



CITY BOARD OF ADJUSTMENT
AGENDA-Wednesday, February 2, 2022, 6:00 p.m.
Miller Building, 1st Floor Conference Room
2825 3rd Avenue North, Billings, Montana

NOTICE TO THE PUBLIC

****ATTENTION****

In the event a quorum of the Council is present, no City-related decisions will be made during this meeting or event.

Citizens are invited to:

- Review the Agenda Packet on the City's website at: <https://ci.billings.mt.us/117/Agendas-Minutes>
- View the meeting live online at Facebook: <https://www.facebook.com/Billings-Planning-Community-Services-Department-1738982159659260>

Public comment will be taken only during the Public Comment periods as indicated on the agenda and during the Public Hearings, if any are scheduled, under the Regular agenda. Comments may be sent to Board via email before 10:00 AM on the meeting date. All emails received prior to this time will be read into the record for the public hearing. Comments may be submitted by:

- Mail: City/County Planning Division, 2825 3rd Ave N 4th Floor, Billings, MT 59101
 - Email: bartleyr@billingsmt.gov
- Call in during the Public Comment periods as indicated on the agenda:
 - Citizens may call in during specific Public Comment periods at **406.237.6165**. All callers will be placed in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be limited to 3 minutes of testimony as is customary. Future delivery methods may be explored as best practice is learned.

Please direct questions to Administrative Secretary Robbin Bartley at bartleyr@billingsmt.gov or 406-247-8676

Call the meeting to order.

Introduction of City Board of Adjustment Members and Planning Department Staff.

Public Comment

Approval of Minutes:

The minutes of the Board meeting of January 5, 2022.

Disclosure of any Conflict of Interest-Members of the Commission and Staff

Disclosure of an Outside (Ex Parte Communication)-Members of the Commission and Staff
a. The Exparte Communication Binder is available at the Sign-In and Agenda Station.

Regular Business:

- A. Opening of public hearings.
- B. Reading of rules for the procedure by which the public hearings will be conducted.
- C. Reading of notices of the public hearings on the following items:

Public Hearings:

- a. **Return Item- City Variance 1339 -- Mountain Mudd Kiosk-- allow temporary use structure larger than 120 sf at 16 Shiloh Rd-** A variance from Section 27-1009(A)(3) requiring a group 3 temporary use structure to have a maximum size of 120 square feet to allow a 160 square foot structure in a Corridor Mixed Use 1 (CMU1) zone on Parcel 1A, Certificate of Survey 2727M, a 1.587-acre parcel of land located at 16 Shiloh Rd. Tax ID: D11891

- b. **City Variance 1341 -- Coca-Cola Building-- Allow increase in maximum sign square footage in I1** - A variance from 27-1407(E)(a) requiring a maximum of 250 square feet total sign area per frontage, on parcel 11A of COS 1391 AMND, located in S24, T01 S, R25 E. The purpose of the variance is to allow a 456 sq ft sign on a building with 400 lineal feet of frontage. Tax ID: D008740

Other Business/Announcements

Adjournment

Information on the preceding item(s) may be obtained at the Planning & Community Services Department, 4th Floor of the Miller Building, 2825 3rd Ave North, Billings, MT 59101 or phone 247-8676. Anyone wishing to be heard on this matter may appear at this hearing or provide written testimony. Information on the preceding item(s) may be obtained at the Planning & Community Services Department, 4th Floor of the Miller Building, 2825 3rd Ave North, Billings, MT 59101 or phone 247-8676. Anyone wishing to be heard on this matter may appear at this hearing or provide written testimony to Planning Division at the address above.

Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Robbin Bartley, Administrative Assistant, at 247-8676 or e-mail to bartleyr@billingsmt.gov

Date: 02/02/2022
Title:
Presented by:
Department: Planning & Community Services
Presentation:

Information

RECOMMENDATION

The minutes of the Board meeting of January 5, 2022.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

Attachments

BBOA_2022_0105

CITY BOARD OF ADJUSTMENT

MINUTES January 5, 2022

Name	Title	01/05/2022	02/02/2022	03/02/2022	04/06/2022	05/04/2022	06/01/2022	07/06/2022	08/03/2022	09/07/2022	10/05/2022	11/02/2022	12/07/2022	
David Mitchell	Member	1												
Dave Hagstrom	Member	1												
VACANT	Member	-												
Jeff Bollman	Vice Chair	P												
Oscar Heinrich	Member	1												
VACANT	Member	-												
VACANT	Member	-												
TOTAL NUMBER OF APPLICATIONS 2022		01/05/2022	02/02/2022	03/02/2022	04/06/2022	05/04/2022	06/01/2022	07/06/2022	08/03/2022	09/07/2022	10/05/2022	11/02/2022	12/07/2022	TOTAL
Variance		2												

Vice Chair Bollman, attending by phone, appointed Board member Heinrich, Chairman pro tem. Board member Heinrich called the meeting to order at 6:01 p.m.

Nicole Cromwell introduced the City Board of Adjustment members and Planning Department staff. Attending Staff members are Monica Plecker, Planning Division Manager, Nicole Cromwell, Zoning Coordinator, Erin Keith, Planner I and Robbin Bartley, Administrative Assistant, (virtually).

Attending: Tanya Weinreis

Public Comment

Board member Heinrich opened the public comment period and asked if there was anyone wishing to speak during the public comment portion of the meeting. There were none.

Approval of Meeting Minutes

Meeting minutes for December 1, 2022.

The December 1, 2021 meeting minutes were approved, without motion, by unanimous voice vote.

Disclosure of any Conflict of Interest, Ex Parte Communications and Site Visits

Board member Mitchell had no exparte communications, no conflicts of interest and visted 2 sites.

Board member Heinrich had no exparte communications, no conflicts of interest and visted 2 sites.

Board member Bollman had no exparte communications, no conflicts of interest and visted 0 sites.

Board member Hagstrom had no exparte communications, no conflicts of interest and visted 2 sites.

Public Hearings

Nicole Cromwell reviewed the procedures for public hearings and stated the Board will open a public hearing and allow public comment this evening. She reviewed the hearing and presentation processes for the meeting and acting on each variance.

City Variance 1338 – 2716 7th Ave N – Allow DU on 1st floor - A variance from 27-1002.A.2 requiring a residential use in the Downtown Support (DX) zone to be either on the 2nd floor of a structure or at least 30 feet behind the front façade on the first floor of a structure to allow a residential dwelling to occupy the entire first floor of a structure in a Downtown Support (DX) zone, on Lots 13-14, Block 41, Fosters Addition, an 7,000 sf parcel of land. The purpose of the variance is to allow an existing structure to be renovated to its original use as a residential duplex with a dwelling in the basement and a dwelling on the first floor. Tax ID: A07267

RECOMMENDATION

Planning staff has reviewed this application & is recommending conditional approval of Variance 1338 based on the proposed findings of the review criteria.

Questions for staff:

Board member Heinrich opened the public hearing at 6:12 PM and asked if there was anyone wishing to speak in favor or against **City Variance 1338**.

Applicant: Not in attendance

Favor

NONE

Opposed

NONE

Discussion-NONE

At 6:12PM, Board member Heinrich closed the Public Hearing and called for a motion.

Motion

Board Member Mitchell made a motion and Board Member Hagstrom seconded the motion to approve **City Variance 1338**, with staff recommendations & conditions.

MEMBER	YES	NO	ABSTAINED	NOT PRESENT
David Mitchell	X			
Dave Hagstrom	X			
VACANT				
Jeff Bollman	X			
Oscar Heinrich	X			
VACANT				
VACANT				

The motion to approve City Variance 1338 passed with a 4-0 vote.

City Variance 1339 – Mountain Mudd Kiosks– allow temporary use structures larger than 120 sf at 16 Shiloh Rd, 2975 Grand Ave & 4001 Montana Avenue - A variance from Section 27-1009(A)(3)(b)(4)(i) requiring a group 3 temporary use structure to be a maximum floor area of 120 square feet to allow: 1) a 160 square foot structure in a Neighborhood Mixed Use (MNU) zone on Parcel 1A, Certificate of Survey 2727M, a 1.587 acre parcel of land located at 16 Shiloh Rd; 2) a 250 square foot structure in a Commercial Mixed Use 1 (CMU1) zone, on Lot 18A, Block 7, Westwood Estate 3rd Filing, a 39,207 sf parcel of land located at 2975 Grand Avenue; and 3) a 360 square foot structure in a Corridor Mixed Use 1 (CMU1) zone, on Lots 1 thru 8, Block 24, Yellowstone Addition, a 21,000 sf parcel of land located at 4001 Montana Ave. The purpose of the variance is to allow group 3 temporary use structures at the described locations larger than the maximum allowed floor area 120 square feet. Tax ID: D11891, A18486B; A19303. Erin Keith presenting.


