

FARRAGUT BOARD OF ZONING APPEALS AGENDA

Farragut Town Hall
Wednesday, June 27, 2018
7:00 p.m.

1. Approval of Minutes for the April 25, 2018 meeting.
2. Public hearing on a request for a variance to permit a changeable copy sign face for a ground mounted sign associated with the Tire Discounters proposed at 709 N. Campbell Station Road, 1 Acre, Zoned C-2 (Wesley L. Prater, Sign Services Inc., Applicant)
3. Public hearing on a request for a variance to permit an interstate/interchange pole sign for the Tire Discounters proposed at 709 N. Campbell Station Road, 1 Acre, Zoned C-2 (Wesley L. Prater, Sign Services Inc., Applicant)

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability pursuant to Title VI of the Civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865966-7057 in advance of the meeting.

**MINUTES
FARRAGUT BOARD OF ZONING APPEALS**

April 25, 2018

Present: Keith Alley, Ron Williams, Michael Wilson, and Jennifer Collins
Absent: Scott Meyer
Staff: Mark Shipley, Community Development Director

Item 1. Approval of Minutes for the January 24, 2018 meeting

A motion was made by Williams to approve the minutes. The motion was seconded by Collins. Motion passed 3-0-1.

Ayes: Alley, Williams, and Collins
Nays: None
Absent: Meyer
Abstaining: Wilson

Item 2. Public hearing on a request for a special exception to expand a nonconforming structure (parking lot), as provided for in Chapter 4, Section XVII., A., 2., of the Farragut Zoning Ordinance, associated with the redevelopment of a portion of the Station West development, 11311 Station West Drive, 2.51 Acres, Zoned C-2 (11311 Station West, LLC - David Fiser, Applicant)

The staff reviewed this request and noted that, although the site in question is noncompliant in a number of ways, the proposed redevelopment would bring the site much more into compliance. As provided for in Chapter 4, Section XVII., Nonconforming buildings and uses, nonconforming buildings and structures may be expanded if the board determines that there is reasonable space for their expansion and the expansion does not compound their condition of being nonconforming.

By comparing the applicant's request as demonstrated in the site plan that was conditionally approved by the Planning Commission, the physical space consumed by the noncompliant structure (the parking lot and accessways) is being notably reduced. Moreover, though the applicant's requested improvements do not eliminate the nonconforming conditions, they do substantially lessen rather than compound their condition of being nonconforming. For these reasons and based on the applicant's proposal that would significantly lessen the degree of nonconformity, the staff recommended approval of the requested special exception.

The Board discussed this matter with the applicant and, based on the language in the Zoning Ordinance, Board member Wilson questioned if this was a matter for the Board to address since the redevelopment would

not involve an expansion of a nonconforming structure (namely the parking lot). Board member Wilson suggested that the question of re-developing nonconforming properties may need to be addressed legislatively so that certain desired parameters would be in place. A motion was made by Wilson to take no action on the request since it would not be governed by the Board of Zoning Appeals. The motion was seconded by Collins and motion passed unanimously.

Ayes: Alley, Williams, and Collins
Nays: None
Absent: Meyer
Abstaining: None

Item 3. Public hearing on a request for a variance from Chapter 4, Section XXII., A. and B., to not construct pedestrian facilities on all abutting streets resulting from a site plan review associated with the redevelopment of a portion of the Station West development, 11311 Station West Drive, 2.51 Acres, Zoned C-2 (11311 Station West, LLC - David Fiser, Applicant)

The staff reviewed this item and noted that Chapter 4, Section XXII., of the Farragut Zoning Ordinance has specific requirements for pedestrian facilities when a development or redevelopment necessitates a review of a site plan by the Planning Commission. A key provision in the Section is that a pedestrian facility shall be constructed on all abutting streets as part of a site plan review.

