

OFFICIAL MINUTES  
OF THE MEETING OF THE  
PLANNING COMMISSION/BOARD OF ZONING APPEALS  
CITY OF PITTSBURG, KANSAS  
December 16, 2019

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A Regular Session of the Planning Commission/Board of Zoning Appeals was held at 5:30 p.m. on Monday, December 16, 2019, in the Pittsburg Law Enforcement Center, 201 N Pine, Chairperson Mike Wilber presided over the meeting with the following members present: Francis DeMott, Bob Gilmore, Leah Posterick and Kyle Michael. Mike Creel, Laura Klusener were absent.

APPROVAL OF MINUTES – November 25, 2019 - On motion of Gilmore, seconded by Posterick, the Planning Commission/Board of Zoning Appeals approved the November 25, 2019, Planning Commission/Board of Zoning Appeals Meeting Minutes. Motion carried.

CASE NUMBER 19-09 - PUBLIC HEARING – CASE NO. 19-10 – A REQUEST FOR A VARIANCE IN A CP-2 PLANNED GENERAL COMMERCIAL DISTRICT TO ALLOW A NEW BILLBOARD SIGN TO BE INSTALLED ON THE EXISTING POLE WHICH DOES NOT MEET THE MINIMUM REQUIREMENTS OF ZONING ARTICLE 27-106 (9) ON THE PROPERTY LOCATED AT 1220 SOUTH BROADWAY. Matthew O'Brian was present to speak on behalf of the request.

Mr. O'Brian indicated the sign would dim automatically in the evening to prevent the sign from becoming a public nuisance and would go in the exact location of the existing pole but a new pole would be required to ensure the ability to hold the weight of the larger size. The digital sign will only show to traffic coming from the south going north. The sign showing to traffic from the north heading south will be a vinyl sign.

There was some discussion regarding the location of a sign that size in proximity to the 4-way stop light. The sign does not meet the 30 foot set back required in the zone. The image on the sign would remain static for 8 seconds with 2 seconds between each image.

There being no one to speak against the request, Chairperson, Wilber closed the Public Hearing.

The Planning Commission/Board of Zoning Appeals reviewed the following Findings of Fact:

- a. Are there conditions which exist in respect to the property or structure being considered different from other properties or building in the neighborhood? **Yes, most signs in the area are business pole signs, monument signs, digital advertising monument signs, not 10'x20' digital billboards.**
  - b. Has such conditions or circumstances being created by the action or actions of the owner or applicant? **Yes, the owner as asked to change his current pole mounted business sign to a 10'x20' digital billboard.**
  - c. Are there special conditions or circumstances such that the strict literal interpretation of the provisions of the Zoning Ordinance will constitute unnecessary hardship upon the property owner? **No**
  - d. Will the granting of a permit for the variance requested adversely affect the rights of adjacent property owners or residents? **Yes- the size and brightness of the sign could have negative effects on north bound traffic and the residential structure to the west.**
  - e. Will the granting of the variance requested confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district? **Yes – Minimum standards for the zone.**
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- f. Will the granting of the variance requested adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare? **Yes – Possible negatively affect north bound traffic and the residential property to the west.**
- g. Will the granting of the variance requested be opposed to the general spirit and intent of the Zoning Ordinance? **Yes.**
- h. Is the variance being requested the minimum variance that would accomplish this purpose. **Yes.**

The Planning Commission/Board of Zoning Appeals members held discussions voicing concerns about the location of the sign in proximity to the controlled intersection.

On motion of Gilmore, seconded by DeMott, the Planning Commission/Board of Zoning Appeals voted to deny the variance. Motion passed unanimously.

**CASE NO. 19-11 – A SITE PLAN SUBMITTED BY TODD LAWSON OF CROSSLAND CONSTRUCTION COMPANY, INC., ON BEHALF OF SECURITY 1<sup>ST</sup> TITLE FOR THE CONSTRUCTION OF A NEW COMMERCIAL OFFICE BUILDING TO BE LOCATED AT 910 SOUTH BROADWAY.**

Todd Lawson was present to speak on behalf of the request.

This request originally came through a little over a year ago and nothing has been completed on the project. At this time, nothing has changed with the plan except the time limit of 12 months to have the project completed has passed. The setbacks and parking was approved in the previous meeting.

There being no one to speak against the request, Chairperson, Wilber closed the Public Hearing.

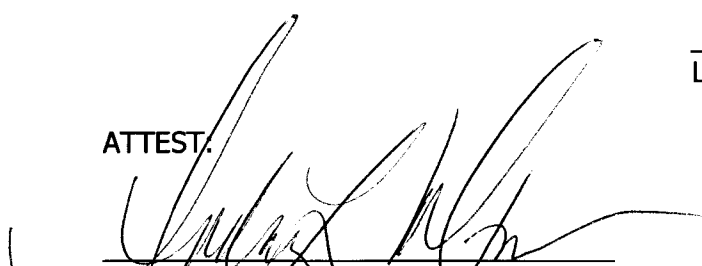
On motion of Gilmore, seconded by Michael, the Planning Commission/Board of Zoning Appeals voted to approve the site plan. Motion passed unanimously.

The tentative 2020-2021 meeting schedule was reviewed. On motion of Posterick, seconded by Wilber to approve the schedule.

The Board thanked Bob Gilmore for his years of service. Derek Hiekas will be the new member starting in January 2020.

ADJOURNMENT: On motion of Wilber, seconded by Michael, the Planning Commission/Board of Zoning Appeals adjourned the meeting at 5:55 p.m. Motion carried.

  
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Laura Klusener, Chairperson

ATTEST.  
  
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Andrea Holtzman, Secretary