

- a. *The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan; and*

The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan. A stated purpose of the Code with respect to signs is to “advance the economy of the City by recognizing the need for adequate site identification through promoting the reasonable and objective display of signage, and to encourage effective communication between signs and the public.” In this situation, the Property has no frontage along Route 59. Instead, the Property is uniquely situated on the corner of Forgue Drive and Leverenz Road, making awareness of the assisted living community difficult. Due to the Property’s location and lack of frontage to Route 59, a variance to allow for an attractive wall sign affixed to the Property would enhance visibility of Arbor Terrace by providing for adequate site identification as intended in the Code. Petitioner recognizes the proposed sign is to identify a residential community and this is reflected in the proposed sign design. Petitioner proposes the sign be made up of black back-lit letters and placed on the west façade of the Property. The sign will be approximately 42 square feet and therefore a sufficient size for identification purposes, but not so large as generally seen for commercial uses. The proposed wall sign will ensure adequate site identification and will therefore encourage effective communication to the public as to the Property’s purpose as an assisted living facility.

- b. *Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district; and*

Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships to special and unusual conditions which are not generally found on other properties in the same zoning district. Petitioner’s hardship with respect to the lack of adequate site identification was not created by Petitioner or any person having a proprietary interest in the

subject sign. By no fault of Petitioner, the Property does not have Route 59 frontage. Surrounding the Property ranges from residential communities from the North and East, and businesses to the south and west fronting Route 59. The location of the Property together with the nature of the surrounding neighborhood creates a unique set of circumstances. Approval of the variance will encourage better communication between Petitioner and the general public fulfilling the stated purpose of the Code.

c. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property. Properties to the north and east of the Property are single-family residential communities. To the south of the Property are businesses. Just west of the Property and off of Route 59 is a vacant lot and retail uses. The permanent wall sign will be placed on the west façade of the building facing Route 59 and commercial uses and is designed to be sized only as necessary for Arbor Terrace to be properly identified. The wall sign will be appealing and will have no effect on the nearby residential communities and adjacent properties because it will be facing Route 59 and a vacant lot, thereby imposing no detriment to the nearby residential properties. The wall sign will consist of black illuminated channel letters mounted on the western façade of the building. The sign will be comprised with quality materials and the attractive design of the wall sign through the use of reverse lit letters will ensure proper sign identification without causing a detriment to adjacent properties.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests the City Council and Plan Commission take the necessary steps to permit the installation of a backlit permanent wall sign on the Property and grant such other variances, departures, deviations or other relief which is deemed necessary to approve the installation of the proposed sign as depicted on