

Applicant's Statement

355 Riverside Avenue

Our office represents 285 & 355 Riverside LLC, which is the owner of 355 Riverside Avenue, Westport (the "Property"). The Property is located in a split zone GBD/A. On July 18, 2019, the owner submitted a variance application for wall signage at the Property. A variance for wall signage was required because of the grade of the Property and design of the building which uses the grade to hide the commercial appearance and density of the building. As such, the building façade facing the street is actually the second story of the building, thereby rendering any signage located on that face of the building noncompliant with the regulations. The variance request was denied by the ZBA on September 17, 2019. During the work session, the ZBA indicated that there were better alternatives to allow for appropriate ground and directional signage. It was implied that a larger street sign would not be objectionable during the work session and that we should work with staff to come up with a better plan. Subsequent to that denial, we met with Cindy Tyminski to discuss alternatives to the previously proposed wall signage.

As a result of those conversations, we are proposing a comprehensive signage package to address the needs of all tenants in the building. The proposed signage package was developed based on both the feedback we received from the ZBA during the work session and Ms. Tyminski's suggestions afterwards. As you can see, the signage package includes: (i) a 40 square foot ground sign at the entrance to the property, (ii) a 16 square foot ground sign directing traffic to the lower parking lot and the main entrance, (iii) a directional wall signage at the main entrance, and (iv) a window sign for Coldwell Banker on the second floor entrance door. The specific variances required to implement this proposed plan are as follows:

33-8.2.4: This regulation permits each unit occupancy above the first floor to display a sign on the inside of one (1) window serving said unit of occupancy, provided that no such sign shall exceed six (6) square feet in area. The proposed signage package includes a window sign on the Coldwell Banker second floor entry door, which is at grade with the upper parking lot when you first drive into the Property and is located on two (2) windows. We are seeking a variance to allow this sign to be located on two windows as depicted on the plans submitted.

33-8.4.1: This regulation permits only one ground sign on the Property. We are proposing two ground signs. The main ground sign visible to Riverside Avenue, as well as a second ground sign that will assist with the flow of traffic on the Property. The second ground sign is 16 square feet and will be located in a vehicle's line of sight when they enter the Property directing them to the lower parking lot serving the main entrance to the building located on the side of the building. It also will identify all of the tenants that the main entrance will serve and direct the Coldwell Banker clients to their main entrance, which is only accessed by the second floor entrance in the front of the building.

33-8.4.5: This regulation prohibits ground signs more than 32 square feet in size. The proposed ground sign at the entrance to the Property on Riverside Avenue is 40 square feet. This variance is necessary for the safety of the travelers on Riverside Avenue to identify this property and their tenants. This proposed ground sign is also being proposed in lieu of building wall signage that would have permitted in excess of 200 square feet of wall signage. However, due to the grade of the Property and design of the building, the only effective location for wall signage visible from Riverside Avenue is not permitted.

As indicated above, the ZBA has already denied proposed wall signage visible from Riverside Avenue because it was located above the first story windows due to the grade and design of the building. The ZBA also indicated that a slightly larger ground sign would be acceptable in lieu of the building signage previously proposed.

33-8.4.6: Ground signs within 50 feet of a residential zone are prohibited. The proposed locations of the two ground signs are within 50 feet of the residential zone that splits our property. However, they are more than 50 feet away from the next property line which is in the residential zone. If the zone boundaries were consistent with the property lines, this variance would not be necessary.

Hardships:

Property topography – The Property topography renders the ability to place an effective wall sign visible from Riverside Avenue on the building impossible, because the portion of the building that fronts on Riverside Avenue is the second story. Accordingly, the building design, which incorporates the topography to more appropriately blend the commercial building in with the residential neighbors renders compliance with the signage regulations exceptionally difficult, which is an unusual hardship to this Property. Furthermore, the window sign being proposed for Coldwell Banker is minimal when considering what would have been permitted if effective wall signage was permitted on the Property by the regulations.

Safety – Without proper and efficient signage, it will be a danger to drivers on Riverside Avenue that are looking for the businesses located at this Property. Furthermore, once on site, visitors need to be directed to the proper location so they can easily find the entrance for the tenant they are visiting. The slightly larger ground sign at the entrance to the Property ensures vehicles on Riverside Avenue will see their destination. The second ground sign on site will ensure proper and safe circulation of vehicular traffic while on site directing patrons to their final destination.

Split Zone – The Property is a split zone with the Residential A zone running through the southern portion of the Property. Had this zone boundary been located on the actual property line, the proposed locations of the ground signs would be at least 50 feet from the property line. The fact that the Property is split zoned is a unique hardship that renders compliance with Section 33-8.4.6 exceptionally difficult.

Taking into account the Property topography and safety concerns addressed above together with the split zone, the proposed locations of the ground signs should be approved. The proposed comprehensive signage plan will address the needs of all current and future tenants at the Property. We are seeking all variances necessary for the proposed signage plan and believe there is substantial evidence to support a finding of a hardship permitting this variance.