



CITY OF TUCSON DEVELOPMENT SERVICES DEPARTMENT

Sign Code Advisory & Appeals Board
201 N. Stone Ave
Basement Conference Room "C"
Tucson, AZ 85701

NOTICE OF DECISION

Case No. S-08-01
804 S. 6th Avenue
Five Points Flowers

Public Hearing:

Board Members Present:

Board Members Absent:

Staff Present:

Owner:

Applicant:

Speakers:

January 16, 2008

John Roberts, Stephen Bohn, Jim Ayres

Leigh Robinson, Roger Sliker

Frank Mascia, Sharon Emley

Chuck Stephenson, Michael McCrory, Linus Kafka,

Sue Montes

Miriam Coy

Antonio E. Teran

Antonio Teran, Miriam Coy

The applicant was requesting a variance to: **1)** exceed the allowed height of a "monument type sign" (by 16 ft.), and **2)** allow the sign to be placed closer to the curbs of both streets than 20-feet.

Tucson Sign Code, Chapter 3, Article V, General Requirements and Limitations, Section 3-59(d), Freestanding Signs, Sign A: "Monument Type Sign" permits: Maximum Height: Ten (10) feet from grade, and requires a Minimum Setback from curb to leading edge of sign: Twenty (20) feet.

The applicant requested the variance to allow a 5' X 10' sign cabinet to be placed on top of an existing 21-foot high steel support that is located on the northeast corner of the property.

Mr. Roberts made a motion to grant a partial variance to exceed the allowed height by 10 feet (top of sign no more than 20 feet) and allow the sign to be placed closer than 20 feet to the curb of the street, with the condition that the sign is off-set on the existing steel support as was shown on the submitted plans seconded by Mr. Sliker. Motion passes 5-0.

DECISION – VARIANCE PARTIALLY GRANTED: The Board granted the partial variance to allow a sign to be placed on the existing steel support with a maximum height of 20-ft. to the top of the sign, with the condition that the sign is off-set on the pole as was shown on the submitted plan. The Board feels that there are special circumstances applicable to the property including its physical circumstances, which prevent compliance with the City Sign Code, and that the variance will not result in a special privilege to the property. Additionally, that the variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood.

IMPORTANT NOTICES: (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