



**Board of Adjustment  
Zoning Variance  
Staff Report & Findings**

**TO:** City of Asheville Board of Adjustment

**DATE:** March 10, 2016

**FROM:** Shannon Tuch, RLA  
Zoning Administrator

**PREPARED BY:** Matt Card  
Development Review Specialist

**SITE INFO:** Tax Description (PIN#): 9648-46-4095-00000  
Street Address: 356 Biltmore Avenue  
Zoning: INST (Institutional) and RB (Regional Business)  
Property Owner: Buncombe County

Summary Statement:

The petitioner, Jefferey Borrell with Fast Signs, agent, on behalf of Buncombe County, owner, is requesting a variance to §7-13-4(b)(2)c of the Unified Development Ordinance (UDO) to allow a total of three (3) freestanding signs on one lot. Pursuant to §7-13-4(b)(2)c of the UDO, only one freestanding sign is allowed per lot.

Variance Request:

Zoning and Use	UDO Max. Allowance	Applicant Request	Variance
Institutional, Medical	1 freestanding sign per lot	3 freestanding signs	2 additional freestanding signs

Background:

The subject parcel is the new location for Buncombe County's Comprehensive Care Center. The Comprehensive Care Center is accessed off of Florence Street, which comes off of Biltmore Avenue near Mission Hospital. Access to the subject parcel is from two entrances off Florence Street located 150 feet to 215 feet from the intersection with Biltmore Avenue. These entrances are used to access different portions of the facility that house different types of medical services. Visibility from Biltmore Avenue to these entrances is limited by topography as Florence Street slopes upward away from its intersection with Biltmore Avenue.

On December 11, 2015 the applicant was issued a building permit to replace the existing freestanding sign located at the corner of Biltmore Avenue and Florence Street. The applicant is now requesting to add an additional freestanding sign at each of its entrances off Florence Street. The proposed signs do not meet the UDO's requirements for directional signs. According to §7-13-2(d)(3), directional signs shall not exceed four square feet per face and three feet in height. The applicant is requesting two, 24 square-foot signs that are six feet in height. In accordance with §7-13-4(b)(2)c of the UDO, one freestanding sign is allowed per lot. Based on the size and type of signs being requested, these signs are being treated as freestanding signs and not directional signs.

Review, Analysis & Considerations:

- The subject property is zoned INST (Institutional) with a small portion of RB (Regional Business) located on the northern portion of the parcel. The parcel is bordered by RB and RS8 (Residential Single-Family) to the north and INST to the east, south and west.

- The subject property is located near Mission's campus and predominately surrounded by medical uses.
- An existing freestanding sign is located on the corner of the subject property at the intersection of Biltmore Avenue and Florence Street.
- The applicant submitted and was approved for a single tenant freestanding sign of 37.5 square feet and an attached wall sign of 30 square feet facing Biltmore Avenue on the northwest façade
- INST allows one freestanding sign of up to 60 square feet for single tenant buildings and 90 square feet for multiple tenant buildings.
- There are two entrances off Florence Street that access different portions of the building.
- The building is a 48,154 square-foot medical facility offering a variety of different behavioral health services.
- The proposed freestanding signs do not meet the requirements for directional signs under §7-13-2(d)(3).
- Visibility from the Biltmore Avenue is limited by the slope of Florence Street.

Driving Directions:

From downtown travel south on Biltmore Avenue to the intersection of Biltmore Avenue and Florence Street. Take a left on Florence Street and the subject property and its entrances are on the left.

**FINDINGS:**

In order for the Board of Adjustment to grant this variance request, the following findings of fact must be made:

- 1) Unnecessary hardship would result from the strict application of the ordinance.
- 2) The hardship results from the conditions that are peculiar to the property, such as location, size, or topography.
- 3) The hardship did not result from actions taken by the applicant or the property owner.
- 4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

Attachments:

Exhibit A – Aerial Map

Exhibit B – Zoning Map

See Petitioners Exhibits 1 – 5 for Site plan, details and elevations

Date Petition Filed: February 25, 2016

Date Reviewed by Board of Adjustment: March 28, 2016