

By: Planning
Public Hearing: 08/11/15
Adopted: 08/11/15

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 15-14(AM)**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING A VARIANCE (#V15-03) OF 6 FEET TO THE MAXIMUM 25-FOOT SIGN HEIGHT TO ALLOW A 31-FOOT SIGN HEIGHT AND VARIANCE OF 43 SQUARE FEET TO THE MAXIMUM 150-SQUARE FOOT SIGN AREA TO ALLOW A 193 SQUARE FEET OF SIGN AREA AND A VARIANCE OF 2 FEET TO THE MINIMUM 3-FOOT SETBACK FROM A PROPERTY LINE TO ALLOW A 1-FOOT SETBACK FROM THE PROPERTY LINE TO ALLOW MODIFICATIONS TO AN EXISTING NON-CONFORMING SIGN.

WHEREAS, Western Enterprises, Inc., submitted an application for a variance on July 22, 2015; and

WHEREAS, notice of the application was mailed to all property owners within a 1,200 foot radius and review agencies and the Wasilla Planning Commission as required by §16.16.040(A)(2) of the Wasilla Municipal Code; and

WHEREAS, a notice of the Wasilla Planning Commission public hearing was published in the Frontiersman on August 4, 2015; and

WHEREAS, the Wasilla Planning Commission conducted a public hearing on the requested variance taking into account the information submitted by the applicant, the information contained in the staff report, written and verbal testimony, the applicable provisions of the Wasilla Municipal Code and Comprehensive Plan, and other pertinent information brought before them; and

WHEREAS, the Wasilla Planning Commission developed Findings of Fact summarizing the basic facts and reasoning of the Wasilla Planning Commission regarding the requested variance.

NOW THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission, after due consideration of the information submitted by the applicant, the information contained in the staff report, written and verbal testimony, the applicable provisions of the Wasilla Municipal Code and Comprehensive Plan, and other pertinent information brought before them adopted the Findings of Fact attached as Exhibit A and incorporated herein; and

BE IT FURTHER RESOLVED, that the Wasilla Planning Commission approves the requested sign variance with the following condition:

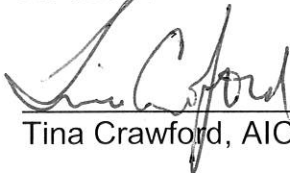
1. The decorative sign and pole features must be installed in a manner substantially consistent with the drawing in the application and must be maintained in perpetuity.

ADOPTED by the Wasilla Planning Commission on August 11, 2015.

APPROVED:


Glenda Ledford, Chairman 8/17/15
Date

ATTEST:


Tina Crawford, AICP, City Planner

VOTE: Passed Unanimously

EXHIBIT A
Wasilla Planning Commission Resolution 15-14

FINDINGS OF FACT – 16.28.110(C), Variance Standards

A variance may be granted only if:

1. The conditions upon which the variance application is based do not apply generally to properties in the district or vicinity other than the property for which the variance is sought;

Finding: The subject property is located immediately south of the overpass for the Parks Highway and Seward-Meridian Parkway interchange. At this location, the Parks Highway is significantly higher than the elevation of Seward Meridian. This difference in elevation impacts the visibility of the signage for this parcel. Visibility of the other commercial properties in the area and their signage are not as impacted by the elevated crossing/interchange since they are located further away.

2. Such conditions arise out of natural features inherent in the property such as shape or topographical conditions of the property or because of unusual physical surroundings or such conditions arise out of surrounding development or conditions;

Finding: The conditions applicable to this parcel are caused by the location of the elevated roadway/interchange for the Parks Highway and the Seward Meridian Parkway, which is immediately north of the sign on the subject parcel.

3. Because of such conditions the strict application to the property of the requirements of this chapter will result in an undue, substantial hardship to the owner of the property such that no reasonable use of the property could be made;

Finding: Without the variance, the applicant would be required to remove the existing sign and replace it with a sign 6' shorter and 43 square feet smaller, which would further reduce the visibility and readability of the signage for the commercial business on this parcel.

4. The special conditions that require the variance are not caused by the person seeking the variance, a predecessor in interest, or the agent of either; and

Finding: According to the Applicant, the sign faces were installed prior to the City sign code but are not suitable for use in Alaska in the winter.

5. The variance is not sought solely to relieve pecuniary hardship or inconvenience.

Finding: In addition to allowing the installation of a sign cabinet that functions properly in winter conditions, the updates will improve the aesthetic appearance of the sign.

§16.28.110(D) If a property qualified for a variance under this section, the variance granted must meet the following conditions:

1. The deviation from the requirement of this title that is permitted by variance may be no more than is necessary to permit a reasonable use of the lot;

Finding: The proposed sign variance will allow continued usage of an existing sign.

2. The variance will not permit a land use that is prohibited by this title;

Finding: The current commercial retail use is permitted in the Commercial zoning district.

3. The variance is in keeping with the spirit and intent of this chapter and the requirements from which relief is sought;

Finding: The variance is in keeping with the spirit and intent of the chapter since the purpose statement for the sign code states that the code is intended to “recognize the commercial communication requirements of all sectors of the community” and “to allow for special circumstances.”

4. The variance will not be detrimental to the public health, safety or welfare; and

Finding: The variance will not be detrimental to public health or welfare.

5. The variance will not significantly adversely affect other property.

Finding: The requested variance will not significantly adversely affect other properties in the area.