

## Legislation Text

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**File #:** BOA Reso 05-2019, **Version:** 1

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Agenda Date: 05/16/2019

**Subject:**

BOA Resolution 05-2019: Case # VAR19-0005 - A variance to increase allowed sign area from 224.7 square feet to 238.7 square feet for a gas station and convenience store located at 6857 S. Broadway

Presented By: Karl Onsager, Planner I

**REQUESTED BOARD ACTION:**

The applicant is requesting an increase to the allowed sign area from 224.7 square feet to 238.7 square feet.

**CRITERIA & STAFF ANALYSIS:**

Section 10-17-7-11 of the Littleton City Code (LCC) gives the Board of Adjustment (BOA) authority to grant variances to the sign code. A variance cannot be granted unless all of the following conditions are met:

- (A) There are special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures or other matters on adjacent lots or within the adjacent public right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions must be peculiar to the particular business or enterprise to which the applicant desires to draw attention, and do not apply in general to all businesses or enterprises in the area.
- (B) The variance would be in general harmony with the purposes of this chapter, and specifically would not be injurious to the neighborhood in which the business or enterprise to which the applicant desires to draw attention is located.
- (C) The variance is the minimum one necessary to permit the applicant to reasonably draw attention to his business or enterprise.
- (D) The board may grant a variance subject to any conditions which it deems necessary or desirable to make the device which is permitted by the variance compatible with the purposes of this chapter.

**OPTIONS/ALTERNATIVES:**

The Board of Adjustment may take the following actions on the application: approve; approve with conditions; continue to a date certain; or deny. A sample motion is provided for each option along with suggested findings.

**STAFF RECOMMENDATION:**

The applicant has stated that the proposed variance meets all of the review criteria. Upon review, it is staff's opinion that criteria A, B, and C as shown above are not adequately addressed and staff, therefore, recommends denial of BOA Resolution 05-2019.

**PROPOSED MOTION:**

***Motion to Approve and/if necessary, with Conditions***

I move to approve BOA Resolution 05-2019, concerning a request for a variance to increase the allowed sign area from 224.7 square feet to 238.7 square feet, *subject to the following condition(s):*

- 1.

2.

Approval of this application is based on the finding that the variance meets all of the criteria in Section 10-17-7-11 of the Littleton City Code.

***Motion to Continue to a Date Certain***

I move to continue the public hearing on BOA Resolution 05-2019, concerning 6857 S. Broadway, to \_\_\_\_\_ (insert date) in order to \_\_\_\_\_.

***Motion to Deny***

I move to DENY BOA Resolution 05-2019, concerning a request for a variance to increase the allowed sign area from 224.7 square feet to 238.7 square feet. The foregoing denial is based on the findings that the proposed work does NOT meet all of the criteria in Section 10-17-7-11 of the Littleton City Code.