



DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Project Name: Amoco Gasoline Service Station

Applicant: Colleen Collins, agent for Monica Investment Group Inc.

Project Location: 6900 West Atlantic Blvd

Hearing No. BA-01-2020

Hearing Date: February 4, 2020

Board: Board of Adjustment

I. RECOMMENDATION:

DENY

II. EXECUTIVE SUMMARY:

The applicant is requesting permission to install a 17.81 square foot company logo on the canopy of an existing gasoline service station. The Margate Zoning Code limits the company logo to a maximum size of four square feet on each side of a canopy with street frontage. Staff is recommending denial because the proposed sign does not meet the three criteria specified in Section 39.19(B) of the Margate Zoning Code.

III. ANALYSIS:

1) Description.

The subject property has a land use designation of Transit Oriented Corridor, and a zoning designation of Transit Oriented Corridor-Corridor (TOC-C). The property is located at the southwest corner of West Atlantic Boulevard and NW 69th Avenue, just east of Rock Island Road. This gas station was previously branded as a Cumberland Farms. Due to a recent change of ownership, the property is being rebranded to an Amoco station. The applicant, Monica Investment Group Inc., applied for two business signs. The first is a monument sign which complied with the Margate Zoning Code and was approved administratively by building permit. The second sign is a canopy sign (proposed on the north or front elevation of the canopy facing West Atlantic Boulevard) at a total area of 17.81 square feet. The Margate Zoning Code limits gas stations to one company logo installed on each side of the canopy with street frontage to a maximum size of four square feet. The proposed "Amoco" sign is individually installed backlit channel letters with blue and orange-red bull nose fascia light bars.

A waiver for the proposed sign on the north (or front) elevation is required. Prior to granting a waiver, the approving body shall make a finding that the granting of the waiver is in conformance with the three criteria specified in Section 39.19(B) of the Margate Zoning Code.



Exhibit 1: Location Map



Exhibit 2: Existing condition of subject property

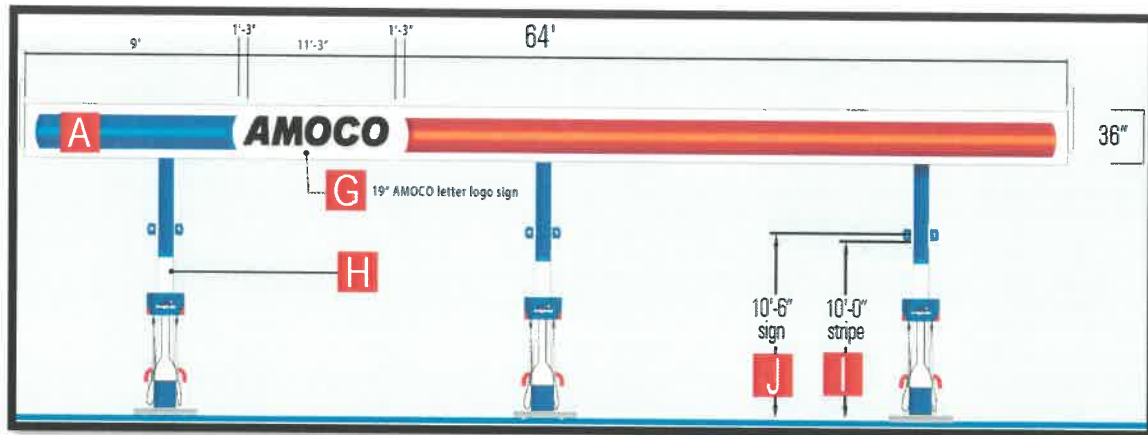


Exhibit 3: "Amoco" Proposed Signage

2) Compliance with Zoning Code.

The sign code limits all gasoline stations to one company logo not to exceed four square feet on each side of the canopy with street frontage. The proposed 17.81 square foot sign is in conflict with Section 39.8(C)(2) of the Margate Zoning Code. The petitioner is requesting a sign waiver for a total area of 13.81 square feet.

Section 39.17(M) of the Margate Zoning Code prohibits the installation of Visible neon bulb, LED, or other bare bulb signs or building embellishments. Exhibit 3 depicts a blue and a red bull nose light bar on the canopy, on either side of the proposed sign. Further details are needed for this improvement, but it appears to be in conflict with this prohibition.

Section 39.19(B) of the Margate Zoning Code provides that a decision to grant a sign waiver by the Board of Adjustment must be in conformance with three specified criteria. Those criteria are as follows:

- 1) There is something unique about the building or site configuration that would cause the signage permitted by this article to be ineffective in identifying a use or structure that would otherwise be entitled to a sign.**

The following statement was provided by the applicant:

"Per code 39.8, the logo may not exceed 4 square feet per frontage with this restriction there would be no logos or signs on the canopy. Amoco's smallest sign is approximately 18 square feet. "

The sign code regulates the maximum allowable square footage for signage to be installed on gasoline station canopies. There are 13 other gas stations within the city that conform to size limitations set forth in the sign code. Staff found nothing unique about the building or site configuration that would cause the signage permitted by the sign code to be ineffective in identifying the use of the property. The site has been historically used as a gas station without issue.

- 2) The granting of a waiver is not contrary to the intent of the sign code, the aesthetics of the area, or does not create a nuisance or adversely affect any neighboring properties.**

The following statement was provided by the applicant:

"Granting of a waiver will allow the property to display the fuel brand and effectively communicate to consumers. By approving one 18 sq. ft. logo there will be no nuisance created nor will it negatively impact neighboring properties."

The intent of the sign code is to create a framework for a comprehensive and balanced system of sign control in order to provide clear and attractive communication, while ensuring compatibility with their surroundings. Staff finds that the additional square footage is not consistent with the intent of the sign code because it is larger than needed for clear communication, exceeds the allowed square footage by 445% and would not appear attractive the adjacent single family neighborhoods. The canopy light emitting a blue and orange-red glow would create nuisance to neighboring single family homes during the night and detract from the surrounding aesthetics in the area.

3) Literal enforcement of this article would result in unreasonable and undue hardship upon the petitioner.

The following statement was provided by the applicant:

"Enforcement of code 39.8 will restrict the property from effectively displaying the Amoco brand. Branding is key to establishing and growing a new business. The logo is one of the most important elements of brand, it is essentially the force of the company."

The Amoco brand has alternative branding options to choose from that would significantly reduce the proposed signage to a reasonable square footage than the proposed signage of 17.81 sq. ft. The other option presented to staff was a red, white and blue oval with a torch in the center using the name Amoco under a total area of 8 square feet (Exhibit 4). Therefore, staff finds that the literal enforcement of this article would not result in unreasonable and undue hardship upon the petitioner because other signage options are available to effectively display the Amoco brand at a reasonable square footage. The site has historically been used as a gas station. A change of ownership and rebranding does not warrant additional signage or privilege.



Exhibit 4: Alternative Signage

3) Consistency with Comprehensive Plan.

The plan is silent on this matter.

4) Compatibility with surrounding area.

The surrounding neighborhoods consisting of single family homes and commercial development to the east.

IV. RATIONALE:

Staff has presented a detailed argument that the request is inconsistent with the intent of the sign code and does not satisfy the criteria to justify a waiver. However, if the Board is inclined to approve, staff recommends that the Board condition the approved, as follows:

- 1) Allow up to 8 square feet for company logo per side of canopy with roadway frontage; and

- 2) Remove canopy light embellishments to preserve area aesthetics for adjacent single family neighborhoods.



Andrew Pinney, AICP
Interim Development Services Director