The Variance is requested has changed and is only for 16 Shiloh Road.



Background

Temporary Uses – 27-1009

- o Group 1: Less than 72 hours
 - o No permit required
 - o Examples: Foodtrucks
- o Group 2: 73 hours to 90 days
 - o Permit required
 - o Examples: Foodtrucks, Christmas tree lots, greenhouses
- o Group 3: 91 days to 1 year
 - Permit required
 - Structures cannot have axels/wheels
 - Maximum structure size 120 square feet
 - Examples: Coffee kiosks, greenhouses, portable classrooms/offices




Background

Findings from a Recent Intensive Review of Group 3 Temporary Use Permits:

- o 6 existing temporary use structures (kiosks) that exceed the maximum square footage of 120 square feet
- o From 130-200 square feet
- o Proposed direction from Planning staff:
 - Continued use of oversized kiosks would require applying for a variance
 - All newly proposed kiosks would need to meet the maximum size requirement
- o This application is only for 1 of the 6 noncompliant temporary use structures
 - The existing structure is currently 160 square feet


RECOMMENDATION

Planning staff has reviewed this application & is recommending conditional approval of Variance 1339 based on the proposed findings of the review criteria.



Recommended Conditions

1. The approval is for a variance from Zoning Code 27.1009(A)(3)(b)(4)(i), as amended increasing the maximum allowed size of the structure from 120 square feet to 160 square feet (34% increase). No other variance is intended or implied with this approval.
2. The variance is limited to the existing 8'x20' kiosk only, currently located on Parcel 1A, Certificate of Survey 2727M, and becomes void if the structure is moved (either within the same parcel or to another parcel within the City Limits) or the footprint is altered in any way.
3. The variance shall be null and void if at any time in the future, the temporary use permit for this kiosk remains expired for more than 30 days or if the structure is not in operation for more than 180 days.



Recommended Conditions,
continued

4. These conditions of variance approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, leaseholders, heirs and assigns, so long as the structure is not moved from its current location.
5. The applicant shall meet all other city code requirements, including annual renewal of the temporary use permit, except for this variance.

Questions for staff:

Board member Heinrich asked if ownership changed if there would need to be a new Variance. Staff explained Temporary Use permits are issued to persons while Variances run with the land.

Staff explained the desire to keep kiosks in service rather than deal with an abandoned building.

Monica Plecker stated the owner could find a permanent location and apply for a commercial building permit. It is the owners choosing to go the temporary route. It is beneficial to the owner financially because of the expenses incurred with a brick and mortar structure.

Board member Mitchell asked if all 6 of the oversized buildings are coffee kiosks. Staff affirmed. He then asked if other buildings oversized would be allowed. Staff replied a new structure at a new location would not be approved for permit. The IBC will not allow anything larger than 120 square feet. It is not possible to issue a building permit to an existing, in use, structure. These 6 kiosks were issued a Temporary Use Permit in error, a Variance is the best option for these existing kiosks.

Board member Heinrich asked about the large kiosk across the street (Soda Station). Staff stated it is 120 sf.

Previously there was an 8x8 coffee kiosk on this site, why is it larger now. Staff erred in issuing the Temporary Permits to the larger size.

Board member Heinrich opened the public hearing at 6:28 PM and asked if there was anyone wishing to speak in favor or against **City Variance 1339**.

Applicant: Tanya Weinreis, Mountain Mudd, PO Box 50626, Billings, MT 59105

The building department told her as long as it is on skids, she was not given a size limitation.. She is asking to use this kiosk because she was given the wrong information. She has 2 other buildings built, not yet in service she will be getting a commercial permit for.

Board member Hagstom asked what the size of the other 2 buildings are. Staff replied one is 360sf and the other 250sf. They will not be temporary uses.

Favor
NONE

Opposed
NONE

Discussion-NONE

At 6:32PM, Board member Heinrich closed the Public Hearing and called for a motion.

Motion

Board Member Hagstrom made a motion and Board Member Mithcell seconded the motion to approve **City Variance 1339**, with staff recommendations & conditions.

Board member Bollman then interjected and asked the motion to be rescinded. He has concerns about the presidence being set for future oversized kiosks. He understands the administrative error. If this approved, 6 more will be approved?

Monica Plecker explained the other 5 will be considered individually as they come forward to renew their Temporary Use Permts applied for annually. It is not the intent to bring to the Board for Variance anything that is not currently in use. All future kiosks will have to comply with the 120sf limitation.

Board member Bollman asked if this 160sf kiosk was recently moved to this location. Monica Plecker stated it was moved into place earlier in 2021. It was originally an 8 x 8 structure.

He then asked if the Temporary Use renewal application stated the size of the new building. Staff affirmed the size was stated and missed by the application reviewer.

Board member Bollman stated he is not convinced this is the best option. While he does simpathize with the owner, the Temporary Use application online does not specify the maximum building size. His thought is to delay this for 30 days to give it further consideration. He wants to understand the ramification of the decision going forward. If the board approves this one, he feels the other 5 are basically being approved and he has no information on the other 5 in question.

Board member Heinrich understands his concern and believes these are anomalies and will probably need to be approved after first considering them individually.

Staff has informed each of the other 5 of their options to apply for a Variance or apply for commercial building permit. The largest of the other 5 in question is 200sf. There is absolutely no intention of allowing permission of larger than 120sf going forward.

The application process has been updated and approved, there are no mysteries going forward.

Board member Bollman stated there was no malicious intent on the approval of these 6 structures. What is to say it can't happen again after we have cleaned these up? We could have this situation again.

Board member Heinrich asked Board member Bollman what he would like to see from Staff if this decision was delayed for 30 days.

Board member Bollman stated he would like to see the information on the other 5 kiosks that could potentially come before the board.

Staff (Nicole Cromwell) stated this may not be the last time Planning staff will have to ask for mercy from the board on behalf of a permitting mistake.

Board member Mitchell asked if the 120sf limitation came into effect with Re:Code. Staff replied it has always been 120sf and Re:Code had no affect.

Monica Plecker stated the audit information can be shared with the board. It is very important that each application be considered for the one location in question.

Board member Heinrich asked the applicant if this would hurt her in anyway. Ms. Weinreis replied she likely has \$150,000.00 invested. He then asked Staff what she would have to do if this Variance is denied. Monica Plecker stated the applicants current Temporary Permit is good thru November 2022. Decisions would have to made at that time how to proceed. She believes bringing this to the board for Variance consideration is the best first step to correct the error.

Board member Hagstrom asked about the clarity of the application and whether or not the maximum size is clearly stated.

Staff (Erin Keith) explained the process has changed from paper application to online. The paper application asked for the total square footage but does not state the maximum. All six did disclose the size of their building.

Board member Heinrich explained the options available. He also explained the need for all board members to approve. The options include asking Board member Bollman to motion to delay 30 days, or go ahead with the vote.

Board member Heinrich asked Board members Hagstrom and Mitchell if they would rescind their previous motion. They agreed to rescind.

Board member Bollman then made a motion to continue the public hearing for Variance 1339 to the February 2, 2022 meeting. Board member Hagstrom seconded.

Board member Bollman pointed out there is no urgency since the applicant can remain open without restrictions until November, 2022.

MEMBER	YES	NO	ABSTAINED	NOT PRESENT
David Mitchell	X			
Dave Hagstrom	X			
VACANT				
Jeff Bollman	X			
Oscar Heinrich	X			
VACANT				
VACANT				

The motion to continue the Public Hearing for City Variance 1339 passed with a 4-0 vote.

Other Business: 2022 Chair and Vice Chair elections

Board member Hagstrom nominated Oscar Heinrich for Chairman, Board member Mitchell seconded. All were in favor.

Board member Mitchell nominated Jeff Bollman for Vice Chairman, Board member Hagstrom seconded. All were in favor.

ADJOURNMENT: The meeting adjourned at 6:56PM.

ATTEST: DRAFT. To be approved by a motion at the next regularly scheduled meeting.
Robbin Bartley, Administrative Assistant.

Board of Adjustment

Date: 02/02/2022
Title: City Variance 1339 - 16 Shiloh Temporary Use Kiosk
Presented by: Erin Keith, Planner 1
Department: Planning & Community Services
Presentation: Yes

Information**RECOMMENDATION**

Planning staff has reviewed this application and is forwarding a recommendation of conditional approval for the variance based on the determinations for review provided within this report. A public hearing was held by the Board of Adjustment on January 5, 2022. There was concern expressed by the Board about approval of this kiosk and whether it would be setting a precedent for other known oversized kiosks. The Board of Adjustment voted to delay a decision to February 2022 and more information is being provided by staff on these kiosk requests.

