

HASTINGS BOARD OF ADJUSTMENT

A meeting of the Hastings Board of Adjustment has been scheduled for Thursday, July 25, 2024 at 4:00 PM at the Hastings Municipal Airport.

AGENDA:

1. Call to Order
2. Roll Call
3. Public Notice -Official Notice by the Chair of the Regular Meeting was published in the Hastings Tribune on Monday, July 15, 2024. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.
4. Approval of Minutes
 - a. Meeting of January 11, 2024
5. New Appeals or Requests
 - a. A Variance request, filed by Andrew and Abigail Vrbas, to allow a garage to be constructed on the site that reduces the rear yard setbacks on the south side of the property from 10.2 feet to 4 feet. Additionally, the setback on the east side of the property would be reduced from 10 feet to 4 feet. The Variance is for property at 500 E 9th Street, City of Hastings, Adams County, Nebraska.
 - b. A Variance request, filed by Jacque Cranson - Small Town Famous, to allow for a projecting sign in the C-2, Central Business District, to be larger than the allowed 10 square feet. The proposed sign is to be 40 square feet. The Variance is for property at 705 W. 2nd Avenue, City of Hastings, Adams County, Nebraska.
6. Adjournment

January 11, 2024

**CITY OF HASTINGS, NEBRASKA
MINUTES OF BOARD OF ADJUSTMENT
Thursday, January 11, 2024**

Pursuant to due call and notice thereof, a meeting of the Hastings Board of Adjustment was conducted at the Hastings Municipal Airport, 3300 W 12th Street, City of Hastings, Hastings, Nebraska on January 11, 2024.

The meeting was called to order at 4:00 p.m. in Regular Session by Acting Chairperson Ann Hinton with the following members present: Ann Hinton, Dan Schwartzkopf, Byron Jorgensen, and Nic Dowling.

The following City Officials were present: City Administrator, Shawn Metcalf, City Attorney, Jesse Oswald, Chief Building Inspector, Kevin Kubo, Director of Development, Chad Bunger, and Administrative Assistant, Melissa Woodard.

Acting Chairperson Ann Hinton led the group in recital of the Pledge of Allegiance to the United States of America.

Public Notice - Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, December 30, 2023. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to all members of the public.

Acting Chairwoman Ann Hinton made a motion to adopt the current agenda for the January 11, 2024, meeting. Moved by Schwartzkopf, seconded by Jorgensen. Voice Call-Ayes: Dan Schwartzkopf, Byron Jorgensen, Nic Dowling and Ann Hinton. Nays: None. The motion carried.

New Business

a. Election of Chairperson and Vice Chairperson

Acting Chairwoman Ann Hinton introduced the item and asked for nominations for the Board Chair and Vice-Chair.

Schwartzkopf moved to nominate Byron Jorgensen as Chairperson of the Board of Adjustment, seconded by Nic Dowling. Voice Call- Ayes: Ann Hinton, Dan Schwartzkopf, and Nic Dowling. Nays: None. Motion carried 3-0.

Dowling moved to nominate Ann Hinton as Vice Chairperson, seconded by Dan Schwartzkopf, Ayes: Nic Dowling, Dan Schwartzkopf, and Byron Jorgensen. Nays: None. Motion carried 3-0.

New Appeals or Requests

a. The Variance filed by Industrial Irrigation Service for two wind turbines to be constructed at 116 feet in height and as close as 30 feet to the north property line. The Variance is for the real property commonly known as 221 East J Street which is zoned I-2 Heavy Industrial District. This exceeds the maximum height and encroaches into the minimum rear yard setback for small

January 11, 2024

wind energy systems, required by Hastings City Code Section 34-314.

Chairman Jorgensen opened the public hearing for the Variance filed by Industrial Irrigation Service for the two wind turbines.

Following the summary by Bunger, Chairman Jorgensen asked the applicant's representative if he had any comments to provide to the Board. Speaker-Kerry Kissinger, with American Wind Power, provided comments on behalf of the application. Kissinger noted a lot of business owners are looking at wind energy to improve their bottom line with incentives offering 50 percent grants and 40 percent tax breaks. Ordinances are mostly outdated in cities. There are several telecommunication towers that do not comply with the setback requirements, including two in the immediate area of the Variance Site. Kissinger commented that the towers are designed using the latest standards including the ability to handle wind speeds up to 100 mph and ice. The towers have a warranty to handle wind speeds up to 135 mph from the manufacturer. Kissinger stated since 1977, all 10,000 turbines that have been installed by the manufacturer have never had a liability claim. They are very safe. The city's ordinances are over 40 years old, and technology has changed. The City's ordinances do not accommodate the updated technology and he noted that the adjacent property is undeveloped and any impacts to future developments should be mitigated by that time.

