

Board of Zoning Appeals

October 16, 2019

7:00 PM

Requirements for granting a variance

- Unnecessary Hardship
- Hardship Due to Unique Property Limitations
- No Harm to Public Interests

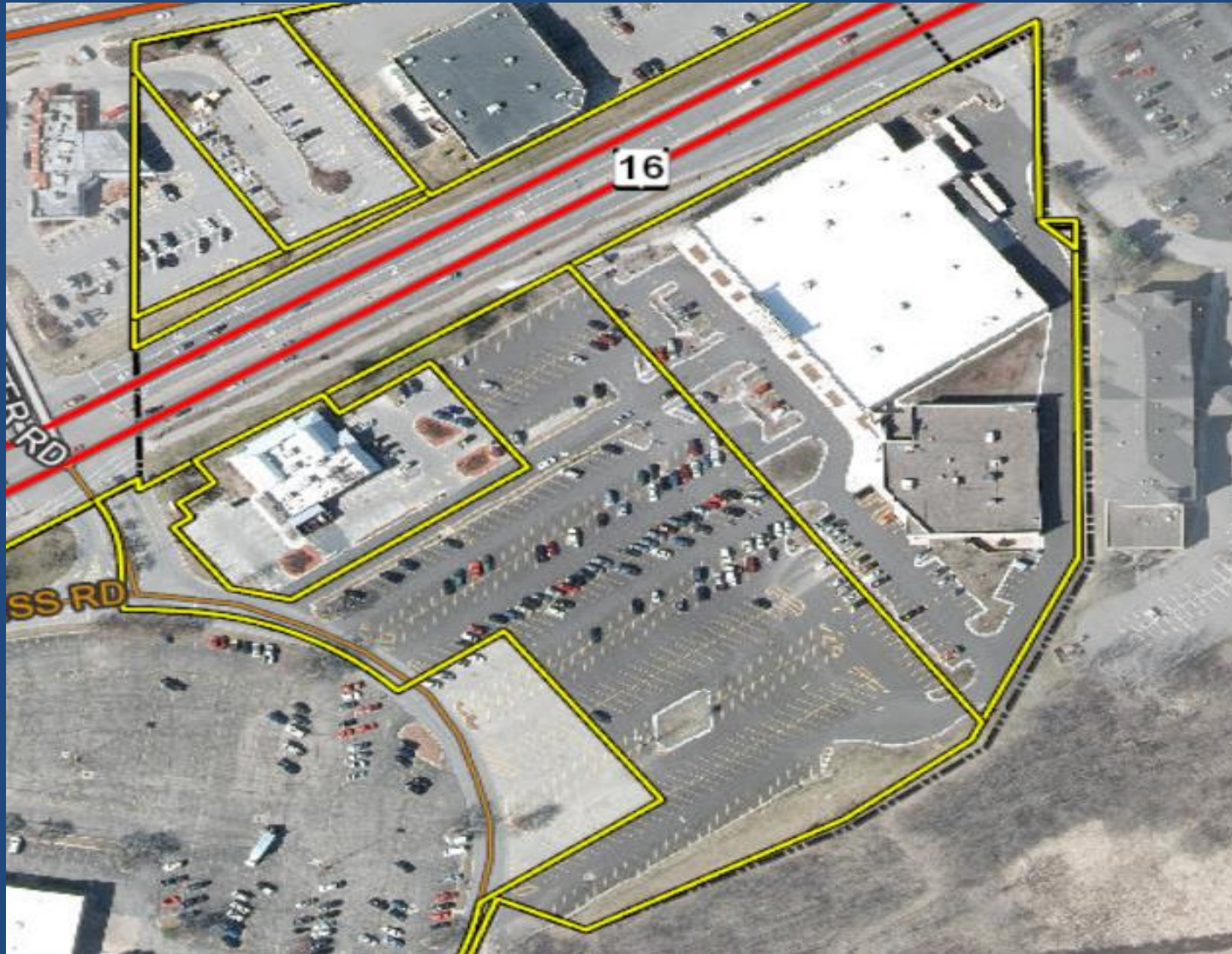
4400, 4424, and 4444 State RD. 16

- The owner has split parcels at the above addresses.
- Per municipal code section 115-(k)(1) 1 parking spot is required for each 150 square foot of floor area.
- For this project to remain as drawn a variance of 239 parking spots to the required 288 will need to be granted.

Exhibit C



4400, 4424, and 4444 State RD. 16



Requirements for granting a variance

- **Unnecessary Hardship:**
 - There is no unnecessary hardship because the properties were split without City approval and the lines can be adjusted to me code.
- **Hardship Due to Unique Property Limitations:** There are no unique property limitations.
- **No Harm to Public Interests**

333 Vine St.

- The owner has applied for a permit to place 2 monument signs at this address. Sign # 2 has been moved to be code compliant.
- Municipal Code 115.1 Vision clearance means a triangular space at the street corner of a corner lot, or at the intersection of a public alley with a street, or within 15 feet of the point of intersection of a driveway in a front yard setback with a road right-of-way, or within 15 feet of the point of intersection of a driveway and an alley right-of-way unoccupied except as otherwise specifically authorized.

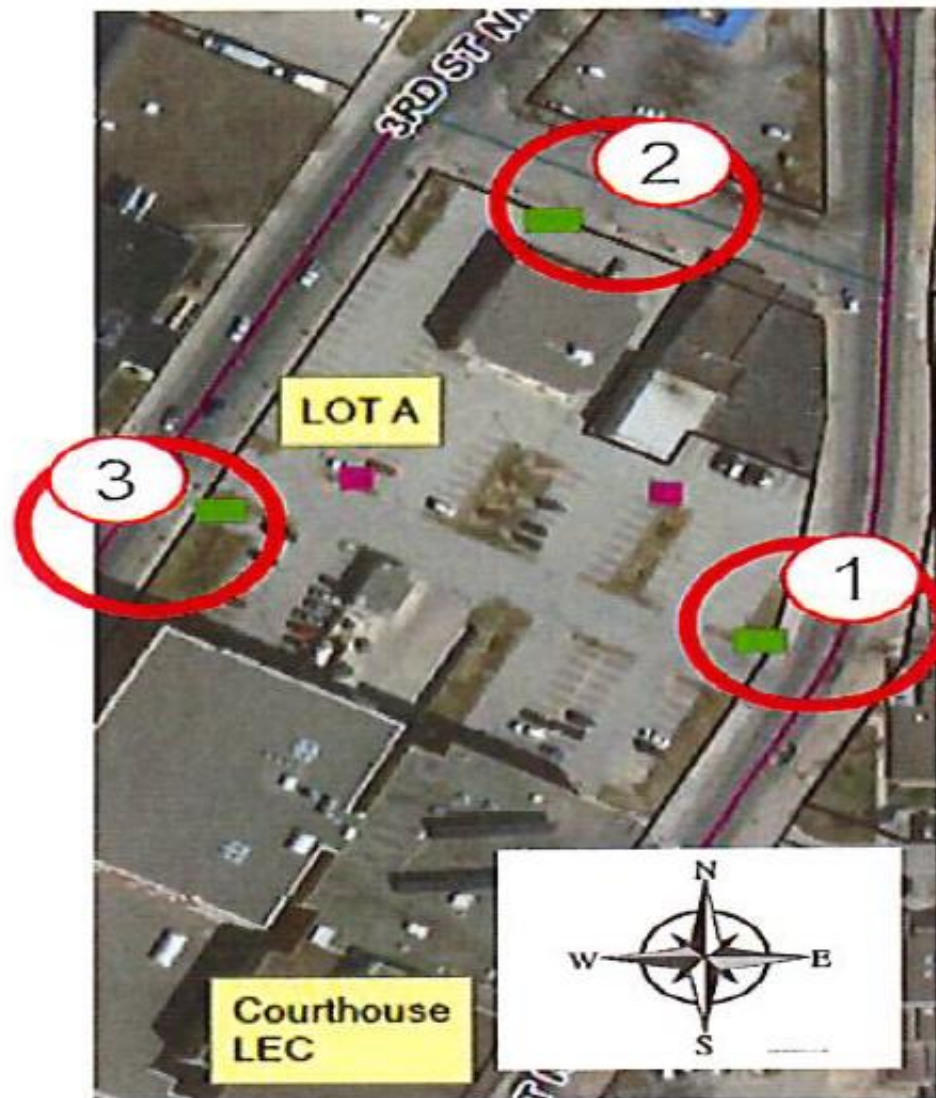
333 Vine St.