REQUEST

A variance from Section 27-1009(A)(3), requiring a Group 3 Temporary Use structure to have a maximum size of 120 square feet in a Corridor Mixed Use 1 (CMU1) zone on Parcel 1A, Certificate of Survey 2727M, a 1.587-acre parcel of land located at 16 Shiloh Rd. The purpose of the variance is to allow an existing 160 sq. ft. Group 3 Temporary Use structure at the described location to be larger than the maximum size allowed of 120 square feet.

APPLICATION DATA

OWNER: Lorraine W & Leland J Wells (Parcel Owner), CHS, Inc (Gas Station leases the land, and holds the sub-lease with the coffee kiosk)
AGENT: Tanya Weinreis, Mountain Mudd Kiosk Owner
PURPOSE: Increase the maximum allowed Group 3 Temporary Use structure size
LEGAL DESCRIPTION: Parcel 1A, Certificate of Survey 2727M
ADDRESS: 16 Shiloh Rd
SIZE OF PARCEL: 1.587 Acres
ZONING: CMU1-Corridor Mixed Use 1
EXISTING LAND USE: Gas Station
PROPOSED LAND USE: No change

CONCURRENT APPLICATIONS

None

APPLICABLE ZONING HISTORY

There have been no variances for Group 3 Temporary Use Permits issued by the City of Billings.

SURROUNDING ZONING & LAND USE

NORTH: Zoning: CMU1
Land Use: Vacant
SOUTH: Zoning: NMU and C3 (Outside City Limits)
Land Use: Vacant
EAST: Zoning: CMU1
Land Use: Shiloh Commons, Commercial and Residential
WEST: Zoning: RR1
Land Use: Residential (Outside City Limits)

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Planning staff recently completed an intensive review of Group 3 Temporary Use Permits. During this work, it was discovered that there are 6 existing temporary use structures (kiosks) that exceed the maximum allowed floor area

requirement of 120 square feet. These non-compliant structures vary in size from 130 square feet to 200 square feet. Each of the nonconforming temporary use structures did disclose their sizes either during the initial application process or during the annual renewal process, and were approved by the Planning Division. The overall proposed direction from the Planning Staff to business owners for all over-sized, existing kiosks would be to allow their continued use through the variance process, with annual renewal of their temporary use permits. Otherwise, all newly proposed or replacement kiosks would be required to meet the maximum size of 120 square feet, in addition to all other Zoning Code requirements. This application is for only for 1 of the 6 noncompliant temporary uses throughout the City. It is anticipated the Board of Adjustment will see future applications for the other identified non-conformities within the next 12 months.

Per the Zoning Code, this oversized structures is considered to be in non-compliance and for it to come into compliance without a variance it would mean either (1) replacing the kiosks with smaller structures or (2) obtaining a commercial building permit (voiding the temporary use). The ICC Commercial Building Code adopted by the City of Billings and the State of Montana states that any commercial building that exceeds 120 square feet in floor area requires a building permit from the state or local jurisdiction. This exempts buildings less than 120 square feet from the commercial building review process and allows commercial structures under 120 square feet to be considered a temporary use under BMCC 27.1009(A)(3). For this business owner to replace the kiosks with smaller building after they were already approved for use and currently in operation, would be cost prohibitive. In addition, following discussions with Planning Staff, Building Division and Public Works Engineering, it was determined that it would be very difficult or even impossible to issue building permits after a kiosk has been constructed and in-use.

This applicant currently operates temporary use kiosks in six different Mountain Mudd locations across Billings and one in Yellowstone County. The applicant's other kiosks currently in-use are all under the 120 square foot maximum size. The purpose of the variance is to allow an existing 160 sq. ft. Group 3 Temporary Use structure at the described location to be larger than the maximum allowed floor area of 120 square feet. The current temporary use structure located at 16 Shiloh Rd is 8'x20' or 160 square feet and replaced an 8'x8' or 64 square foot kiosk earlier this year.

STAKEHOLDERS

A public hearing was held on January 5, 2022. Board member Jeff Bollman raised concerns about approval of this kiosk and whether it would be setting a precedent for other known oversized kiosks. The Board of Adjustment voted to delay a decision to February 2022. The delay would allow staff to collect additional information on the temporary use structures that are currently in-use and exceed the maximum allowed square footage. Please see attached spreadsheet summarizing each of the six over-sized kiosks, currently in use within City limits.

FISCAL EFFECTS

Approval or disapproval of the proposed variance should not have an impact of the Planning Division budget.

SUMMARY

The Board of Adjustment shall make the following determinations prior to granting a variance:

1. That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district;
There are no special conditions that are peculiar to the land or the lot which causes hardship, however, the temporary use structure is one of six other temporary use structures within the City limits that have been erroneously approved by the Planning Division in the past. The kiosk at 16 Shiloh Rd was placed on the property and put into use prior to the annual renewal of the temporary use permit and been in operation since August 2021.
2. That a literal interpretation of the provisions of the Zoning Code would deprive the applicant of rights commonly enjoyed by other tracts in the same district;
There are six kiosks that exceed the 120 square foot maximum structure size requirement currently in operation within the City limits, across various zoning districts. These kiosks are not in compliance with the Zoning Code. Granting this variance allows the applicant the continued, and legal nonconforming status of the kiosk in its current location.
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other land in the same district;
Prior to the current application, there have been no variance applications to allow an increase in size of a temporary use structure. The variance, if granted, would be a one-time allowance for the continued use of an existing temporary structure which was erroneously approved by the Planning Division. The intent is not to allow any new temporary use structures to exceed this maximum size requirement.
4. That the granting of the variance will be in harmony with the general purpose and intent of the Zoning Code and with the Growth Policy;
The variance is in harmony with the general purpose and intent of the zoning regulations and the growth policy. Approval of this variance would allow the applicant to continue to use the kiosk as a drive-thru coffee business from this location

only. This use operates on a commercial property in a commercial note at the intersection of two principle arterial streets. this use, with 40 additional square feet, is in harmony with the area and other allowable uses within this zone district.

5. In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with the Zoning Code. Violation of such conditions and safeguards, when made a part of the terms upon which the variance is granted, shall be deemed a violation of the Zoning Code.

This building and use is in existing operation. Each year the temporary use permit is reviewed for annual renewal. The site plan, traffic plan, and parking has been approved and meets all other zoning and site design requirements ensuring safety standards.

Staff is recommending the following conditions for the allowance of an increase in square footage for this Group 3 Temporary Use structure variance request:

1. The approval is for a variance from Zoning Code 27.1009(A)(3)(b)(4)(i), as amended increasing the maximum allowed size of the structure from 120 square feet to 160 square feet (34% increase). No other variance is intended or implied with this approval.
2. The variance is limited the existing 8'x20' kiosk only, currently located on Parcel 1A, Certificate of Survey 2727M, and becomes void if the structure is moved (either within the same parcel or to another parcel within the City Limits) or the footprint is altered in any way.
3. The variance shall be null and void if at any time in the future, the temporary use permit for this kiosk remains expired for more than 30 days or if the structure is not in operation for more than 180 days.
4. These conditions of variance approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, leaseholders, heirs and assigns, so long as the structure is not moved from its current location.
5. The applicant shall meet all other city code requirements, including annual renewal of the temporary use permit, except for this variance.

6. The Board shall prescribe a time limit within which the action for which the variance is required shall be begun or completed, or both. Failure to begin or complete such action within the time limit set shall void the variance. The structure is fully constructed, in-use and has been approved for temporary use by the Planning Division through 11/12/2022, therefore the time limit would be for ensuring the temporary use permit remain active, annually. If at any time in the future, the temporary use permit for this kiosk remains expired for more than 30 days or if the structure is not in operation for more than 180 days, this variance shall be void.

7. Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this Chapter in the district involved. A variance shall not be a grant of special privilege inconsistent with limitations placed upon other property in the district. The granting of this variance would not allow a use that is not permitted in the zoning district -- drive-thru restaurants are a permitted accessory use in the CMU1 district.

Attachments

Application Signed_Wells
Variance Letter
Zoning Maps & Site Photos
Site Plan
Oversized Kiosk Summary Table
Oversized Kiosk Photos

APPLICATION FORM

CITY VARIANCE

ID: Billings Variance # 1339 - Project # PZX-21-00288

The undersigned as owner(s) of the following described property hereby request a Variance from the terms of the City of Billings Zoning Regulations.

