



DEPARTMENT OF DEVELOPMENT SERVICES – PLANNING DIVISION
REPORT: Variance request for signage at 91 West Service Road
for consideration May 4, 2021

STAFF REPORT

TO: Zoning Board of Appeals
PREPARED BY: Paul Ashworth, Senior Planner
paul.ashworth@hartford.gov

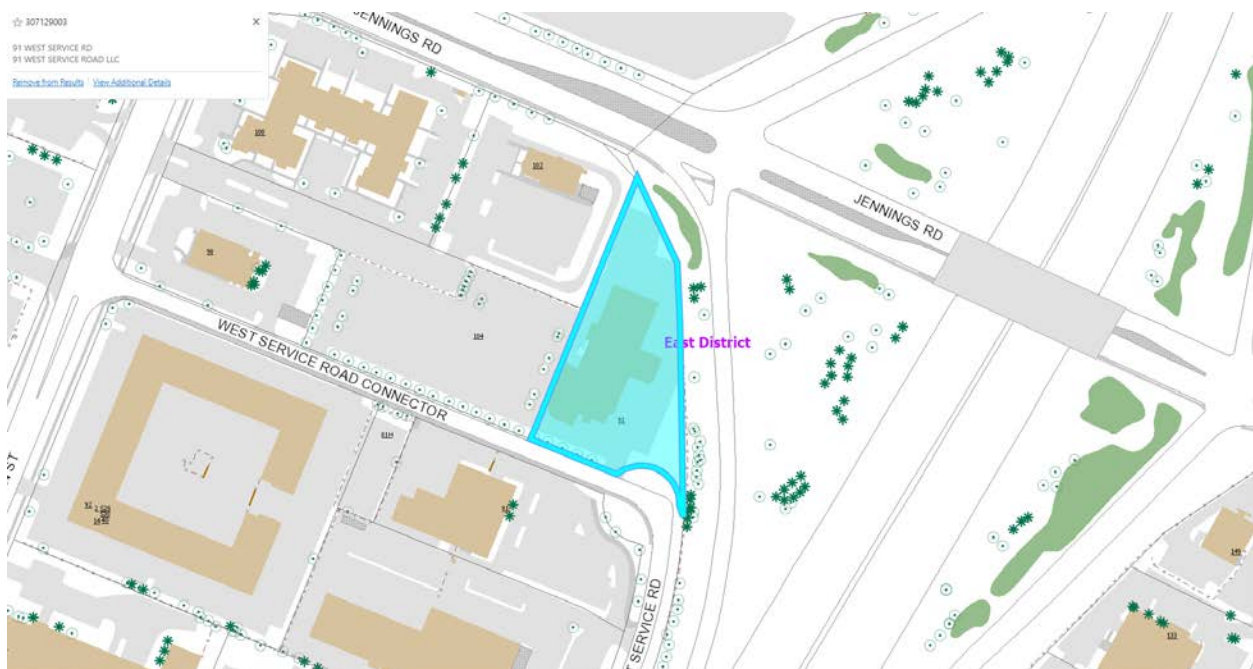
PROJECT: Mazda Sign Plan
91 West Service Road
PARCEL ID: 307-129-003
P&Z-COMM-2021-0380

ZONE: ID-1, Industrial

TYPE: Request for three (3) variances: to allow the replacement of a nonconforming sign per Sec.1.5.5.B; to allow new signs while a nonconforming sign exists per Sec.1.5.5.E; and, to allow five (5) wall signs where only one (1) is permitted per Sec.8.3.

APPLICANT: Marc Cohen w/ Arnco Sign Co, INC

OWNER: 91 West Service Road, LLC



Overhead View – Hartford GIS 2021

BACKGROUND INFORMATION

Applicant is requesting approval for five (5) new wall signs and refurbishment of an existing nonconforming free-standing sign as part of a general façade renovation. The request varies from the Regulations in three ways:

1. The request is for five (5) wall signs where only one is permitted per Sec.8.4;
2. The request is to install new signage while a nonconforming sign exists per Sec.1.5.5.E; and
3. The request will replace an existing nonconforming sign with one of the same size, height and type, while the regulations prohibit replacement of nonconforming signs under these circumstances per Sec.1.5.5.B.

