

**Description of request:**

The applicant proposes to install an off-premise digital billboard within the designated Off-Premise Digital Billboard Overlay District in the City of Ramsey. The city’s zoning ordinance permits a maximum of three such signs; two have already been approved and constructed. This proposed sign would be the third and final installation allowed under the current code.

The sign is designed to be 672 square feet in area and 50 feet tall, with two digital faces—one oriented toward each direction of travel on Highway 10. The applicant is seeking to enter into an agreement with the city to dedicate a minimum of 20 hours per month per sign face for public service and city-related messaging.

The city code requires a 2-mile (10,560 feet) separation between off-premise digital billboards. The proposed location offers a separation of 9,749 feet—approximately an 8% variance. The intent of the spacing requirement is to allow one digital billboard on the west end, one centrally, and one on the east end of the city along Highway 10. While the west and central locations have already been utilized, the eastern end lacks sufficient spacing under the code as written. If a sign was placed at the easternmost point within the city limits, the sign would not meet the spacing requirement. Without a variance, the city would be unable to complete its envisioned distribution of signs.

This proposed sign would fulfill the final permitted location under the existing code. It complies with all other applicable sections of the ordinance. The city’s current sign code update does not impact regulations related to off-premise digital billboards.

Practical Difficulties requirements:

**That the property owner proposes to use the property in a reasonable manner not permitted by the zoning code.**

The applicant is proposing to construct a digital off-premises billboard in a location specifically designated by the city’s zoning for such use. This is a reasonable and anticipated use of the property in this district. The sign complies with all applicable design, height, and dimensional requirements outlined in the ordinance. The proposed sign aligns with the city’s intention to allow up to three digital billboards along Highway 10.

The only element requiring a variance is a minor reduction in spacing – approximately 8% - from the 2-mile requirement. The proposed use fully remains consistent with surrounding land uses and existing signage. The request does not seek to increase the number of permitted signs or expand the overlay district; it simply enables the final sign envisioned by the city’s existing plan to be constructed.

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

Answer: The need for the variance comes from the physical location of this property and the location of the pre-existing placement of the two other off-premises digital billboards. This area – the eastern portion of the off-premise digital billboard overlay district along Highway 10 is the last remaining area feasible for the code contemplated third digital billboard. Due to the placement of the existing, previously approved off-premises digital billboards, achieving the 2 mile spacing is mathematically impossible. The 2 mile spacing puts the next allowable sign outside of the city’s boundary to the east. This creates a unique hardship and the application would otherwise be fully compliant if it were not for this slight spacing shortfall. Any other location to the east would also need a variance for spacing. These circumstances were brought about by the city defined spacing intervals combined with the previous placement of the two previously approved digital off-premises signs, which is not the result of any action or decision by the applicant or landowner.

**The variance, if granted will not alter the essential character of the locality**

Answer: The proposed sign is located within the designated off-premise digital billboard overlay district and is compliant with all other requirements of the ordinance with exception of the spacing variance. The code permits up to three of these signs – two of which have already been constructed. The variance would allow the third and final sign as contemplated by the ordinance, and fulfill the city’s original vision of having 3 signs distributed along Highway 10. The original intention was 1 sign on the west end, 1 sign in the middle, and 1 sign on the east end. This fulfills that vision.

The sign’s design and placement are consistent with existing permitted signs and will be located along a major commercial corridor, where such signs are expected and appropriate. The variance does not introduce a new or unexpected intensity of use into the area. It simply allows for the completion of the originally intended sign plan. The character will remain consistent and the visual and functional impact of the sign is aligned with the city’s intended land use in this area.

**Economic considerations alone do not constitute practical difficulties**

Answer: While there is an economic component to the development and use of any billboard, the variance request is not based on financial considerations. The practical difficulty stems from the limitations created by the existing placement of the other two permitted billboards and the fixed length of the Highway 10 corridor within city limits.

The applicant is not seeking to exceed the number of signs allowed or alter intent of the ordinance. The variance is necessary to fulfill the city’s plan for 3 evenly spaced digital billboards along highway 10. Without the slight reduction in the required spacing, the third and final sign cannot be

constructed in the city. The issue is a matter of geographic constraint and ordinance mechanics. The hardship is rooted in practical realities beyond economics.

**Practical difficulties include but are not limited to, inadequate access to direct sunlight for solar energy systems**

Not Applicable

**Public takings of property due to condemnation**

Not Applicable

**Variances shall be granted for earth-sheltered construction as defined in Miinn. Stats 216C.06, subd. 14, when in harmony with Chapter 106 of the city code**

Not Applicable