PROPERTY TAX ID # D11891 CITY ELECTION WARD # 5

Legal Description of Property: S03, T01 S, R25 E, C.O.S. 2727M, PARCEL 1-A, AMD LESS 838' FOR HWY (09) ANNEX (15) IMP TAXED ON I00080A

Address or General Location (If unknown, contact City Engineering): 16 Shiloh Rd

Zoning Classification: CMU1-Cooridor Mixed Use 1

Size of Parcel (Area & Dimensions): 1.587 acres

Covenants or Deed Restrictions on Property: Yes _____ No _____

If yes, please attach to application

Variance(s) Requested: Increase maximum allowed kiosk size from 120 sq ft to 160 sq ft

Facts of Hardship: See attached

*** Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): Lorraine W. Wells

(Recorded Owner) WELLS, LELAND J & LORRAINE W

(Address) 4216 ROSEWOOD DR, Billings, MT 59106

(Phone Number)

(email)

Agent(s): _____

(Name) Tanya Weinreis (Kiosk Owner/Applicant)

(Address) PO Box 50626, Billings, MT 59105

(Phone Number) (406) 321-2090

(email) Tanya@mtnmudd.com

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Variance. Also, I attest that all the information presented herein is factual and correct.

Signature: Lorraine W. Wells Date: Jan 4 2022

(Recorded Owner)



Date Stamp



MOUNTAIN MUDD ESPRESSO VARIANCE REQUEST

MISSION FOR MOUNTAIN MUDD ESPRESSO

We create unique experiences that change lives and bring people back. We do this by loving and serving people, by preparing top notch, handcrafted food and beverages, and by creating an environment where real relationships are fostered. We provide heroic hospitality!

WHY WE ARE REQUESTING A VARIANCE REQUEST

Mountain Mudd Espresso, founded in 1994 built 8x8 kiosks that met a temporary use permit to be used at multiple locations throughout town. The building department has a code requirement that allowed these kiosks with this type of use under 120 square feet. We have since put in a kiosk that exceeds that size requirement by 40 square feet at 16 Shiloh Road.

Earlier this year (2021), we had called the building department to see if we needed to do anything different to meet code if we built our own larger kiosks to replace old smaller kiosks and we were told that as long as we did not build on a foundation, and they were movable kiosks that we didn't need to do any work with the building department for any approval of these larger kiosks.

We have a need to use the kiosks at these locations because one is already in use, and the other two are already built. We have invested so much into improving our locations to better serve our staff and our customers. We believed that we did our due diligence prior to the building and purchasing of these larger kiosks.

There is no demolition, construction, or reconstruction needed as long as we can use the kiosks we have in use and built.

THANK YOU FOR YOUR CONSIDERATION

Warmest Regards,

Tanya Weinreis
Mountain Mudd Espresso

CONTACT

@ Tanya@MtnMudd.com

(406) 321-2090

www.MtnMudd.com

Billings, MT

Kiosk Looking SOUTH



Kiosk Looking Southeast



EAST

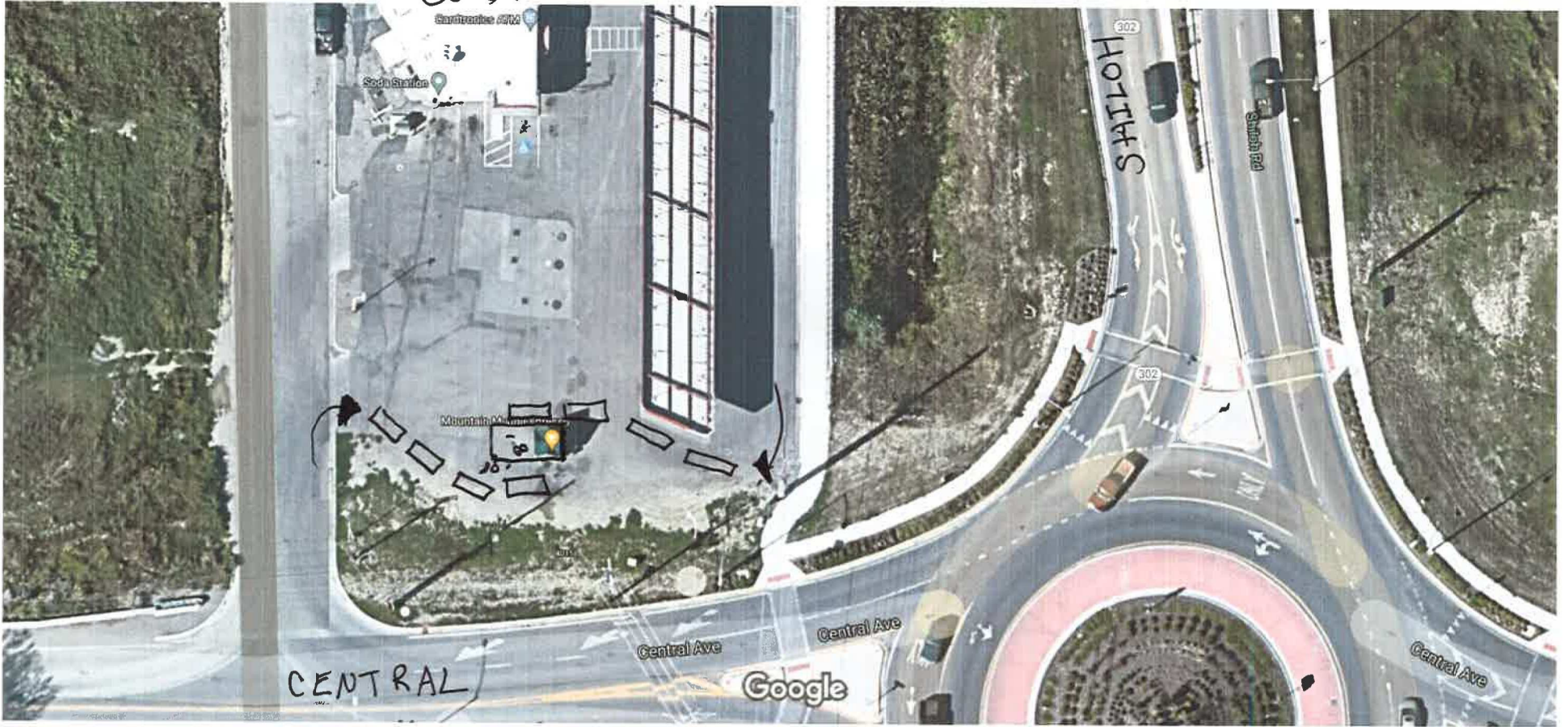


WEST



Google Maps

16 Shiloh Road



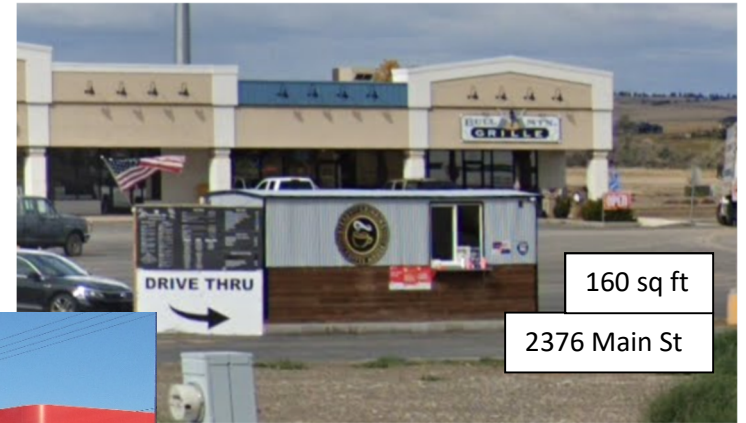
Map data ©2021, Map data ©2021 20 ft



Owner Name	Business	Kiosk Location	Size	Sq Ft	In Use Since	Temp Use Expiration	Notes/Status
Cassandra Dennison	Classy N' Sassy Coffee	1508 Main St	10x14	140 sq ft	2014	11/22/2022	
Tanya Weinreis	Mountain Mudd Espresso	16 Shiloh Rd	8x20	160 sq ft	2021	11/12/2022	Variance #1339, Applied December 2021.
KC Johnson	Steady Grinding Coffee	2376 Main St	8x20	160 sq ft	2020	2/1/2023	New owner 2021
Cassandra Dennison	Classy N' Sassy Coffee	1221 6th Ave N	10x20	200 sq ft	2020	11/22/2022	
Cassandra Dennison	Classy N' Sassy Coffee	1313 Broadwater Ave	10x20	200 sq ft	2020	6/1/2022	
Cassandra Dennison	Classy N' Sassy Coffee	2021 Henesta Dr	10x20-PROPOSED	200 sq ft	N/A	N/A	Denied/Withdrawn, Building Permit Required
Tanya Weinreis	Mountain Mudd Espresso	2975 Grand Ave	10x25-PROPOSED	250 sq ft	N/A	N/A	Approved as temporary use 8/2021, however, recently denied/withdrawn, building permit required
Tanya Weinreis	Mountain Mudd Espresso	4001 Montana Ave	12x30-PROPOSED	360 sq ft	N/A	N/A	Replacing an 8x8. Denied/Withdrawn, Building Permit Required