The existing free-standing sign is nonconforming due to its size. The regulations permit bi-pole signs to be five (5) feet tall and have a maximum of eight (8) square feet per sign face. The existing and proposed bi-pole sign is twenty-five (25) feet tall with ~127 square feet of sign area per face. The continued existence of this nonconforming sign, per Sec.1.5.5.E, prohibits the installation of any other sign on the property. Further, the replacement or alteration of a nonconforming sign is prohibited per Sec.1.5.5.B.

The proposed renovation is of an existing car dealership. The car dealership use and facility was approved in 2008. At that time several wall signs and the current pylon sign were approved. However, the proposed signs are considered new under the regulations and must be evaluated independently of any previous action.

STATEMENT OF HARDSHIP

Per the application: “Similar signs previously existed and were legally nonconforming”

KEY APPLICATION TIMELINES

- Application Submission Date: March 24, 2021
- Date Application Accepted as Complete: March 24, 2021
- Application Date of Receipt: April 6, 2021 (sooner of either: date of next regularly scheduled meeting, or 35 days after acceptance of complete application)
- Public Hearing is scheduled to open on Tuesday, May 4, 2021; Open Hearing Deadline: June 10, 2021.
- Close Hearing Deadline (if opens May 4, 2021): (35 days after opening) Tuesday, June 8, 2021
- CT General Statutes Sec.8-7D allow that the applicant may consent to one or more extensions of time, provided the total extension of all time periods shall not be for longer than 65 days*.

LEGAL STANDARD

Standard for Application Type:

The ZBA shall have the power under Chapter 124 of the Connecticut General Statutes to vary the application of the zoning laws, ordinances, or regulations when the conditions

affecting a particular parcel but not the general district cause exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured, provided that the zoning regulations may specify the extent to which uses shall not be permitted by variance in districts in which such uses are not otherwise allowed. The board must take into consideration conserving the public health, safety, convenience, welfare, and property value solely with respect to the affected parcel. (City of Hartford Zoning Board of Appeals Bylaws, Article II, Sec. 3)

STANDARD SPECIFIC TO THE USE

Section 1.5.5 Nonconforming Signs

- B. (1) A nonconforming sign may not be altered or changed in any way unless it is made to conform to these regulations.
- E. No new sign of any type may be located, installed, mounted, painted or erected on a lot while a nonconforming sign, located thereon, remains.

Section 8.2 Permitted Types & Quantity of Lot Signage

Figure 8.2-A – Wall signs are permitted by right in the ID-1 District.

Figure 8.2-B – No limit is identified on the total square footage of sign area for a lot within the ID-1 District.

Section 8.3 Wall Sign

Figure 8.3-A – One wall sign permitted per building.

FINDING OF FACTS

Existing Signs

- Removed already for renovation, except the nonconforming pylon sign.

Proposed Signs

- Wall Signs
 - o Three (3) all signs proposed on the street facing South elevation.
 - o One (1) wall sign on the East facing elevation.
 - o One (1) wall sign on the West facing elevation.
- Pylon Sign
 - o Existing Pylon sign to be replaced in the same position.
 - o Same dimensions:
 - 25' tall
 - Sign area is 12' 4.5" by 10' 3.5" or ~127.4 SF per face
 - o Bi-pole, pylon scale design.

