



Memorandum

May 29, 2019

TO: Zoning Board of Adjustment

FROM: Israel B. Roberts, AICP
Planning Manager

SUBJECT: Public hearing on a variance for additional monument sign height

BACKGROUND: Acting in its capacity as the Sign Board, hold a public hearing, consider and discuss a request for approval of a variance for a monument sign for 7-Eleven. The site is located at the northeast corner of Highway 5 and Stacy Road and is zoned for the (CPDD) Commercial Planned Development District with the Urban Transition Sub-district. Applicant: Brad Robertson of Barnette Signs representing Wagenseil Real Estate Enterprises LLC. (ZBA2019-02)

In accordance with Section 3.13.005 Appeals and Enforcement of the Fairview Code of Ordinances, the Zoning Board of Adjustment shall serve as the sign board of appeals. In their capacity as the Sign Board of Appeals, the Board shall have the following authority:

1. Decide on appeals where it is alleged that there has been an error, decision or determination by the Town;
2. Grant variances from the size, spacing, height, setback, location and other requirement;
3. Authorize the alteration or reconstruction of a nonconforming sign;
4. To authorize a potential exception (use of logos or variation in size).

In order to grant a variance, the Board must find that:

1. The requested variance does not eliminate any requirement of this article and does not allow any prohibited signs.
2. The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity. The hardship is peculiar to the property of the applicant and not due to the general conditions of surrounding properties. (Note: A hardship is

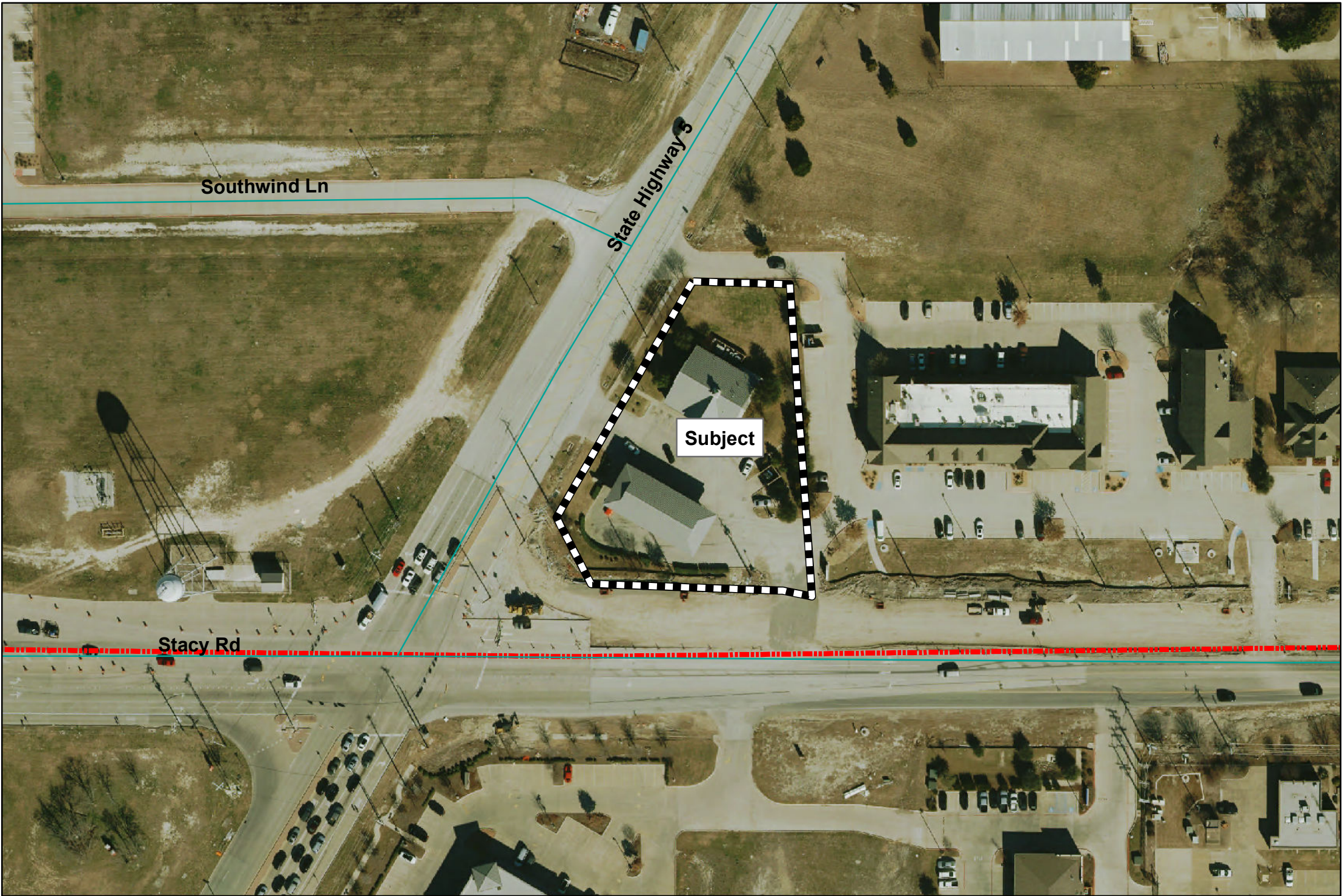
- intended to include a change in elevation, a curve in a roadway or other substantial physical element which obstructs sign visibility.)
3. Economic gain or loss is not the sole basis for finding a hardship or granting a variance.
 4. A variance would not create an unnecessary hardship upon another parcel of land or business entity occupying such land.