- Such space shall be determined by measuring from the point of intersection of the street lot lines along each street lot line, or street lot line and alley line, as the case may be, the distance required for the district in which the lot is located, forming a triangle by striking an imaginary line between said points of measurement.
- 111-11(b)
- Vision triangles. All signs shall be located so that they do not interfere with visibility at intersections or adversely affect pedestrian or traffic safety.

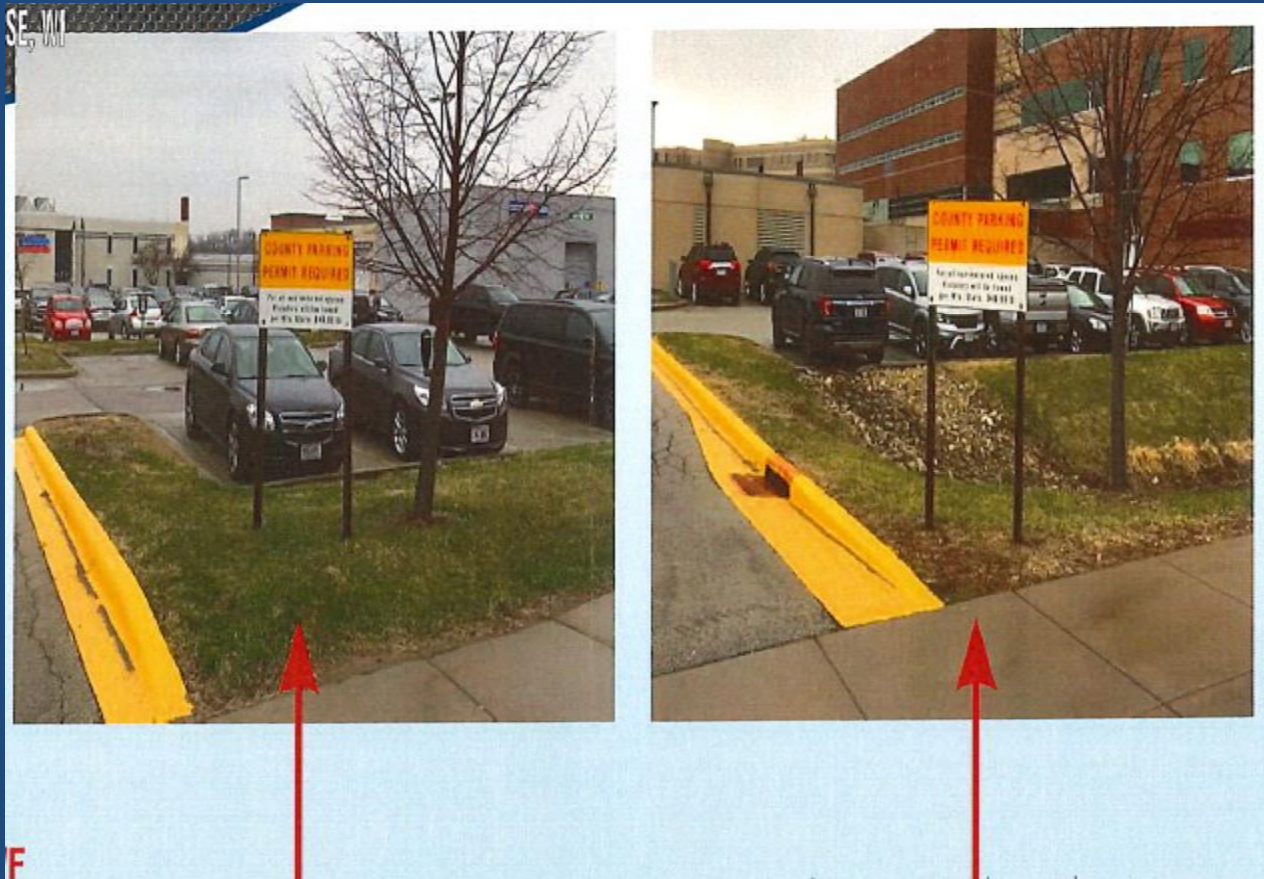
333 Vine St.

- To allow this project to proceed as proposed a variance to allow signs to be placed in the corner vision triangles of a driveway and a street at 2 locations on this property.

