



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

---

File #: RES 18-148, Version: 2

---

**DEVELOPMENT BUSINESS** - *Bryan K. Schafer, Planning and Community Development Director*

**GRANTING A VARIANCE TO THE STYLE AND HEIGHT OF AN EXISTING  
FREESTANDING SIGN AT 611 109<sup>TH</sup> AVENUE NE. INFINITY AUTOMOTIVE.  
(CASE FILE NO. 18-0046/NBL)**

Planning Commission (Public Hearing)	07/10/18
<b>City Council (Variance)</b>	<b>08/02/18</b>
Action Deadline	08/23/18

There were two emailed comments from adjacent residents. Both comments stated that they were not in support of granting the variance request and stated that the close proximity of the business to residential homes should be taken into consideration. The Planning Commission recommended denial of the variance request and suggested that the applicant work with City Staff to see if the issue could be resolved prior to the City Council meeting on August 2, 2018.

The City's sign ordinance allows single tenant buildings in the B-2 (Community Commercial) zoning district one freestanding monument style sign. The ordinance allows the freestanding monument sign to be a maximum of 14 feet in height and it allows a maximum of 140 square feet in area.

The existing freestanding sign, located at 611 109<sup>th</sup> Avenue NE is non-conforming for two reasons. One the sign does not meet the ordinance requirements for freestanding monument style signs. Monument style is defined in the ordinance as follows "a freestanding sign that contains a solid or enclosed base and where the sign support post(s) is/are not visible. The base shall be constructed of materials that are consistent with and complementary to the building. Width of base to be a minimum of two-thirds (2/3) the width of sign face".

The existing sign was originally issued a permit in 1979 and was compliant with current code requirements at the time a permit was issued. The business was previously Austin's Muffler Shop. Recently a new business, Infinity Automotive, has taken over the site. Sign permits are required to change the copy of the sign for a new business name. In order for the City to issue sign permits for the existing freestanding sign it must be brought into compliance with current code requirements.

The monument style requirement along with the maximum height requirement for freestanding signs have been incorporated as part of the sign ordinance since 1994.

City ordinance requires that non-conforming signs be brought into compliance with sign permit requests when new tenants or sign face changes are made. Throughout the City older non-conforming signs have been updated through this permitting process with their new signs complying with current code requirements. Looking at the intersection of 109<sup>th</sup> and Jefferson there are two adjacent examples of signs that have been brought into compliance with current code requirements. Dry-clean Max located at 385 109<sup>th</sup> Ave NE has a monument sign that meets the height and monument style requirements. This business also had a sign, for which a permit was issued in 1973. The sign became non-conforming after the ordinance changes in 1994. The business built a monument sign back in 2011 and they were required to meet the current code requirements for monument style and height. Kinder Care Learning Center, located at 10851 Jefferson Street, built a monument sign in 1999. Their sign was required to meet current code requirements for monument style and height.

The applicant has stated that due to the angled parking on site, at 611 109<sup>th</sup> Ave, a monument sign of 14-feet, if constructed to current code requirements, would not be visible due to parked vehicles on site blocking the view of the freestanding sign. For this reason, City Staff has suggested to the applicant that they remove the freestanding sign completely and put up two wall signs (in accordance with current code requirements) on the building. If the existing non-conforming freestanding sign were removed then they would be in compliance with current code requirements. Given that the site is located not on a highway, but at the intersection of two lower speed local streets, wall signage would be a very effective way to advertise the business.

Section 27.05 of the zoning ordinance outlines seven (7) Criteria for granting a variance. Staff does not see the request as meeting any of these seven criteria.

By motion, deny the Resolution.

### **Attachments**

Zoning and Location Map

Site Plan

Sign Dimensions

Narrative

385 109<sup>th</sup> Avenue Freestanding Sign

10851 Jefferson Street Freestanding Sign

Public Comments

**WHEREAS**, an application has been filed by Infinity Automotive as Case File No. 18-

0046; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on July 10, 2018; and

**WHEREAS**, the Blaine Planning Commission recommends said Variance be denied; and

**WHEREAS**, the Blaine City Council has reviewed said case on August 2, 2018.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a variance is hereby approved per Section 34.07 (a)(2) (aa) of the Zoning Ordinance to allow for a freestanding sign that does not meet the monument style or height requirements of the ordinance, with the following rationale:

**PASSED** by the City Council of the City of Blaine this 2<sup>nd</sup> day of August, 2018.