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211 BOSTON POST

ZONING BOARD OF APPEALS
RESOLUTION
CALENDAR NO. 15-1993

RECEIVED
11:13 AM
APR 1 1993

APPLICANT: Mobil Oil Corporation

OWNER: Ralph Boccarossa

TOWN CLERK'S OFFICE
DARIEN, CT

SUBJECT AND PREMISES AFFECTED: The application of Mobil Oil Corporation for property of Ralph Boccarossa filed on February 24, 1993 for variations of Section 926 of the Darien Zoning Regulations to allow demolition of the existing gasoline station and construction of a new facility. Section 926 Signage: the ground sign is proposed to be 11.0 feet in lieu of 30.0 feet from the front property line, 7.6 feet tall in lieu of 4.0 feet maximum permitted height, 26.6 square feet in area in lieu of 20.0 square feet as permitted, and will contain 20 inch tall letters in lieu of 4 inch letters as permitted; the proposal also includes two (2) wall signs with 60 inch letters/figures and a total area of 25.5 square feet in lieu of the permitted one sign with 6 inch letters and 24.6 square feet of sign area. The property is situated on the northwest side of Boston Post Road approximately 90 feet southwest of the intersection of Boston Post Road and Richmond Drive and is shown on Tax Assessor's Map #13 as Lot #5, being Street Number 211 Boston Post Road and located in an Service Business East (SB-E) (commercial) zone.

APPEARANCES:

For Applicant: Chris Richter of Bohler Engineering
Other: E. Mark Stubblefield
For Opposition: None

ACTION OF BOARD: Granted in part and Denied in part

VOTE:

Affirmative: Mmes. M. Walker and Von Schmidt and
Messrs. J. Walker, Jones & Castine

Negative: None

WHEREAS, a Public Hearing was held on this application by the Zoning Board of Appeals at its meeting of March 17, 1993 after due publication in the Darien News-Review; and

WHEREAS, the Board finds that:

1. Chris Richter submitted proof of mailing of notification to the neighboring property owners.
2. Mr. Richter explained that his client wishes to obtain variances regarding the signage which could be allowed at the facilities. He said that the plan is to demolish the existing gasoline station and construct an entirely new facility. As part of that reconstruction they wish to install a ground sign or monument style sign in the planted island between the

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sidewalk and gasoline pumps. The ground sign would be 11' from the front property line in lieu of the required 30' setback. The proposed ground sign would be 7.6' tall and would have a total sign area of 26.6 square feet. Some of the letters on the sign would be 20" tall rather than the 4" letters normally permitted on the ground sign. Other sign variance requests include the installation of the wall sign with 10" letters above the service doors and installation of the Mobil "pegasus" logo which would be a figure measuring approximately 5' in diameter.

3. Mr. Richter explained that the proposed ground sign would be internally illuminated (both the Mobil identification portion and the price information) but none of the other signs would be internally illuminated. He said that the Mobil letters would be 20" tall and that the pricing information would be in 6" high figures. He explained that normally a 20 square foot ground sign is permitted and a 6 square foot price sign is permitted. The total sign area for those 2 items is 26 square feet. They proposed 26.6 square feet.
4. In the discussion it was noted that as part of the previous variance request for this property (Calendar 9-1993) the traffic expert indicated that given the speed limits in the area a 20" letter was not necessary. It was concluded that a 15" letter would be sufficient to assure appropriate visibility. The Board members noted that by reducing the height of the letters the area of the sign could be reduced so that 26 square feet of front ground sign and price sign could be accomplished.
5. The Board members concluded that the installation of the pegasus logo on the west side of the building is almost like an architectural feature, but since it is a logo and a sign, a variance of the regulations is appropriate.
6. Mr. Richter explained that the building design would still be red brick with asphalt shingles. Colonial style windows with mullions would be included. He also said that an additional window would be added on the westerly side of the structure per the previous discussion with the Zoning Board of Appeals members. He also noted that the cupola on the top of the building had not yet been included in the drawings but he said that it would be part of the development plans submitted to the Planning and Zoning Commission.
7. It was noted that the entire project is still subject to Planning and Zoning Commission review. The Zoning Board of Appeals is making a ruling only with respect to the possible size, number and location of signs. The zoning issues of interest to the Zoning Board of Appeals but which they make no determination or interpretation about include: the number of required parking spaces for the proposed used; the counting of parking stalls immediately adjacent to the gas pumps as parking spaces; the adequacy of the disabled vehicle storage

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area; the landscaping and lighting of the proposed development; the hours of operation; and other aspects of the development which will be reviewed by the Planning and Zoning Commission. Mr. Richter noted that they will have no loud speakers on the site other than communication devises required by the Fire Marshal for safety of patrons; that they have added landscaping to the plans previously reviewed by the Zoning Board of Appeals; that the lighting fixtures will be directed downward to avoid any glare toward the residential area; and that the front landscaping and sidewalk area have been improved compared to the previous plan submitted to the Zoning Board of Appeals.