333 Vine St.



333 Vine St



333 Vine St.



333 Vine St.

Proposed monument location

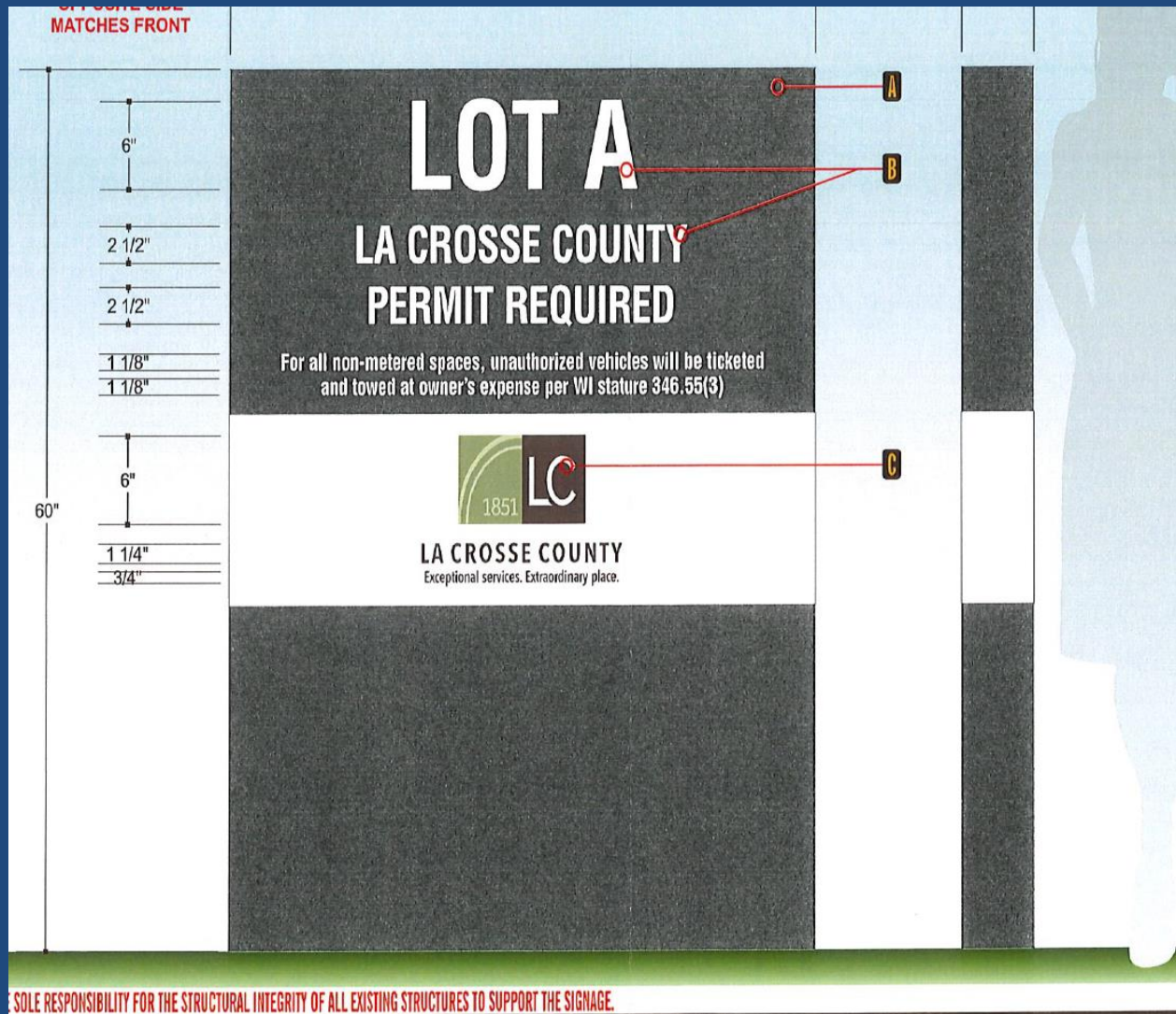


Proposed monument location



Monument sign to replace existing pole sign

333 Vine St.



333 Vine St.

- Sec. 111-12. - Prohibited signs types.
- (12) Signs that obstruct the vision of pedestrians, cyclists, or motorists traveling on or entering public streets.

Requirements for granting a variance

- **Unnecessary Hardship:** The signs can easily be moved out of the vision clearance.
- **Hardship Due to Unique Property Limitations:** Similar lots with the same zoning in the City where signs are installed to code.
- **No Harm to Public Interests:** Pedestrians have the potential of being struck by vehicles.

300 4th St. N.

- The owner has applied for a permit to place 4 monument signs at this address.
- Municipal Code 115.1 Vision clearance means a triangular space at the street corner of a corner lot, or at the intersection of a public alley with a street, or within 15 feet of the point of intersection of a driveway in a front yard setback with a road right-of-way, or within 15 feet of the point of intersection of a driveway and an alley right-of-way unoccupied except as otherwise specifically authorized.

300 4th St. N.

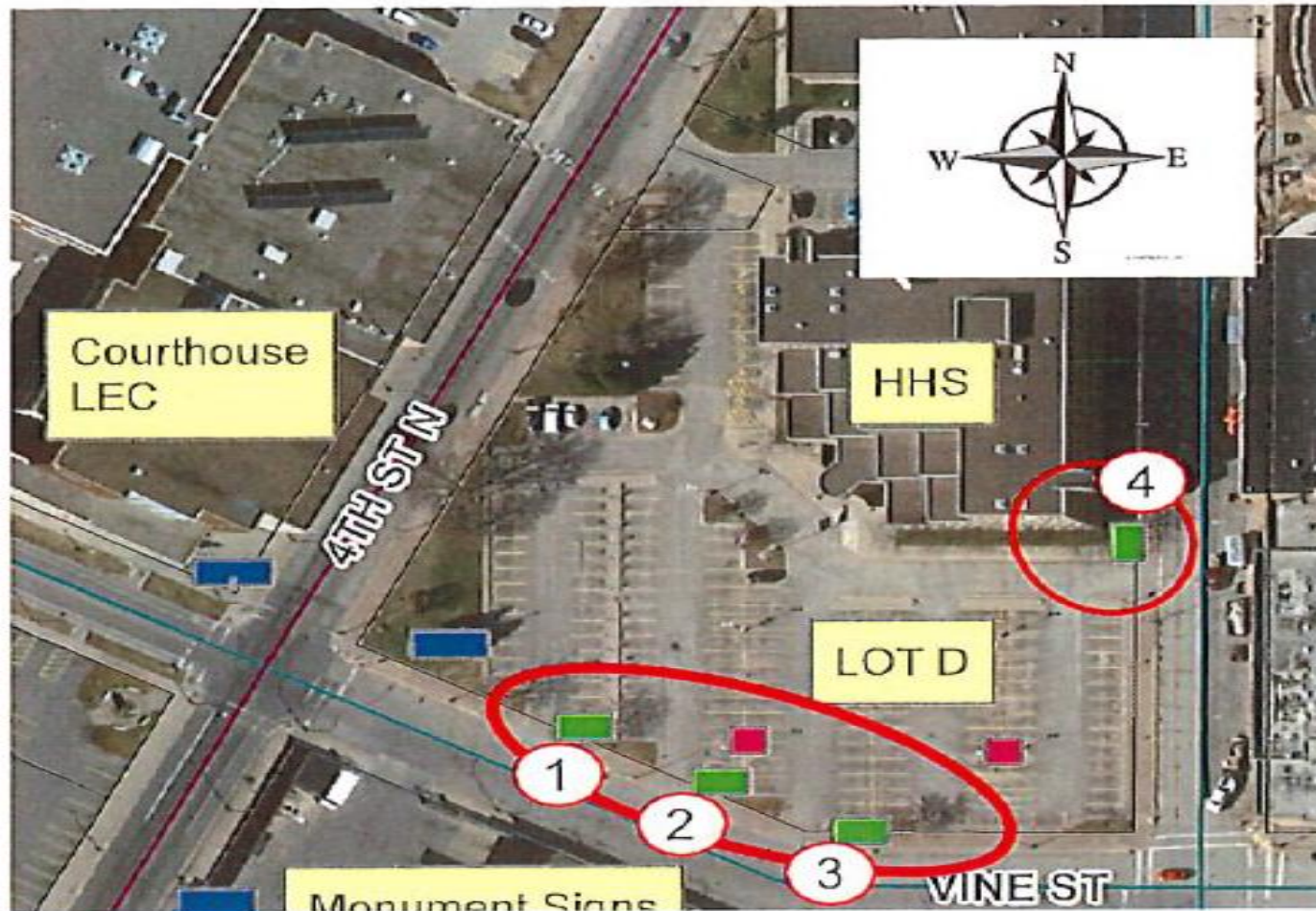
- Such space shall be determined by measuring from the point of intersection of the street lot lines along each street lot line, or street lot line and alley line, as the case may be, the distance required for the district in which the lot is located, forming a triangle by striking an imaginary line between said points of measurement.
- 111-11(b)
- Vision triangles. All signs shall be located so that they do not interfere with visibility at intersections or adversely affect pedestrian or traffic safety.

