

**City of Lawrence
Sign Code Board of Appeals
January 5, 2012**

MEMBERS PRESENT: Holley, Mahoney, Lowe, Edie, Perez, Christie

MEMBERS ABSENT:

STAFF PRESENT: Guntert, Walthall, Larkin, Parker

PUBLIC PRESENT: Slabaugh, Gaston, Haggart

**SIGN CODE BOARD OF APPEALS
Meeting Minutes of January 5th, 2012 –6:45 p.m.**

Members present: Holley, Mahoney, Lowe, Edie, Perez, Christie

Staff present: Guntert, Walthall, Larkin, Parker

ITEM NO. 1: MINUTES

Consider approval of the minutes from the November 3, 2011 meeting.

Motioned by Edie, seconded by Perez, to approve the November 3, 2011 Sign Code Board of Appeals minutes.

Motion carried unanimously, 6-0

ITEM NO. 2: COMMUNICATIONS

No communication came before the Board.

No Board member disclosure of ex parte contact or abstention from the discussion or vote on agenda item under consideration.

No agenda items deferred.

**ITEM NO. 3: 4340 WEST 6TH STREET; DOUGLAS COUNTY BANK
Receive staff memo regarding a request to reconsider the variance request from Douglas County Bank, 4340 West 6th Street, to allow additional graphics on an existing monument sign. [Originally considered at the November 3, 2011 meeting.]**

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. He asked the Board to reconsider the decision of denial at the December 1st, 2011 Sign Code Board of Appeals meeting.

Lowé asked Mr. Walthall to explain the normal procedure for notifying applicants of Board meetings. He asked if applicants were informed of meeting dates during the application process.

Mr. Walthall stated it was his operating theory to notify applicants during the application process, but it was a poor theory. He said going forward he would notify applicants of meeting dates and times a week prior to the meeting.

Lowé stated for the most part the notification process was for the public.

APPLICANT PRESENTATION

Pat Slabaugh, Executive Vice President and Chief Operating Officer, Douglas County Bank, said the sign company had filed the application on behalf of the bank and the area was zoned residential office. He said the wording Community Loan Center was added to the sign in 2006. He said there were signs in the area that was larger than the bank sign. Mr. Slabaugh stated when the sign was installed the Bank was being sensitive to the area. He said he felt it was essential to notify customers and the community that the Bank was a loan center and full service bank. Mr. Slabaugh stated he was not aware that adding wording to the base of the sign would require approval. Mr. Slabaugh said there were numerous businesses in Lawrence that had wording on their sign base.

Doug Gaston, Vice President Real Estate Loan Services, Douglas County Bank, stated Douglas County Bank was a full service bank with full service lending. He said the process of bringing loans to the Bank was good for the community and the sign helped get the message across to Lawrence citizens.

Ted Haggart, Vice President and Chief Executive Officer, Douglas County Bank, stated he had experience serving on a Planning Commission. He said City Ordinances could not be entirely definitive. Mr. Haggart stated Douglas County Bank was not aware wording was not allowed on the base of a sign. He said the sign did not obstruct traffic and he asked the Board to approve the sign.

Mahoney asked Mr. Haggart if it was not known a Variance was needed.

Mr. Haggart stated the oversight was six years ago.

Mahoney said the letters and the logo were the actual signage.

Lowé said the Sign Company should have known the Sign Code.

Mr. Slabaugh stated the Sign Company had printed the letters and an employee at the Bank installed the letters on the base.

Eddie asked if the same Sign Company had been used six years ago at the time of the Variance request.

Mahoney stated the letters 'Community Loan Center' was a description or advertising.

Mr. Gaston stated the lettering was an enhancement.

Lowé stated the lettering was a description.

Holley asked the applicant if the Bank had considered different configurations.

Mr. Slabaugh stated the Bank did not consider changing the face of the sign.

PUBLIC COMMENT

There was no public comment.

PUBLIC HEARING CLOSED

Motioned by Perez, seconded by Holley, to close the public hearing.

Motion carried unanimously, 6-0

BOARD DISCUSSION

Lowé said the applicant was not in the sign business and was not aware that placing letters on the base would increase the square footage of the sign. He said Douglas County Bank should have been able to rely on the Sign Company to know the Sign Code.

Eddie stated the applicant installed the letters without the knowledge of the Sign Company.

Perez stated there was no institutional memory of the Variance. He said the Bank chose not to rezone the property to create a bigger sign. He said the applicant engaged the Sign Company and a representative from the Bank knew what the Sign Code was. He said he sees the sign every day and he would support approval.

ACTION TAKEN

Motioned by Perez, seconded by Christie, to approve the variance request at 4340 west 6th street, based on the recommendation and findings of fact in the staff report.

Motion carried unanimously, 5-1

ITEM NO. 4: MISCELLANEOUS

a) No other business came before the Board.

ACTION TAKEN

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

Motion carried unanimously, 6-0

ADJOURN- 7:22 p.m.

Official minutes are on file in the Planning Department office.