The staff noted that the existing Station West development does not have pedestrian facilities along all abutting streets. There is a sidewalk along N. Campbell Station Road but there is no pedestrian facility along either Station West Drive or Campbell Lakes Drive. The applicant is proposing a sidewalk section along Station West Drive from the existing sidewalk along N. Campbell Station Road to the western access point into the development from Station West Drive. Beyond that point, the applicant is proposing some re-striping of Station West Drive for pedestrian provisions.

Station West Drive was originally constructed as a cul-de-sac. It was then connected to the Hampton Inn property at the end of the cul-de-sac. The road width of Station West Drive is 26 feet. Vehicular traffic along Station West Drive is minimal and parking is provided off site in abutting parking lots. Given these characteristics, the staff proposed that Station West Drive be physically reduced in width from 26 feet to 22 feet. This

concept has been discussed with the Town Engineer. A 5 foot wide sidewalk could then be constructed adjacent to the new curb line along the Station West development frontage without likely requiring the removal of existing trees and interfering with an existing water line and meters along Station West Drive. This arrangement, which would be part of the applicant's effort to bring the site into greater compliance with existing requirements, would provide more protection for the pedestrian vs. re-striping within the existing street.

In terms of Campbell Lakes Drive, the staff noted that the applicant is requesting a variance to not construct any pedestrian facility along this street frontage due to topographic issues and a lack of physical space for such a facility. Campbell Lakes Drive provides access to more properties than Station West Drive and has greater traffic. Under normal conditions, it would also be an excellent candidate for pedestrian facilities. The road has direct access to two large restaurants and three hotels. It also accesses Lakesedge Drive which is connected to Parkside Drive. The nearest sidewalk along Campbell Lakes Drive is at the western end of the Hampton Inn property. From that point, there is another parcel that accesses Station West Drive and then the applicant's property that extends to N. Campbell Station Road. Though there is some space for a pedestrian facility along the parcel frontage to the west of Hampton Inn, the applicant's frontage along Campbell Lakes Drive is very constrained by the existing non-conforming development and topography. In looking at this site and the surrounding area, staff noted that the most reasonable way to extend and connect sidewalks in the future would be across the eastern end of the Station West Development property, and/or the property to the east, to Station West Drive and then westward to N. Campbell Station Road. This would require some cooperation with the owner of the parcel to the east of the site in question and could be predesigned into the redevelopment plan. In addition, a pedestrian pathway could be arranged within the Station West Development parking lot to the new building as part of the re-development.

Given the existing non-conforming nature and constraints of the Station West Development site, and the topographic conditions and grade change along its frontage on Campbell Lakes Drive, the staff supported a variance to not construct a pedestrian facility along Campbell Lakes Drive *at this time*. However, the staff indicated that they did not want to preclude a connection in the future because it would have real value given the surrounding uses. The staff recommended that the Board place a condition on any variance approval that would require, as part of any new development or re-development of the eastern portion of the Station West

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development, that the applicant work with the Town and adjacent property to establish a pedestrian connection from the Hampton Inn sidewalk to the Station West development where the topography and physical space would be more favorable. This condition would need to be reflected on the approved site plan for the current plan that involves the re-development of the western building and western portion of the Station West parking lot. A motion was made by Williams to approve the variances subject to adherence to the recommendations of the staff. The motion was seconded by Wilson and motion passed unanimously.

Ayes:	Alley, Williams, and Collins
Nays:	None
Absent:	Meyer
Abstaining:	None

The meeting adjourned at 8:07 p.m.

Scott Meyer, Secretary _____

FARRAGUT BOARD OF ZONING APPEALS

June 27, 2018 Meeting - Staff Recommendations

2. **Public hearing on a request for a variance to permit a changeable copy sign face for a ground mounted sign associated with the Tire Discounters proposed at 709 N. Campbell Station Road, 1 Acre, Zoned C-2 (Wesley L. Prater, Sign Services Inc., Applicant)**

The applicant's request was initially reviewed by the Visual Resources Review Board (VRRB) at their meeting on May 22, 2018 as part of the review of a ground mounted sign. The VRRB denied the sign, as proposed, since changeable copy is not permitted. The applicant is now appealing this denial and requesting a variance to permit a changeable copy sign face on their proposed ground mounted sign at 709 N. Campbell Station Road (**Exhibit A**).