300 4th St. N

- To allow this project to proceed as proposed a variance to allow monument signs to be placed in 4 separate locations in the corner vision triangle of a driveway at street will need to be granted.

300 4th St. N

Aerial Map



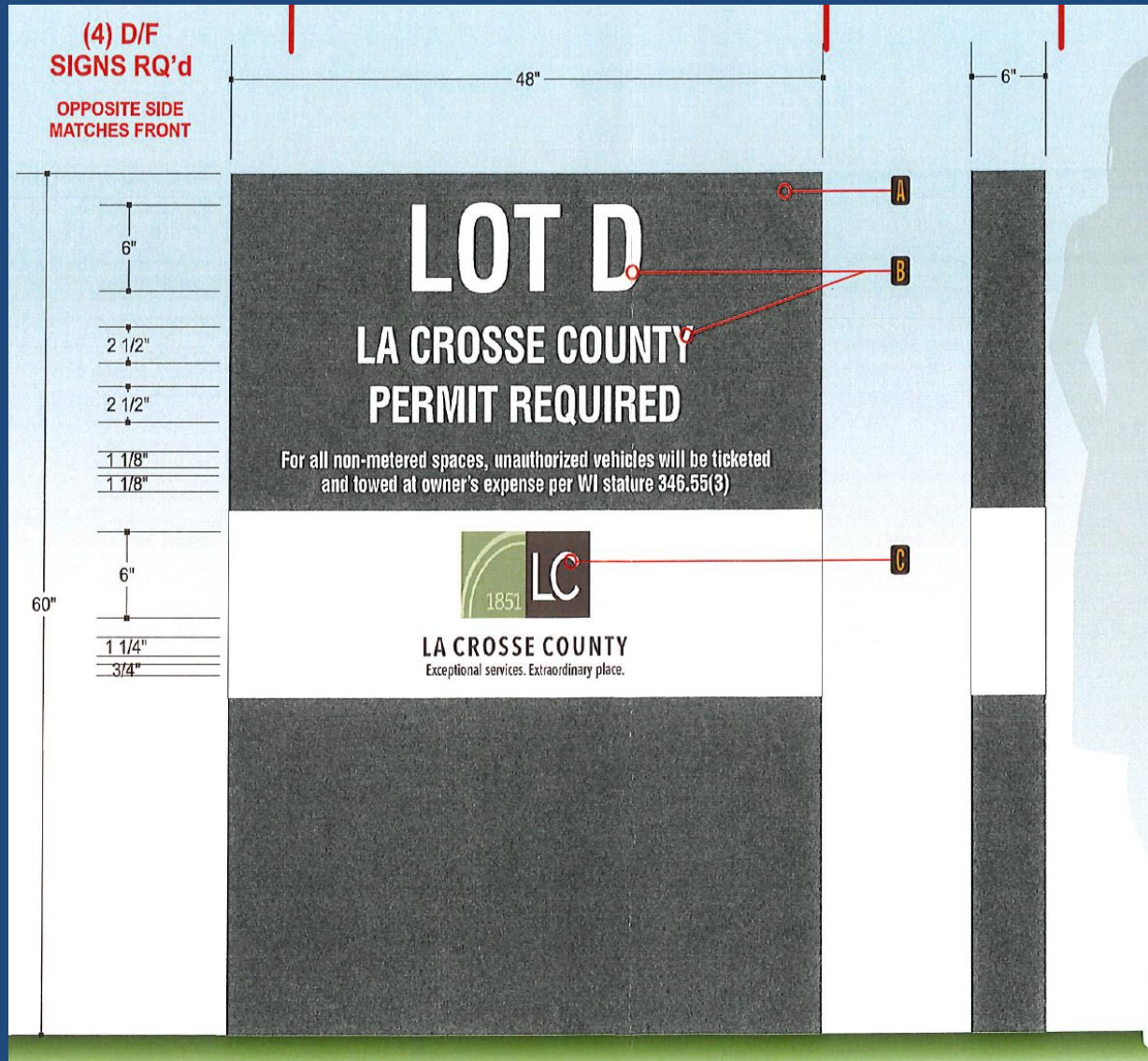
300 4thSt. N.



300 4th St. N.



300 4th St. N.



300 4th St. N.

- Sec. 111-12. - Prohibited signs types.
- (12) Signs that obstruct the vision of pedestrians, cyclists, or motorists traveling on or entering public streets.

Requirements for granting a variance

- **Unnecessary Hardship:** The signs can easily be moved out of the vision clearance.
- **Hardship Due to Unique Property Limitations:** Similar lots with the same zoning in the City where signs are installed to code.
- **No Harm to Public Interests:** Pedestrians have the potential of being struck by vehicles.

201 7th St. N.

- The owner has applied for a permit to place monument signs at 2 locations at this address.
- Municipal Code 115.1 Vision clearance means a triangular space at the street corner of a corner lot, or at the intersection of a public alley with a street, or within 15 feet of the point of intersection of a driveway in a front yard setback with a road right-of-way, or within 15 feet of the point of intersection of a driveway and an alley right-of-way unoccupied except as otherwise specifically authorized.

201 7th St. N.

- Such space shall be determined by measuring from the point of intersection of the street lot lines along each street lot line, or street lot line and alley line, as the case may be, the distance required for the district in which the lot is located, forming a triangle by striking an imaginary line between said points of measurement.
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201 7th St. N.

