

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

Variance Request  
BZZ-2628

**Date:** October 20, 2005

**Applicant:** Ambassador Mortgage

**Address of Property:** 2801 Hennepin Avenue

**Contact Person and Phone:** Mike Lawrance – Signcrafters 763-571-2995

**Planning Staff and Phone:** Jim Voll 612-673-3887

**Date Application Deemed Complete:** September 26, 2005

**End of 60 Day Decision Period:** November 25, 2005

**Appeal Period Expiration:** October 31, 2005

**Ward:** 10      **Neighborhood Organization:** Lowry Hill East

**Existing Zoning:** C1 Neighborhood Commercial District

**Proposed Use:** Two 60 square foot wall signs.

**Proposed Variance:** A variance to increase the maximum allowable area per sign, for two wall signs, from 45 square feet to 60 square feet and a variance to increase the maximum allowable area of all signs from 93 square feet to 152 square feet.

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

**Background:** Ambassador Mortgage is proposing the installation of two wall signs at its location of 2801 Hennepin Avenue. The site is zoned C1 Neighborhood Commercial District. The zoning code limits wall signs to a maximum area of 45 square feet and a maximum height of 14 feet. In addition, the code sets an overall budget for all signage on each primary building wall; in this case the budget is 93 square feet (62 feet of primary building wall times 1.5). The applicant proposes two wall signs on the front of the building that are 60 square feet each. These two signs plus the existing signage on the front of the building exceed the allowable budget of 93 square feet at 272 square feet. The applicant has indicated that the signs will comply with the 14 foot height limit.

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### 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.**

The existing building signage already exceeds the allowable budget by 59 square feet (152 existing -93 allowed) and the applicant proposes an additional 120 square feet. Staff can find no condition that could be considered a hardship. It is unreasonable to request an additional 120 square feet of signage when the building already has its signage at its maximum.

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 site is flat and rectangular and the building is up to the property line. There is no unique characteristic and the conditions are generally applicable to other properties in the city.

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.**

The intent of the ordinance is to allow effective signage appropriate to the character of each zoning district, to promote an attractive environment by limiting visual clutter and confusion, and to minimize effects on nearby properties. The building signage already exceeds the allowed maximum and staff can find no reason why the individual signs need to exceed the 45 square foot limit. Therefore, granting the variance will circumvent the intent of the ordinance.

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.**

Granting the variances would have no impact on the congestion of area streets or fire safety, nor would the variance be detrimental to the public welfare or endanger the public safety.

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**In addition to the conditional use standards contained in Chapter 525 and this article, the City Planning Commission shall consider, but not be limited to, the following factors when determining sign variances:**

- 1. The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.**

The signs will lead to clutter and will be out of character with the area. The existing signage already exceeds that allowable maximum of 93 square feet and the applicant is proposing 120 square feet of additional signage that both exceed the maximum amount per sign as well.

- 2. The sign adjustment will allow a sign of exceptional design or style that will enhance the area or that is more consistent with the architecture and design of the site.**

The sign will be professionally constructed and installed, however, staff does not believe it is of exceptional design or style that will enhance the area.

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

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and **deny** the variance to allow two wall signs to exceed the maximum allowable area from 45 square feet to 60 square feet and to **deny** the variance to increase the maximum allowable area of all signage from 93 square feet to 272 square feet for property located at 2801 Hennepin Avenue in the C1 Neighborhood Commercial District.