200 sq ft
1508 Main St



160 sq ft
2376 Main St



160 sq ft
16 Shiloh Rd



130 sq ft
1221 6th Ave N



200 sq ft
1313 Broadwater Ave

Board of Adjustment

Date: 02/02/2022
Title: Variance 1341 - High Country Coca Cola - Maximum Sign Area
Presented by: Nicole Cromwell
Department: Planning & Community Services
Presentation: Yes

Information**RECOMMENDATION**

Planning staff is recommending conditional approval and adoption of the findings of the criteria for Variance 1341.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

This is a variance request from Section 27-1407.E requiring a maximum sign area of 250 square feet for any wall sign in the Light Industrial (I1) zone district. The property is intended for the development of a new Coca-Cola Bottling facility of up to 240,000 square feet (5.5 acres) with primary frontage on South Frontage Road and Harnish Boulevard near the Zoo Drive interchange of Interstate 90. The proposed sign is 456 square feet and consists of the iconic brand name Coca-Cola. The property was recently annexed to the city limits. The property is zoned I1 and the proposed use is in conformance with the zoning district. The parcel is legally described as C/S 1391, Parcel 11A and is about 9.5 acres in area. Messinger Company is the owner of the property and the agent is Kolten Knatterud of IMEG Corporation.

The building facade where the sign is proposed faces north and east towards the west bound lanes of South Frontage Road and I-90. The facade is 400 feet in length - not including the front office variation - and will be approximately 30 feet in height. This creates over 12,000 square feet in facade. The sign code applies a maximum wall sign area of 250 square feet regardless of the size of the building or the length of the street frontage. The Board of Adjustment has granted a similar variance for the Scheels building in Shiloh Crossing in December 2011. The previous Shiloh Corridor Overlay District also had a maximum wall sign area of 250 square feet. The Scheels building was much taller but had a similar facade area and the desire to address traffic on a road that was more than 800 feet from the structure. There are similar properties in the area that have much larger signs based on the previous sign code in the City and County. The previous sign codes allowed building wall signs to equal up to 3 square feet for each linear foot of structure that faced a street. If the previous sign code were still in place, a maximum wall sign - or group of wall signs - would have been allowed up to 1,200 square feet - or about 10% of the proposed facade area. The Scheels sign of 544 square feet, by contrast, takes up about 5% of the facade area for that building.

In 2012, the BOA approved an increase in sign size and height for the Vegas Hotel near the S 27th St and I-90 interchange. This sign variance allowed the sign to be much taller (12 ft required) and larger (40 square feet max) than the S 27th St Corridor sign code allowed. The topography was challenging based on the elevation of the highway overpass just east of the property.

APPLICATION DATA

OWNER: Messinger Company LLC
AGENT: Kolten Knatterud, IMEG Corporation
PURPOSE: To allow the construction of a wall sign of 456 square feet for a new 5.5 acre bottling plant
LEGAL DESCRIPTION: Parcel 11A, C/S 1391
ADDRESS: None Assigned
SIZE OF PARCEL: 9.5 acres
ZONING: Light Industrial (I1)
EXISTING LAND USE: vacant
PROPOSED LAND USE: High Country Coca-Cola bottling plant

SURROUNDING ZONING & LAND USE

NORTH: Zoning: I1
Land Use: Interstate, Railroad, Steel manufacturer
SOUTH: Zoning: I1
Land Use: Vacant land, FedEx Freight Terminal, warehouses
EAST: Zoning: Heavy Commercial (CX) and I1
Land Use: Tractor and Equipment, Beartooth Harley Davidson
WEST: Zoning: I1
Land Use: Slumberland Furniture

Planning staff is recommending conditional approval based on the very limited BOA history of granting similar variance for similarly situated buildings and property, and because property within the immediate vicinity enjoys the same type and size of signage without a variance. Several conditions are recommended to ensure the new signage has less of an impact on the surrounding property and the traveling public.

STAKEHOLDERS

Planning staff notified owners by mail, posted the property and published the legal ad as required. As of the date of this staff report, no comments or concerns have been registered with the Planning Division.

ALTERNATIVES

The Board of Adjustment may:

- Approve the requested variance with conditions as recommended by the Planning staff;
- Approve the requested variance with amended conditions;
- Approve the requested variance with no conditions;
- Deny the requested variance with amended findings of fact of the criteria;
- Allow the applicant to withdraw the variance request; or
- Delay action on the variance to a future BOA meeting.

FISCAL EFFECTS

Approval or denial of the requested variance will have no financial effect on the Planning Division budget.

SUMMARY

Prior to approval, the Board of Adjustment shall ensure that the determinations for variances (Sec. 27-1627.D and E.), as outlined below, have been satisfied:

Section 27-1627.D

1) That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district.

There are special circumstances that exist which are peculiar to the lot that are not applicable to other lots in the same district. The property has an unusual shape and is not oriented in a way to firmly address the interstate traffic that travels at significantly higher speeds than local streets. This also applies to the S Frontage Road traffic that is also traveling much faster than other local commercial street traffic. Drivers traveling at highway speeds rely on signs that are large enough and well-designed to convey a legible message in a split second. Difficulty in reading a sign distracts a driver longer than necessary from critical attention to traffic sharing the highway.

2) That a literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other tracts in the same district.

The Board of Adjustment has granted at least two sign area variances in the past decade. They have been rare and very specific to conditions and buildings. Similar property in the area has also developed much larger wall signage to accommodate the mass and scale of buildings on those lots and to better communicate with drivers at highway speeds. Cabela's and Slumberland Furniture each have wall signs close to 500 square feet. If the variance is denied, this would deprive this applicant of rights commonly enjoyed by others in the area.

3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this zoning code to other land in the same district.

Granting this variance will not confer on the applicant a special privilege because the Board of Adjustment has granted a limited number of variances from the maximum sign area to other land in the same or similar district. Similarly situated development in the area also has larger wall signs to scale larger buildings, as proposed by Coca-Cola.

4) That the granting of the variance will be in harmony with the general purpose and intent of this zoning code and with the Growth Policy.

Granting this variance will meet the general purposes and intent of the zoning regulations and the 2016 Growth Policy.

Section 27-1627.E

2) In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Zoning Code. Violation of such conditions and safeguards, when made a part of the terms upon which the variance is granted, shall be deemed a violation of this Zoning Code;

Staff is recommending 6 conditions for the variance request:

1. The variance is for a maximum sign area of 456 square feet placed on the northwest corner of the South Frontage Road building facade. No other variance is intended or implied by this approval.
2. The variance applies to Parcel 11A of C/S 1391.

3. The proposed building will be located and oriented in substantial conformance with the submitted site plan. Minor adjustments to the site plan are allowed.
4. The applicant will apply for a building permit within 2 years of the Board of Adjustment approval of the variance.
5. Prior to installation and within 5 years of Board of Adjustment approval of the variance, the applicant will apply for the sign permit.
6. Failure to begin or complete actions required by this approval within the time limits set forth shall void this variance.
7. These conditions of variance approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.

3) The Board shall prescribe a time limit within which the action for which the variance is required shall be begun or completed, or both. Failure to begin or complete such action within the time limit set shall void the variance. Staff is recommending the applicant/agent have 2 years to submit a building permit application and 5 years to submit a sign permit. Sign permits once approved are only valid for a few months.

4) Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this zoning code in the district involved. A variance shall not be a grant of special privilege inconsistent with limitations placed upon other properties in the district.