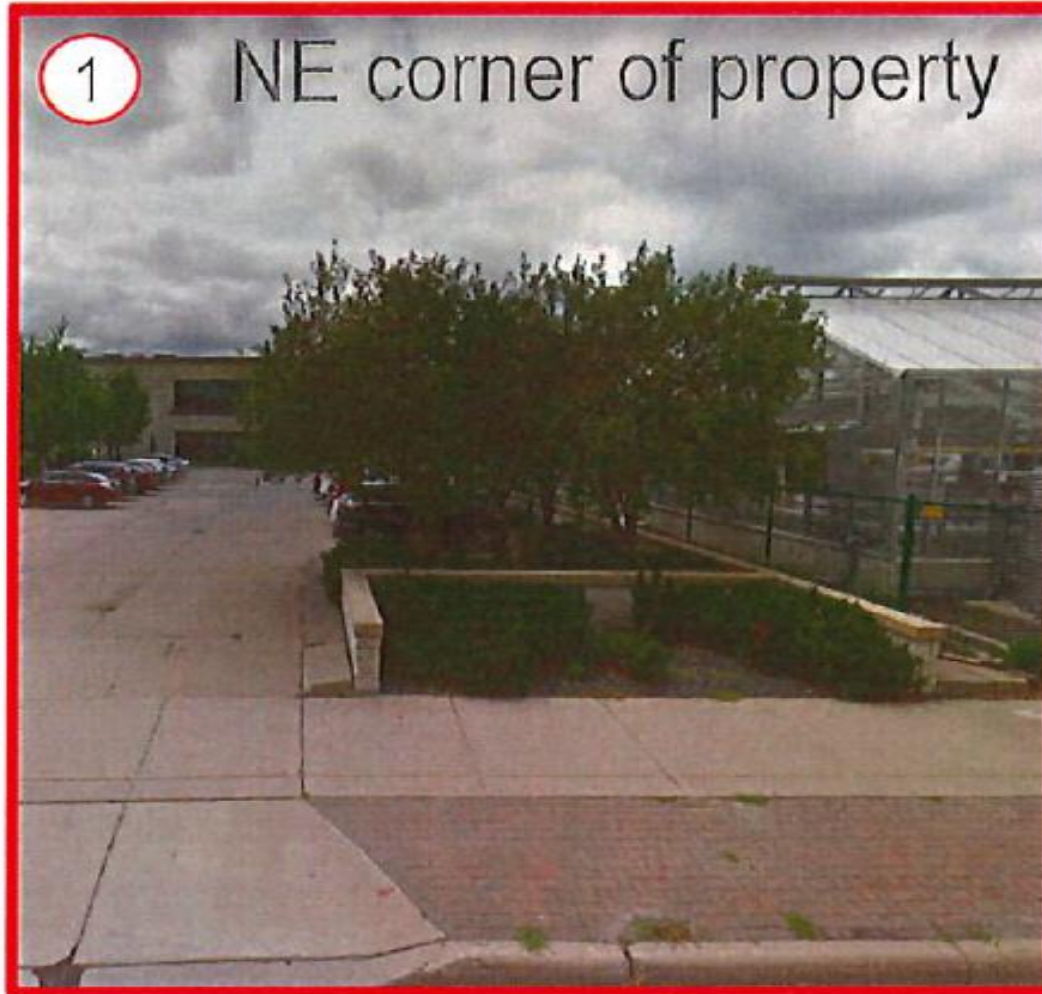
- To allow this project to proceed as proposed a variance to allow monument signs to be placed in 2 separate locations in the corner vision triangles of a drive way and a street will need to be granted.

201 7th St. N.

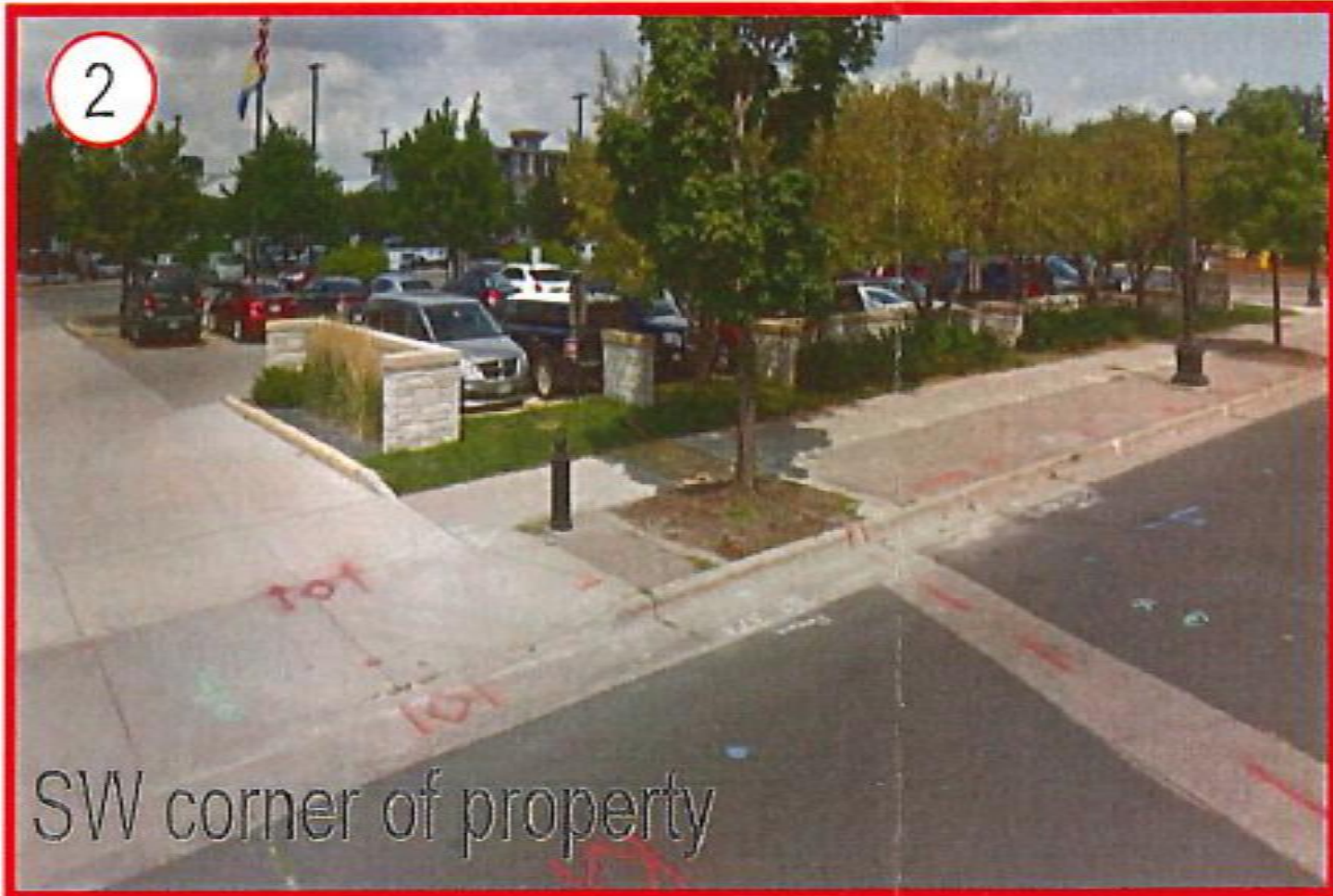


201 7th St. N.

Current location



201 7th St. N.



201 7th St. N.

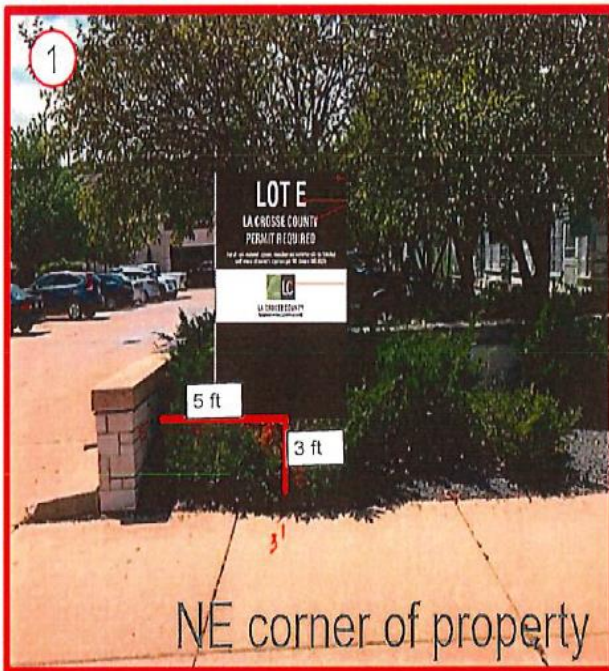


201 7th St. N.

