

February 17, 2021

Via Hand Delivery

Zoning Hearing Board
Borough of West Chester
401 East Gay Street
West Chester, PA 19380
Attn: Kevin Gore

**RE: West Chester University of Pennsylvania; Application for Sign Variance
(Twisted Taco) UPI No. 1-13-1**

Dear Board Members:

Enclosed please find the original and one copy of the following submitted on behalf of West Chester University of Pennsylvania:

- The Application for Variance with narrative; and
- The Application fee of \$500.00.

Please contact me if you have any questions or require anything further.

Very truly yours,



Cara E. Williams

CEW/s

Enclosure

cc: Yeda Arscott – w/enclosure via e-mail: yarscott@wcupa.edu

BEFORE THE ZONING HEARING BOARD OF WEST CHESTER BOROUGH

**In Re: Amended Application of West Chester University of Pennsylvania of
the State System of Higher Education**

Application for Variance

1. Applicant is West Chester University of Pennsylvania of the State System of Higher Education (the "University"), with a mailing address 201 Carter Drive, Suite 200, West Chester, PA 19383.

2. The property that is the subject of this application is located at 701 S. High Street, being U.P.I. No. 1-13-1 [the "Property"], and is owned by the University.

3. The Property is located in the Borough's NC-2 Zoning District.

4. The Property includes retail/restaurant use as a pre-existing legal non-conformity.

5. The Property was previously occupied by Burrito Loco.

6. Applicant plans to open Twisted Taco, a restaurant, at the Property in early Spring of 2021.

7. The Applicant proposes one sign on the storefront, as depicted in the design attached as Exhibit "A".

8. The proposed sign is an illuminated roof mount sign facing Linden Street measuring 26 15/16" H x 143 9/16" L x 5" Deep, with an area of 26.86 square feet, which would mount to the storefront roof on an aluminum angle frame.

9. Pursuant to Chapter 112, Section 112-83.A.(9) of the Borough of West Chester Zoning Ordinance of 1988, as amended (the "Zoning Ordinance"), signs which are permitted, provided that a sign permit has been obtained, include business signs for nonconforming uses which are located in a building other than a residence and which indicate the name and activity of the occupant of the building, provided that:

a. Not more than one such sign shall be erected for such use.

b. Such sign shall not exceed four square feet in area.

10. Additionally, pursuant to Chapter 112, Section 112-83.A.(10) of the Borough of West Chester Zoning Ordinance of 1988, as amended (the "Zoning Ordinance"), only the following signs shall be illuminated in the residential districts:

(a) An identification sign of a physician, dentist, District Justice, hospital and any such other person or establishment whose services in an emergency are considered essential to public health, safety and welfare.

(b) An identification sign of a school, church or other similar permitted use, provided that said sign is illuminated only between the hours of dusk and 12:00 midnight, prevailing time.

11. Accordingly, Applicant requests a variance from Chapter 112, Section 112-83.A.(9)(b), as well as a variance from Chapter 112, Section 112-83.A.(10).

12. The Property is situated on Linden Street, between High Street and Walnut Street, between the RAM Shop and Saxbys, and therefore a larger sign is necessary to draw customers in from the higher traffic on High Street, as depicted in the view from High Street Exhibit "B".

13. Indeed the storefront, is difficult to see even from Linden Street as depicted in Exhibit "C".

14. The setback nature of the subject storefront makes it difficult to obtain business as students and citizens will remain unaware that the Twisted Taco exists.

15. Effective signage is critical to the success of this venture.

16. Such hardship exists purely from the location, shape and physical orientation of both the Property and the buildings situated around the Property and has not been created by the Applicant.

17. If authorized, the variances will not alter the essential character of the neighborhood and will not substantially or permanently impair the appropriate use or development of adjacent property nor be detrimental to the public welfare.

18. Saxbys coffee shop, which sits on the corner of High Street and Linden Street currently has illuminated storefront signage facing both streets. Photos of which are attached hereto as Exhibit "D".