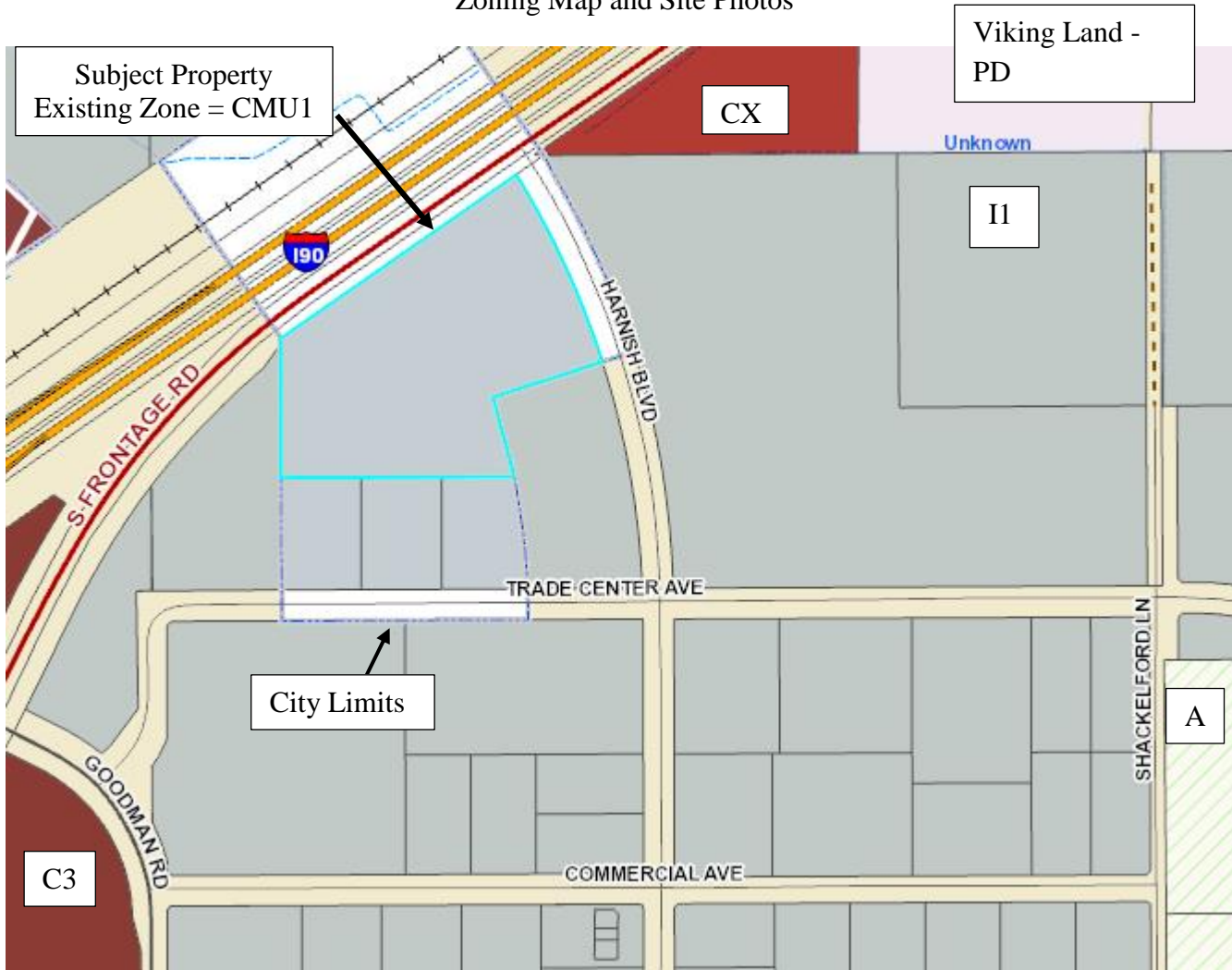
The granting of this variance would not allow a use that is not allowed in the zoning district. Beverage bottling plants and signs are allowed uses in the Light Industrial zone district.

Attachments

Zoning Map and Site photos
Applicant Letter
Applicants Fact of Hardship
Site and Architectural Plans
Sign Comparison Slides
Applicant Slides
Zoning History

City Variance 1341 – Coca-Cola Bottling Plant

Zoning Map and Site Photos



Subject Property





Subject property from South Frontage Road at Harnish Blvd



View north on Harnish Blvd to South Frontage Road



Harnish Blvd view east to Tractor and Equipment



View south and east from Harnish Blvd



View south and east across subject property from South Frontage Road



View south and west across subject property from South Frontage Road



January 3, 2022

City of Billings
Board of Adjustments
2825 3rd Avenue North
Miller Building, First Floor Conference Building
Billings, MT 59101

Re: Variance Application – Proposed Coca-Cola Building
Parcel 11A of COS 1391 AMND, located in S24, T01 S, R25E

Dear Members:

On behalf of the property owner, Messinger Company LLC, a South Dakota limited liability company, we are requesting a variance from the City of Billings, Chapter 27, Article 1407 sign regulations by zone district, specifically 27-1407E.(a) (zoning code). The parcel indicated as 11A of COS 1391 AMND, located in S24, T01 S, R25 E, (site/parcel), is located within the zoning code I1 – Light Industrial. According to the zoning code signs attached to buildings are allowed two square feet per lineal foot of building frontage to a maximum of two hundred fifty square feet.

The proposed Coca-Cola building site was purchased before the City of Billings updated the zoning code to re-code. Under the previous zoning code the site was allowed to have a wall sign that was 20% in size of the wall with the sign. The proposed wall sign would've been in compliance with this zoning code. This variance request would allow for the building to have the wall sign as indicated in the included schematics. We have included a variance application as well as a required listing of hardships for your review. Although we are requesting that the sign exceed the 250sqft maximum the sign side does not exceed the 2sqft per linear foot of building frontage. Should that be the only portion of the regulation our building would be allowed to have an 800sqft sign. This variance request is similar to many others the board has approved in prior for buildings such as Scheels, Cabelas and Slumberland Furniture. The Coca-Cola building will be directly adjacent to Slumberland Furniture which is a much smaller building but has been approved for this same variance regarding wall sign size. By allowing this variance the board will be allowing the Coca-Cola building to be consistent with company architectural requirements and not creating a hardship by forcing a redesign.

Thank you for your consideration regarding this variance request. Attached within our application are exhibits detailing the Coca-Cola design a variance application. Please feel free to contact us with any questions, anna.m.vickers@imegcorp.com or kolten.l.knatterud@imegcorp.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anna Vickers".

Anna Vickers
Land Use Planner

A handwritten signature in blue ink, appearing to read "Kolten Knatterud".

Kolten Knatterud, P.E.
Client Executive



VARIANCE QUESTIONS

- A. What reasons prevent you from using this property in conformance with the Zoning Regulations requirements?

The parcel was bought by Coca-Cola prior to project ReCode. Project ReCode changed the wall building sign allowance. At the time of purchase the prior zoning would've allowed for a wall sign that was 20% in size of the wall with the sign. However, with project ReCode the applicable zoning of 27-1407E.(a). allows for two square feet of sign per lineal foot of building frontage to a maximum of two hundred fifty square feet. Due to this updated code a variance is being requested in order to allow for the architectural design in coordination with Coca-Cola buildings across the country. Not granting this variance would create a hardship for the applicant and not be in harmony with other businesses that have received variance approval for wall signs in prior. These other buildings include Scheels, Cabela's, and Slumberland Furniture with Slumberland Furniture being adjacent to the property.

- B. Why is there a need for the intended use of the property at this location?

The Coca-Cola building is designed with the logo exceeding 250sqft on buildings across the county. This design is considered part of the Coca-Cola brand architecture and would force a hardship due to an architectural redesign. The variance is requested in order to avoid this redesign and allows the applicant to enjoy rights that are commonly shared by others in the same district.



FACTS OF HARDSHIP

1. That special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes the hardship, and which are not applicable to other lands in the same district;

The property is being developed by Coca-Cola. The company is asking for a variance for a sign to be 456sqft which is greater than the 250sqft allowed by the zoning. While this sign does exceed the maximum square footage allowance the building would be allowed to have 800sqft sign if based on linear footage frontage alone. This property is similar to other businesses within Billings that have received variances for sign sizes on the building. At the time of purchase Coca-Cola ReCode was not the current City of Billings zoning. Coca-Cola had purchased this property with the prior to project ReCode. The prior zoning would allow to have a wall sign that was 20% in size of the wall with the sign. The current sign would've been in compliance with the old code. This Coca-Cola sign will be on the building and is considered part of the brand architecture. By following the existing zoning the company and building would be limited by signs standards that would force a hardship due to an architectural redesign. This variance is necessary due to the design architecture that is consistent for Coca-Cola buildings throughout the country.

2. That a literal interpretation of the provisions of this zoning code would deprive the applicant of rights commonly enjoyed by other tracts in the same district;

The Scheels, Cabela's, and Slumberland Furniture buildings have all received a variance for wall signs to exceed 250sqft. Following the literal interpretation of the zoning code would be depriving the applicant of rights that have been commonly enjoyed by other tracts. The Coca-Cola site is directly adjacent to Slumberland Furniture who also received this variance. Slumberland Furniture was permitted to have two 480sqft wall signs. This was over the allowed 250sqft and they have a road frontage of approximately 380 linear feet, which is significantly smaller than Coca-Cola.

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this zoning code to other land in the same district;

This variance will not confer on the applicant any special privilege. Other businesses in Billings have been granted variances for wall signs exceeding the 250sqft maximum size.

4. That the granting of the variance will be in harmony the general purpose and intent of this zoning code with the growth policies;

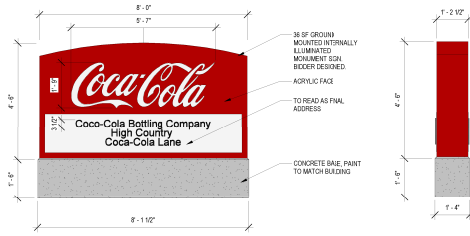
Granting this variance will be in harmony with the intended purpose of the zoning code and growth policy for the area. Billings strives to develop a community where businesses and people prosper according to their community goals within the growth policy. By granting this variance the board of adjustments would be allowing for prosperity of businesses.



