

b) The Zoning Regulations State:

The proposed replat would create an approximate 25-foot rear-yard setback, while the minimum requirement is 30 feet. See Code of Ordinances Section 100.8.03.2.

c) Interested Property Owners:

There were no written or verbal comments.

d) Discussion:

Mr. Clark Wilharm represented The Larrabee Center and briefly reviewed the proposed replat that would change the property lines on their parcel of ground. Mr. Wilharm explained what the Larrabee Center does and that they would like to demolish an old existing building and then build a new structure to house mentally disabled adults. He stated that they have their funding in place to go forward with the project and hope to start next year. Mr. Wilharm displayed photos of the type of duplex that they desire to build and mentioned that they want to face the structure towards 1st Avenue NW rather than 12th Street NW to enable the access to come from the less busy street. He further stated that the existing structures on the properties do not currently meet setbacks, but that the new structure will meet these required setbacks along with replacing a dilapidated building. He explained that by granting a rear-yard setback variance for the adjacent building that the new duplex would be able to have a side entrance that would be handicap accessible. Mr. Wilharm also mentioned that The Larrabee Center really does not want to remodel the old existing structure and desires to continue their effort to make their property look good.

The Board reviewed the proposed replat in relation to the existing property lines and structures and clarified that the relocation of the center property line will require the variance on the structure at 123 11th Street NW. Secretary Passmore mentioned that in discussions with Mr. Wilharm, the proposed replat was drawn to allow for the proposed project to go forward without requiring further variances. Mr. Passmore also noted that the replat will need to go before the Planning and Zoning Commission and the City Council, but could not proceed in that direction without a variance. Mr. Wilharm stated that to replat the entire area into one large lot was also looked at as a possibility, but was not preferable due to the funding mechanism that they will be using to build the new duplex. He also mentioned that keeping two distinct lots enables them to possibly sell one in the future. Member Brown reaffirmed that The Larrabee Center area would be improved with this project as more structures begin to meet current setbacks, most notably the front – yard setback of 25-feet would be met. Mr. Wilharm noted future plans for The Larrabee Center include a similar project for their adjacent south structure and said that they held a public hearing and received favorable comments.

e) *Motion by the Board:*

Motion By: Chris Foy

Seconded By: Karla Shea

Move that a variance to allow the proposed replat establishing an approximate 25-foot rear-yard setback at 123 11th Street NW be approved.

Yes: 5

No: 0

Absent: 0

2. Case #20041202, First National Bank of Waverly, 921 West Bremer Avenue.

a) *The Applicant's Requested Zoning Variance:*

The applicant is requesting a variance to the zoning regulation prohibiting the placement of signs within the line of sight triangles formed at an intersection.

b) *The Zoning Regulations State:*

The proposed freestanding pole sign would be within the 30 foot by 30 foot sight triangle at the intersection of 10th Street SW and West Bremer Avenue. See Code of Ordinances Section 100.26.C.2.

c) *Interested Property Owners:*

There were no written or verbal comments.

d) *Discussion:*

Members Foy and Gidley removed themselves from the Board before the discussion on the item began due to a conflict of interest and did not return to the meeting. Chairperson Lampe confirmed with the applicant their desire to have their request heard, as they will need all three votes in favor of the request in order to grant a variance.

Mr. Jeff Plagge of First National Bank, along with architect Rob Stensland of Modern Builders, Inc. and Stephen Allsop of Sign Productions, Inc. began the discussion by reviewing their request. Mr. Plagge explained the need to have a newer sign at this location was not only to mirror their proposed new signage at the main office, but also to replace an older sign that is deteriorating. Mr. Allsop reviewed the actual sign and the modifications to the existing pole that they intend to continue to use. He stated that they do not believe the existing pole with a new 10-inch cover will cause a sight visibility problem and that there are not other locations for the sign to be relocated. Mr. Stensland detailed the issues in potential relocation, stating that in order to remove the sign from the sight triangle, the sign would have to be placed in a driveway, and that the current location is the best location.

Member Shea confirmed that the original sign was built before the current sign ordinance was adopted. Member Brown confirmed that the approximate height and area of the sign will not change. Mrs. Shea asked if there was a structural reason for adding the 10 inches of width to the pole.