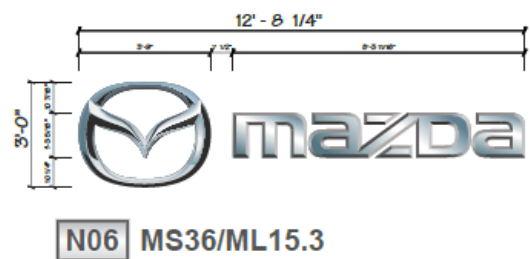
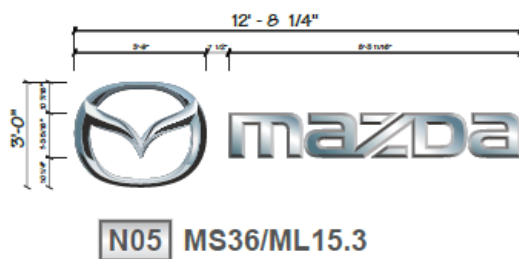
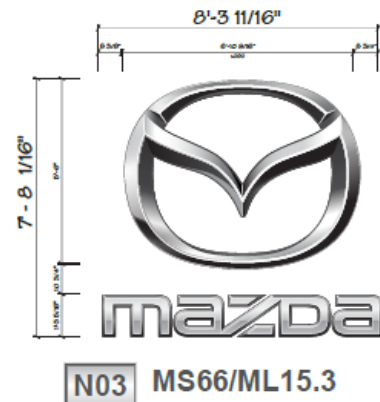
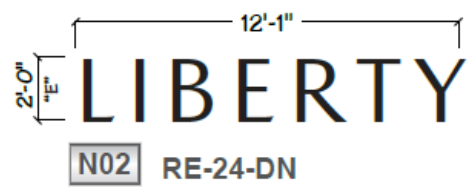
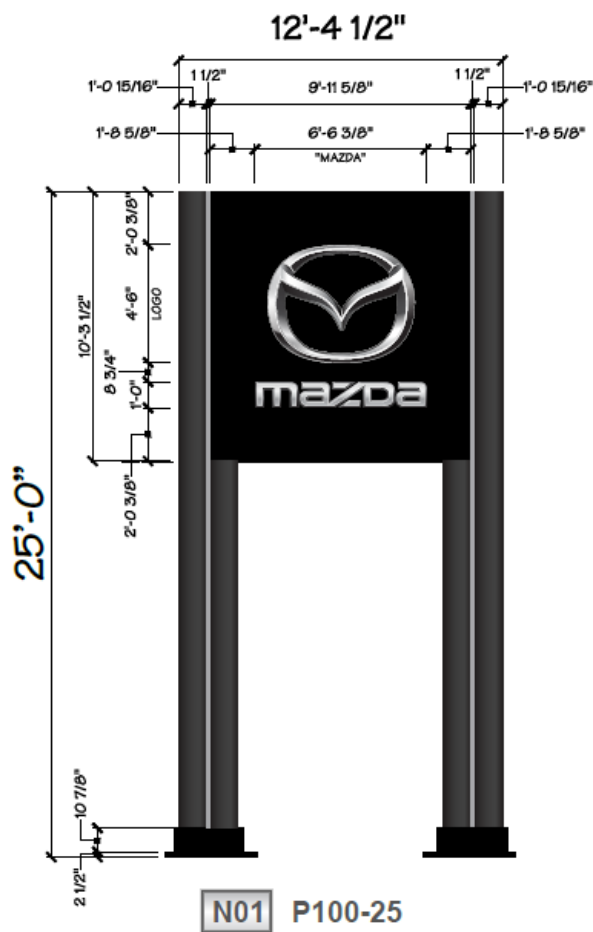


Figure 1. Proposed Signage – AGI Sign 2021



Existing Condition

NOTES:

E01 - Dealer to remove and dispose of existing P100-25 pylon @ 25 ft. Dealer responsible for removing existing foundation if required.

Proposed Signage



NOTES:

N01 - AGI to supply and install BP100-25, P100 Pylon @ 25' OAH, Chrome Illuminated, engineered for high wind load, on a new foundation. Dealer to provide electrical within 5' of connection. If dealer would like new pylon to go in same spot as existing, dealer must provide drawings of existing foundation. If foundation does not pass engineering analysis, dealer must remove existing foundation in order to place new pylon in same spot as existing. Otherwise, new pylon will go in new spot as shown.

