



## Legislation Text

File #: 19-1442, Version: 1

**ZV 2019-14, Pines BMW**, 14800 Sheridan Street, variance request. (Dean)

### SUMMARY EXPLANATION AND BACKGROUND:

#### PROJECT DESCRIPTION / BACKGROUND:

Cynthia Pasch, as agent for the owner, is requesting a variance to allow 461 square feet of total building signage for Lauderdale BMW instead of the allowed 400 square feet of total building signage.

Based on signage calculation formulas adopted by the Pembroke Falls Planned Unit Development Guidelines (4% of façade area for a 2 story building and 2% of façade area for a 4, or more, story building) this building would be allowed a total of 583 square feet of signage. However, the guidelines restrict the maximum allowed square footage to the lesser of 400 square feet, or the calculated amount based on the formula. Therefore this building would be limited to 400 square feet of total signage.

### VARIANCE REQUEST DETAILS:

**ZV 2019-14)** Allow 461 square feet of total building signage instead of the allowed maximum of 400 square feet of building signage.

*Code Reference:* Pembroke Falls Planned Unit Development Guidelines

### VARIANCE DETERMINATION:

The Planning and Zoning Board shall not grant any non-single-family variances, permits, or make any decision, finding, and determination unless it first determines that:

1. Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.
2. In the granting of variances, the Planning and Zoning Board shall determine that the variance granted is the minimum variance that will accomplish the intended purpose (stated above) and:
  - A) That there are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary

hardship and deprive the applicant of the reasonable use of the land or building; or

- B) That any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or
- C) That granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.