In accordance with Section 109-10 (2) p., of the Farragut Sign Ordinance, all signs not specifically permitted are prohibited (**Exhibit B**). Currently, the sign ordinance provides for changeable copy signs only for schools, government owned facilities, and gas stations (prices only) (**Exhibit C**). The proposed use is not a school, government owned facility, or gas station and therefore a changeable copy sign is not permitted. Moreover, per Section 109-8 (2) of the Farragut Sign Ordinance (**Exhibit D**), the Board of Zoning Appeals does not have the authority to grant a variance to allow a larger sign or a sign which is otherwise not permitted in this chapter (the Sign Ordinance).

The applicant certainly could pursue a text amendment and try to address their desires legislatively but a variance would not be an option for this request. Staff recommends denial of the variance for the reasons noted above.

3. **Public hearing on a request for a variance to permit an interstate/interchange pole sign for the Tire Discounters proposed at 709 N. Campbell Station Road, 1 Acre, Zoned C-2 (Wesley L. Prater, Sign Services Inc., Applicant)**

The applicant's request was initially reviewed by the Visual Resources Review Board (VRRB) at their meeting on May 22, 2018 as part of the review of an interstate/interchange pole sign. The VRRB denied the sign, as proposed, since an interstate/interchange pole sign is not permitted. The applicant is now appealing this denial and requesting a variance to allow an interstate/interchange pole sign for the Tire Discounters (retail tire sales business) at 709 N. Campbell Station Road (**Exhibit E**).

The Farragut Sign Ordinance only allows interstate/interchange pole signs within the C-2 zoning district for "... business establishments that *cater to interstate travelers* by providing gas, food, or lodging ..." (**Exhibit F**). The proposed use

caters to a local market rather than an interstate traveler and its principal business activity does not include the provision of gas, food, or lodging. Similar to the previous agenda item, the requested sign is not specifically permitted and thus is prohibited. It also involves a request for a sign which is otherwise not permitted in this chapter (the Sign Ordinance) and, consequently, constitutes a sign that cannot be allowed through a variance approval. As with the previous item, the applicant has the right to request a text amendment and pursue their request through the legislative process. However, a variance would not be an option for this request. Staff recommends denial of the requested variance.

Exhibit A

RECEIVED

BOARD OF ZONING APPEALS APPLICATION TOWN OF FARRAGUT, TENNESSEE

JUN 5 2018

TOWN OF FARRAGUT

FOR OFFICE USE ONLY

Fee Paid: \$ 100

APPLICANT NAME: Wesley L Prater Sign Services Inc.
Address: 2009 Blythe AD City/State/Zip: Cleveland TN 37311
Phone Number: 423/534/9126 Fax Number: _____ E-mail: ss@ncleawebmail.com

DESCRIPTION OF PROPERTY (Attach Map of Property):

Name of Owner: TIRE Discounters
Address: 702 N. Campbell Station Rd
Phone #: 513/997/862 Fax #: _____ E-mail: U90APS@TRiumpHsigns.com
Parcel(s) No.: _____ Tax Map No.: _____ Size of Tract: _____
Zoning District: _____ Subdivision: _____

NATURE OF APPEAL (Check One):

☐ Administrative Review

☒ Variance* - State number of feet requesting: _____

☐ Special Exception

☐ Map Interpretation

Reason/Justification (attach any additional supporting materials):

Changeable copy for monument sign
(see attached)

IF REQUESTING A VARIANCE, APPLICANT HAS BURDEN OF SHOWING:

- (1) That the granting of the permit will not be contrary to the public interest.
- (2) That the literal enforcement of the ordinance would deprive the applicant any reasonable use of the land.
- (3) That by granting the permit contrary to the provisions of the ordinance, the spirit of the ordinance will be observed.
- (4) That by granting the permit, substantial justice will be done.