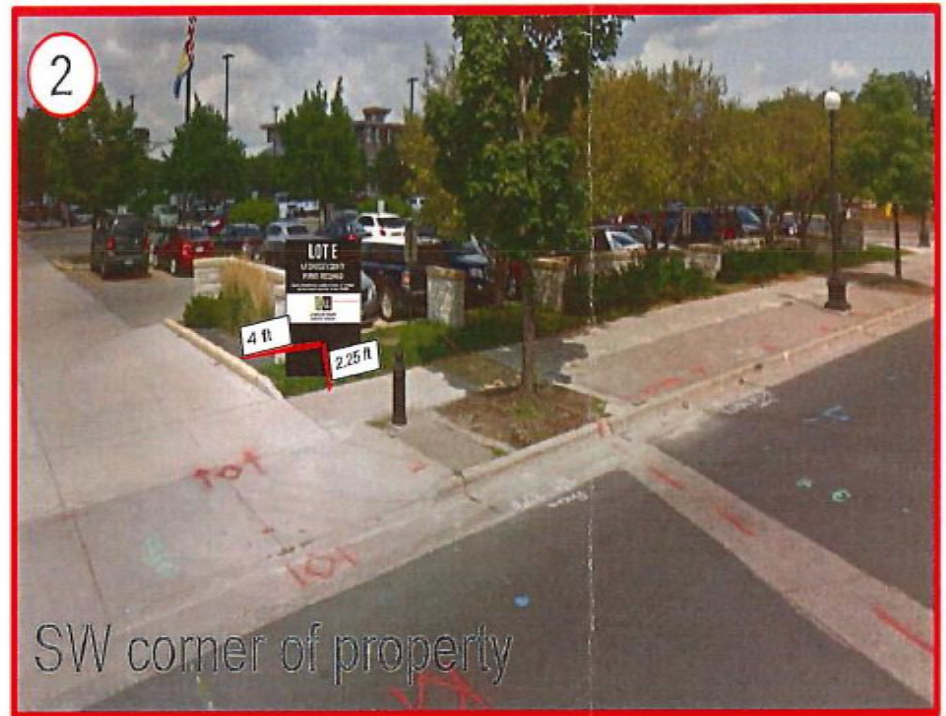


201 7th St. N.

Proposed monument location



Proposed monument location



201 7th St. N.

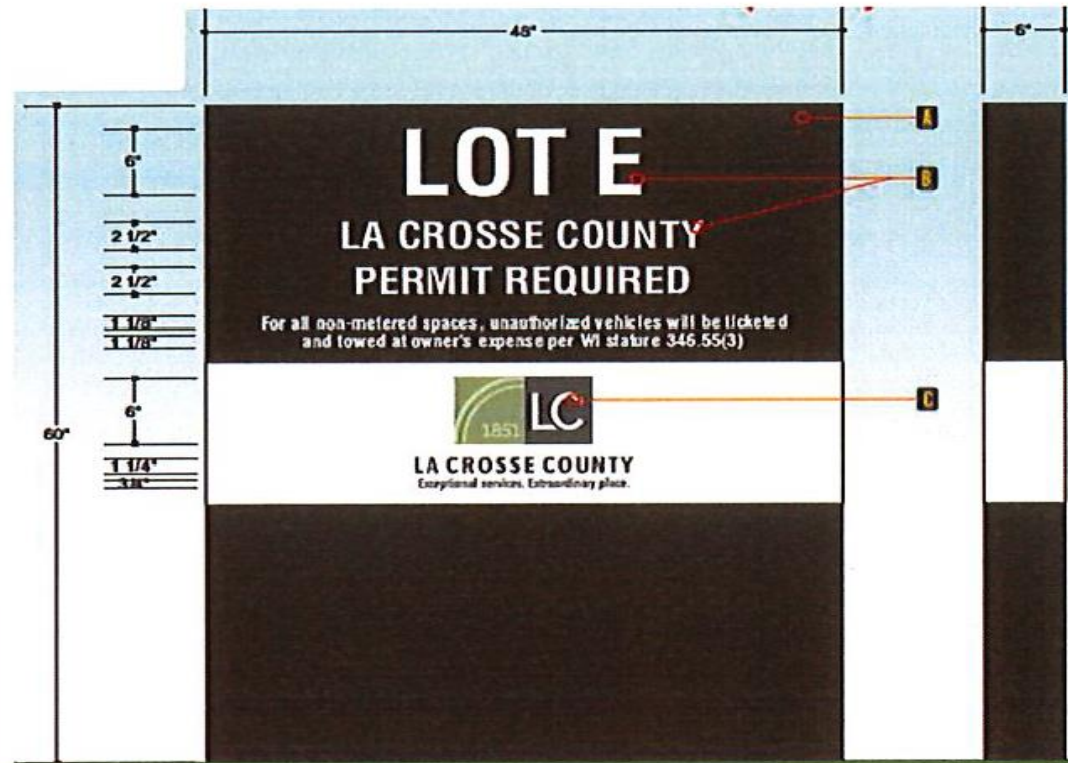
Front view

Opposite side matches front

60" tall x 48" wide

Side view

6" wide



201 7th St. N.

- Sec. 111-12. - Prohibited signs types.
- (12) Signs that obstruct the vision of pedestrians, cyclists, or motorists traveling on or entering public streets.

Requirements for granting a variance

- **Unnecessary Hardship:** The signs can easily be moved out of the vision clearance.
- **Hardship Due to Unique Property Limitations:** Similar lots with the same zoning in the City where signs are installed to code.
- **No Harm to Public Interests:** Pedestrians have the potential of being struck by vehicles.

230 7th St. N.

- The owner has applied for a permit to place a monument sign at this address.
- Municipal Code 115.1 Vision clearance means a triangular space at the street corner of a corner lot, or at the intersection of a public alley with a street, or within 15 feet of the point of intersection of a driveway in a front yard setback with a road right-of-way, or within 15 feet of the point of intersection of a driveway and an alley right-of-way unoccupied except as otherwise specifically authorized.

