in **§ 158.295 (C) 1-7 and consider your responses to the following when making a determination.**

(1) Please explain special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

THE EXISTING SITE DOES NOT ALLOW FOR INSTALLATION OF A NEW SIGN IN A NEW LOCATION

WITHOUT EXTENSIVE CIVIL SITE CHANGES TO ACCOMODATE

(2) Please explain if these conditions and circumstances result from actions by the applicant;

NO, THE HARSHIP IS NOT SELF CREATED, THE CURRENT PLACEMENT PREDATES THE CURRENT REGULATION.

(3) Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;

THE EXISTING SIGN WAS INSTALLED PRIOR TO THE CURRENT ZONING REGULATIONS AND HAS REMAINED IN ITS LOCATION WITHOUT ANY ISSUE.

THE MODIFICATIONS DO NOT IMPACT NEIGHBORING PROPERTIES OR PUBLIC SAFETY NEGATIVELY.

THE MODIFICATIONS WOULD MAKE THE SIGN CONFORMING IN TERMS OF HEIGHT, AND AREA.

(4) Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;

WORKING WITH THE EXISTING SIGN PLACEMENT AND HAVE MET ALL SIGN CRITERIA PER THE MUNI CODE OF THIS ZONE

WITH THE EXCEPTION OF THE SETBACK OF THE SIDE PROPERTY LINE WHICH WOULD CREATE SIGNIFICANT COST TO THE CUSTOMER CAUSING

UNDUE HARSHIP FOR WHAT WAS ONLY GOING TO BE A FACE CHANGE FROM MANUAL PRICES TO DIGITAL PRICE DISPLAY

(5) Please illustrate and explain if the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure;

THE VARIANCE IS REQUESTING A 6FT SETBACK FROM THE SIDE PROPERTY LINE RATHER

THAN THE 10FT SETBACK CURRENTLY OUTLINED. ALL OTHER PROPOSED CHANGES WOULD BRING

THE SIGN INTO CONFORMITY. THE REQUESTED VARIANCE IS THE MINIMUM VARIANCE THAT COULD BE REQUESTED

(6) Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;

REPLACING THE FACES AND ENCLOSING THE BASE OF THE EXISTING SIGN DOES NOT POSE ANY DETRIMENT TO PUBLIC WELFARE.

(7) Please indicate that there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

ALL OTHER ZONING CONDITIONS WILL BE MET; THE EXISTING SIGN IS CURRENTLY 10' HIGH
THE FACES WOULD BE REDUCED TO 32SQFT, THE DIGITAL PRICES WOULD BE CONNECTED
TO EXISTING PRIMARY AND THE BASE WOULD BE ENCLOSED PER THE DEFINITION OF A MONUMENT SIGN.

Nichole Burleson
Signature of Applicant

NICHOLE BURLESON
Hand Print Name

10/16/2025
Date