Jorgenson and Kissinger discussed how often wind tunnels are inspected, which is suggested by the manufacturer to be annually.

Jorgenson and Bunger spoke about new codes coming out, but right now it's unknown, without doing more research on the topic.

Bunger stated the City's ordinances were from 2009, and discussed how cell towers also have a one-to-one setback. Some old towers, such as Telecom and radio towers, in the immediate area, were most likely built before the city adopted the ordinances.

Kissinger suggested that a condition of approval could be the turbines be inspected annually and the documentation must be provided to the City. Bunger stated the city does not have systems in place to check for that. The City judges on merits, trust of the property owners and making sure it's built correctly. The Board then asked if the property owner's private insurance would cover any damages if something happened.

Hinton then mentioned the comprehensive plan and remaining zoned as Light Industrial and thinks Communication Towers vs Wind Turbines, the size and weight are not comparable.

Kissinger stated with specifics that it weighs less than Communication Towers and it's zoned Heavy Industrial, not a lot of regulations apply and stated they are designed with the same standards as the Communication Towers.

Hinton brought up the rights of the North property owner.

Hinton asked Bunder about the height regulation being changed in the future. Bunger stated that the staff has not researched this topic, but it does conflict with the district having no height requirement.

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Jorgenson asked Kissinger if the turbines shut down at certain wind speeds. Kissinger stated they self-regulate and operate through any wind speed and monitor themselves. If utilities go out, they shut down.

Jorgenson inquired what percentage the turbines produce. Kissinger stated 100 percent most months, however 75-80 percent in other months.

Jorgenson wanted to know how hard or expensive it would be to move the tower to a different location and different site area from the middle where the concrete is to the property on the East were mentioned. Kissinger pointed out that would mean trenching under the concrete by a lot more feet, or on the east side of the site would require more wire. Both ways require more expense for the property owner.

Kissinger requested that the Board approve set-back and require annual yearly inspections instead.

The Board asked what the setbacks were for that property and zoning district. Bunger determined that the North property line is likely a rear yard, which has zero setbacks. It could also be considered a side yard, which requires a 3-foot setback for buildings in the I-3 District.

Metcalf asked Bunger if the North property owner was aware of this. Bunger was not aware if the applicant had discussed this issue with the adjacent owner.

Hinton stated that was one of her biggest concerns, considering the rights of the North property owner. Jorgensen brought up the rights of the North property owner would have future recourse.

Oswald read the State Statute **19-910** Board of Adjustment; powers; jurisdiction on appeal; variance, when permitted.

Jorgenson closed the Public Hearing and opened further discussion among the Board members.

Hinton suggested they trust Chad Bunger's recommendations. Height isn't the major one. It's undue hardship, as it's most cost effective. There are other alternatives, and suggested they stay within the setbacks. Dowling agreed that setbacks are very important. It could later devalue the ground in some way.

Schwartzkopf stated the alternative site to the East, the business owner owns it, in the middle, and inquired would that disrupt that property? Kissinger replied there would be North- South winds, so another location and 150-feet further out in that field, so 1,000 feet of electrical wiring instead of 50 feet. Kerry stated there are no setbacks for Communication Towers, so why discriminate against the tower?

The Board suggested other things Industrial Irrigation could do to stay within the setbacks.

A motion to approve the Variance to allow the maximum height of the tower to 116-feet, with one condition of approval, was made by Schwartzkopf, seconded by Hinton.

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Voice Call- Ayes: Byron Jorgenson, Dan Schwartzkopf, Ann Hinton and Nic Dowling. Nays: None. Motion carried 4-0.

Hinton made a motion to deny the Variance request to reduce the required setback for the two proposed turbines, seconded by Dowling. Voice Call-Ayes: Ann Hinton, Nic Dowling and. Byron Jorgensen. Nays: Dan Schwartzkopf. Motion carried 3-1.

Kissingler asked if they change the setback to at least 60 feet, to match the east tower, would that work? Bunger explained that the Board had made their decision and altering the request at this time is not possible.

Other Business:

Bunger discussed with the Board of Adjustment that a regularly scheduled monthly meeting would be best. City staff will send an e-mail to coordinate future meeting dates and times.

A motion to adjourn was made by Dowling, seconded by Hinton. Voice Call- Ayes: Byron Jorgensen, Dan Schwartzkopf, Ann Hinton and Nic Dowling. Nays: None.

Motion carried 4-0 to adjourn at 5:10 pm.