Mr. Plagge responded that the 10-inch cover is primarily for aesthetic purposes. Mr. Allsop mentioned that the cover was also to keep uniformity in the branch and main office signs. Mrs. Shea detailed her concerns over increasing the pole width and reviewed the need to prove a substantial hardship not created by the applicant. The Board discussed that in order for the existing sign to be modified in any way, it will require a variance, even if they replace the top of the sign and leave the existing pole unaffected. Mr. Plagge stated that they would leave the existing signage if the variance is not granted, but that they preferred to at least be able to replace the actual sign on top of the pole. Mr. Stensland offered the possibility to basically leave the existing pole unchanged except for some small appendages to cover electrical junctions and then replace the actual sign on top of the pole. The Board discussed this minor amendment to the variance request, which was acceptable to the applicant.

e) *Motion by the Board:*

Motion By: Pat Brown

Seconded By: Karla Shea

Move that a variance to allow the proposed sign to be placed within the appropriate sight triangle at 921 West Bremer Avenue be approved contingent upon; 1) Not altering the existing pole width, 2) Replacing the top sign, 3) Covering the electrical conduit at the base of the sign pole, 4) Submittal of a revised drawing prior to permit issuance.

Yes: 3

No: 0

Absent: 0

Members Foy and Gidley removed themselves from the Board due to a conflict of interest.

3. Case #20041203, First National Bank of Waverly, 316 East Bremer Avenue.

a) *The Applicant's Requested Zoning Variance:*

The applicant is requesting a variance to the zoning regulation establishing the maximum square footage of freestanding signs within the C-3 Commercial District.

b) *The Zoning Regulations State:*

The proposed freestanding pole sign would be approximately 61 square feet, exceeding the maximum allowed 40 square foot by approximately 21 square feet. See Code of Ordinances Section 100.26.F.11.

c) *Interested Property Owners:*

There were no written or verbal comments.

d) *Discussion:*

Mr. Jeff Plagge of First National Bank, along with architect Rob Stensland of Modern Builders, Inc. and Stephen Allsop of Sign Productions, Inc. began the discussion by reviewing their request. Mr. Plagge detailed all the signage changes the Bank is performing at the main office. Mr. Allsop stated that the Bank's location and site is much different from most of the downtown C-3 District and that the relative sign size restrictions placed on C-3 properties do not fit this property. Mr. Stensland stated that if the zoning of the main office was C-2 or C-2A, then the proposed size would be well within size allotments. Mr. Allsop added that the size of the sign and its respective letters are needed in order for the sign to be clearly legible for adjacent traffic.

Member Brown confirmed that the existing pole sign is too large per current sign code and that the proposed new sign will add approximately another 5 square feet to the area. Mr. Stensland stated that the new sign will be raised to the required 10-foot clearance which will make the new sign appear smaller. The Board discussed sign requirements for other commercial districts and member Shea stated her concern with respect to a variance allowing for a larger sign than allowed by ordinance. She further stated that she did not view this as a substantial hardship. Mr. Stensland stated that the uniqueness of the Bank site allows for this large of a sign, while still meeting the intent of the sign code. Mr. Plagge mentioned that the proposed size of the sign will flow better with the surrounding structures and to go smaller in size will appear awkward on the site.

e) *Motion by the Board:*

Motion By: Pat Brown

Seconded By: Karla Shea

Move that a variance to allow the proposed sign to exceed the allowed square footage by approximately 21 square feet at 316 East Bremer Avenue be approved.

Yes: 1

No: 2

Absent: 0

Members Foy and Gidley removed themselves from the Board due to a conflict of interest. Member Brown voted "Yes".

Members Shea and Chairperson Lampe stated their reason for denial as a lack of a substantial hardship.

E. Old Business: None

F. New Business:

Secretary Passmore reviewed the December Planning and Zoning Commission meeting with the Board and the current status of St. Mary Church.

G. Adjournment:

Motion By: Karla Shea

Seconded By: Pat Brown

That the Board of Adjustment meeting be adjourned.

Yes: 3

No: 0

Absent: 2

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