* Variances shall be granted only where special circumstances or conditions exist, such as exceptional narrowness, topography, or siting that without a variance would render the property unusable.

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS ACCURATE AND COMPLETE AND I AM THE APPLICANT OR THE LEGAL REPRESENTATIVE OF THE APPLICANT.

Wesley L Prater
NAME (SIGNATURE)

6/5/18
DATE

BZA ACTION TAKEN:

Approved: _____ Denied: _____ Date: _____

Conditions: _____

From: Vince Goans
Sent: Tuesday, June 5, 2018 1:35 PM
To: LEON PRATER
Cc: Jacob Thomas
Subject: Re: FW: Message from Printer

Leon,

On the application where it request a reason/justification please complete applications with the following reasonings listed below. I know we are cutting it close on the timeline to submit the applications. Please complete the applications for the High Rise and the Monument Sign as soon as possible. We would like to have the submitted this afternoon or first thing in the morning at the latest.

High Rise - We are within the 500ft allotment from the right-of-way of Campbell Station Road /I-40/I-75 interchange. We also provide gas to interstate travelers via a 200 gallon above ground storage container

Monument Sign with Changeable Copy - Our service within the jurisdiction is for local as well as interstate travelers. By displaying services and promotions on a changeable copy reader board it could lead to increased business for our location. This style of signage is part of the branding for Tire Discounters. We have reviewed the sign ordinance and have not identified anything that explicitly prohibits our business from utilizing this style of signage. We have seen setback allowances and square footage references for other business markets to utilize this style of signage but nothing definitive for our market.

Let me know if you need anything else from me

Thanks,
Vince

On Tue, Jun 5, 2018 at 1:04 PM, Vince Goans <vgoans@triumphsigns.com> wrote:
Leon,

Thank you for getting this application over to me. I have sent some verbiage for the reasoning we are requesting the variance to Tire Discounters. I am waiting to hear back from them to see if they want to proceed with what I have or if there are needed modifications.

As soon as I hear something I will advise.

Thanks,
Vince

On Tue, Jun 5, 2018 at 7:46 AM, <ssiincleon@gmail.com> wrote:

Sec. 109-10. General restrictions.

All signs erected, replaced, reconstructed, expanded, or relocated on any property within the town shall conform with the provisions of this section.

(1) *Signs not requiring permits.* The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this article:

- a. Address signs;
- b. Building memorial/cornerstone signs;
- c. Construction signs;
- d. Environmental award signs;
- e. General occupant signs;
- f. Town, state, and American flags;
- g. Height clearance signs;
- h. Historic plaques;
- i. Landscape award signs;
- j. News racks and other vending machine signs;
- k. Neon border, as defined in this chapter;
- l. Political signs;
- m. Public or quasi-public information, safety, and regulatory signs;
- n. Real estate signs;
- o. Scoreboards on publicly owned athletic fields;
- p. Security system signs;
- q. Subdivision construction signs;
- r. Subdivision real estate signs;
- s. Temporary decorations for recognized holidays;
- t. Temporary signs approved with a special events permit; and
- u. Temporary window signs.

 (2) *Prohibited signs.* The following types of signs are prohibited in all districts:

- a. Abandoned signs, which shall be removed by the property owner;
- b. Any sign placed on public property or right-of-way without the written consent of the public authority having jurisdiction over the property;
- c. Any sign which bears or contains statements, or words of an obscene, pornographic, or immoral character;
- d. Any signs with flashing, chasing, pulsating, twinkling, dancing, scintillating, and/or oscillating lights or any other rotating, revolving, or otherwise moving part;

