

**City of Lawrence  
Sign Code Board of Appeals  
July 5<sup>th</sup>, 2012**

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

**SIGN CODE BOARD OF APPEALS  
Meeting Minutes of July 5<sup>th</sup>, 2012 –6:30 p.m.**

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

**ITEM NO. 1: MINUTES**

Motioned by Holley, seconded by Kimzey, to approve the June 7, 2012 Sign Code Board of Appeals minutes.

Motion carried unanimously, 5-0

**ITEM NO. 2: COMMUNICATIONS**

There were no communications before the Board.

There was no Board member disclosure of ex parte contacts or abstentions from the discussion and vote on any agenda item.

Lowe stated Item No 3 would be deferred.

**ITEM NO. 3: 1527 WEST 6<sup>TH</sup> STREET; ACADEMY CARS, INC.**

**SV-12-00004:** A request for variances from the provisions of Chapter 5, Article 18 (Signs), in the Code of the City of Lawrence, Kansas, 2011 edition. The first variance is from the provisions of Section 5-1804(A)(1) in the Sign Code which establishes a \$25.00 sign permit fee for "advertising, awning, or temporary sign (non-electronic)". The second variance is to permit multiple temporary advertising signs to be placed on the windshields of some car inventory on the lot. These requests are for Academy Cars, Inc. located at 1527 West 6<sup>th</sup> Street. Submitted by James E. Rumsey, Attorney for Lonnie Blackburn, owner of Academy Cars, Inc. and also the property owner of record.

**ITEM NO. 4: 3200 MESA WAY, SUITE D; FARMERS INSURANCE**

**SV-12-00005:** 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 addresses signage requirements for business signs in an RSO (Single-Dwelling Residential Office) District and other similar zoning districts. The Code provision allows a building to have one wall sign, limited to not more than 10 square feet of surface area. The applicant is seeking a separate wall sign with 6 square feet of surface area for their own

business identification. The location of this office building is 3200 Mesa Way. Submitted by Full Bright Sign & Lighting for Thomas J. Pollard, Agent with Farmers Insurance Group. The property owner of record is Larry A. Hatfield Revocable Trust.

### **STAFF PRESENTATION**

Mr. Walthall presented the item.

Lowe asked Mr. Walthall if each suite would be allowed to have its own sign or if there was a limit of one sign per building.

Mr. Walthall stated the limit was one sign per building. He said there was a history of variances and the variances would be carried forward.

Lowe said a perspective tenant may be deterred from leasing the property if a sign was not allowed to be installed. He said there were monument signs in the area but the wall signs were more attractive.

Mr. Walthall said there were no monument signs on the four properties zoned RSO.

Lowe asked Mr. Walthall if there was a total of eight square feet of signage on the building.

Mr. Walthall stated there were eight square feet of signage on the building, and one six square foot unauthorized sign.

Christie asked if it was the tenant's responsibility to apply for the variance.

Mr. Walthall stated it was the tenant's responsibility to apply for the variance.

Christie asked if the property owner could request a variance in advance of leasing the property.

Mr. Walthall stated the property owner could request a variance prior to leasing the property.

Lowe thought the Sign Code should be changed for future situations of multiple tenants within one building.

Mr. Walthall said the Sign Code should be consistently and uniformly applied. He said the office district zoning sign requirements were very limited.

Kimzey asked Mr. Walthall if Code Enforcement found the issue or if the tenant came forward for a new sign.

Mr. Walthall stated there had been a report of a Sign Code violation. He said city inspectors investigate the entire neighborhood when any type of a report is received.

### **APPLICANT PRESENTATION**

Thomas Pollard, Farmers Insurance Group, stated Farmers had been in business for many years and had recently moved to the location. He said Mr. Walthall had worked with him and made a compromise with the size of the sign. Mr. Pollard stated the sign would not be illuminated and would face the street on Mesa Way.

### **PUBLIC COMMENT**

There was no public comment.

**PUBLIC HEARING CLOSED**

Motioned by Edie, seconded by Kimzey, to close the public hearing.

Motion carried unanimously, 5-0

**BOARD DISCUSSION**

Lowe said it was admirable for the applicant to work with staff and correct the oversight.

Holley said the scale of the sign seemed appropriate for the size of the building.

Lowe said landlords should notify tenants of sign limits prior to leasing space.

Kimzey said the business owner had been proactive to remedy the sign issue.

**ACTION TAKEN**

Motioned by Holley, seconded by Kimzey, to approve the variance request at 3200 Mesa Way, Suite D, based on the recommendation and findings of fact in the staff report.

Motion carried unanimously, 5-0

**ITEM NO. 5: MISCELLANEOUS**

a) There was no other business to come before the Board.

**ACTION TAKEN**

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

Motion carried unanimously, 5-0

**ADJOURN- 7:02 p.m.**

Official minutes are on file in the Planning and Development Services Department office.