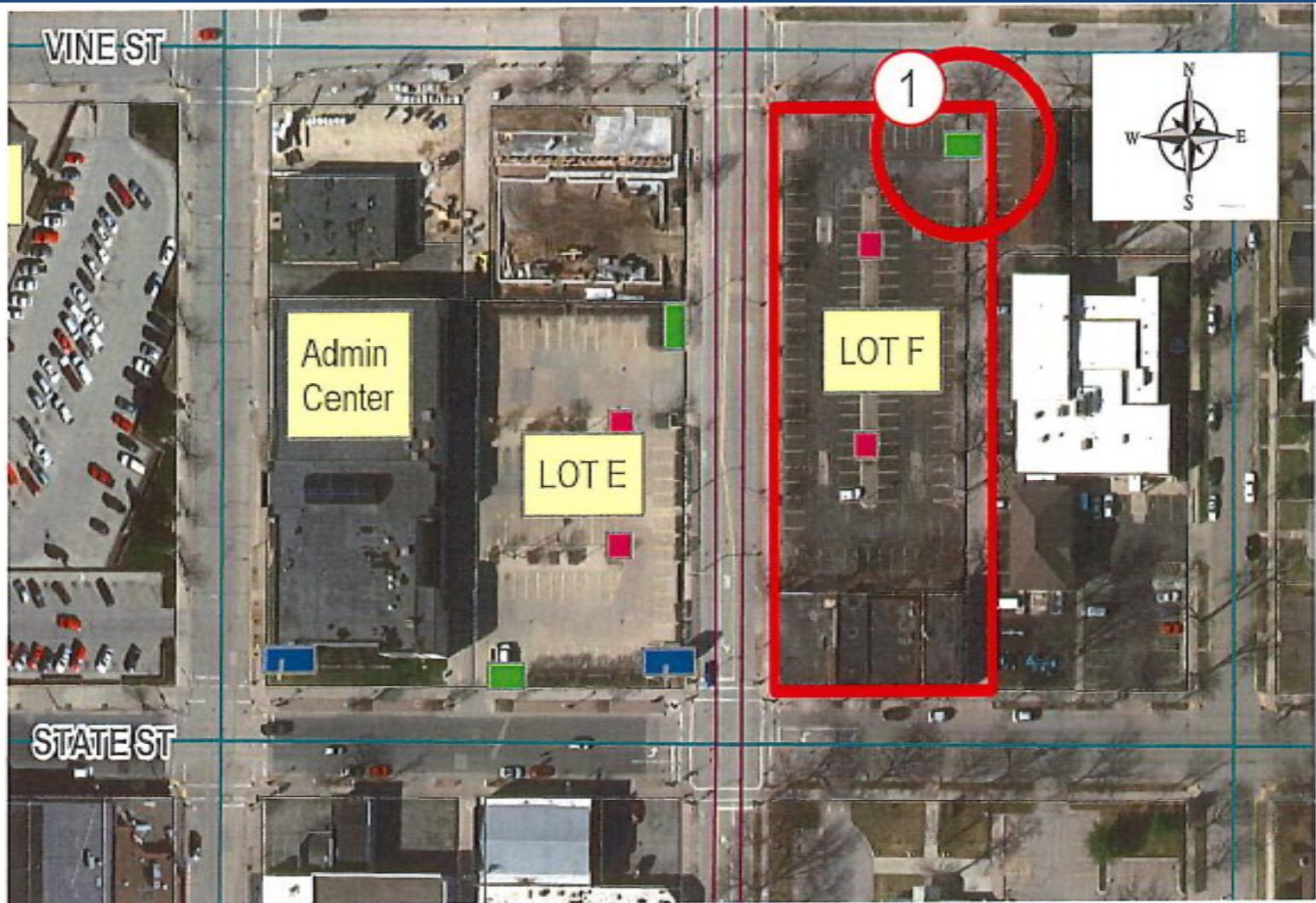
230 7th St. N.

- Such space shall be determined by measuring from the point of intersection of the street lot lines along each street lot line, or street lot line and alley line, as the case may be, the distance required for the district in which the lot is located, forming a triangle by striking an imaginary line between said points of measurement.
- 111-11(b)
- Vision triangles. All signs shall be located so that they do not interfere with visibility at intersections or adversely affect pedestrian or traffic safety.

230 7th St. N.

- To allow this project to proceed as proposed a variance to allow a monument sign to be placed in the corner vision triangle of a driveway and an alley will need to be granted.

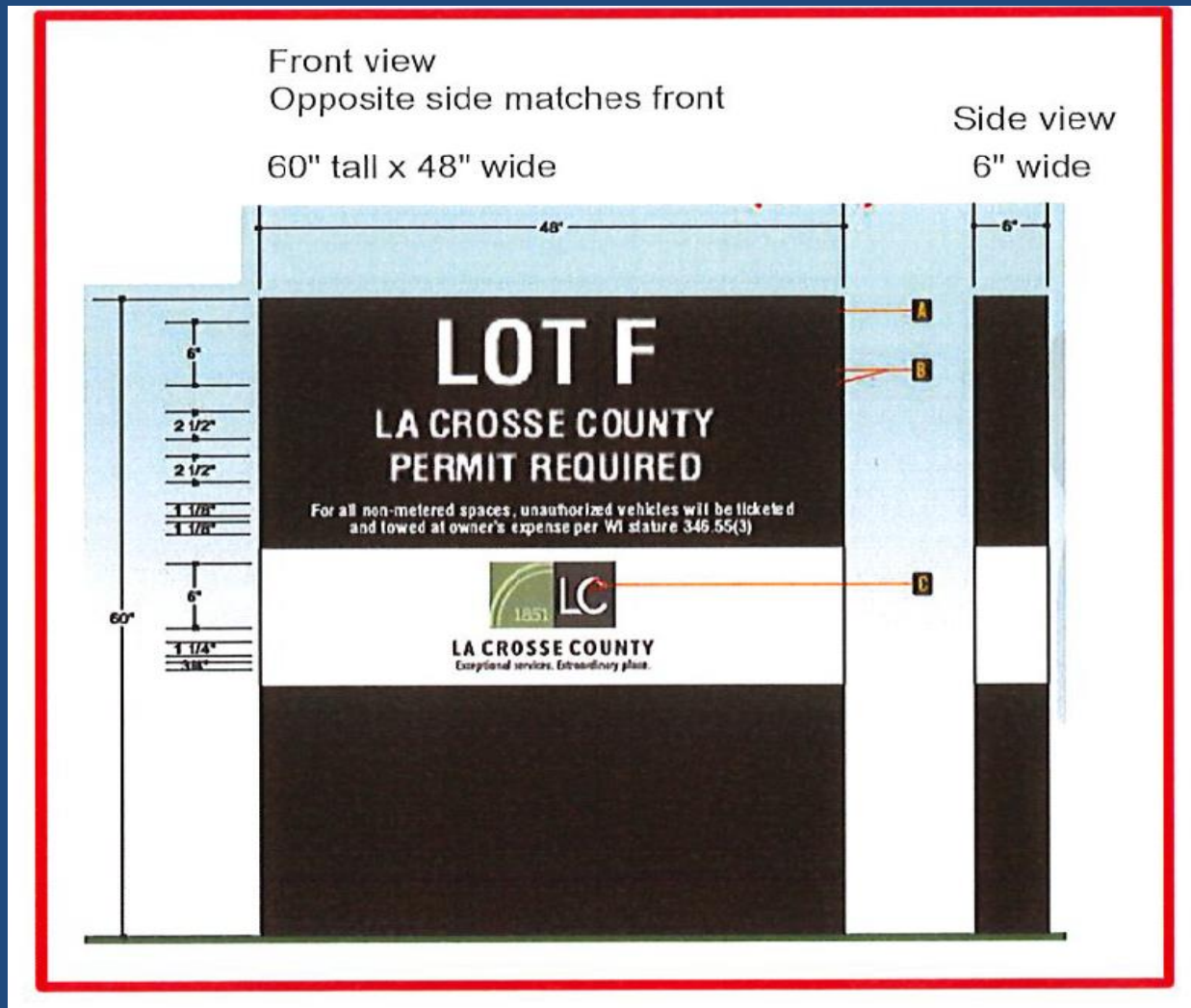
230 7th St. N.



230 7th St. N.



230 7th St. N.



230 7th St. N.

Proposed monument location



230 7th st. N.

- Sec. 111-12. - Prohibited signs types.
- (12) Signs that obstruct the vision of pedestrians, cyclists, or motorists traveling on or entering public streets.