- e. Awning signs, except as provided for elsewhere in this chapter;
- f. Banners, except as provided for elsewhere in this article and the town zoning ordinance (appendix A to this Code);
- g. Non-governmental flags, except non-commercial flags located on residentially used land;
- h. Off-premises signs, except as provided for elsewhere in this chapter;
- i. Off-premises outdoor advertising;
- j. Pennants, ribbons, festoons, buntings, streamers, spinners, balloons, or other types of lighter-than-air or wind-activated signs and attention getting devices;
- k. Portable signs, except as provided for elsewhere in this chapter;
- l. Roof signs, except commonly recognized religious symbols for churches and other places of worship;
- m. Search lights;
- n. Signs attached to, suspended from, or painted on any vehicle which is regularly parked on any street or private property when one of the purposes of so locating such vehicle is to display, demonstrate, and advertise, or attract the attention of the public;
- o. Signs imitating or resembling official traffic or government signs or signals; and
- p. All other signs not specifically permitted.



(3) *Criteria in determining sign area.*

- a. The sign area for all signs shall be measured by drawing an imaginary single, regular geometric shape of a rectangle, circle, or equilateral triangle around the sign. The text and other graphics do not have to be physically, visually, or topically connected.
- b. For a sign with two parallel faces, only the area of a single face shall be considered. If the faces of a multiple-faced sign are not parallel, then the total sign area shall be the sum of the areas of the individual, non-parallel faces.

(4) *Criteria in determining sign height for ground-mounted signs.* The sign height shall be measured by the vertical dimension from the ground level at the base of the sign, including the supporting structure, to the top most point of the sign. Unless otherwise specified in this article, if the ground level at the base of the sign is lower than the adjacent street grade, the height shall be computed from the adjacent street grade, excluding elevated bridges or interchanges.

(5) *Criteria in determining setback for ground-mounted and pole signs.* The setback shall be measured from the farthest most protrusion of the sign to the nearest point of a property line. All signs shall be located outside of the visibility triangle. For the purposes of this article, the interstate highway right-of-way shall be considered a side or rear lot line.

(6) *Construction specifications.* All signs shall be installed in compliance with all building and fire codes adopted by the town. All electrical service to ground-mounted and pole signs shall be under ground. Any lighting of signs shall be installed so as to prevent any glare upon adjoining properties or rights-of-way.

2. Where a single-family or multi-family development does not have a permanent subdivision sign at its egress point or because of the setback or angle of the permanent subdivision sign is such that the message area would not be readable; one non-illuminated single-faced freestanding homeowner association notification sign shall be permitted per egress point. Such freestanding sign shall be set back a minimum of five feet from all property lines and shall be located on property which is part of the subdivision and which is zoned the same as the subdivision. Where such sign is proposed on property which is not owned by the homeowners' association, an appropriate easement shall be recorded as a condition for approval of the sign. Such signs shall be landscaped in accordance with the landscaping requirements provided for in the town zoning ordinance (appendix A to this Code) and the sign face shall be oriented so that it is only visible to vehicles exiting the development. The back of the sign face shall be constructed of material which is non-reflective and the sign shall be generally compatible with other entrance features in the immediate area.
 3. All homeowner association notification signs shall not exceed six square feet in size and four feet in height.
 4. Subdivision real estate signs. One non-illuminated sign per single-family or multi-family development entrance, not to exceed 32 square feet in size and ten feet in height. Such signs shall be set back a minimum of five feet from all property lines. Such sign shall not be erected until a preliminary plat or site plan has been approved. The sign shall be removed when 75 percent of the units within the development, as based on the approved preliminary plat, have received certificates of occupancy.
- (3) *Signs permitted on land for freestanding commercial purpose, office, country club, golf course, school or government-owned facilities.* The following signs are permitted on land used for a freestanding commercial purpose, office, country club, golf course, school, or all government-owned facilities which are located on a freestanding parcel. These regulations do not apply to multiple use buildings or facilities:
- a. *Address signs.*
 1. One non-illuminated wall sign per entrance/door to the premises, not to exceed two square feet. The individual figures shall not be less than 3½ inches nor more than eight inches high.
 2. The street address numbers may also be painted on the curb at the driveway entrance. The numerals displayed on curbs shall be four inches high.
 - b. *Construction signs.* One non-illuminated sign per each street on which the lot, parcel, or tract fronts, not to exceed 32 square feet in size and ten feet in height. Such signs shall be set back a minimum of five feet from all property lines and shall not be erected until a site plan has been approved. The sign shall be removed within 15 days of the issuance of a certificate of occupancy, the completion of a permanent sign, or the expiration of the site plan or building permit, whichever comes first.

