

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 13, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:

VAR-23575 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: EBENEZER CHURCH OF GOD IN CHRIST. Request for a Variance TO ALLOW A FREESTANDING INSTITUTIONAL SIGN TO BE 10.75 FEET HIGH WHERE EIGHT FEET IS THE MAXIMUM HEIGHT PERMITTED; TO ALLOW THE SIGN AREA TO BE 129 SQUARE FEET WHERE 90 SQUARE FEET IS THE MAXIMUM AREA PERMITTED; AND TO INCLUDE AN ELECTRONIC MESSAGE UNIT WHERE NO SUCH ILLUMINATION TYPE IS PERMITTED FOR AN EXISTING CHURCH/HOUSE OF WORSHIP on 1.11 acres at 1072 West Bartlett Avenue (APN 139-21-501-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Paradise).

P.C.: Final Action (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE: [REDACTED] APPEALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

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City Council Meeting

City Council Meeting

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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support postcard
7. Submitted after final agenda - Protest/support postcards
8. Submitted at meeting Support petition

Motion made by RICHARD TRUESDELL to Deny

Passed For: 4; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 1
GLENN TROWBRIDGE, [NAME NOT FOUND], RICHARD TRUESDELL, SAM DUNNAM; (Against-DAVID STEINMAN, LEO DAVENPORT); (Abstain-None); (Did Not Vote-None); (Excused-BYRON GOYNES)

Minutes:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated the request is out of character with the residential nature of the neighborhood and recommended denial.

LEONARD FOLMAR and DONNA MEYERS, All Star Signs, 6625 Valley View Boulevard, appeared on behalf of the applicant and explained this proposal would improve a depressed part of the City. MR. FOLMAR stated the sign would help keep the congregation informed and would keep the church in contact with the community. He respectfully requested approval.

TODD FARLOW, 240 North 19th Street, expressed his support, but requested that the applicant maintain the sign as it was presented.

COMMISSIONER TRUESDELL stated he could not support the application as the applicant's request for a flashing reader board is inappropriate in a residential neighborhood.

COMMISSIONER TROWBRIDGE stated the church's new building was a vast improvement from the previous building and observed the electronic component of the sign was the Commissioners' main concern. MR. FOLMAR stated to COMMISSIONER TROWBRIDGE that the sign would only display church dates information. MS. MEYERS added that the sign had a dimmer option which would prevent it from blaring into the neighborhood.

COMMISSIONER EVANS stated the applicant bears the burden of proving the variance is needed and observed the application did not meet that burden. MS. MEYERS explained the size of the sign would match the scale of the church and MR. FOLMAR added that the sign was an essential component in keeping the congregation informed of church events. He also submitted a support petition from the neighbors.

COMMISSIONER STEINMAN acknowledged that many churches were utilizing electronic reader boards and suggested conditions limiting the information and times the sign would operate if the application were approved.

COMMISSIONER TRUESDELL acknowledged the importance of the church's ministry, but expressed concern that this sign would have a negative impact on the neighbors' quality of life.

MR. RANKIN informed COMMISSIONER TROWBRIDGE that the sign's size is regulated by the site's zoning designation.

CHAIRMAN DAVENPORT declared the Public Hearing closed.