

CITY OF SAINT PAUL

Deadline for Action: March 17, 2026

BOARD OF ZONING APPEALS RESOLUTION

ZONING FILE NUMBER: DSIBZA-000231-2025

DATE: February 2, 2026

WHEREAS, Joe Bennett has applied for a variance from the strict application of the provisions of Section 64.405 of the Saint Paul Legislative Code pertaining to business signs with dynamic display requirements. The applicant is proposing to convert an existing lit, freestanding sign to a dynamic display sign, keeping it in its current location. The zoning code requires dynamic display signs to be 75 feet measured along the road from residential districts and 50 ft from residential districts measured radially; 50 and 47 feet are proposed, for variances of 25 and 3 feet, in the B2 Business zoning district at 1305 7th Street West PIN: 112823430014; and

WHEREAS, the Saint Paul Board of Zoning Appeals conducted a public hearing on February 2, 2026 pursuant to said application in accordance with the requirements of Section 61.303 of the Legislative Code; and

WHEREAS, the Saint Paul Board of Zoning Appeals based upon evidence presented at the public hearing, as substantially reflected in the minutes, made the following findings of fact:

1. The variance is in harmony with the general purposes and intent of the zoning code.

The applicant proposes to convert an existing lit, freestanding sign to a dynamic display sign, keeping it in its current location. The zoning code requires dynamic display signs to be 75 feet measured along the road from residential districts and 50 ft from residential districts measured radially; 50 and 47 feet are proposed, for variances of 25 and 3 feet, respectively.

This applicant's request conforms to the provisions of Section 64.207, the findings necessary for sign variances, as follows:

a. The variance is due to unusual conditions pertaining to sign needs for a specific building or lot.

The corner-lot configuration and existing building placement limit standard sign placement. The proposal replaces existing signage to provide necessary business identification consistent with the area. **This finding is met.**

b. The sign would not create a hazard.

The sign will be installed by a licensed contractor and poses no safety hazard to the immediate area or the public. **This finding is met.**

c. The sign would not be objectionable to adjacent property owners.

No objections to this request have been raised by adjacent property owners. **This finding is met.**

- d. The sign would not adversely affect residential property though excessive glare and lighting.*

The sign will be monochromatic, static (changing no more than every 20 minutes), and turned off between 11:00 p.m. and 7:00 a.m. This minimizes potential glare and lighting impacts on nearby residential properties. **This finding is met.**

- e. The sign is in keeping with the general character of the surrounding area.*

The proposed sign is consistent in scale, placement, and appearance with other business signage in the surrounding area. **This finding is met.**

- 2. The variance is consistent with the comprehensive plan.*

The request aligns with Policy LU-6 of the 2040 Comprehensive Plan and the District 9 Area Plan Summary, which support businesses that enhance neighborhood services. The proposed sign will increase visibility, attract patrons, and stimulate local economic activity. **Therefore, this finding is met.**

- 3. The applicant has established that there are practical difficulties in complying with the provision, that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.*

The applicant has not demonstrated a practical difficulty in complying with the separation requirements. The property is currently in reasonable use with existing code-complaint signage. The request seeks to modernize or enhance signage but a desire for a dynamic display does not constitute a site-specific hardship that prevents reasonable use of the property. The constraints identified are common to many B2 parcels adjacent to residential zoning and are conditions that the code is intended to regulate, not waive. **This finding is not met.**

- 4. The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The landowner's plight originates from the property's unique circumstance, a B2-zoned lot surrounded by residential districts. As this situation is not attributable to the owner, **the finding is met.**

- 5. The variance will not permit any use that is not allowed in the zoning district where the affected land is located.*

The zoning code allows signage in all districts. **This finding is met.**

6. The variance will not alter the essential character of the surrounding area.

Allowing a dynamic display sign at reduced separation distances would alter the intended transition between commercial and residential areas that are established by the zoning code. The separation standard exists to limit visual and lighting impacts near residential uses and approving this request would weaken those protections and create precedent for similar encroachments. **This finding is not met.**

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Board of Zoning Appeals that the request to waive the provisions of Section 64.405 in order to permit a dynamic display sign to be located 50 feet from a residential district measured along the road and 47 feet measured radially at 1305 7th Street West PIN: 112823430014; and legally described as CLARKE'S ADDITION EX VICTORIA AND 7TH STS LOTS 16 AND LOT 17 BLK 8; in accordance with the application for variance and the site plan on file with the Zoning Administrator, **IS HEREBY DENIED.**

MOVED BY: Dayton
SECONDED BY: Schweitzer
IN FAVOR: 1
AGAINST: 3

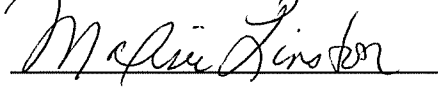
MAILED: 02/20/2026

TIME LIMIT: No decision of the zoning or planning administrator, planning commission, board of zoning appeals or city council approving a site plan, permit, variance, or other zoning approval shall be valid for a period longer than two (2) years, unless a building permit is obtained within such period and the erection or alteration of a building is proceeding under the terms of the decision, or the use is established within such period by actual operation pursuant to the applicable conditions and requirements of the approval, unless the zoning or planning administrator grants an extension not to exceed one (1) year.

APPEAL: Decisions of the Board of Zoning Appeals are final subject to appeal to the City Council within 10 days by anyone affected by the decision. Building permits shall not be issued after an appeal has been filed. If permits have been issued before an appeal has been filed, then the permits are suspended and construction shall cease until the City Council has made a final determination of the appeal.

CERTIFICATION: I, the undersigned Secretary to the Board of Zoning Appeals for the City of Saint Paul, Minnesota, do hereby certify that I have compared the foregoing copy with the original record in my office; and find the same to be a true and correct copy of said original and of the whole thereof, as based on approved minutes of the Saint Paul Board of Zoning Appeals meetings held on February 2, 2026 and February 17, 2026 and on record in the Department of Safety and Inspections, 375 Jackson Street, Saint Paul, Minnesota.

SAINT PAUL BOARD OF ZONING APPEALS

A handwritten signature in cursive script, reading "Maxine Linton", written over a horizontal line.

Maxine Linton
Secretary to the Board

