

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **500 & 504 Foxon Boulevard**, Variance to permit an addition to a nonconforming pole sign in a BA zone [Owner/Applicant: Suite Developments, LLC. Agent: David Branco BZA, 10-44-V].

REPORT: **1440-19**

ADVICE: **Approval**

BACKGROUND

Suite Developments, LLC seeks a Variance to permit an addition to a nonconforming pole sign at 500-504 Foxon Boulevard in a BA zone. A recent site visit shows the subject site bounded by Foxon Boulevard and Dell Drive with 1 commercial structure (Dunkin Donuts) and an accessory 5 bay garage at the rear. The site is comprised of 2 contiguous parcels that are commonly owned. As a result the parking lot serves both structures. The subject pylon sign is at the street front and currently displays the Dunkin Donut logo exclusively. During the May 4th visit the BZA hearing notice was posted.

During the May 11th Board of Zoning Appeals hearing Mr. Conrad Brejwo presented the application and noted the proposed added signage throughout the site is in compliance with section 44. **Moreover, he noted the added text on the pylon, will not increase the existing non-conforming height of said sign.** No one testified in favor nor opposed the application.

Prior BZA action:

Granted with conditions (BZA file 02-116-S) Special Exception to permit restaurant liquor (wine and Beer) at existing 83 seat restaurant in a BA zone.

- Hours of operation shall be limited to 11:00 am to 9:30 p.m. Wednesday through Monday, closed on Tuesday.
- The Special Exception shall be limited to five-year period ending December 31, 2007 at which time reapplication shall be required.
- Beer service shall be limited to the present operator only and shall cease upon sale or transfer.

Submitted information includes an A-2 class survey dated February, 2010, lot consolidation plan/property survey; Site Development Plan; Signage Plan; and conceptual building elevations all prepared by Godfrey-Hoffman Associates LLC New Haven.

PLANNING CONSIDERATIONS


The aim of the applicant is to convert the rear garage into a second commercial structure with additional signage on the roof and the established pole sign. Said garage had been used in conjunction with a limousine company for many years. It is currently vacant. The proposed occupant is not known; however, the applicant seeks to establish all signage and correct any pre-existing zoning matters at this time.

When reviewing the site the applicant discovered the existing pole sign at the street front exceeds the height requirement of 20' as noted in Section 44.c.3 of the New Haven zoning ordinance. As well Section 67.D.2 notes signs which are improperly located...are considered non-conforming structures...and any enlargement shall be deemed an increase in non-conformity. The existing sign is 0.6' above the maximum height. Hence the applicant seeks to recognize the existing height and review additional signage that will not increase the height of the subject pylon sign.

As proposed a 2' x 13' additional sign is planned directly below the existing Dunkin' Donut pylon sign. The sign will add 26 S.F. to the existing 78 S.F. Logo sign. All existing and proposed signage was submitted to the Commission for review and the comprehensive display areas meet the requirements of Section 44. including the roof sign on the rear structure because the garage is a single store building. Section 44.C4. notes roof signs are prohibited when they are more than two stories in height.

The applicant asserts the effort to reduce the non-conforming sign would require excessive excavation and disturbance to the established landscape. It is thus a hardship to lower a sign that has been in existence for several years. The Commission notes the sign height variance is in harmony with the intent of the ordinance as the existing height is a marginal departure and will be in keeping with the scale and massing of nearby structures. Also said sign will not result in visual clutter from an undue concentration of on premises signs. The Commission therefore recommends approval.

ADOPTED: May 19, 2010
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg A.I.A.
Executive Director