STATUS OF ISSUE: In this case, the applicants are requesting a variance to permit a 12-foot tall monument sign along Stacy Road for the 7-Eleven. Within the (CPDD) Commercial Planned Development District, monument signs along Stacy Road are limited to 9 feet in height. Additionally, per the CPDD code, since this site is located at the corner, it can have two (2) monument signs; one along Stacy Road and one along Highway 5. The monument sign height is limited to 6-feet along Highway 5.

When the widening of Stacy Road began, right-of-way expansion and acquisition caused the removal of an existing monument sign along Stacy Road for 7-Eleven. Staff has been working with the applicants to locate a new sign for its replacement. However, due the new design of the intersection that features a retaining wall and hand rail, visibility to the site is blocked, including the location of a newly proposed sign along Stacy Road, which by code, they are permitted.

ATTACHMENTS:

Aerial
Exhibits



Southwind Ln

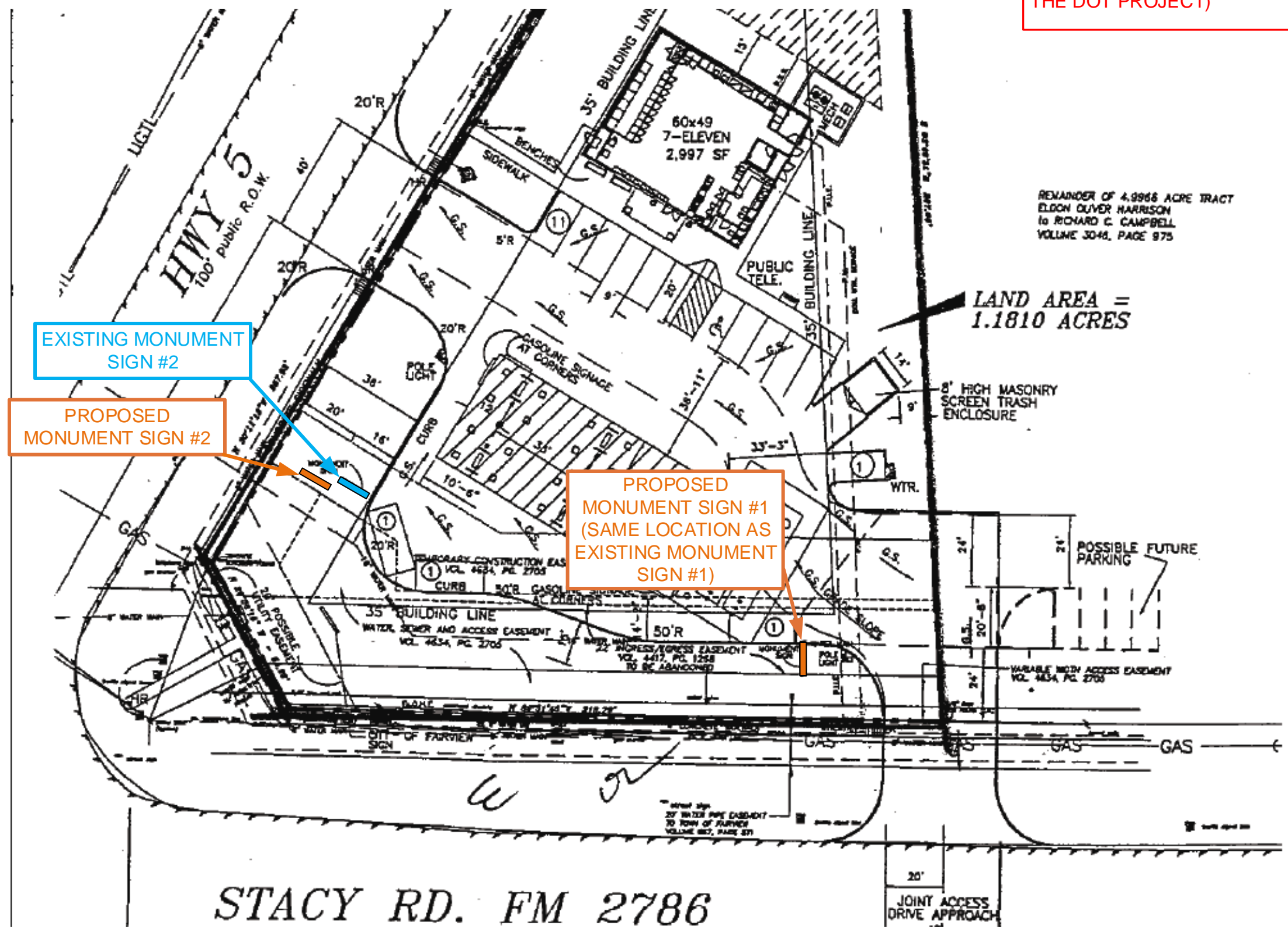
State Highway 3

Subject

Stacy Rd

ZBA2019-02
7-Eleven

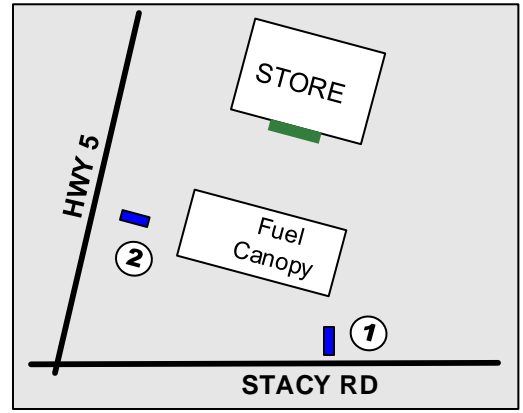
THE LOCATIONS SHOWN ARE ESTIMATED ONLY AND MUST BE LOCATED ON CURRENT SITE PLAN (GENERATED AFTER THE DOT PROJECT)



SIGN SCOPE

SIGN LOCATION MAP

MAIN ID SIGN



FACILITY INFORMATION

7 ELEVEN #33276
421 Stacy Rd
Fairview TX 75069

Sheet:
S-3 (SIGN LOCATION)
Sheet Revision:
R1



LSI Graphic Solutions
9260 Pleasantwood Ave. NW
North Canton, OH 44720
(330) 494-8515



LOCATION OF SIGN THAT WAS REMOVED BY EMINENT DOMAIN

NOTE: THE SIGN ALONG STACY RD WAS REMOVED AS PART OF A TX DOT ROAD TAKE UNDER EMINENT DOMAIN. TX DOT BUILT A WALL ALONG STACY RD WHICH WILL RENDER THE ALLOWABLE SIGNAGE USELESS. THE BELOW DRAWING SHOWS WHAT WOULD BE ALLOWED BY RIGHT. MY RECOMMENDATION IS THAT WE NEED TO GO FOR A VARIANCE INSTEAD TO ALLOW THE SIGN TO BE RAISED UP SO YOU CAN SEE THIS ABOVE THE WALL. I CANNOT PROPOSE A HEIGHT OR LOCATION WITHOUT A NEW SITE SURVEY.

