

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0238R

AS AMENDED

RESOLUTION GRANTING AN APPLICATION FOR SIGN CODE VARIANCE BY AH ZEPPA FAMILY FOUNDATION FOR PROPERTY LOCATED AT 222 EAST SUPERIOR STREET.

BY COUNCILOR STAUBER:

RESOLVED, that the decision of the board of zoning appeals denying a variance from the Sign Code as requested by AH Zeppa Family Foundation is reversed upon the following grounds:

(a) Based upon the record presented to the council, the council finds that a hardship exists and that the nature of the demonstrated hardship is ~~[council to amend this resolution and provide the statement of facts supporting the existence of a hardship as required by City Code Section 44.35(a)]~~:

(1) 222 East Superior Street is the reuse of an historic structure, not originally a theater;

(2) Marquis for theaters are generally larger and in keeping with other historic buildings in the area.

RESOLVED FURTHER, that a variance from the Sign Code as requested by the applicant is granted conditioned upon the following terms and conditions:

(a) That the signs must be installed and maintained as shown on the rendering labeled #3 in the Variance File #09003;

(b) Signs must be installed with required permits under Chapter 44 of the Duluth City Code.

Resolution 09-0238, as amended, was adopted upon the following vote:

Yeas: Councilors Anderson, Eckenberg, Fedora, Fosle, Gardner, Krause, Stauber and President Gilbert -- 8

Nays: None -- 0

Abstention: Councilor Cuneo -- 1

Approved April 13, 2009

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Mayor

STATEMENT OF PURPOSE: This resolution grants a variance from the Sign Code as requested by the applicant and subject to conditions. If the council approves this resolution it must first amend it and identify the facts supporting the existence of a hardship. The showing of a hardship is required by Code.