

Board of Adjustment Staff Report

Meeting Date: July 27, 2023
Location: 10709 Watson Road
Applicant: Andy Hrdlicka
Description: **10709 Watson Road (Andy Hrdlicka):** A request for a variance from the City of Sunset Hills City Code, Appendix D, Section 5 to permit 3 wall signs on the same exterior surface in lieu of the maximum one sign permitted.

SUMMARY:

Andy Hrdlicka on behalf of Watson and Lindbergh Hotel LLC is requesting a variance from Appendix D of the City of Sunset Hills Code of Ordinances to permit 3 wall signs on the same exterior surface in lieu of the maximum one sign permitted

Section 5.a.2.b states that; “Retail businesses located in a multi tenant building (two (2) or more businesses) shall be allowed a maximum signage of five (5) percent of their exterior wall surface, for a **wall sign.**”

City Code states that the business is permitted a sign (singular). The applicant is submitting a request for three signs for the south façade of the Holiday Inn, thus staff is unable to approve either sign.

SITE HISTORY:

The property located at 10709 Watson Road and in some occasions referred to as 10705 Watson Road has contained commercial activity for many years. The current site embodies a hotel (Holiday Inn) and restaurant (Twisted Tree) in one connected building. The hotel portion of the building largely fronts Watson Road, and the restaurant fronts the road commonly known as Lindbergh Boulevard. The hotel portion of the building is currently under a major remodel. Part of the remodel effort is the installation of new exterior signs facing Watson Road.

BOARD OF ADJUSTMENT POWERS AND RESPONSIBILITIES:

In consideration of a request for a variance, the Board of Adjustment is required to follow Missouri State Statute and Sunset Hills code requirements. **Chapter 89 of the Missouri Revised Statutes states, “In passing upon appeals, where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of such ordinance, to vary or modify the application of any of the regulations or provisions of such ordinance relating to the construction or alteration of buildings or structures or the use of land so that the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done...” (emphasis added).**

APPLICANT REQUEST:

The Applicant has provided a statement of hardship, practical difficulty, or other information warranting action by the Board for consideration which is included in the Board of Adjustment packet.

The Applicant is requesting a variance from the City of Sunset Hills City Code, Appendix D, Section 5 to permit 3 wall signs on the same exterior surface in lieu of the maximum one sign permitted.

STAFF ANALYSIS:

The site has 3 existing signs (2 monument and 1 wall). The total existing signage on the site is 126 square feet. The total remaining signage that may be approved, per City Code, on the site is 74 square feet. Below (Figure 1) is an image that provides the general location of the existing signs on the site. It should be noted that the hotel is currently under construction for exterior renovations, but the footprint is in the same approximate location.



Figure 1: Location of Existing Signs to Remain

EXISTING SIGNS		
Type	Message	Total Square Feet
Monument	Holiday Inn	50
Monument	Holiday Inn	50
Wall Sign	Twisted Tree	26
Total		126

Below is an image (Figure 2) of the proposed total signage, the size of the sign rounded to the nearest square foot and the general location on the site. As previously stated, it should be noted the hotel is currently under construction for exterior renovations, but the footprint is in the same approximate location.