Coca-Cola Bottling Company
HIGH COUNTRY
BILLINGS FACILITY



BIRD'S EYE PERSPECTIVE LOOKING SOUTH



Coca-Cola Bottling Company
HIGH COUNTRY
BILLINGS FACILITY

MONUMENT SIGN



FRONTAGE ROAD ENTRY PERSPECTIVE



Coca-Cola Bottling Company
HIGH COUNTRY
BILLINGS FACILITY

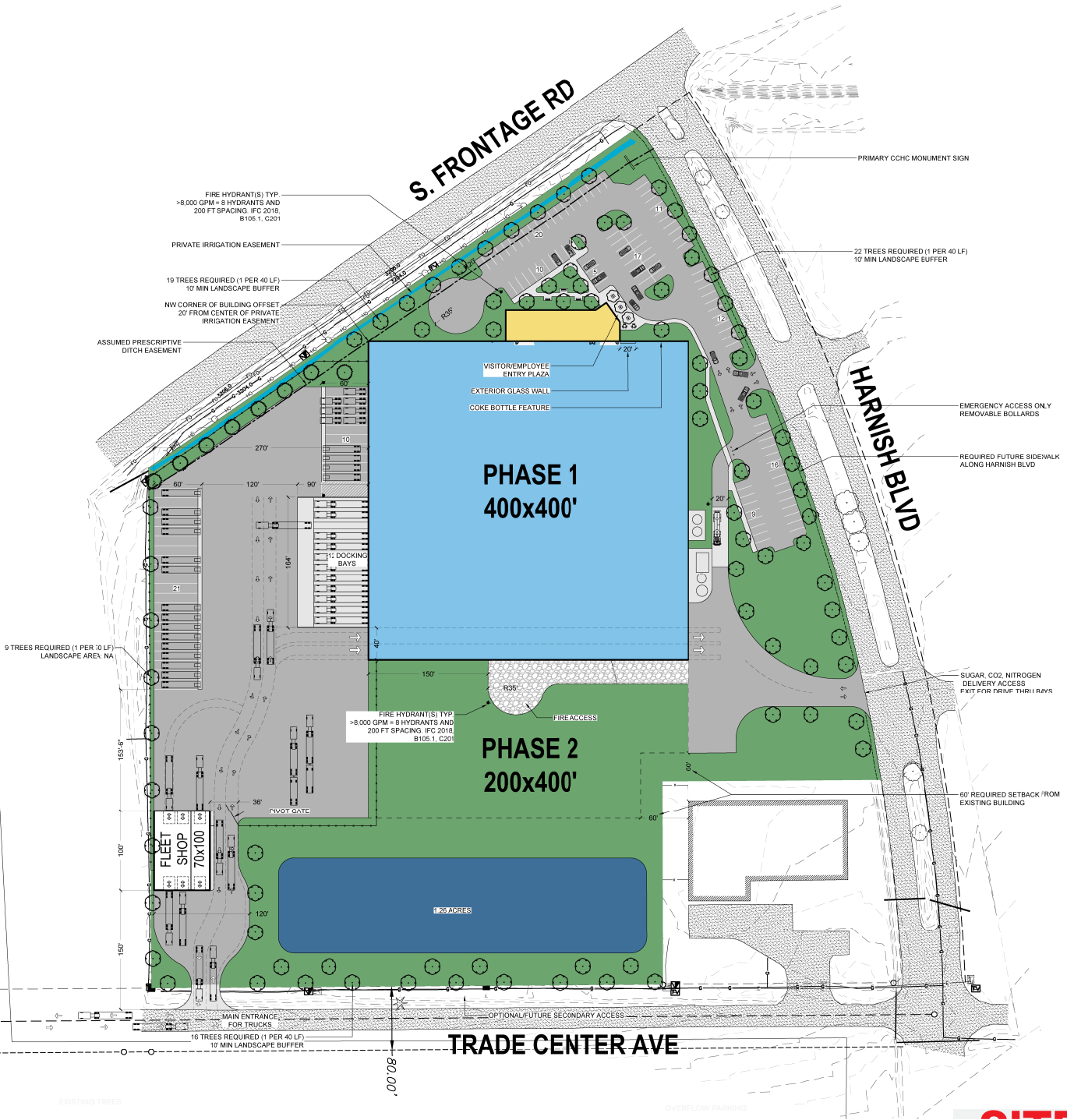


FRONTAGE ROAD BUILDING SIGN PERSPECTIVE





Coca-Cola Bottling Company
HIGH COUNTRY
BILLINGS FACILITY



SD SITE LAYOUT CONCEPT 1.1 PHASE 1

REFERENCE NOTES SCHEDULE

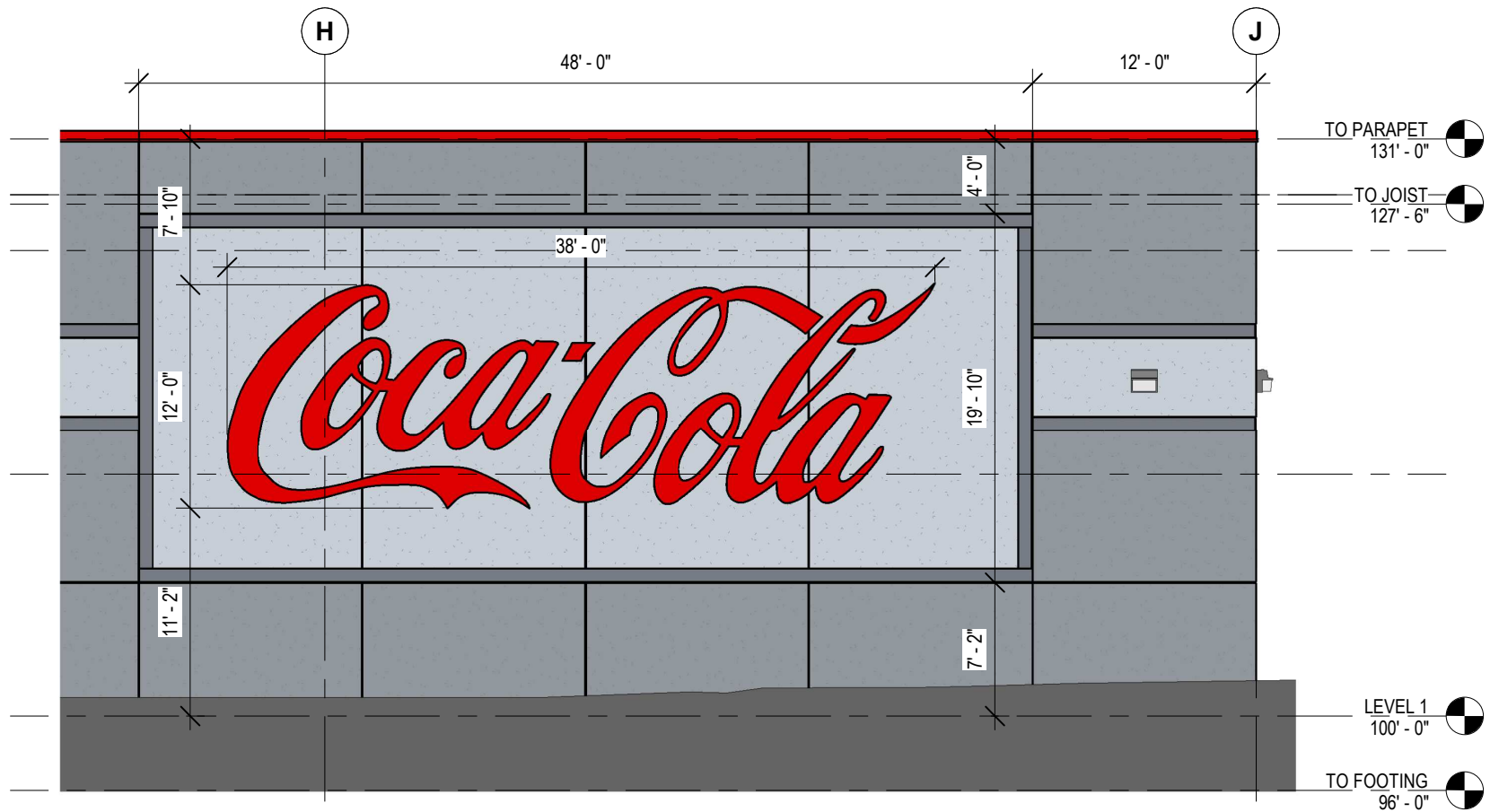
SYMBOL	DESCRIPTION	QTY	
1	12 X60' TRAILER STORAGE BAY	31	
2	10' X20' PARKING STALL	100	
3	RETENTION AREAS	55,292 SF	(1.26 ACRES)
4	ASPHALT	204,485 SF	(4.69 ACRES)
5	GREENSPACE	217,751 SF	(4.99 ACRES)
6	CONCRETE	28,294 SF	(.65 ACRES)
7	GRAVEL FIRE ACCESS ROAD	9,891 SF	(.22 ACRES)
8	FENCE	1,897 LF	

SITE PROGRAMMING

- 100 employee parking on west side of building for Phase 1, and required ADA parking. Code minimum added for Phase 2.
- Area for a 40-trailer storage, designed to handle 300-1200,000 lbs rigs per day. (Typical trailer space size is 12' wide x 60' long)
- Concrete dolly pads at all truck loading and trailer storage areas.
- Minimum 120' apron in front of the truck docks.