8. E. Mark Stubblefield of Point O'Woods Road South expressed concern regarding the proposed development activity and the impact that it may have on his residential property. A letter dated February 25, 1993 expresses Mr. Stubblefield's concerns and is in the Zoning Board of Appeals file. Many of the issues raised by Mr. Stubblefield are appropriate to discuss with the Planning and Zoning Commission.
9. A letter dated March 17, 1993 from the Architectural Review Board indicates that the ARB approved: the design of the building and the proposed canopy; the pegasus disk on the left side of the building provided it is not illuminated; the Mobil Service wall sign on the front of the building which will be externally lit and will have letters not exceeding 10" in height. The ARB is divided about whether a ground sign or pole (which would typically be permitted in the SB-E zone) is more appropriate.
10. The Zoning Board of Appeals concluded that the ground sign would be more appropriate than a pole sign, provided it was modified to reduce its size and is not internally illuminated.
11. This resolution shall become effective when recorded in the Town Clerk's office on or subsequent to April 1, 1993.
12. This variance, or any permit granted, if not acted upon within six months from its effective date shall become null and void. Within that six month period the applicant must make diligent progress to apply for and obtain the appropriate Special Permit approval from the Planning and Zoning Commission. Extension of the six month time period may be granted by the Zoning Board of Appeals subject to written request by the applicant and verification that the applicant is diligently pursuing Special Permit approval from the Planning and Zoning Commission.

NOW THEREFORE, BE IT RESOLVED, that due to the unique circumstances of the property and because strict application of the regulations would cause undue hardship, the following variances of Section 926 of the Darien Zoning Regulation are hereby granted to authorize new signage to be installed at the site provided such signage and site development is permitted by the Planning and Zoning Commission:

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- The ground or monument type sign to be located 11.0 feet in lieu of 30.0' from the front property line provided that sign is no more than 7.0' tall and has a maximum display area of 26.0 square feet per side and is not internally illuminated and contains letters not exceeding 15" in height and the price information to have letters and numbers not exceeding 6" in height and the base and sides of the monument to be constructed of red brick matching that of the building.
- The installation of a 60" diameter pegasus unlighted sign on the east side of the building; and
- installation of unlighted 10" high letters on the front wall of the service building.
- No other sign variances have been requested or granted.

These variances are granted subject to the following conditions and stipulations:

1. The building and construction, and signs shall conform substantially with the plans submitted to and reviewed by the Zoning Board of Appeals which includes the red brick building; use of colonial style windows with wood mullions; inclusion of a second window on the east side of the building; the pitched roof of the building and canopy; the canopy shall have closed ends rather than the open end style at the gables; and the inclusion of a cupola on the building.
2. The ground or monument sign for which variances are being granted shall be in lieu of any other pole or ground sign normally allowed in the Service Business East zone.
3. The determinations regarding: the appropriateness of the uses; the acceptability of the parking lay out and number of parking spaces; the inclusion of the dumpster area within the disabled vehicle enclosure; whether the towing operation is grandfathered and exempt from some regulations; the use of a portion of the building for retail sales unrelated to automotive use; the appropriateness of the planting and landscaping; storm drainage management; and other aspects of the proposed development are all subject to Special Permit review and action by the Planning and Zoning Commission. The action by the Zoning Board of Appeals to grant variances regarding signs is not intended to indicate acceptance of the entire project.

ARCHITECTURAL REVIEW BOARD
Town of Darien
2 Renshaw Road
Darien, CT 06820
656-7351

March 17, 1993

Christopher Richter, P.E., P.P.
Bohler Engineering, Inc.
786 Mountain Boulevard
Watchung, NJ 07060

Re: ARB Sign Application/ARB Application for Building Review
Mobil Oil, 211 Boston Post Road

Dear Mr. Richter:

At the Architectural Review Board meeting of March 17, 1993, your request to construct a new building and new signage was discussed. The ARB approved the design of the new building and the proposed canopy as well as the following signage:

- 1) the Pegasus disk on the left side of the building, which will not be lit at all;
- 2) the "Mobil Service" wall sign on the front of the building, which will be externally lit and will not exceed ten (10) inches in height; and
- 3) the "Mobil Mart" window sign, which will not exceed ten (10) inches in height

The Board spent much time discussing the proposed monument sign. The ARB did not reach a definite decision regarding the monument sign, and took no formal action. Some members of the Board approved of the concept of the monument sign versus the allowed pole sign, while some members approved of pole signs over the proposed monument sign. There was also discussion regarding the illumination of the sign, external versus internal. The entire Board was also reluctant to act due to the significant impact that allowing such signs may have on the entire Town. The ARB felt that a much more in depth and Town-wide study would have to be done before it could approve of such a sign.

I have enclosed a copy of the ARB comment sheet for your review. Please Note: This is not a permit. You must obtain the necessary permits and variances prior to commencement of construction activity. If you have any questions or if I can be of any help, please contact me at the Planning and Zoning office.

Sincerely,


David S. Kvinge
Assistant Planner

Enclosure

cc: Zoning Board of Appeals