19. Storefront signage for The RAM Shop, as depicted in Exhibit "E", was approved by the Borough of West Chester Zoning Hearing Board on July 13, 2020.

20. The proposed signage is generally consistent with the look of the existing Saxbys signage.

21. Finally, the variances, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation or ordinance at issue.

22. The Applicant requests that the Zoning Hearing Board consider this Application at the scheduled hearing.

23. The Applicant requests that the Zoning Hearing Board grant the relief requested and any other relief that the Board deems necessary and appropriate.

Respectfully submitted,

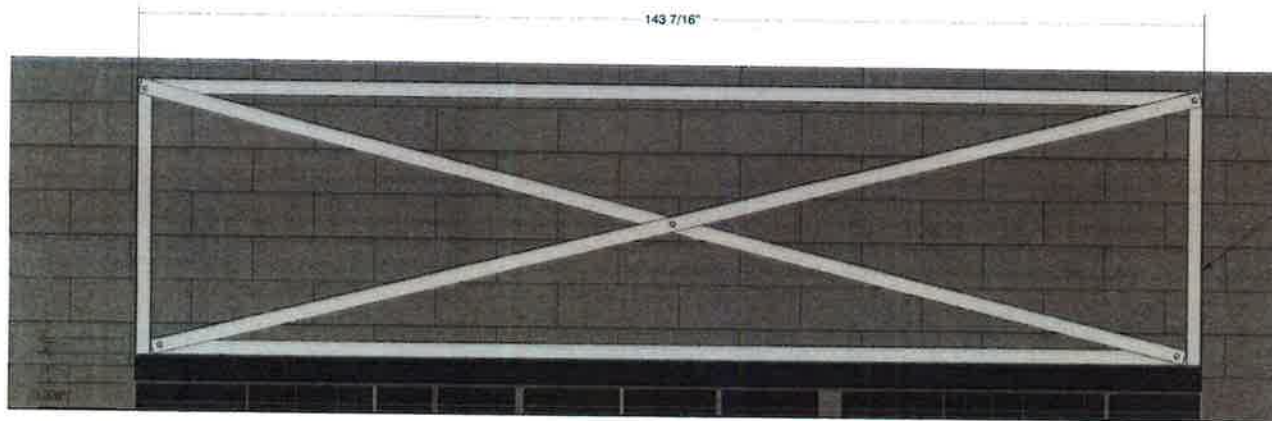
MacELREE HARVEY, LTD.



Brian L. Nagle, Esquire
Cara E. Williams, Esquire
17 West Miner Street
P.O. Box 660
West Chester, PA 19381-0660
(610) 436-0100

Date: February 17, 2021

Twisted Taco Variance Application Exhibit A



2" Aluminum Angle
Frame Work

- 26 15/16" H x 143 9/16" L x 5" Deep Channel Letter Logo Copy.
- CONST: 5" DEEP STD. COLOR .040 ALUM RETURNS w/ .040 ALUM BACKS.
- FACES: 3/16" 2793 RED ACRYLIC
- TRIM: 1" STD. COLOR
- LED LIGHTING:

- POWER: 120V. POWER SUPPLIES - MOUNTED IN RACEWAY

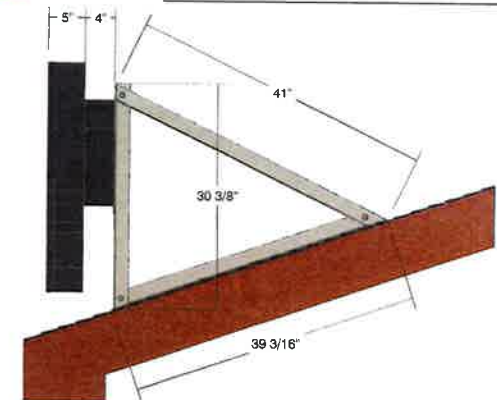
- RACEWAY: 7" X 4 1/2" X 145" w/ ALUM TUBING TO SUPPORT RULINE BARS

- RACEWAY COLOR: TBD

26.86 Sq ft



• 26 15/16" H x 143 9/16" L x 5" Deep Channel Letter Logo Copy.