Figure 2. Pylon Sign Existing vs Proposed – AGI Sign 2021

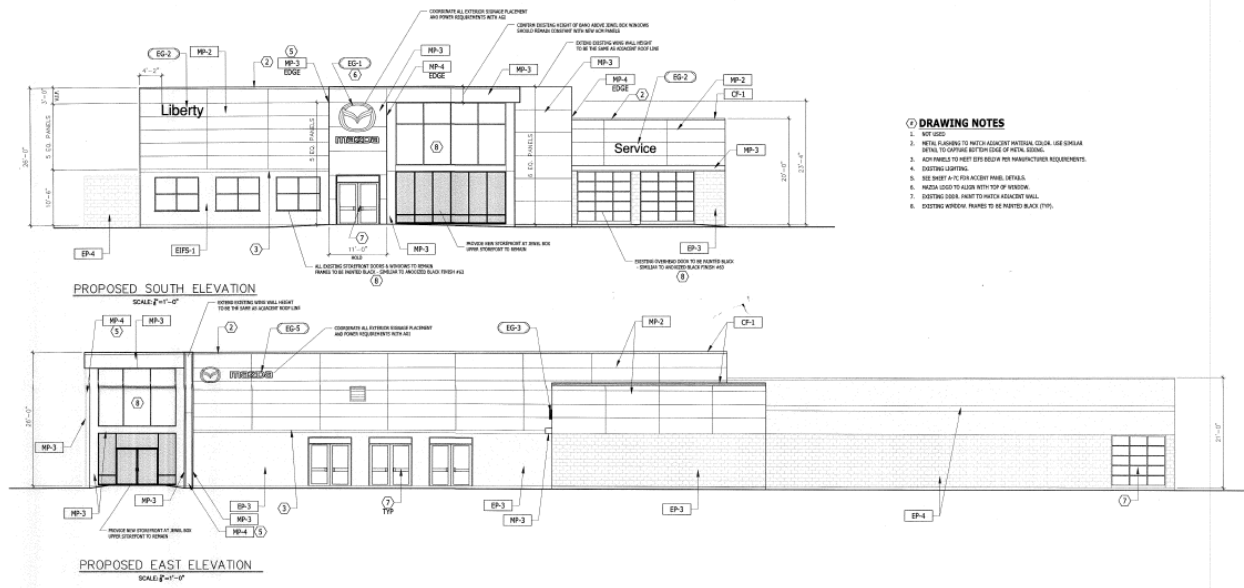


Figure 3. South/East Façade Elevations – PDS Engineering 2021

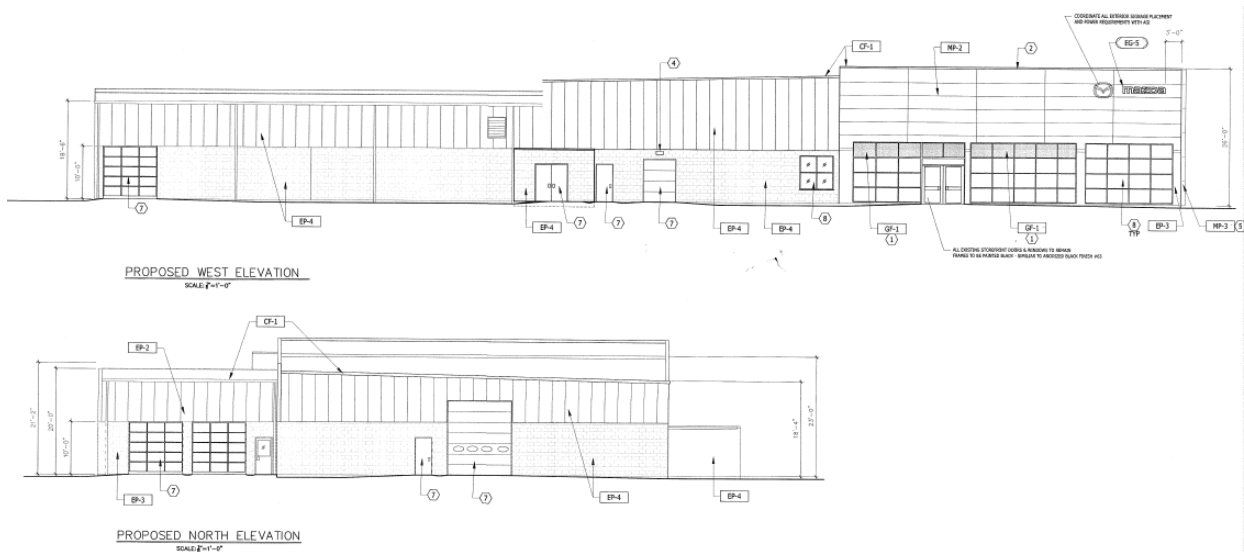


Figure 4. West/North Façade Elevations – PDS Engineering 2021

COMMENTS RECEIVED

As of this writing no comments have been received by Staff. The subject property is not located within the footprint of an NRZ.

ANALYSIS

The proposed sign plan includes five (5) wall signs and one nonconforming pylon sign. The variances requested are necessary in order to install new signs in the presence of a nonconforming sign; to replace an existing nonconforming sign; and to have five (5) wall signs where only one (1) is permitted.