Byron Jorgensen, Chair



City of Hastings Planning Commission

STAFF REPORT

Variance: For a garage to be constructed on the site that would reduce the rear yard setbacks on the south side of the property from 10.2 feet to 4 feet. Additionally, the setback on the east side of the property would be reduced from 10 feet to 4 feet.

File No. 2024-200

Applicant Andrew and Abigail Vrbas

Property Location: 500 E 9th Street

Lot Size: 0.23 Acres

Date of Public Hearing: July 25, 2024

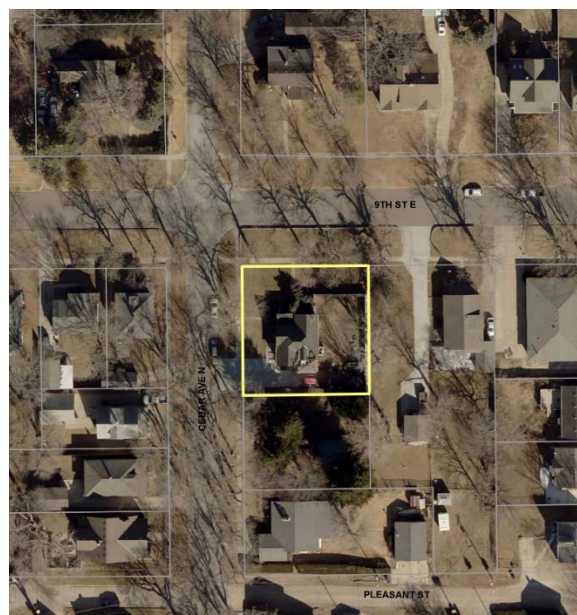
Zoning R-3 Multiple-Family Residential District

Adjacent Zoning and Land Uses: North: R-3 District; multiple residences

East: R-3 District and CMP, Campus Institutional District; residences and campus buildings (Stone health building)

South: R-3 District and R-1; multiple residences

West: R-3 District; multiple residences



SECTION AND REQUIREMENT OF HASTINGS CODE OF ORDINANCE REQUESTED FOR VARIANCES:

- **Sec. 34-206(4)(a)(ii):** Side yard—There shall be a side yard on each side of a building not less than ten percent of the width of the lot; except, that such side yard shall not be less than seven feet and need not be more than 25 feet. In single-family dwellings with lots less than 50 feet in width, a side yard setback may be reduced to five feet on each side of the building.

Buildings on corner lots shall provide a side yard on the street side of not less than 15 feet, or a side yard on the street side of not less than ten feet on any lot less than 50 feet in width provided that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership on August 26, 1968, to less than 35 feet.

- **Sec. 34-206(4)(a)(iii):** Rear yard—The depth of the rear yard shall be at least 20 percent of the depth of the lot, but such depth need not be more than 30 feet, except that for a corner lot, the rear yard setback shall be the same as for the interior side yard.

DESCRIPTION OF VARIANCE REQUESTED: The applicant, Andrew and Abigail Vrbas, have proposed the construction of an attached garage on their property. This garage would be 36 feet long on the North and South sides, 26 feet on the East and West side with the west side being attached to the house by 12 feet 6 inches with the remaining 13 feet 6 inches extending off the house.

The house on the property was built in 1890 near the center of the property 37 feet in from the North, 17.6 feet from the South and 40- and 26.5-foot East to West, respectively, with the house being about 1,110 square feet.

City of Hastings Chief Building Inspector looked over the plans and did not have any concerns or necessary building requirements to enforce upon the project.

The proposed development requires a variance, as proposed.

1. The garage would encroach on the minimum setbacks on the south side of the property, reducing the setback from 10.2 feet to 4 feet. Additionally, the setback on the east side of the property would be reduced from 10 feet to 4 feet.

In summary, the reasoning by the applicant to allow the garage to encroach into the required setbacks are due to the central location of the house, building a garage within the setbacks would be difficult to achieve. Additionally, it would not disrupt the integrity of the neighborhood.

More details from the applicant are provided in the application materials.

Property Description: The subject site is .23-acres within a historic residential neighborhood. The site is relatively flat with some trees on the north side of the property

The house on the property was built in 1890 near the center of the property 37 feet in from the North, 17.6 feet from the South and 40- and 26.5-feet East to West, respectively, with the house being about 1,110 square feet.

STANDARDS FOR VARIANCE:

Pursuant to [Sec. 34-706\(4\)](#) of the City Code of Ordinance, No such variance shall be authorized by the Board unless it finds that all four of the following conditions have been found to exist and the merits of the situation support such authorization:

(a) The strict application of the zoning regulations would produce undue hardship.

