



CITY OF TUCSON DEVELOPMENT SERVICES DEPARTMENT

**Sign Code Advisory & Appeals Board
County-City Public Works Building
201 N. Stone Avenue
Basement Conference Room "C"
Tucson, AZ 85701**

NOTICE OF DECISION

Case No. T15SA00386

Blake's Lotaburger

1600 W. Valencia Road

Public Hearing:

December 16, 2015

Board Members Present:

Art Coppola, Michael Marks, Andrea Kennedy,
Dan Santa Maria

Staff Present:

Stacy Stauffer, Andy Connor, Sue Montes, Glenn Moyer,
Brian Wiese

Owner:

CFT Development LLC

Applicant:

Addisigns, Inc.

Speakers:

Mike Addis, Gilda Maraboto, Craig Wood

The applicant proposes to install an 81 sq.ft. illuminated canopy sign on the south elevation of a new restaurant, on property subject to the General Business District. The applicant requests a special permit and variances:

1. Chapter 3 Sign Code, Article V. Sign Types and General Regulations, Section 3-59. Canopy signage requirements (such as, but not limited to: Dimensional Standards and Orientation)
2. Chapter 3, Sign Code, Article IV. General Requirements, Section 3-42. Integrated Architectural Features: To encourage and promote a harmonious relationship between buildings and signs, the sign code advisory and appeals board is authorized to approve a special permit in accordance with Article XI of this sign code for signs that are designed into and constructed as part of an integrated architectural feature of a building where strict application of the provisions of this sign code would otherwise prohibit such signs.

Ms. Kennedy made a motion to approve the applicants request for a special permit and requested variances, with the exception that the letters on the canopy are to be 30 inches tall instead of the requested 36 inches with the following conditions:

1. **Substantial compliance with the two perspective drawings shown on page 1 of 6 of the sign plans submitted November 3, 2015.**
2. **A maximum sign area of 81 square feet.**
3. **Letters shall be no more than 30 inches tall.**
4. **Maximum height shall be 17 feet 8 inches above the finished grade immediately below the canopy sign.**

5. **Top of canopy sign shall be not more than 30 inches above the top surface of the canopy directly below the canopy sign.**
6. **The wall behind the canopy sign shall be a minimum of ten inches higher than the top of the canopy sign.**
7. **The canopy sign may not project from the canopy fascia and may not be recessed more than 6 inches from the canopy fascia.**
8. **No individual letter may be angled more than 25 degrees from the building wall.**
9. **Sign shall be made up of individual bottom mounted letters in outline form as depicted on the perspective drawings on page 1 of 6 of the sign plans submitted November 3, 2015.**

The motion was seconded by Mr. Santa Maria. The motion passed with a 4-0 vote.

DECISION – MOTION GRANTED WITH CONDITIONS: The Board granted the requested variance with the above noted conditions. The board felt that because there are special circumstances applicable to the property, strict enforcement of this Sign Code would deprive the property of privileges enjoyed by other property in the same district. The variance will not result in a special privilege to the property owner. The variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood. The need for the variance is not a result of special circumstances or conditions that were self-imposed. This is the minimum variance that will afford relief and is the least modification possible of the Sign Code provisions in question. Physical circumstances or conditions, such as irregular shape, narrowness or shallowness of the lot, or exceptional topographic condition of the specific property, the property cannot reasonable be signed in conformity with the provisions of this Sign Code.

IMPORTANT NOTICES: "APPLICANTS ARE ADVISED TO WAIT THIRTY (30) DAYS BEFORE ACTING IN RELIANCE ON THIS DECISION. The decision reflected herein is subject to appeal by any interested party. A permit may be requested and issued prior to the expiration of applicable time limits for reconsideration or appeal. Applicants who receive a permit less than thirty (30) days after a variance is granted [or less than thirty days after such other date as provided by the Board] do so at their own risk. Issuance of a permit or reliance thereon does not ensure that this decision will not be reversed within the appeal period."

(1) IN CASES GRANTED THAT REQUIRE A SIGN PERMIT, PERMIT MUST BE SECURED FROM THE DEVELOPMENT SERVICES DEPARTMENT (DSD) WITHIN 180 DAYS FROM THE DATE OF THIS MEETING. THE DSD DIRECTOR MAY GRANT AN ADDITIONAL 180 DAYS EXTENSION FOR GOOD CAUSE. (2) THE DECISION OF THE BOARD MAY BE APPEALED TO THE MAYOR AND COUNCIL BY FILING AN APPEAL WITH THE CITY CLERK WITHIN 15 DAYS AFTER THE DECISION OF THE BOARD, OR BY FILING A COMPLAINT FOR SPECIAL ACTION IN THE SUPERIOR COURT WITHIN 30 DAYS AFTER THE DECISION OF THE BOARD.

(A CASSETTE RECORDING OF THIS MEETING IS AVAILABLE UPON REQUEST AT THE CITY CLERK'S OFFICE.)

Sue Montes
Secretary
Development Services Department