

**GRAND JUNCTION BOARD OF APPEALS
MAY 10, 2000 MINUTES
8:09 a.m. to 8:53 A.M.**

Chairman John Elmer called the regularly scheduled Board of Appeals hearing to order at 8:09 A.M. The meeting was held at Two Rivers Convention Center.

The Board of Appeals members in attendance were John Elmer (Chairman), William Putnam and Creighton Bricker. Two positions are vacant.

In attendance, representing the Community Development Department, were Lori Bowers (Associate Planner) and Pat Cecil (Development Services Supervisor).

Also present was John Shaver (Asst. City Attorney).

There were no citizens other than the petitioner and her representatives present during the course of the meeting.

Due to technical difficulties there is no tape recording of the meeting.

I. APPROVAL OF MINUTES

Available for consideration were the minutes of the January 12, 2000 meeting.

MOTION: (PUTNAM) “Mr. Chairman, I move we approve the minutes as presented.”

Mr. Bricker seconded the motion. A vote was called and the motion passed by a vote of 2-0, with Mr. Bricker abstaining because he was not on the Board for the meeting for which minutes were being considered.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

III. FULL HEARING

VAR-2000-053 VARIANCE—SIGN ALLOWANCE

A request for additional sign allowance from 115 square feet to 200 square feet in an I-1 (Light Industrial) zone district.

Petitioners: Bruce and Karen Nunes

Location: 716 Scarlet Street

PETITIONER’S PRESENTATION

Brian Tap, representing the property tenant and property owners, presented the petitioner’s request. That request is for an additional 58 square feet of signage for the subject property, bringing the total sign allowance to 200 square feet. Under the Code, only 115 square feet is allowed. According to Mr. Tap the subject property appears to be located on a corner lot, but the City only considers Scarlet Street for calculating the allowed sign size; Nunes Court is not part of the calculation because it is a private street/cul-de-sac. Mr. Tapp further stated that currently there is a freestanding sign 90 square feet in size

and that only 115 square feet of signage would be allowed. He said that the applicants need another 58 square feet of sign allowance in order to install the proposed sign.

Bill Douglas, also representing the property's tenant and owners, stated that Grainger has standard signs that they prefer to identify their businesses. He stated that in order for Grainger to install their standard signs, a variance is required.

Karen Nunes, property owner, stated that all the requirements for constructing the building to City standards, i.e., setbacks, landscaping, have been completed. Ms. Nunes stated that Nunes Court has been viewed as a public street in the past, but now that they want to install the signs, it is being viewed as a private street. She didn't feel that it was fair since they had to meet all the requirements as if it were a corner lot facing two public streets.

STAFF'S PRESENTATION

Lori Bowers reviewed the request detailed in the May 3, 2000 Project Review and read into the record the responses from the sign consultants, Mark Gamble and Bruce Baurle (who both supported the variance). The petitioners contend that the subject lot is on a "corner" and the sign calculation should be made accordingly. Staff said that the plat map depicts the lot as being on a private cul-de-sac. Mr. Shaver referred the Board to the Code section. Ms. Bowers outlined conditions where a variance may be granted, adding that the Board could impose conditions regarding the location, character and other features of the proposed sign. Based on a literal interpretation of Sign Regulations, however, staff recommended denial since the request did not comply with established criteria.

PUBLIC COMMENTS

There were no public comments either for or against the request.

PETITIONER'S REBUTTAL

Karen Nunes requested that Nunes Court be considered a public street for calculating the sign allowance. She also wanted to know how she could get Nunes Court to be a dedicated street.

Brian Tap stated that the proposed signage would give the occupants 58 square feet of additional signage in addition to the existing freestanding sign that was currently on the property. He said that he understood that under the current Code requirements, Nunes Court could not be used for calculating additional signage.

Bill Douglas stated that the limited amount of signage allowed per the Code did not give them the visibility that they needed for this store.

DISCUSSION

Commissioners' Elmer and Putnam asked if the project had met all the Code requirements during development as if Nunes Court were a dedicated street. Staff Planner Lori Bowers stated that she had reviewed the site plan for this project and did review the site plan as if Nunes Court were a dedicated street since it was in a straight zone.

There was some discussion with Mr. Shaver of the history of the subdivision and why Nunes Court is not a dedicated street.

MOTION: (PUTNAM) "Mr. Chairman, I move that on item VAR2000-053 we approve the variance request for an additional 58 square feet of signage, to allow an 83 square foot sign to be placed on the building facing Nunes Court."

Mr. Bricker seconded the motion. A vote was called and the motion passed unanimously by a vote of 3-0.

IV. GENERAL DISCUSSION

A brief discussion ensued over whether to change the Board's meeting time to 7:00 A.M. or 12:00 Noon. The board agreed to hold future meetings at 12:00 Noon.

With no further business, the hearing was adjourned at 8:53 A.M.