Sec. 34-206(4)(a)(iii): States that the depth of the rear yard shall be at least 20 percent of the depth of the lot, but such depth need not be more than 30 feet, except that for a corner lot, the rear yard setback shall be the same as for the interior side yard. 500 E 9th St is a corner lot so referring to Sec. 34-206(4)(a)(ii): it states that the minimum setback on a side yard should not be less than ten percent of the width of the lot. The width of the lot is 100 feet so the minimum setback would be 10 feet

Owners proposed that the garage be set on the southeast side of the house to maintain the historical look of the home, and keep the garage from being too visible from the main thoroughfare of 9th St. There is also a driveway currently leading up to the location on the southeast side so there would not be a need to put in a new driveway. The reason for the proposed decreased setbacks is due to the general placement of the house near the center of the property. Due to the size of the existing house and its location, any alternate placement of the garage at any part of the property would likely encroach the front yard setback requirements along Cedar Avenue or E. 9th Street, or the rear yard setback.

Additionally, the location of the proposed garage was selected because it connects to the home's kitchen. Placing the garage to the north or west of the home may impact bedrooms, bathrooms, or living rooms, which would not be customary connections to a garage. Additionally, according to the International Residential Code, the entrance of a garage cannot connect to a bedroom or bathroom.

In this case, the strict application of the zoning regulations would produce undue hardship because they would be unable to build a garage on their property.

(b) Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

The setback requirement is equally applied throughout all R-3 districts. As mentioned, the preferred setback for this use is no less than 10 percent of the lot width.

This hardship is not generally shared by other properties in the same zoning district, as lots are often large enough to accommodate both a house and a garage within the required setbacks. However, there are several lots with detached garages that encroach upon the required setbacks, so it would not be out of character of the neighborhood to have the addition of the garage extending slightly into the setbacks.

(c) The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.

Allowing the decrease of setbacks from 10 feet to 4 feet would not be of immediate detriment to the adjacent property to the South as it is currently a vacant lot. When that lot develops in the future, it should be assumed that new development will conform to any required setbacks, as there are currently no constraints on that vacant land. With the required setbacks for the new development, any separation requirements for fire protection should be met. With these considerations, there would be no detriment to the property to the East.

In addition, the character of the district would not be changed by the granting of this variance as many of the surrounding properties have an attached or detached garage. Several of these properties in the immediate area have existing structures within the required setbacks. Neighboring houses at 514 E 9th St and 414 E 9th St have detached garages that encroach on property setbacks. The House at 514 E 9th St was built in 1920 with the garage being built in 1940. The house at 414 E 9th St was built in 1953 with the garage being built around the same year. Many of the neighboring houses and garages have similar designs.

The placement of the proposed garage on the southeast section property allows it to be hidden slightly from the neighborhood view to not disrupt the design or integrity of the neighborhood. Many of the surrounding houses also have garages behind the house or placed out of direct line of sight from the street, so this would still be in character for the neighborhood.

(d) The granting of such variance is based upon reasons of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit or caprice. In no instance shall a variance be granted which would allow the use of land or a building which is not permitted within the zoning use district in which the property is located. No variance shall be authorized unless the Board finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations.

Many of the surrounding properties have either an attached or detached garage on their property and with the layout of their property there is not a reasonable way for them to

implement a garage without encroaching on existing setbacks. Additionally, there are several properties in the surrounding neighborhood that have garages that encroach on required setbacks. So, the addition of a garage on this property that encroaches into the existing setbacks would fit the character of the neighborhood.

With the midwestern weather conditions, a garage is not a matter of convenience more as it is a way to protect assets from weather damage.

STAFF COMMENTS:

Staff recommends the Board of Adjustment **APPROVE** the **VARIANCE** request to allow the construction of a garage that encroaches on the existing 10.2-foot setback on the south side of the property and 10-foot setback on the east side of the property, reducing those setbacks to 4 feet on both the south and east sides of the property, with the following condition of approval:

1. All applicable permits shall be applied for and issued.
2. The Variance request is valid for 180 days. A building permit must be issued within the validation period.

Possible Motion

Approve the Variance to reduce the setbacks on the south side of the property from 10.2 feet to 4 feet and on the east side of the property from 10 feet to 4 feet for the property at 500 E. 9th Street, in the R-3, Multiple Family Residential District as recommended in the staff report.