THIS IS A NEW EXTERNALLY ILLUMINATED SIGN ON A NEW MASONRY BASE. DIGITS TO BE 16" PWM SCROLLING DIGITS WITHOUT BACKLIGHTING.

① **PROPOSED MAIN ID SIGN #1**

7-Eleven Logo Face = 49" x 49" = 16 SF

Price Face = 49" x 49" = 16 SF

Total Advertising Space = 32 SF

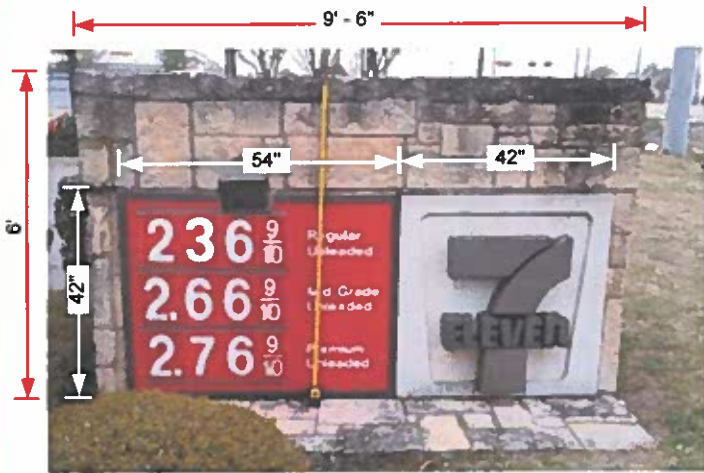
NEW FOUNDATIONS DESIGNED BY OTHERS

① **PREVIOUS MAIN ID SIGN STRUCTURE**

7-Eleven Logo Face = 42" X 42" = 12.25 SF

Price Face = 42" X 54" = 15.75 SF

Total Advertising Space = 28 SF



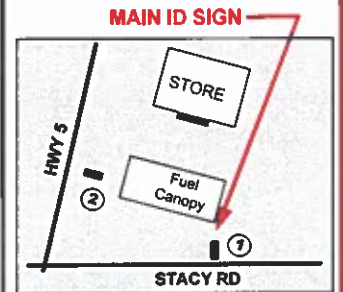
Note: Sign Depth to be 14" to accommodate back to back scrolling digits.

SIGN SCOPE

1. SIGN CAN ONLY BE EXTERNALLY ILLUMINATED. INSTALL HOOD WITH LED DOWNLIGHTERS TO ILLUMINATE SIGN
2. BASE SHOULD MATCH STYLE AND COLOR OF EXISTING STONE BASE AS CLOSE AS POSSIBLE
3. BASE HEIGHT IS VARIABLE BASED ON VARIANCE PROCEEDING

NOTE: THE BASE SHOULD BE 84" JUST TO MAKE THE BOTTOM OF THE SIGN VISIBLE FROM THE STREET.

SIGN LOCATION MAP



FACILITY INFORMATION

7 ELEVEN #33276
421 Stacy Rd
Fairview TX 75069

Sheet:
S-1 (FREESTANDING SIGN #1)

Sheet Revision:
R1



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9260 Pleasantwood Ave. NW
North Canton, OH 44720
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NEW MONUMENT



Edible Arrangements

N Greenville Ave

Stacy Rd ← Stacy Rd Stacy Rd →

NEW MONUMENT

15'
10'



NEW MONUMENT INSTALLS BEHIND THIS SIGN

15'
10'