SIGN VIEWS



450 SQUARE FEET



Perspective - Interstate 90 Westbound.

250 SQUARE FEET



Perspective - Interstate 90 Westbound.



Coca-Cola High Country

SIGN VARIANCE DESIGN INFORMATION | JANUARY 19TH, 2022

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sign size comparison 07
local precedents 09

executive summary.

Coca-Cola Bottling Company High-Country is a 4th-generation family company, based in Rapid City, but has had an operation and presence in Montana since 2014. High Country has sales centers in Billings, Miles City, Glendive, Havre, Great Falls, Kalispell and Missoula. Coca-Cola has been in Billings since 1910. Our existing facility on South 1st Street has been operating there since 1964. This new 160,000 square foot facility will replace the current sales center, and expand to include beverage manufacturing.

The sign proposed for the new Coca-Cola High Country Sales Center is consistent with existing signs within other L1- Light Industrial zoning districts, consistent with other signs within the freeway corridor, including the current signs immediately adjacent to this location.

The proposed sign would have complied with the previous sign code that applied to this location. When the property was identified and purchased in May of 2019, the previous sign code allowed a wall sign of 2,560 square feet on this same size wall. Our request is for approval of a 456 square foot sign.

The proposed size is consistent with the schematic design for other facilities within the High Country system. To re-design the size of the sign causes a financial hardship. The limit of 250 square feet for a wall sign is inconsistent with other recently approved sign packages in the L-1 zone, along the freeway corridor, and throughout Billings and represents a diminishment of rights enjoyed by other buildings built in the L-1 zone before 2020.

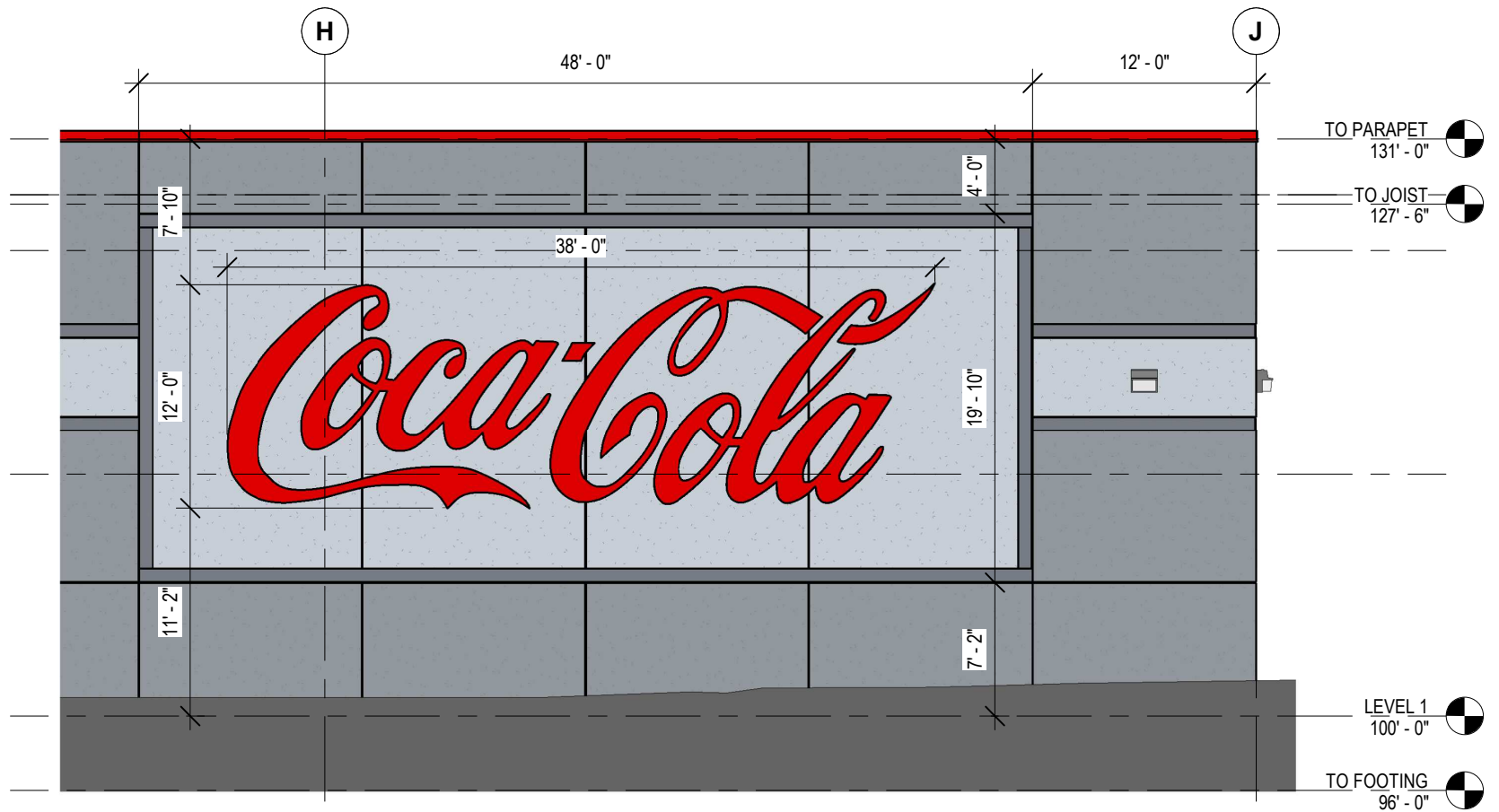
Thank you for your consideration.

A handwritten signature in blue ink, appearing to read "Joe L. K.", is positioned below the text.



Perspective - Looking SW.

SIGN VIEWS



450 SQUARE FEET



Perspective - Interstate 90 Westbound.

250 SQUARE FEET



Perspective - Interstate 90 Westbound.



Budweiser Sign / Intermountain - Westbound.



Cabela's Sign - Eastbound.



Kenworth Sign - Westbound.



Slumberland Sign - Westbound.

thank you.

SUBJECT PROPERTY	VARIANCE #	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
None					
SURROUNDING PROPERTY	VARIANCE #	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
503 Wicks	731	3/5/1996	Sign Height/Size	Y	Double the height and area
2139 Broadwater	753	10/7/1992	Sign Height, setback, area, clearance	Y	More than double sign height and area
2201 St John's	762	4/7/1998	Sign height and area	Y	3 times sign height and area
2244 Central	777	9/1/1998	Number of signs and spacing	Y	3 signs granted
415 Broadwater	779	9/1/1998	Sign height	Y	Broadwater Elementary
2376 Main St	799	6/1/1999	Sign Height and area	Y	40 ft and 227 sf
1737 King Ave W	807	9/7/1999	Sign Height	Y	50 ft
1111 24 th St W	810	10/5/1999	Sign Height, number and area	Y	22.5 ft, 2 signs, 149 sf
310 N 27 th St	819	7/5/2000	Sign Height and separation	Y	10 ft and 65 ft separation
4432 S Frontage Rd	897	6/12/2003	Reduce sign setback	Y	2 ft setback
1145 N 19 th St	901	7/1/2003	Sign area	N	St Vs Hospital 173 sf
1824 King Ave W	907	8/5/2003	Sign height	N	Texas Roadhouse 45 ft height
106 N 28 th St	967	10/4/2005	Sign projection over public sidewalk	Y	The Soup Place now Stacked
517 Shiloh Rd	1097	6/1/2011	Sign height, illumination and area	N	Faith Chapel
1101 Shiloh Crossing Blvd	1112	12/7/2011	Sign Area	Y	Scheels 544 sf
2612 Belknap Ave	1124	7/11/2012	Sign Area and Height	Y	Vegas Hotel 170 sf and 50 ft height