- c. *Delivery signs.*
1. One ground-mounted sign denoting delivery points, not to exceed four square feet in size and 30 inches in height. Such signs shall be set back a minimum of 15 feet from the edge of street pavement and five feet from the edge of driveway and parking lot pavement. If signs are to be illuminated, internal illumination shall be used.
 2. One non-illuminated wall sign per delivery bay not to exceed four square feet in size.
- d. *Directional building identification signs.* In multi-building complexes, each building shall be allowed one directional sign, not to exceed two square feet in size and 30 inches in height. Such signs shall be set back a minimum of 15 feet from the edge of street pavement and five feet from the edge of the driveway and parking lot pavement. If signs are to be illuminated, internal illumination shall be used.
- e. *Directional parking signs.* One ground-mounted directional parking sign per entry/exit to a parking lot, not to exceed two square feet in size and 30 inches in height. Such signs shall be set back a minimum of 15 feet from the edge of the street pavement and five feet from the edge of driveway and parking lot pavement. If signs are to be illuminated, internal illumination shall be used.
- f. *General occupant signs.* Any number of wall signs per entrance to the premises, not to exceed a cumulative total of six square feet in size and eight feet in height.
- g. *Ground-mounted signs.*
1. One sign per each street on which the lot, parcel, or tract fronts, not to exceed 20 square feet in size, six feet in height, and is set back a minimum of ten feet from all property lines. Such sign area may be increased in size by two square feet for each one additional foot the sign is set back from the front property line, not to exceed a maximum sign size of 40 square feet. When more than one ground-mounted sign is permitted on a single lot, such signs shall be a minimum of 150 feet apart.
 2. All ground-mounted signs shall be architecturally compatible with the principal building. All letters, figures, emblems, and logos used on the sign shall be legible from the nearest adjacent street at which the sign face is directed. Individual letters or figures used within a logo or emblem are not required to be legible, however, the logo or emblem as a whole must be legible.
 3. An address for the building shall be attached to the top of the ground-mounted sign, but shall not be factored into the permitted sign area or sign height. Such address, however, shall not exceed the maximum permitted sign height by more than 18 inches nor exceed the width of the sign area, including support structures. The individual figures shall not be less than eight inches nor more than 15 inches high. Such figures shall be displayed parallel to the ground.
 4. Signs for schools and government owned facilities may have changeable copy provided the copy is not written in lights. Signs for gasoline service stations may have changeable copy in order to post the gasoline prices. Such copy shall not be written lights.

Sec. 109-8. Appeals.

(a) The town board of zoning appeals shall have the following responsibilities:

- 
- (1) To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision, or refusal made by the sign administrator and/or the visual resources review board in the carrying out or enforcement of any provision of this chapter;
 - (2) To authorize, upon an appeal relating to said property, a variance from such strict application so as to relieve such difficulties or hardship. Variances shall not be granted to allow a larger sign or a sign which is otherwise not permitted in this chapter. Variances shall be granted only where by special physical characteristics of the lot, parcel, or tract exist, that the strict application of the provisions of this chapter would deprive the applicant of an otherwise permitted sign.

(b) Appeals procedure.