The ID-1, Industrial district does not have a strict limit on the total square footage of sign area permitted per lot. This condition suggests that the Regulations intended to give lots in the ID-1 district some flexibility when determining the amount of sign area on a lot. However, the Regulations do restrict the type and total number of signs allowed per building. The restriction to one (1) wall sign without restriction on total sign area suggests that the intention for the district is for each building to potentially have one large wall sign, or a variety of sign types contributing toward an unlimited sign area total. The Regulations may only allow for one wall sign, but they allow for a significant amount of signage in other signage types. The possibilities allowed by the regulations eliminate the possibility of the property owner incurring a hardship because of the restriction on total number of wall signs.

The sign typology in the regulations that the existing pylon sign most closely resembles is the ped-scale pole sign. This sign typology is very similar in form, however the scale of the regulated allowed sign and the proposed is significantly different. The Regulations allow a bi-pole sign five (5) feet tall with eight (8) square feet of sign area per face while the proposed sign is twenty-five (25) feet tall with ~127 square feet of sign area. The proposed bi-pole sign is more similar in intent and scale to the monument sign typology. The monument sign is allowed to be ten (10) feet tall with sixty (60) square feet of sign area per the regulations. The monument sign as permitted by the Regulations would serve a similar purpose as the proposed pylon sign. The general possibilities allowed by the regulations in terms of permitted sign options also preclude the occurrence of a hardship on the basis of sign typology.

It should be noted that the Regulations do allow for the replacement of nonconforming signs under certain circumstances as described in section 1.5.5.B. However, the first criteria is that the nonconforming sign be utilized in conjunction with a nonconforming use. The use on the site is a conforming outdoor sales (car dealership) use. The existing bi-pole pylon sign cannot be altered, replaced or otherwise changed without a variance.

The Regulations require that all nonconforming signage be removed prior to the installation of any new signage. The third variance request is in regards to this requirement. As has been previously stated, there is no exceptional difficulty caused by the regulations in terms of signage at this property. There are not special characteristic of the property that preclude the property from employing one or any of the permitted options provided by the Regulations.

STAFF RECOMMENDATION

Staff recommends denial of this application. **A draft resolution follows.**

ATTACHMENTS

1. Application
2. Elevation Drawings
3. Bi-Pole Pylon Sign Renderings

REVIEWED AND EDITED BY,

Aimee Chambers, Director



**CITY OF HARTFORD
ZONING BOARD OF APPEALS RESOLUTION
91 WEST SERVICE ROAD
VARIANCES TO ALLOW NEW SIGNS AND REPLACEMENT OF A NONCONFORMING
SIGN**

Whereas, The City of Hartford Zoning Board of Appeals reviewed the application and attached documents regarding the request to install five (5) wall signs where only one is permitted per Sec.8.4; to install new signage while a nonconforming sign exists per Sec.1.5.5.E; and, to replace an existing nonconforming sign with one of the same size, height and type, while the regulations prohibit replacement of nonconforming signs under these circumstances per Sec.1.5.5.B; and

Whereas, The subject property is not atypical of the area; and

Whereas, The subject property is occupied by a conforming outdoor sales use (car dealership); and

Whereas, The Zoning Regulations allow for signage of a variety of types and sizes on the property; and

Whereas, All reasonable use is not precluded by the strict enforcement of the regulations cited; and

Now therefore Be It

Resolved, The City of Hartford Zoning Board of Appeals (ZBA) hereby finds/does not find that a hardship exists due to the following circumstances: **XXXXXXXXXX**;

Resolved, The City of Hartford Zoning Board of Appeals hereby **denies/approves** the request for variances to install five (5) wall signs where only one is permitted per Sec.8.4; to install new signage while a nonconforming sign exists per Sec.1.5.5.E; and, to replace an existing nonconforming sign with one of the same size, height and type, while the regulations prohibit replacement of nonconforming signs under these circumstances per Sec.1.5.5.B:

Be It Further,

Resolved, This 4th day of May, 2021.

