

MINUTES
Zoning Board of Appeals
April 17, 2008, Meeting

MEMBERS PRESENT: John Higgins, Anita Faraone, Fred Haerter, David Robinson, and John Setter

OTHERS PRESENT: Paula Blise, Zoning Coordinator; Bruce Marcquenski, Petitioner

MEMBERS EXCUSED: Cecilia Lucas

The meeting was called to order at 4:01 p.m. by chairman John Higgins; the roll was called.

ITEM #1 - Approval of Minutes of January 17, 2008

A motion was made by John Setter and seconded by David Robinson, to approve the minutes of January 17, 2008; the motion carried unanimously.

ITEM #2 - Special Exception Petition to Obtain Relief from the Minimum Fifteen-Foot (15') Lot Line Setback Requirement to a Five-Foot (5') Setback in Order to Maintain and Modify a Pre-existing Unified Business Center Sign (*Majority Vote Required for Approval*); Address/Parcel Number: 5506/5512 75th Street/02-122-02-351-007; Property Owner: Ronald and Gail Marcquenski (R&G Estates); Petitioner: Bruce Marcquenski, Agent for property owner(s); Zoning Classification: B-2; Code of General Ordinances: Section 15.06(C)

Bruce Marcquenski, agent for the property owners, 5512 75th Street, spoke. He explained that the company that he represents, R & G Estates, has taken over the former National Pride Car Wash, which was in business for 30 years. R & G Estates has redeveloped and updated the property, which has recently been designated by the Department of City Development as a Unified Business Center. The petitioner proposes to maintain and modify an existing sign on the site. A larger sign is needed to accommodate all tenants. [The existing sign does not meet the requirements of the Sign Code. The setback at the south property line is five feet (5'), whereas the required setback requirement is fifteen feet (15')].

Mr. Marcquenski demonstrated that the possibility of moving the sign to another location on the site to accommodate the Sign Ordinance requirement is not feasible. In addition, there are neighboring signs that are located closer to Highway 50 than the National Pride sign. Mr. Marcquenski believes that the sign is in its best position at this time.

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Paula Blise informed the Board that staff concurs with the petitioner's request and that the sign, including the proposed modifications, would not be a detriment to the City or any neighboring properties.

Mr. Higgins asked if the setback (and not the size) is the only concern regarding the sign. Ms. Blise answered in the affirmative.

Mr. Haerter asked if the sign is on the owners' property, and not in the public right-of-way. Ms. Blise again answered in the affirmative.

Mr. Haerter then asked if anyone had checked with the Department of Transportation regarding possible widening of the highway. Ms. Blise answered that the Department of City Development has researched this question; and, there will not be a problem with the position of the sign if the highway is widened.

A motion was made by Anita Faraone to approve the petitioner's request. Fred Haerter seconded the motion. The motion carried unanimously.

ITEM #3 - Public Comments

There were no public comments.

ITEM #4 – Any Other Business as Authorized by Law

There was no other business as authorized by law.

Anita Faraone made a motion to adjourn the meeting at 4:10 p.m., John Setter seconded the motion. The motion carried unanimously.

James M. Schultz, Zoning Administrator
Zoning Board of Appeals