PREPARED BY: Lily Teeple, Planning Intern

DATE: July 17, 2024

ATTACHMENTS:

1. Application Materials



Permit #: 23083

Permit Date: 06/21/24

Permit Type:

GROUP:

Permit Type: Variance

Title: Vrbas Variance

Site Address: 500 E 9th St

Parcel Number: 010011677

Owner Name: Andrew & Abigail Vrbas

Owner Address: 500 E 9th St

City State Zip: Hastings, NE 68901

Owner Phone: 785-626-4395

Owner Email: andrew@pachasoap.com

Applicant Name: Andrew Vrbas

Applicant Address: 500 E 9th St

City, State, Zip: Hastings, NE 68901

Phone Number: 785-626-4395

Applicant Email: andrew@pachasoap.com

Proposed Use: Garage

Description:

Number of Cases: 0

Project Cost: 0

Square Feet: 2

Within City Limits: Yes

Current Zoning:

Current Zoning Explained:

Proposed Zoning:

Conditions:

Conditions Defined:

1st PN & Agenda Send By (11:30):

1st PN & Agenda Due Date: 07/11/2024

1st PN & Agenda Sent:

2nd PN & Agenda Send By (11:30):

2nd PN & Agenda Due Date:

2nd PN & Agenda Sent:

Sign / Website Posting - Post By:

Sign / Website Posting - Posted:

APO Letter - Send By:

APO Letter - Sent:

PC Approval - Date Approved:

PC Outcome Letter - Due:

PC Outcome - Completed:

CRA Approval - Meeting Date:

CRA Approval - Approved:

CC Packet - Goal Load Date:

CC Packet - Due Date: 07/17/2024

CC Out/Admin Due Date:

CC Packet - Completed:

Stage: In Review

CC Out/Admin - Completed:

ENG Meeting:

ENG Email:

Plat Track Review Email:

Communication Preferences: call or email

Status: Open

Assigned To: Chad Bunger

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
010011677	500 E 9TH ST		VRBAS ANDREW & ABIGAIL		

Fees

Fee	Description	Notes	Amount
Appeal/Variance - Construction Without Building Permit, but not in conformance therewith			\$350.00
Total			\$350.00

Attached Letters

Date	Letter	Description
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06/21/2024

[Web Form - Zoning Application](#)

Payments

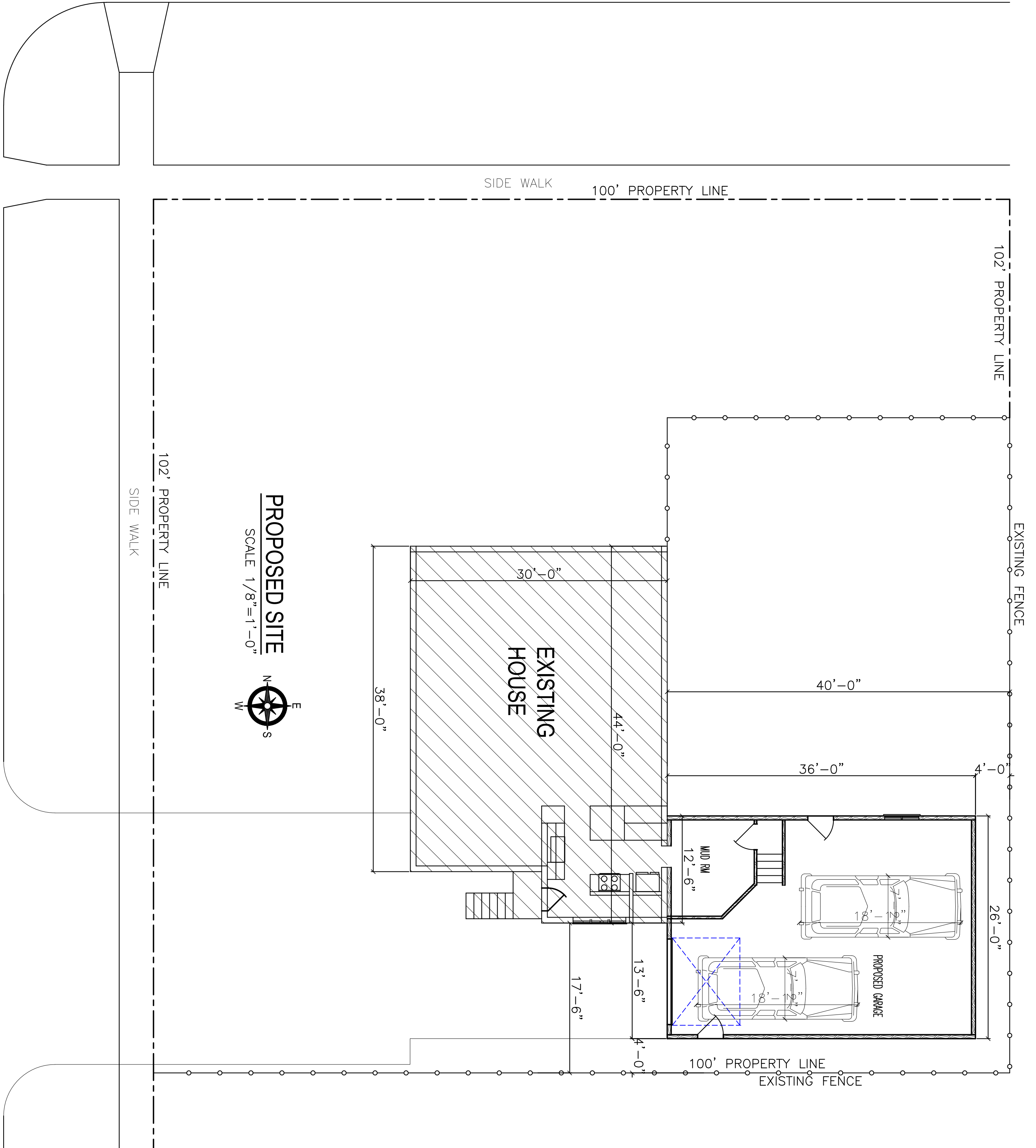
Date	Paid By	Description	Payment Type	Accepted By	Amount
07/02/2024		Ck #0051791481 Variance Permit #23083	Check	Melissa Woodard	\$350.00
Outstanding Balance					\$0.00