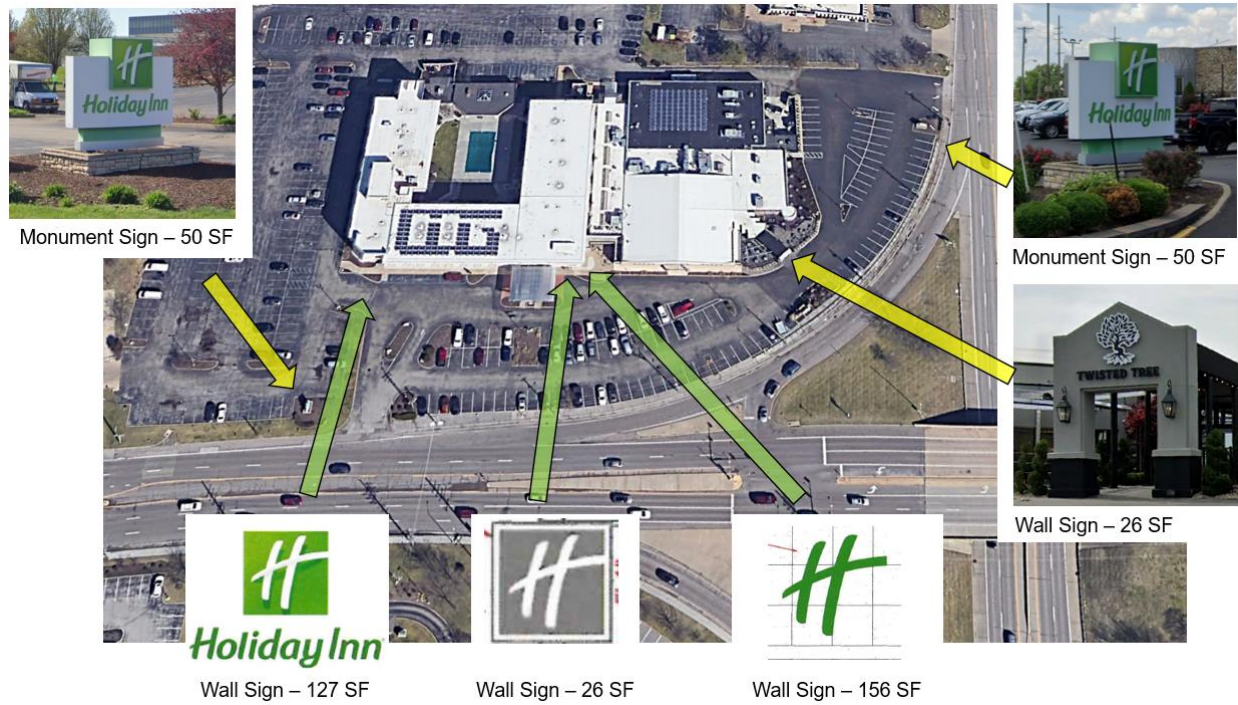


Figure 2: Location of Total Signs Requested (Existing and Proposed)

TOTAL REQUESTED SIGNAGE		
Type	Message	Total Square Feet
Existing Monument	Holiday Inn	50
Existing Monument	Holiday Inn	50
Existing Wall Sign	Twisted Tree	26
Proposed Wall Sign	Holiday Inn	127
Proposed Wall Sign	Holiday Inn	26
Proposed Wall Sign	Holiday Inn	156
Total		435

REVIEW OF VARIANCE REQUEST:

The Public Works Department has reviewed the request and submits the following information for the Board's consideration during review.

As established Appendix D (Sign Regulations) of the City of Sunset Hills Code of Ordinances; "Retail businesses located in a multi tenant building (two (2) or more businesses) shall be allowed a maximum signage of five (5) percent of their exterior wall surface, for a **wall sign**."

Section 10.3.2 of the City of Sunset Hills' UDO states: 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.

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

1. 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.

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

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

Staff Comment: The subject site is a commercial property along a major corridor which includes frontage and visibility from many locations. In accordance to St. Louis County

Geographic Information Systems (GIS), the ground that serves the hotel is fairly level compared to Watson Road to the south.

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

Staff Comment: There is no known evidence that the hardship was put on the Applicant but instead a desire by the Applicant to increase visibility along the Watson Corridor and those entering the site from the parking lot.

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

Staff Comment: There is no known evidence that the issuance of the variance would be detrimental to the public welfare or health or injurious to other property.

DECISIONS ON VARIANCE APPLICATIONS:

No variation granted by the Board of Adjustment shall be valid for a period longer than six months from the date on which it grants the variation, unless within such period:

- a) A building permit or other required permit is obtained and the construction, alteration, or moving of the structure is commenced.
- b) If a building or other permit is not required, the construction of the project for which the variation was required is commenced.

DEPARTMENT INPUT

City Staff has reviewed the submittal and found the application to be in conformance with the procedures outlined in the City of Sunset Hills Unified Development Ordinance. It should be noted that the applicant has two other variance applications submitted for signs at this location on the same July 27th agenda. Staff recommends action by the Board of Adjustment at the July 27th meeting.

EXHIBITS:

1. Application to the Board of Adjustment
2. Petitioner's Information
 - a. Applicant's Narrative
 - b. Sign Detail
3. Public Hearing Information
 - a. Public Notice
 - b. Notification Mailing List