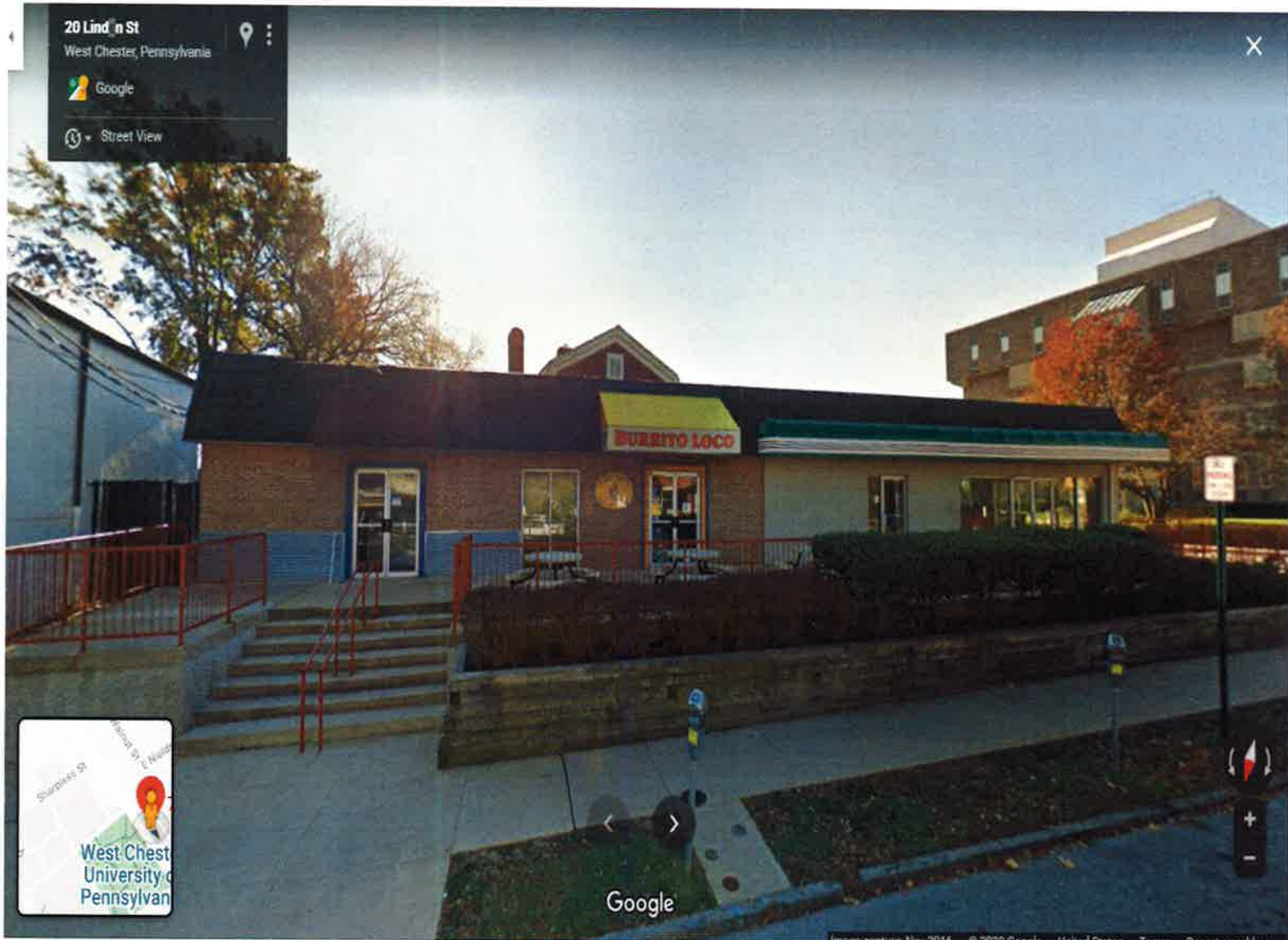


Date 2.26.20	DWG# 35744-WCU	Scale: 3/4" = 1'	Customer Twisted Taco	Mounting Roof Mount	Quote # 321219	Revision# Updated Presentation to Technical	Date							
Quantity 1			Location West Chester University	SF/DF Single Face	Sales Rep. Mike Gajewski	Revision#	Date							
Page 1 of 1			System First Surface Applied Vinyl on 27 7/8 x 142 3/4 Polycarbonate Panel	Finish SatIn Finish	Illustrator Don E.	Click Here to Add Revision Documentation								
			<table style="width: 100%; border: none;"> <tr> <td style="border: none;">Illuminated</td> <td style="border: none;">NO</td> <td style="border: none;">UL</td> </tr> <tr> <td style="border: none;">Voltage</td> <td style="border: none;">N/A</td> <td style="border: none;">Amp N/A</td> </tr> </table>	Illuminated	NO	UL	Voltage	N/A	Amp N/A	<small>*Due to the ADA/ANSI's wide interpretation and other factors that may exist, we cannot affirm compliance in all situations and is hereby removed from responsibility regarding these issues.