Uploaded Files

Date	File Name
06/21/2024	1370f07bf5ee9c312fbb83c7594c0617_24vrbas_87_.pdf

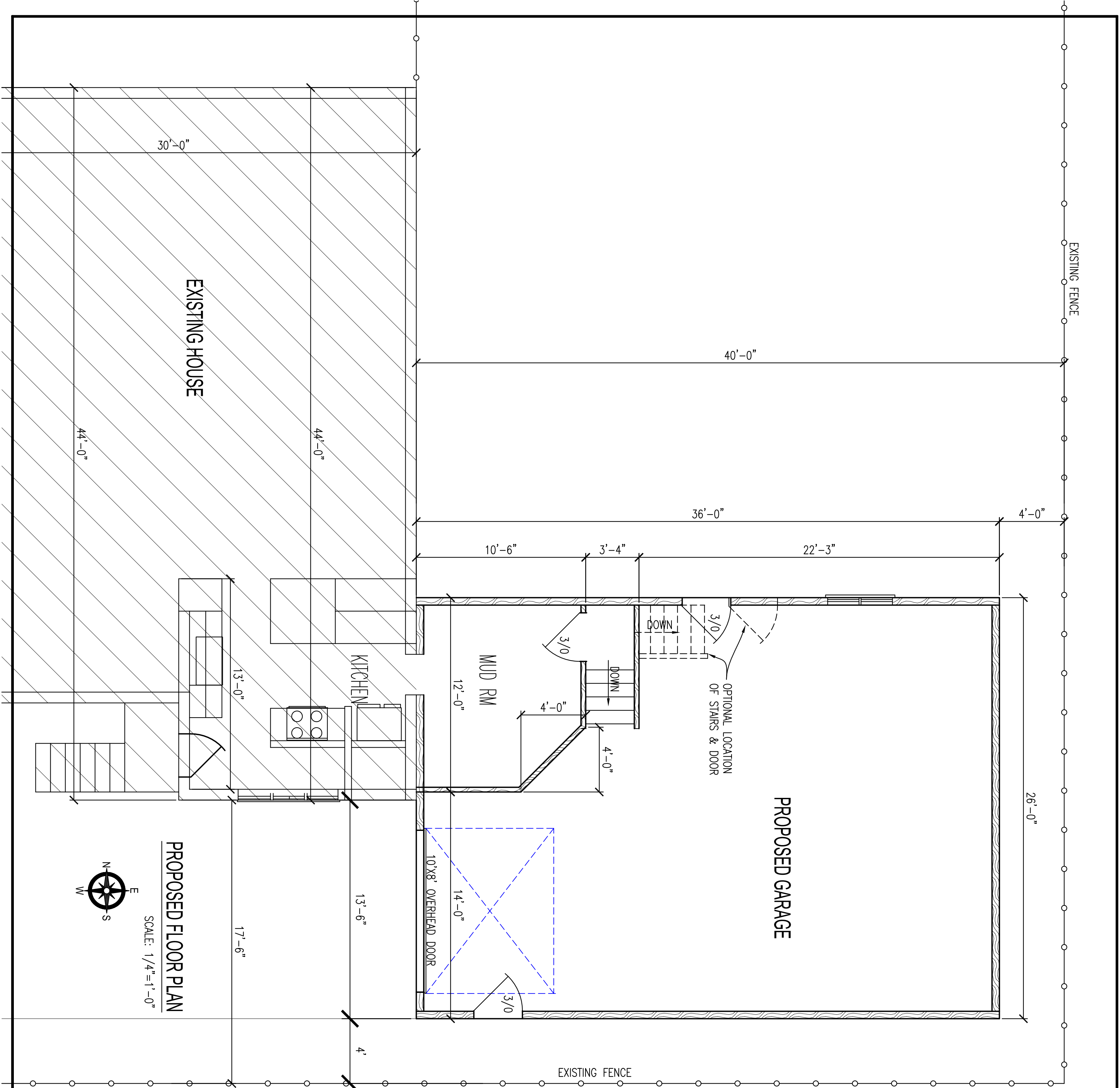
EAST 9TH STREET

CEDAR STREET



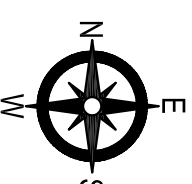
PROPOSED SITE
 SCALE 1/8" = 1'-0"

NEW GARAGE ADDITION FOR:		ANDREW & ABI VRBAS 500 EAST 9TH ST HASTINGS NE andrew@pachasoap.com 785-626-4395	
SCALE:	APPROVED BY:	REFERENCE NO:	DRAWN BY: B BUMGARDNER
DATE: 6/09/24			REVISED:
PROPOSED SITE PLAN		DRAWING NO:	1 OF -



PROPOSED FLOOR PLAN

SCALE: 1/4"=1'-0"



NEW GARAGE ADDITION FOR:		ANDREW & ABI VRBAS 500 EAST 9TH ST HASTINGS NE andrew@pochosoop.com 785-626-4395	
SCALE:	APPROVED BY:	REFERENCE NO.:	DRAWN BY:
DATE: 6/09/24	24VRBASFL		B BUNKARDNER
PROPOSED FLOOR PLAN		REVISED:	DRAWING NO.:
			20F-

Re: Inquiry Regarding Garage Variance for 500 E 9th Street Project

Lily Teeple <LTeeple@cityofhastings.org>

Wed 7/17/2024 2:31 PM

To: Andrew Vrbas <andrew@pachasoap.com>

Yes, thank you!

From: Andrew Vrbas <andrew@pachasoap.com>

Sent: Wednesday, July 17, 2024 11:26 AM

To: Lily Teeple <LTeeple@cityofhastings.org>

Subject: Re: Inquiry Regarding Garage Variance for 500 E 9th Street Project

Hi, the additional benefit the garage would add to our property would be the ability to park inside a garage preventing damage to vehicles and in the wintertime to be able to go from a heated building right in to the home instead of walking on slippery ice to get inside.

Another benefit would be for property values/tax revenues to increase given the increase in value on the property.