- (1) After a written denial of a sign permit from the sign administrator, a party may make an application for interpretation or variance using forms available at the town hall;
- (2) The application and fee must be submitted to the town hall on or before the Monday 16 days prior to the regular monthly board of zoning appeals meeting. The required fee is per the schedule approved by the town board of mayor and aldermen. The board of zoning appeals shall consider and decide all appeals within 30 days of first hearing the appeal; and
- (3) The minutes of the board of zoning appeals shall fully set forth such circumstances or conditions warranting the granting of a variance.

(Code 2007, § 9-411; Ord. No. 98-06, 4-1998; Ord. No. 99-38, 10-1999)

Sec. 109-9. Legal nonconforming signs.

(a) Existing signs which were legally in existence prior to the adoption of the ordinance from which this chapter is derived which do not conform to the specific provisions of this article are declared legal nonconforming signs.

(b) Any legal nonconforming sign may be continued in operation and maintenance after the effective date of the ordinance from which this chapter is derived, provided:

- (1) The sign is not relocated or replaced;
- (2) The structure or size of the sign is not altered in any way except toward compliance with this chapter. This does not refer to the change of text of changeable copy signs or normal maintenance;
- (3) No new or additional signs are added to the premises; and
- (4) Other than changing the text of changeable copy signs, no other existing signs are changed or replaced on the premises.

(c) A legal nonconforming sign is subject to all requirements of this Code regarding safety, maintenance, and repair. However, if the sign suffers more than 50 percent damage or deterioration, as based on appraisal, it must be brought into conformance with this code or removed.

(Code 2007, § 9-407; Ord. No. 98-06, 4-1998; Ord. No. 02-13, 9-2002)

Exhibit E

RECEIVED

BOARD OF ZONING APPEALS APPLICATION

JUN 5 2018

TOWN OF FARRAGUT, TENNESSEE

TOWN OF FARRAGUT

FOR OFFICE USE ONLY

Fee Paid: \$100

APPLICANT NAME: Wesley L. Prater Sign Service Inc.
Address: 2009 Blythe Ave. City/State/Zip: Cleveland TN 37311
Phone Number: 423/584/9722 Fax Number: _____ E-mail: ssiinc@comcast.net

DESCRIPTION OF PROPERTY (Attach Map of Property):

Name of Owner: Tire Discounters
Address: 709 N. Campbell Station Rd
Phone #: 513-987-8722 Fax #: _____ E-mail: dgawse@trumphsigns.com
Parcel(s) No.: _____ Tax Map No.: _____ Size of Tract: _____
Zoning District: _____ Subdivision: _____

NATURE OF APPEAL (Check One):

☐ Administrative Review ☒ Variance* - State number of feet requesting: _____
☐ Special Exception ☐ Map Interpretation

Reason/Justification (attach any additional supporting materials):

SEE Attached Notes - Hi-Rise Request

IF REQUESTING A VARIANCE, APPLICANT HAS BURDEN OF SHOWING:

- (1) That the granting of the permit will not be contrary to the public interest.
- (2) That the literal enforcement of the ordinance would deprive the applicant any reasonable use of the land.
- (3) That by granting the permit contrary to the provisions of the ordinance, the spirit of the ordinance will be observed.
- (4) That by granting the permit, substantial justice will be done.

* Variances shall be granted only where special circumstances or conditions exist, such as exceptional narrowness, topography, or siting that without a variance would render the property unusable.

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS ACCURATE AND COMPLETE AND I AM THE APPLICANT OR THE LEGAL REPRESENTATIVE OF THE APPLICANT.