</small>	<table style="width: 100%; border: none;"> <tr> <td style="border: none;">ADA</td> <td style="border: none;">No</td> </tr> </table>	ADA	No	<small>©Copyright 2019 Howard Industries</small> <small>• 6400 Howard Drive, Fairview PA 16115 • Toll Free 800-458-0591 • • PA 614-833-7000 • Fax 614-838-0011 • www.howardindustries.com</small>
Illuminated	NO	UL												
Voltage	N/A	Amp N/A												
ADA	No													

Twisted Taco Variance Application
Exhibit B



Twisted Taco Variance Application
Exhibit C



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160785.60891

Twisted Taco Variance Application

Saxbys Existing Signage

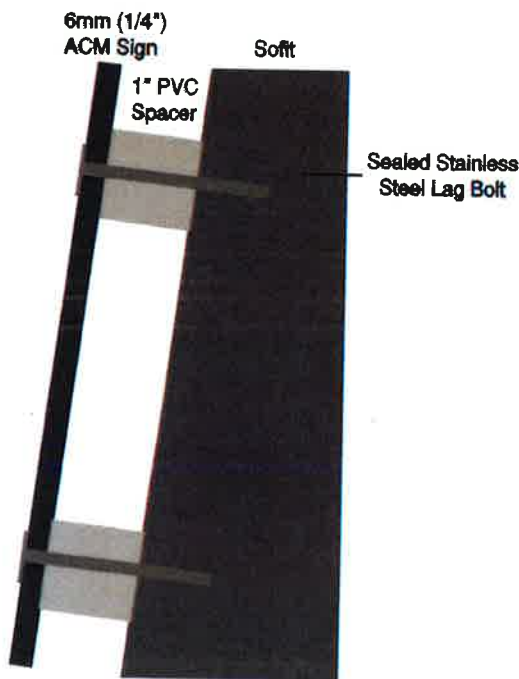
Exhibit D



Qty. (1) 12" x 72" 4 color cut vinyl decal installed first surface of right window on second floor.



Qty. (1) 45" x 45" 1/4" thick, single sided, full color ACM sign with UV protective laminate. Installed using 1" PVC spacers painted black and stainless steel lag bolts to soffit of building



Qty. (1) Diameter of circle logo is 45" x 45", the "Convenience Store" sign is 21.5" H x 78" W. A total size of 45" x 120." 1/4" thick, single sided, full color ACM sign with UV protective laminate. Installed using 1" PVC spacers painted black and stainless steel lag bolts to soffit building



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