The factors that influenced our decision to put the garage on the southeast side versus northeast was to try and maintain the historical look of our home by have the garage not be too visible from the main thoroughfare of 9th st. Also, our driveway is currently leading up to the location that's on the southeast side, so we wouldn't have to go through a further process of cutting in to the north side from 9th st which would need more permitting.

Does this help?

Get [Outlook for iOS](#)

From: Lily Teeple <LTeeple@cityofhastings.org>

Sent: Wednesday, July 17, 2024 10:31:38 AM

To: Andrew Vrbas <andrew@pachasoap.com>

Subject: Re: Inquiry Regarding Garage Variance for 500 E 9th Street Project

I hope this message finds you well. I am writing to follow up on the previously sent email regarding the upcoming submission of the staff report to the Board of Adjustments. We are aiming to finalize the report within the next few days.

Your input on the following questions would be greatly appreciated:

1. What specific benefits would the addition of a garage on this property provide?
2. Could you please elaborate on the decision to locate the garage on the Southeast side of the house? What factors influenced this choice over the Northeast side?

Thank you for your attention to this matter.

Lily Teeple

From: Lily Teeple

Sent: Monday, July 15, 2024 2:19 PM

To: andrew@pachasoap.com <andrew@pachasoap.com>

Cc: Chad Bunger <CBunger@cityofhastings.org>

Subject: Inquiry Regarding Garage Variance for 500 E 9th Street Project

Dear Andrew,

I hope this message finds you well. My name is Lily Teeple, and I am currently serving as the City Planning Intern for the summer term. I am actively involved in preparing the variance proposal for the garage at 500 E 9th Street that will be presented to the Hastings City Planning Commission.

