

All Board of Adjustment Meetings are recorded.

CITY OF CUSTER CITY
BOARD OF ADJUSTMENT AGENDA
March 2nd, 2020 - City Hall Council Chambers
Immediately following the meeting of the City Council
(City Council Meeting to begin at 5:30pm)

- 1. Call to Order - Roll Call:**
- 2. Approve Agenda:** March 2nd, 2020
- 3. Approve Minutes:** None
- 4. Declaration of Conflict of Interest:**
- 5. Public Hearings:**
 - a. Variance Request, Maximum Allowable Sign Area - 245 Centennial Drive
 - b.
- 6. ~~Old Business~~**
 - a. ~~—~~
- 7. ~~New Business:~~**
 - a. ~~—~~
- 8. ~~Discussion Items:~~**
 - a.
- 9. Public Comments (3-minute max. per person, with total communication period to not exceed 15 minutes):**
- 10. Adjournment**

ADA Compliance: The City of Custer City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Finance Office 24 hours prior to the meeting so that appropriate services are available.



Planning Department
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Custer, SD. 57730
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Staff Report

Request: Variance to the Maximum Allowable Sign Area for Each Sign, *CMC 15.10.070*
Applicant: Custer Hospitality, LLC
Fee Paid: \$250.00
Location: 245 Centennial Drive
Date: February 27, 2020
Board of Adjustment Meeting: March 2, 2020
Prepared by Tim Hartmann, Planning Administrator

GENERAL

The Planning Office has received a request for a variance to Custer City Sign Regulations, specifically section 15.10.070, On-premise business signs in Highway Commercial and Industrial Districts. Per CMC 15.10.070 a property within the highway commercial district is allotted 3 square feet of signage per 1 lineal feet of commercial street frontage. With this requirement the property at 245 Centennial Drive has 3600 square feet of signage available to them with the 1200 linear feet of frontage of the parcel. The total area of signage is adequate for the owner's signage plans; the variance concern is specific to the maximum allowable area of each sign. Per CMC 15.10.070 each double-sided pole sign shall not exceed 200 square feet and wall mounted and monument signs shall not exceed 100 square feet.

The owners feel that fewer signs of a larger size would better support there signing needs while also better aligning with the purpose and intent of the ordinance.

Please also note the letter from Custer Hospitality dated January 23,2020.

VARIANCE

The variance request is to allow a variance from Custer Municipal Code 15.10.070. If approved the variance would allow an increased size in signs on the property. Each sign would not exceed 550 square feet. All other stipulations within the sign ordinance would stand. Each new sign would be subject to a sign permit.

PUBLIC HEARING

A Public Hearing was also held at the February 11th, 2020 Planning Commission Meeting.

PREVIOUS ACTION BY PLANNING COMMISSION

The Planning Commission reviewed this variance request at their February 11th meeting. Discussion was held mainly concerning planned location of signs, existing signage, and size of proposed signs. Commissioner Olson moved to recommend approval of the variance as presented. His motion carried with Commissioners Olson, Uhrich and Johnson all voting yes.

SUMMARY AND STAFF RECOMMENDATION

Staff does feel that this property has special circumstances with its large amount of highway frontage and open space adjacent to the highway. Per our signing regulations, the applicant is entitled to the total allowable sign area and is not requesting a variance to such. Although the maximum size sign in the request (550sqft) is significantly larger than regularly allowed, most signs will likely not be this large and I believe a larger sign(s) will fit within the landscape more appropriately than multiple small signs.... Staff supports approval of the variance by the BOA.