Attachment 1 – Application

DDS- Planning & Zoning: Plan Review Application



Submission date: 24 March 2021, 10:24AM

Receipt number: 201

Application Type

Check all that apply:

Variance

Property Information

Property Address: 91 W Service Rd, Hartford, CT 06120, USA [Map](#)
(41.7872651, -72.6599689)

Zoning District: ID-1

Parcel ID: 307-129-003

Property Owner: 91 West Service Rd LLC

Address of Property Owner: 1180 North Colony Rd Wallingford CT 06492

Email: maltieri@executiveag.com

Applicant

Name of Applicant: Marc R Cohen

File Date: 03/24/2021

Address: 1133 South Broad St Wallingford CT 06492 No
coordinates found

Phone: 203 494-7429

Email: ArncoMarc@gmail.com

Primary Point of Contact

Name:	Marc r Cohen
Phone:	203 494 7429
Email	ArncoMarc@gmail.com

Project Narrative

Please describe your application action(s) and provide as much detail as possible. Attach additional pages if necessary:	Repalce existing ground sign with one of same size. Install 5 wall signs
--------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------

Zoning Map Change Application

Proposed Zone:

Describe the existing use of land and buildings in the zone change area:

Reason for this request:

Zoning Appeal Application

Are you an aggrieved party?

Permit or Violation Number:

State your reason for appealing the decision of the administrator or enforcement officer:

Variance Application

Please state the particular hardship* or unnecessary difficulty that prompts this application and the site the section of the zoning regulations that you are seeking relief from:

Similar signs previously existed and were legally non-conforming

Subdivision Application

Number of lots to be created:

Area of each lot in square feet:

Street frontage of each of the new lots in feet:

Lot Combination Application

Addresses of lots to be combined

Map/Block/Lot for each property to be combined:

Liquor Permit Application

Please upload a copy of your State of CT Liquor Permit below.

Sign Permit Application

1. Is this sign proposed outside of the building line?

Maximum extension from building line:

2. Is this sign proposed outside of the street line?

Maximum extension from the Street line

3. Is the sign luminated?

4. Engineer Name (if any):

Phone:

Address:

5. Minimum distance from lowest point to the sidewalk:

6. Maximum height of sign from lowest point of established grade:

7. Distance from the nearest outdoor sign:

8. Square feet of surface for one face of the sign:

9. Wording of the sign (include all words):

Description of work (upload additional files if necessary)

Upload any supporting materials below.

[91westservice_prelimssignagereview.pdf](#)

[Liberty Mazda Hartford - Building Elevations.pdf](#)

[Proposed ground sign.pdf](#)

[Proposed sign dwgs.pdf](#)

Signatures

Signature of Applicant



[Link to signature](#)

Printed Name of Applicant:

Marc R Cohen

Date:

03/24/2021

Signature of Property Owner:



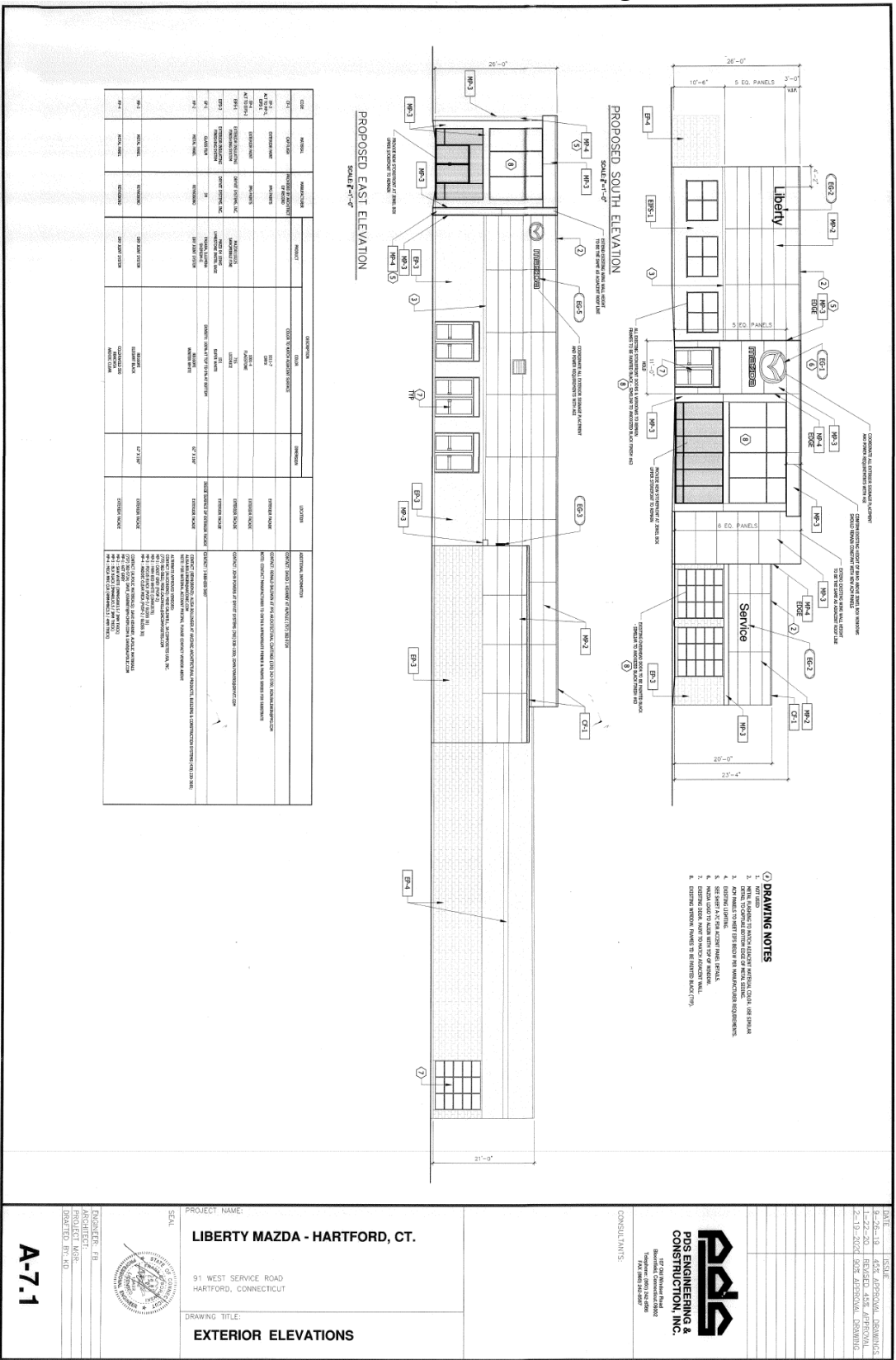
[Link to signature](#)

