

**City of Lawrence
Sign Code Board of Appeals
November 3, 2011**

MEMBERS PRESENT: Perez, Edie, Lowe, Mahoney, Christie, Holley
STAFF PRESENT: Guntert, Parker, Walthall
PUBLIC PRESENT:

**SIGN CODE BOARD OF APPEALS
Meeting Minutes of November 3, 2011 – 6:30 p.m.**

Members present: Perez, Edie, Lowe, Mahoney, Christie, Holley
Staff present: Guntert, Walthall, Parker

ITEM NO. 1: MINUTES

Motioned by Mahoney, seconded by Christie, to approve the August 4, 2011 Sign Code Board of Appeals minutes.

Motion carried unanimously, 6-0

ITEM NO. 2: COMMUNICATIONS

There were no communications before the Board.

No Board member disclosure of ex parte contacts or abstentions from the discussion and vote on agenda items.

There were no agenda items deferred.

ITEM NO. 3: 4340 WEST 6TH STREET; DOUGLAS COUNTY BANK

SV-9-4-11: A request for a variance from the provisions of Chapter 5, Article 18 (Signs), in the Code of the City of Lawrence, Kansas, 2011 edition. The variance is from the provisions of Section 5-1840.3(B) in the Sign Code which restricts the surface area of a monument sign in a Single-Dwelling Residential-Office District (RSO) to no greater than 16 square feet. The bank was granted a variance by the Sign Code Board on May 6, 2004, to have an expanded sign surface area of 24 square feet. Now, the applicant is seeking a variance to allow an additional 9 square feet of sign area at the base of the existing monument sign. This signage is already installed and the work was done without permits from the City. The sign is near West 6th Street at the Douglas County Bank facility at 4340 W. 6th Street. Submitted by Luminous Neon, Inc. for Douglas County Bank, owner of record.

STAFF PRESENTATION

Mr. Walthall presented the item.

Lowe asked Mr. Walthall if the original variance request had increased the sign by fifty percent.

Mr. Walthall stated the sign was increased by fifty percent and the total sign structure was now eight feet tall.

Lowe asked if the applicant had previously requested a variance for sign height and size.

Mr. Walthall stated the previous variance request was for sign height and size and the variance had been granted.

Mahoney asked Staff if there had been a previous variance request to add words to the base of a sign.

Mr. Walthall said there had been various situations where a variance was needed to add graphics to the base of a sign.

Christie asked if a variance was always needed to add lettering to the base of a sign.

Mr. Walthall said a base was a device to increase the sign graphics to make it more visible to traffic. He said if the sign graphic area was below the threshold then lettering could be added to the base and it would be in compliance.

Mahoney asked if the base could be added to the total size of the sign. He said the question was not if lettering was on the base.

Christie asked Staff what the practice was in the past if a sign did not meet code but was installed.

Mr. Walthall said there had been instances where an applicant applied for a permit and a sign had been installed prior to the permit request. He said there had been instances where a sign had to be reconfigured.

Lowe asked Staff if there had been an instance like this in the past.

Mr. Walthall said he did not recall an instance like this in the past.

Lowe recalled an instance where a sign had not been made with the proper material.

Mr. Walthall said there had been a situation where the sign was made of improper material but it had not been installed.

APPLICANT PRESENTATION

The applicant was not present.

PUBLIC COMMENT

There was no public comment.

ACTION TAKEN

Motioned by Christie, seconded by Edie, to close the public comment regarding 4340 West 6th Street.

Motion carried unanimously, 6-0

BOARD DISCUSSION

Mahoney said he did not see what would equate to a hardship as all of the conditions had not been met. He said the sign looked more like an advertisement rather than stating what the business was.

Edie said there was nothing presented that would make the conditions apply.

Mahoney said if the sign variance was approved it would set a precedent.

ACTION TAKEN

Motioned by Mahoney, seconded by Christie, to deny the sign variance located at 4340 West 6th Street, based on Staff's recommendation and Board discussion.

Motion carried unanimously, 6-0

ITEM NO. 4: MISCELLANEOUS

Mr. Walthall said there was a follow up from the Bob Billings Parkway and Wakarusa Drive sign variance. He said the signs were pre-existing and were in compliance. Mr. Walthall stated there was an agreement between the City of Lawrence and Kansas University. He said the approval was made in concurrence with staff recommendations for all of the signs to be brought up to current code.

Mr. Guntert stated the Board of Zoning Appeals had one empty position and he would prefer scheduling a training session after the first of the year.

ACTION TAKEN

Motioned by Edie, seconded by Mahoney, to adjourn the Sign Code Board of Appeals meeting.

Motion carried unanimously, 6-0

ADJOURN – 7:00 p.m.

Official minutes are on file in the Planning Department office.