Variance Request

January 23, 2020

Custer Hospitality, LLC

Property: Buffalo Ridge Camp Resort
245 Centennial Dr.
Custer, SD 57730

Regulation Exception: 15.08.110 Sign Regulations

- A. This parcel is unique in the fact that it has over 1,200 lineal feet of frontage.
- B. The ordinance allows 3 square feet of signage per every lineal foot of frontage, which equals approximately 3,630 square feet of signage allowed for this parcel.
 1. The ordinance requires signs to be a minimum of 75' apart which amounts to a maximum of 16 signs to be placed on this parcel.
 2. The ordinance requires each sign face not to exceed 100 square feet which would amount to a maximum of 200 square feet for a double-sided sign.
 3. Therefore, based on these restrictions the maximum signage allowed by the ordinance is 3,200 square feet, which is only 2.66 square feet per lineal foot of frontage.
 4. As a result, this parcel cannot enjoy the same amount of signage as other commercial properties without violating the size restrictions or spacing requirements of the ordinance.
- C. None of these conditions or circumstances were the result from the actions of the applicant.
- D. Granting this variance will not confer any special privilege, conversely it would allow this parcel to enjoy the same ratio of signage as other commercial properties.
- E. No grounds for this application are based on non-conforming uses of neighboring lands, structures, or buildings.

Our desire is to invest in our highway frontage by improving and expanding upon the current signage to be more aesthetically appealing. We would like to eliminate signs, enlarge signs, relocate signs, and build a new entry monument. We currently only have 2,200 square feet of signage and would like to increase this to not exceed the approximately 3,630 square feet allowed. In order to utilize the maximum amount of signage allowed a variance is required.

We are asking for a variance to the size restriction of each sign face because enforcing the maximum size would result in the proliferation of more signs, which contradicts the purpose and intent of the ordinance. Each sign would vary in size but would not exceed 550 square feet per face and the total combined area of all sign faces will not exceed 3,630 square feet. We believe this variance request is congruent with the intent of the ordinance because it reduces the number of new signs and will improve the aesthetics of the city.

Thank you for your consideration of this variance request.

Print

Custer, SD Code of Ordinances

15.10.070 On-premise business signs in Highway Commercial and Industrial Districts.

- A. Total allotted sign area shall be limited to three square feet (3 sq. ft.) of sign space per one (1) lineal feet of commercial street frontage, except that any bona fide business shall have not less than fifty square feet (50 sq. ft.) of sign space allotted to them. Where a parcel of land has reduced street frontage because it is located behind another parcel that abuts the street, the sign allotment shall be calculated from the width of the rear parcel for the length that it parallels the street it is accessed from.
- B. Double-sided pole signs shall not exceed two-hundred square feet (200 sq. ft.) of aggregate sign area and shall not exceed thirty feet (30') in height measured from the top of the sign.
- C. Wall mounted signs shall be limited to one-hundred square feet (100 sq. ft.). A wall sign may project not more than six inches from the storefront.
- D. Monument signs not to exceed one hundred square feet (100 sq. ft.) in size, exclusive of the supporting elements, provided that no part of the sign or structure exceeds six feet (6') in height and complies with corner lot sightline regulations.
- E. Double-sided projecting signs are allowed to have a maximum of fifty square feet (50 sq. ft.) of sign area and shall be subject to the provisions of the Maintenance and Encroachment Agreement between the State of South Dakota and the City of Custer.
- F. Signs shall be placed adjacent to the street upon which the sign allowance was calculated.
- G. No sign or element thereof shall be constructed closer than five feet (5') to any property line.
- H. Sign structures, pole signs and monument signs shall not be placed closer than seventy-five feet (75') to any other like sign structure, pole sign or monument sign.
- I. Company emblems, logos, and Trademark names architecturally designed into fuel station canopies do not count towards the aggregate sign area.
- J. Sign structures housing signs for multiple businesses, such as a mall or shopping complex, shall be considered a commercial structure and shall be regulated through the building permit process. (Ord. 832, 2019)



Affidavit of Certification for Neighboring Property Owner Notification

I hereby state that to the best of my knowledge all property owners within 250 feet, exclusive of rights of way and any properties under the same ownership, of my property have been notified by Certified Mail or Hand Delivered at least 10 days prior to the upcoming public hearing.

Dated this the 29th day of January, 20 20.

[Signature]
Signed

JERAD TENNYSEN
Name Printed

STATE OF SOUTH DAKOTA

COUNTY OF Custer

Subscribed and sworn before me this the 29 day of January, 20 20.

[Signature]
Notary Signature

AMANDA BLUME
Notary Name Printed

Sept 20, 2025
Commission Expires