



## FACTS OF HARDSHIP

1. That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district;

**The property is being developed by Coca-Cola. The company is asking for a variance for a sign to be 456sqft which is greater than the 250sqft allowed by the zoning. While this sign does exceed the maximum square footage allowance the building would be allowed to have 800sqft sign if based on linear footage frontage alone. This property is similar to other businesses within Billings that have received variances for sign sizes on the building. At the time of purchase Coca-Cola ReCode was not the current City of Billings zoning. Coca-Cola had purchased this property with the prior to project ReCode. The prior zoning would allow to have a wall sign that was 20% in size of the wall with the sign. The current sign would've been in compliance with the old code. This Coca-Cola sign will be on the building and is considered part of the brand architecture. By following the existing zoning the company and building would be limited by signs standards that would force a hardship due to an architectural redesign. This variance is necessary due to the design architecture that is consistent for Coca-Cola buildings throughout the country.**

2. That a literal interpretation of the provisions of this zoning code would deprive the applicant of rights commonly enjoyed by other tracts in the same district;

**The Scheels, Cabela's, and Slumberland Furniture buildings have all received a variance for wall signs to exceed 250sqft. Following the literal interpretation of the zoning code would be depriving the applicant of rights that have been commonly enjoyed by other tracts. The Coca-Cola site is directly adjacent to Slumberland Furniture who also received this variance. Slumberland Furniture was permitted to have two 480sqft wall signs. This was over the allowed 250sqft and they have a road frontage of approximately 380 linear feet, which is significantly smaller than Coca-Cola.**

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this zoning code to other land in the same district;

**This variance will not confer on the applicant any special privilege. Other businesses in Billings have been granted variances for wall signs exceeding the 250sqft maximum size.**

4. That the granting of the variance will be in harmony the general purpose and intent of this zoning code with the growth policies;

**Granting this variance will be in harmony with the intended purpose of the zoning code and growth policy for the area. Billings strives to develop a community where businesses and people prosper according to their community goals within the growth policy. By granting this variance the board of adjustments would be allowing for prosperity of businesses.**