

**Department of Community Planning and Economic Development – Planning Division Report**

Variance Request  
BZZ-4069

**Date:** June 12, 2008

**Applicant:** Michael Johnson on behalf of Shelby Jackson LLC

**Address of Property:** 1611 8<sup>th</sup> Street Southeast

**Contact Person and Phone:** Michael Johnson, 612-378-0372

**Planning Staff and Phone:** Molly McCartney, 612-673-5811

**Date Application Deemed Complete:** May 7, 2008

**Publication Date:** June 6, 2008

**Hearing Date:** June 12, 2008

**Appeal Period Expiration:** June 23, 2007

**End of 60 Day Decision Period:** July 7, 2008

**Ward: 2      Neighborhood Organization:** University of Minnesota

**Existing Zoning:** I1 Light Industrial District and IL Industrial Living Overlay District.

**Proposed Use:** Painted wall sign

**Proposed Variance:** A variance to increase the height of a painted wall sign from 24 ft. to 35 ft. from grade at 1611 8<sup>th</sup> Street Southeast in the I1 Light Industrial District and IL Industrial Living Overlay District.

**Zoning code section authorizing the requested variance:** 525.520 (21)

**Background:** The subject property is an existing four-story, brick building north of Bierman Filed on the University of Minnesota campus. The building was originally a two-story warehouse building, which was converted to dwelling units in 2005, and included a two story addition to the original building. The applicants are asking for a variance to replicate a historic painted wall sign, which is 35 ft. tall, and in excess of the height limits in the I1 District for signs.

The applicants have submitted historic photographs that indicate a wall sign or painted wall sign was in the location that the proposed sign would be. The proposed sign would have the same design and text as

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the original sign, “North Star Specialty Mfg. CO. 800 16<sup>th</sup> Ave SE”. The sign extended to the top of the second story windows. While the photograph is undated, there are vehicles parked outside that seem to indicate it was taken in the late 1940s or early 1950s.

### Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

Strict adherence to the zoning code prevents the height of proposed painted wall sign that is a replica of a historic sign. It is a reasonable use of the property to recreate the historic sign.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The circumstances are unique to parcel of land due to the previous wall sign. The proposed sign will help restore a historic wall sign which was in excess of the current height limits. While the applicant is initiating the sign, the previous historic sign is not a circumstance created by the applicant.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

Granting the variance will be in keeping with the spirit and intent of the ordinance. Signs in the Industrial Districts are limited to 24 ft in height, which is approximately two stories. The subject building second story extends past 35 ft. The height of the second story of the existing building is taller than other two story buildings.

The applicants have submitted historic photographs that indicate a wall sign or painted wall sign was in the location that the proposed sign would be. The proposed sign would have the same design and text as the original sign, “North Star Specialty Mfg. CO. 800 16<sup>th</sup> Ave SE”. The sign extended to the top of the second story windows. While the photograph is undated, there are vehicles parked outside that seem to indicate it was taken in the late 1940s or early 1950s. Restoring the wall sign is an example of historic preservation of the building’s historic use.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

The proposed variance would not likely have an impact on congestion or public safety.

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### **Recommendation of the Department of Community Planning and Economic Development Planning Division:**

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and **approve** the variance to increase the height of a painted wall sign from 24 ft. to 35 ft. from grade at 1611 8<sup>th</sup> Street Southeast in the I1 Light Industrial District and IL Industrial Living Overlay District, subject to the following conditions:

1. CPED–Planning Division review and approve the final site plan, floor plans, and elevation. All drawings will be measured to an architect or engineer’s scale.