

**LAWRENCE SIGN CODE BOARD OF APPEALS
MEETING MINUTES
JANUARY 6, 2005 - COMMENCING AT 6:30 p.m. CITY COMMISSION MEETING
ROOM, FIRST FLOOR OF CITY HALL, SIXTH AND
MASSACHUSETTS STREET, LAWRENCE, KANSAS**

Members present: Hannon, Herndon, Goans, Blaufuss and Lane
Staff present: Walthall & Saker

ITEM NO. 1: MINUTES

Two typographical errors were noted in the minutes of the December 2004 meeting.

Motioned by Mr. Herndon seconded by Mr. Lane to approve the minutes of the December 2, 2004 meeting as revised.

Motion carried unanimously, 4-0-1, with Mr. Lane abstaining due to his absence from the December meeting.

ITEM NO. 2: COMMUNICATIONS

There were no additional communications for the Board.

ITEM NO. 3: CROWN CHEVROLET USED CAR SALES, 3400 IOWA STREET

SV-10-11-04: A request for a variance from the provisions of Chapter 5, Article 7 (Signs), of the Code of the City of Lawrence, Kansas, 2003. The request is to allow the applicant to have a fourth ground mounted monument sign advertising Chevrolet Used Cars on the same lot where they have received prior variance approval to have three separate ground mounted monument signs. Section 5-739 of the Sign Code of the City of Lawrence, Kansas, 2003 is the governing regulation concerning sign standards in commercially zoned areas. The location of the proposed sign is on the north side of the property facing the 34th Street right-of-way. The sign is for the Crown Chevrolet, Crown Toyota and Crown Used Car Sales businesses located in the 3400 block of Iowa Street. Submitted by BG Consultants, Inc., for Myles Schnaer, owner of Crown Chevrolet, Crown Toyota, and Crown Used Car Sales. [Deferred by the Board from the December 2, 2004 meeting.]

STAFF PRESENTATION

Mr. Walthall gave an overview of the item, a request to allow a fourth monument sign on a single lot. Two signs would be allowed by code and a variance was granted in November 2004 for a third sign. The applicants had stated their intent to make this request when their first variance was being considered.

Mr. Walthall showed where the fourth sign was proposed along 34th Street, the western front of the building. It was verified that the three signs already approved were all on Iowa Street and replaced three existing pole signs.

The single entrance to the used car lot was located on the site plan, noting the existence of a second entrance on Iowa street that would be removed with Iowa Street improvements.

APPLICANT PRESENTATION

Myles Schnaer, property owner, said the request was based on the need to provide separate signage for the Chevrolet and Toyota businesses. As competitors, these businesses would not share signage under any circumstances.

Mr. Schnaer said the fourth sign was intended to be included in the request approved in November 2004, but was omitted by mistake. It had not been the applicant's intent to bring a piecemeal request before the Board.

It was clarified that the fourth sign conformed to the code in terms of dimensions and area. Also, the proposed monument-type sign conformed to code, whereas the existing pole sign did not.

Mr. Schnaer apologized for not being in attendance at the December meeting, saying he had the meeting scheduled on the incorrect day in his personal calendar.

BOARD DISCUSSION

Mr. Herndon noted for the record that the Board had previously discussed the fact that this project improved the property by removing non-conforming pole signs and "upgrading" to monument signs that were closer to code compliance. He said they had discussed that the property could have been platted into more than one lot, which would have allowed more signs but would be a "contrivance".

ACTION TAKEN

Motioned by Mr. Hannon, seconded by Mr. Lane to grant a variance to allow placement of a fourth monument sign as requested for the property located at 3400 Iowa Street.

Motion carried unanimously, 5-0.

ITEM NO. 4: MISCELLANEOUS

There were no other issues to come before the Board.

ADJOURN – 6:40 p.m.

Official minutes are on file in the Planning Department office.