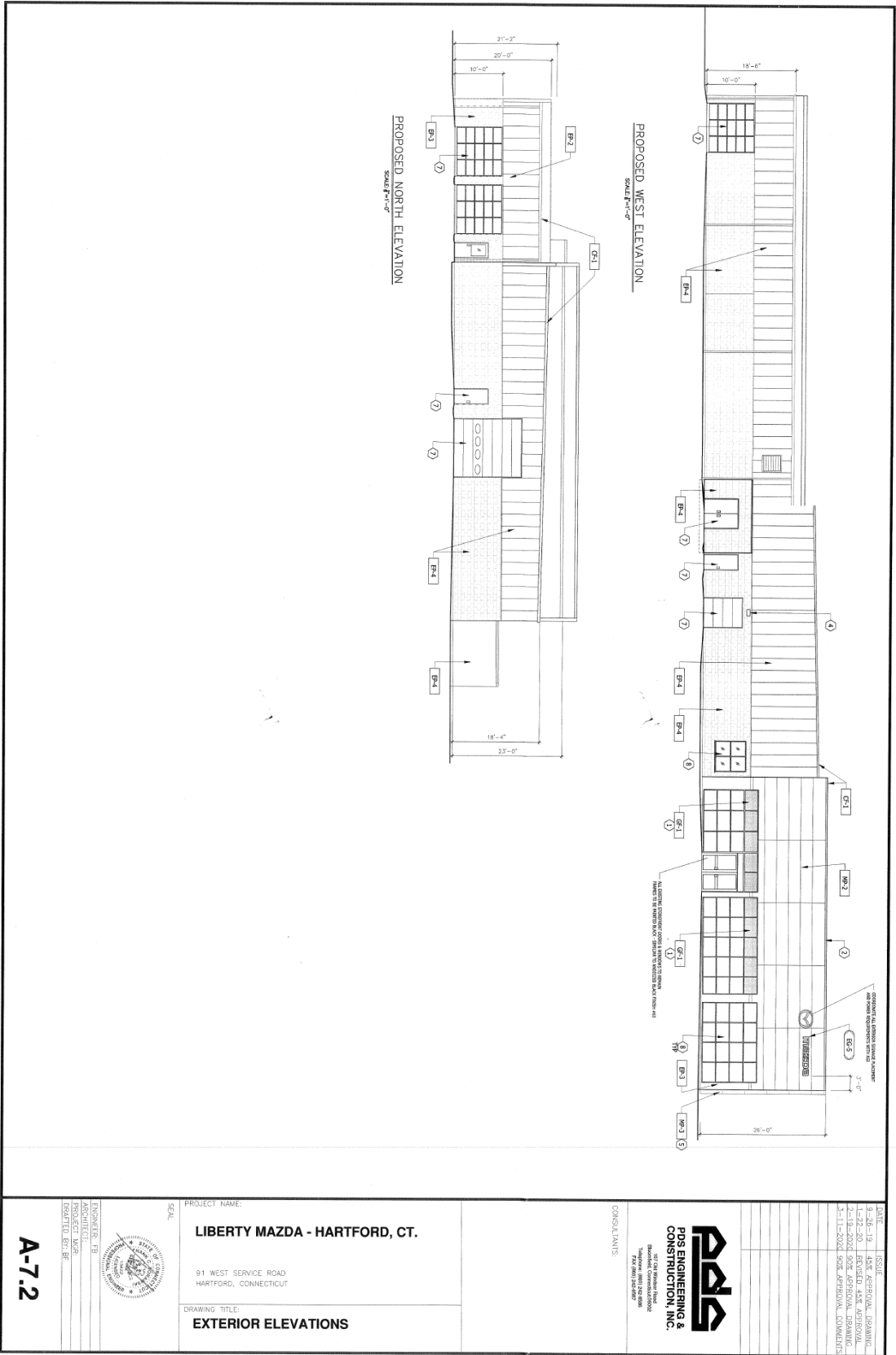
Printed Name of Property Owner:

Mark Altieri Executive Auto Group

Date:

03/24/2021





Attachment 3 – Bi-Pole Pylon Sign Renderings



Existing Condition

NOTES:

E01 - Dealer to remove and dispose of existing P100-25 pylon @ 25 ft. Dealer responsible for removing existing foundation if required.



Proposed Signage

NOTES:

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DEALER IDENTIFICATION PROGRAM

Site: 51596 - Liberty Mazda

Address:
Liberty Mazda
91 West Service Rd
Hartford, CT 06120

File Name: 51596 Liberty Mazda BrandBook_033120

Page: 8 of 15

Drawn By: GLH

Creation Date: 03/31/20

Rev. 1:	Rev. 6:
Rev. 2:	Rev. 7:
Rev. 3:	Rev. 8:
Rev. 4:	Rev. 9:
Rev. 5:	Rev. 10:

IMPORTANT APPROVAL NOTIFICATION

ONCE APPROVAL HAS BEEN RECEIVED, YOU WILL BE HELD FINANCIALLY RESPONSIBLE FOR ANY ADDITIONAL CHANGES OR ADJUSTMENTS TO THE RECOMMENDED SIGNAGE.

Authorized Signature: _____

Print Name: _____

Date: _____

☐ Approved As Shown

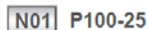
☐ Approved with Changes Noted

This brand book represents the Mazda North American operations approved location placement for proposed signs. No variation will be permitted.

Drawings are the exclusive property of AGI. Any unauthorized use or duplication is not permitted.



2655 International Pkwy., Virginia Beach, VA 23452
PHONE: (757) 427-1900 - Fax: (757) 430-1297
www.AGISign.com



Site: 51596 - Liberty Mazda

Address:
Liberty Mazda
91 West Service Rd
Hartford, CT 06120

File Name: 51596 Liberty Mazda Brandbook_033120

Page: 6 of 15

Drawn By: GLH

Creation Date: 03/31/20

Rev. 1: Rev. 6:

Rev. 1: Rev. 6:

Rev. 2: Rev. 7:

Rev. 3: Rev. 8:

Rev. 4:	Rev. 9:
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