

**Zoning Board of Appeals
May 22, 2024, Regular Meeting**

STAFF REPORT

Subject: ZBA 24-0020; 3501 South State Street

Summary:

Northern Sign Company, representing the business and property owners, is seeking a variance from Table 5.24-3 Other Mixed Use and Nonresidential and Special Purpose District Permanent Signs. The variance request of 21 feet would allow a permanent wall sign to be installed above the maximum allowable height of 20 feet. The property is zoned TC1, Transit Corridor District.

Background:

The subject property is located at the intersection of South State Street and Victors Way, north of Interstate 94. The building was built in 2003 and is a hotel use.

Description:

The applicants will be removing the existing Comfort Inn & Suites sign package and replacing with a Sparks Hotel by Hilton sign package. Two existing wall signs are to be removed and the applicants are requesting to replace with wall signs that will exceed the maximum allowable wall sign height of 20 feet. The proposed wall sign heights are 41 feet for the south and west elevations of the building.

Standards for Approval- Variance

The Zoning Board of Appeals has all the power granted by State law and by Section 5.29.12, Application of the Variance Power from the Unified Development Code (UDC). The following criteria shall apply:

- (a). ***That the practical difficulties are exceptional and peculiar to the property of the person requesting the variance and result from conditions which do not exist generally throughout the City.***

Applicant states, *“The Comfort Inn sign is already 43' high we would like to keep the new sign at that elevation”*

- (b). ***That the practical difficulties will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.***

Applicant states, *“This sign would not be seen at a lower height.”*

- (c). ***That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board to grant a***

Zoning Board of Appeals
April 24, 2023

variance, and the rights of others whose property would be affected by the allowance of the variance.

Applicant states, "Customers booking the hotel would be able to see it more clearly from any road or highway."

- (d). *That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.***

Applicant states, "No."

- (e). *A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.***

Applicant states, "A variance on this to keep the sign at the same height as it is now."

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with a large initial "J" and "B".

**Jon Barrett-
Zoning Coordinator**