



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-08-03
1620 W. Valencia Road
Taco Bell

<u>Public Hearing:</u>	March 12, 2008
<u>Board Members Present:</u>	John Roberts, Stephen Bohn, Frank Mascia Leigh Robinson, Roger Sliker, Sharon Emley
<u>Board Members Absent:</u>	Jim Ayres
<u>Staff Present:</u>	Chuck Stephenson, Linus Kafka, Sue Montes
<u>Owner:</u>	Cava Richard Anthony & Cava Anthony Silva, TR
<u>Applicant:</u>	Palo Verde Signs, Kimberly Duarte
<u>Speakers:</u>	Kimberly Duarte

Tucson Sign Code, Chapter 3, Article IV, General Requirements, Section 3-33(A) Grade, states: "General: The grade of the sign is the lowest point of elevation of a finished surface within a 20-foot radius of the base of the sign or in any case not extending beyond the property line". Article V, Sign Types and General Regulations, Section 3-62(B) Menu Boards, allows" Maximum height: 7 feet".

The applicant is requesting a variance to exceed the allowed height of a Menu Board to allow grade to be measured at the base grade of the sign.

Mr. Bohn made a motion, seconded by Mr. Sliker, to approve the requested variance allowing the grade to be measured at the base of the sign, because the differences in the grade are due to the contour of the property. The board felt the requested variance will not result in a special privilege to the property and would be appropriate for any property owner facing similar circumstances. The variance is the minimum to afford relief and will not materially affect the health, safety, and welfare of the neighborhood. Vote passes 6-0.

DECISION – VARIANCE GRANTED: The Board grants this variance because the differences in the grade are due to the contour of the property. The board felt the requested variance will not result in a special privilege to the property and would be appropriate for any property owner facing similar circumstances. 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

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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