

City of Milton
Zoning Board of Appeals ~ Wednesday, April 6, 2016

Call Meeting to Order

Clerk Hilby called the meeting to order at 5:30 p.m. K. Holland nominated B. Lippincott as chairperson. L. Laehn seconded, and the motion carried.

Present: Larry Laehn, Bruce Lippincott, Tom Kevern, and Ken Holland.

Also present: Director of Public Works Howard Robinson, City Administrator Al Hulick, and City Clerk Elena Hilby.

Excused absence: Jim Polarski, Theron Dosch, and Carl Schultz.

Approve Agenda

L. Laehn moved to approve the agenda. T. Kevern seconded, and the motion carried.

Approve Minutes – October 5, 2015

K. Holland moved to approve the minutes. L. Laehn seconded, and the motion carried.

Public Hearing And Discussion And Possible Action To Consider A Request From Parker Community Credit Union For A Variance To Allow Additional Illuminated Signs At 110 Parkview Drive.

Chairperson Lippincott opened the public hearing at 5:35 p.m.

DPW Robinson explained the situation with this sign and why a variance would be needed. DPW Robinson said there have been no objections.

Brian Miller of PCCU was present to answer questions.

Chairperson Lippincott closed the public hearing at 5:47 p.m.

Discussion among the group followed.

Chairperson Lippincott read the standards that must be taken in consideration when granting or denying a variance.

Unnecessary Hardship - which is a situation where, in the absence of a variance, an owner can make no feasible use of a property, or strict conformity, is unnecessary burdensome.

Unique Property Limitation – a unique physical characteristic of the property, not the desires of or condition personal to the applicant, must prevent the applicant from development in compliance with the zoning ordinance. They determined this property is unique by how large it is for a B-3 zoned area. It was also decided that strict conformity would lead to lack of modernization which is not desirable for the city.

Protection of the Public Interest – in granting of a variance must neither harm the public interest nor undermine the purposes of the ordinance. The board's actions should be consistent with the objectives states in their local ordinance, which (in the case of a floodplains

or shoreline ordinance) has been adopted to meet minimum state statutory requirements. There was no public opposition.

Additional Court – Established Principles – Violations by or variances granted to neighboring owners do not justify a variance. Variances attach to the property as a permanent right. Once a variance is granted, it is permanently attached to the property. A new owner of the property may make use of a variance that was granted to the previous owner if all of the conditions that are attached to the variance are met.

L. Laehn moved to grant a variance to PCCU, to allow a variance for an additional monument freestanding sign and illuminated sign, extra square footage for illuminated signs, and extra square footage of over 32 square feet for monument/freestanding signs which are seen at the same time contingent on the following:

- The new sign should conform to have a stone resemblance similar to the building
- The new sign must be approved by the City Administrator.
- The illuminated sign shall be dimmed from 9:00 p.m. to 6:00 a.m. each day.

K. Holland seconded, and the motion carried.

General Items

None.

Motion to Adjourn

K. Holland moved to adjourn the April 6, 2016 meeting at 6:25 p.m. L. Laehn seconded, and the motion carried.

Respectfully submitted,

Elena Hilby
City Clerk