Requirements for granting a variance

- **Unnecessary Hardship:** The signs can easily be moved out of the vision clearance.
- **Hardship Due to Unique Property Limitations:** Similar lots with the same zoning in the City where signs are installed to code.
- **No Harm to Public Interests:** Pedestrians have the potential of being struck by vehicles.

1218 6th St. S.

- The owner has applied for a permit to construct a new single family home at this address.
- Per municipal code section 115-143(c)(3)(b) On any lot having a width of less than 44 feet, and of record on August 27, 1938, the width of no side yard shall be less than that heretofore prescribed less one-fourth foot for each foot said lot is less than 44 feet in width, provided further, however, that no side yard shall be less than four feet in width in any case.

1218 6th St. S.

- The owner proposes a 3' side yard setback. For the project to proceed as proposed a variance of 2' to the required 5' side yard setback will be required.

1218 6th St. S.

September 2019, 1218 S. 6th Street, En Cosejo, Request by Orlin Burial Site 47LC394-BLC-0076 (Attachment) p. 4

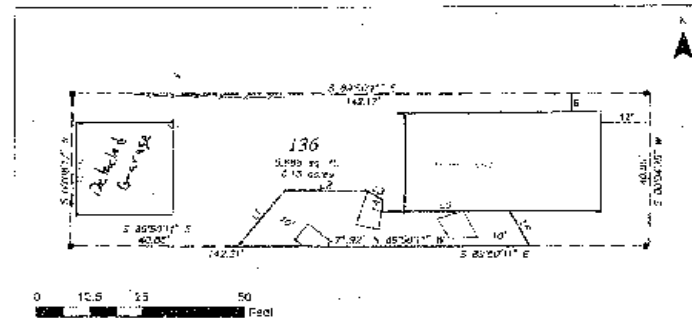


Figure 3: Certified survey of the 1218 S. 6th Street lot, showing the proposed location of the single-family residence (yellow) in relation to the catalogued area encompassing the three burials left in place, with the 5-foot setback from the north lot line. The three catalogued burial locations are squared off and larger than the actual burials within them, providing some buffer near the proposed structure.

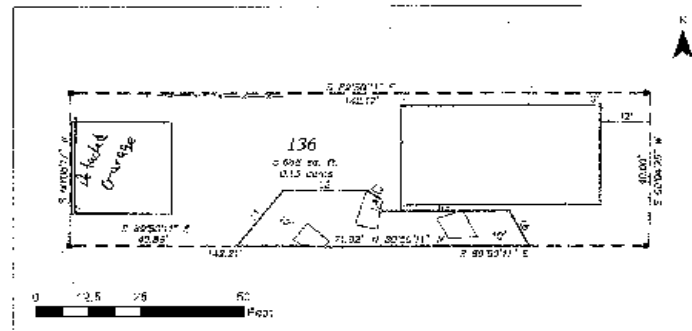


Figure 4: Proposed location of the residence in relationship to the catalogued burial area if the 3-foot variance is granted.

1218 6th St. S.



1218 6th St. S.



Requirements for granting a variance

- Unnecessary Hardship: Yes.
Indian burial ground
- Hardship Due to Unique Property
Limitations: Yes. Property is
located in the Sanford District
- No Harm to Public Interests

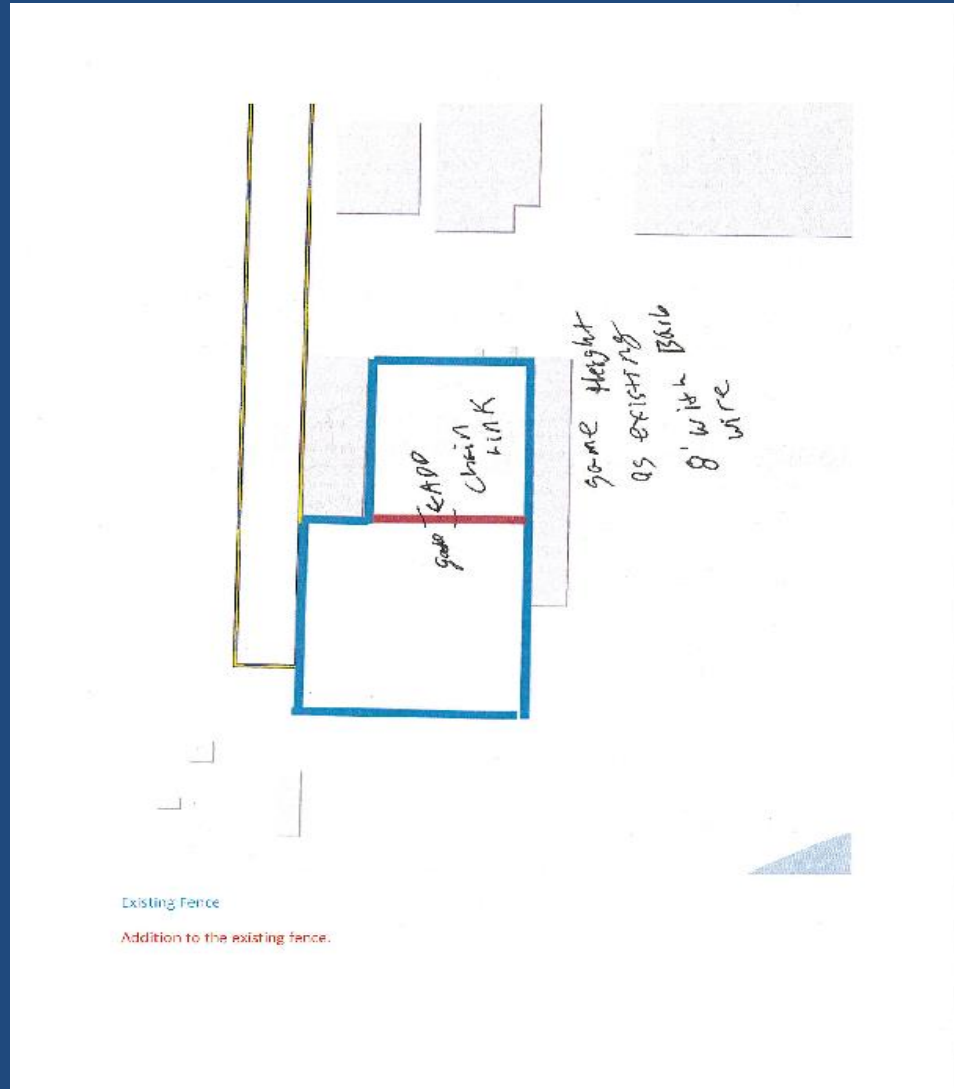
2000 Marco Rd.

- The owner has proposed to erect a fence at this address.
- Municipal code section 115-398 (e) prohibits barbed wire on a fence height of less than 10'.
- The owner proposes a fence height of 8'.
- For this project to proceed as proposed a variance to allow barbed wire on a fence height lower than 10' will need to be granted.

2000 Marco Rd.



2000 Marco Rd.



2000 Marco Rd.



Requirements for granting a variance

- **Unnecessary Hardship:** This fence was installed without a permit. No unnecessary hardship exists.
- **Hardship Due to Unique Property Limitations:** There are no unique property limitations:
- **No Harm to Public Interests:** There is potential for the Public to be harmed by the wire being lower than code.