

A-19-22

Title: Request for variance, submitted by Eric Albers for Bass Pro Shops, to vary the southern (side) setback of a large development sign from the required five feet (5') to two feet (2') for the sign at 3642 South Lindbergh Boulevard (Appendix D, Section 8f).

Owners: Sunset Hills Owner LLC **Petitioner:** Eric Albers
120 S Central Ave # 500 112 South Main Street
St Louis, Missouri 63105 Nixa, Missouri 65714

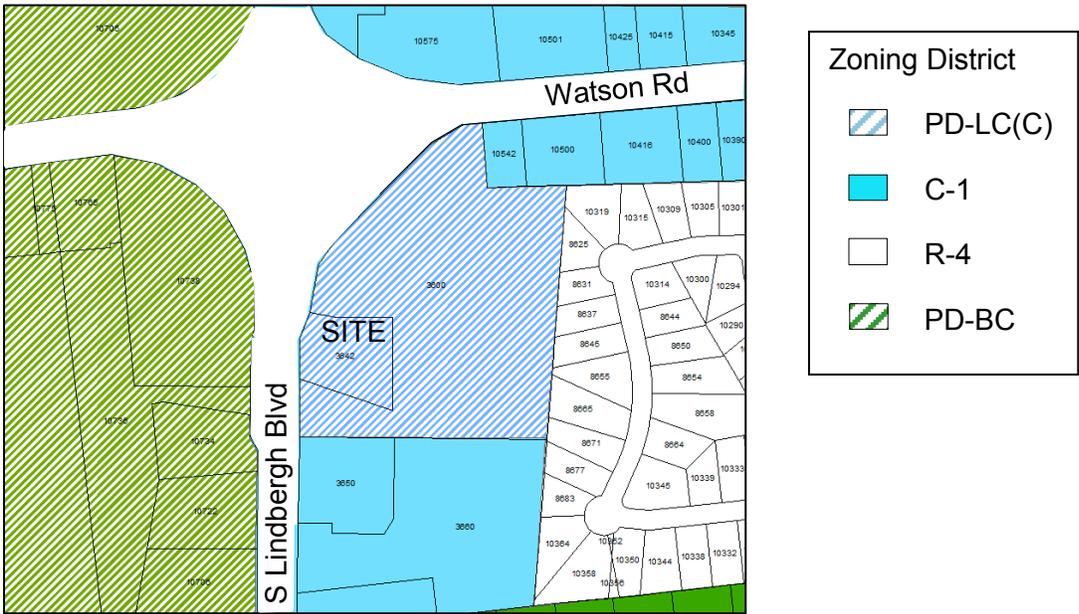
Date: May 2022





Summary:

This request is to vary the side setback for a large development sign from the required five feet (5') to two feet (2') for a sign at 3642 South Lindbergh Boulevard. The property is located on the east side of South Lindbergh Boulevard, approximately 780 feet south of Watson Road. The property is currently zoned PD-LC(C) Planned Development – Limited Commercial. The properties to the north and south are zoned C-1 Commercial District. The properties to the east are zoned C-1 and R-4 Single Family Residential. The properties to the west are zoned PD-BC Planned Development – Business Commercial.



Project overview:

- Location: The Shoppes at Sunset Hills. The large development sign is located on 3642 South Lindbergh Boulevard and serves both that property and 3600 South Lindbergh Boulevard.
- Existing zoning: PD-LC(C) Planned Development – Limited Commercial.
- Requirement from which variation is being sought: Appendix D, Section 8f.
- Setback requirement: Five feet (5') from property lines.
- Requested setback: Two feet (2') from the southern property line.
- Existing sign: Two feet (2') from the southern property line.

Staff analysis:

In March 2022, the City approved an Amended Development Plan for redevelopment of the property. Toys R Us and Ross Dress for Less previously occupied the space. The new tenant (Bass Pro Shops) has submitted a sign package, which requires several variances for the development. This petition is for the setback of a large development sign that would serve the entire development.

Per Appendix B Zoning Regulations, Section 9.3-2 Findings: The Board of Adjustment may grant variances from the strict application of this Ordinance when by reason of the strict application of this Ordinance or Amendments thereto would result in unusual difficulty or unreasonable hardship upon the owner of said property; provided that such variance can be granted without substantial impairment of the intent, purpose and integrity of this ordinance. It is further provided that this provision shall not permit the board of adjustment to permit a use of land not authorized by the provisions of this ordinance for a specific zoning district or to increase the height or volume of a building or structure or to increase the density of development beyond that permitted by this ordinance for any particular zoning district.

Before granting a variance, there must be a finding by the Board of Adjustment that all of the following conditions exist:

(A) That if the owner complied with the provisions of this ordinance, the owner would not be able to make any reasonable use of the property which is permitted in the district in which the property is located.

If the owner complied with the provisions of this ordinance, they would be able to make use of the property as it currently exists.

(B) That the difficulties or hardships are peculiar to the property in question in contrast with those of other properties in the same district.

The difficulties and hardships are not peculiar to this property.

(C) That the hardship was not the result of the applicant's own action and is not merely financial or pecuniary.

The hardship is the result of the applicant's own action. The hardship is not financial or pecuniary.

(D) That the issuance of a variance will not be detrimental to the public welfare or health or injurious to other property.

Based on the information provided by the Petitioner, this variance should not be detrimental to the public welfare or health or injurious to other property.

If the Board believes that application of this Ordinance would result in unusual difficulty or unreasonable hardship upon the owner of said property, this appeal should be approved.