Wesley L. Prater
NAME (SIGNATURE)

6/5/18
DATE

BZA ACTION TAKEN:

Approved: _____ Denied: _____ Date: _____
Conditions: _____

5. A digital street clock that is limited to time and temperature shall be considered a ground-mounted sign. Such sign shall not display any moving light messages.
6. A decorative analog street clock shall be considered a ground-mounted sign and shall comply with the following:
 - (i) Shall be set back a minimum of 20 feet from all property lines;
 - (ii) Each sign face shall not exceed 14 square feet and the number of sign faces shall be limited to four;
 - (iii) Shall not exceed 16 feet in height;
 - (iv) Shall have no electronic letters or numbers;
 - (v) Shall not display any message; and
 - (vi) The clock shall be submitted to the visual resources review board for review and approval for the purpose of ensuring that the clock is architecturally compatible with the principal building.
7. No sign permit shall be issued until a building permit has been issued.
8. A school shall be permitted one non-illuminated single-faced freestanding changeable copy message board sign. The sign face shall be oriented so that it is only visible to vehicles exiting the school. Such sign shall not exceed ten square feet in size, four feet in height, and shall be set back a minimum of 200 feet from all front property lines and 30 feet from all side and rear property lines. The back of the sign face shall be constructed of material which is non-reflective. In addition to being required to be screened with landscaping from adjacent rights-of-way, such signs shall be landscaped in accordance with the landscape requirements provided for in the town zoning ordinance (appendix A to this Code).

h. *Height clearance signs.* One sign per clearance, not to exceed four square feet each.

i. *Interstate interchange pole signs.* Business establishments that cater to interstate travelers by providing gas, food, or lodging and are located within the C-2 Regional Commercial District shall be permitted to have one internally illuminated interchange pole sign. Such signs shall meet the following criteria:

1. The building for the commercial use and the sign shall be located within 500 feet of the right-of-way of the Campbell Station Road/I-40/I-75 interchange;
2. The sign area shall not exceed 400 square feet;
3. Such sign shall be set back a minimum of 20 feet from the front property line and ten feet from the side and rear property lines;
4. The sign shall have a maximum of two sides provided both sides cannot be seen simultaneously from any point;
5. The maximum top elevation of any such sign relative to mean sea level shall be 1,030 feet or 60 feet above the centerline elevation of the interstate road at the point nearest the sign, whichever is less. A certified survey which verifies the sign height shall be submitted to the sign administrator within ten days after the sign is installed; and

6. The minimum top elevation of any such sign relative to the ground level shall be 30 feet.
- j. *News racks and other vending machine signs.* Only the name and price of the products being sold out of the vending machines may be listed on the machine.
- k. *Off-premises directional church signs.* Cemeteries, memorials, and other similar uses as approved by the board of mayor and aldermen and which are located on streets classified as local, local collector, major collector, and minor arterial on the major road plan shall be permitted to have off-premises directional signs. The signs shall meet the following criteria:
 1. The sign shall be located within the rights-of-way at intersections approved by the board of mayor and aldermen;
 2. The exact location of the sign shall be determined by town staff at the time of installation. The location and height of the sign shall be based on the current edition of the Manual of Uniform Traffic Control Devices;
 3. The sign shall match the existing signs in color, construction material, and size. The individual figures on such signs shall also match existing figures on existing signs in color and size and shall be painted with reflective paint;
 4. The individual sign for each entity shall be purchased and maintained by such entity; and
 5. The supporting structure of the sign shall be owned and maintained by the town.
- l. *Off-premises directional signs.* Business establishments that cater to interstate travelers that have exited the interstate at the Campbell Station Road interchange and that provide gas, food, or lodging, are located within the C-2 Regional Commercial District, participate in the TDOT trailblazer program, and that front on streets classified as local collectors or local on the major road plan, shall be permitted to have off-premises directional signs. The signs shall be modeled after the interstate directional/logo signs known as trailblazers and shall meet the following criteria:
 1. The individual logos for each business shall not exceed 18 inches by 24 inches;
 2. The individual logos shall be made of reflective material;
 3. The individual logos shall be owned and maintained by the individual business and the space shall be rented on an annual basis from the town;
 4. A directional arrow with mileage shall be listed under each logo. The figure size shall be four inches;
 5. The sign structure, the directional arrows, and mileage indicators shall be owned and maintained by the town;
 6. The sign shall be located within the rights-of-way of streets classified as arterial or major collector on the major road plan; and