I have a few questions regarding the project that will assist us in presenting a comprehensive case:

1. What specific benefits would the addition of a garage on this property provide?
2. Could you please elaborate on the decision to locate the garage on the Southeast side of the house? What factors influenced this choice over the Northeast side?

Your insight would be valuable in preparation for the upcoming commission meeting.

Best regards,

Lily Teeple
City Planning Intern



HASTINGS

Nebraska

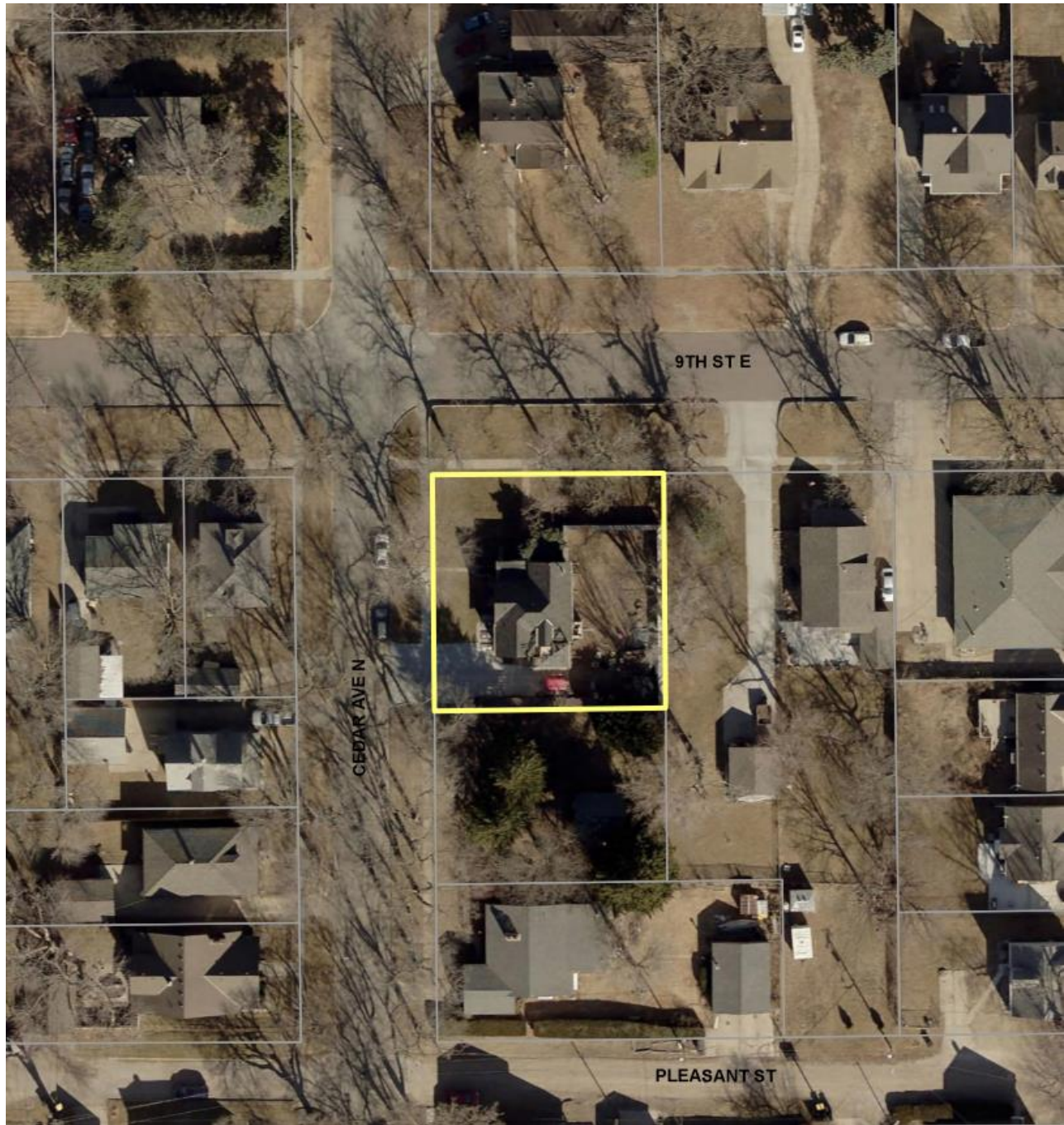


File No.	2024-200
Project	Variance to reduce setbacks to construct a garage
Applicant/ Property Owner	Andrew and Abigail Vrbas

Details:

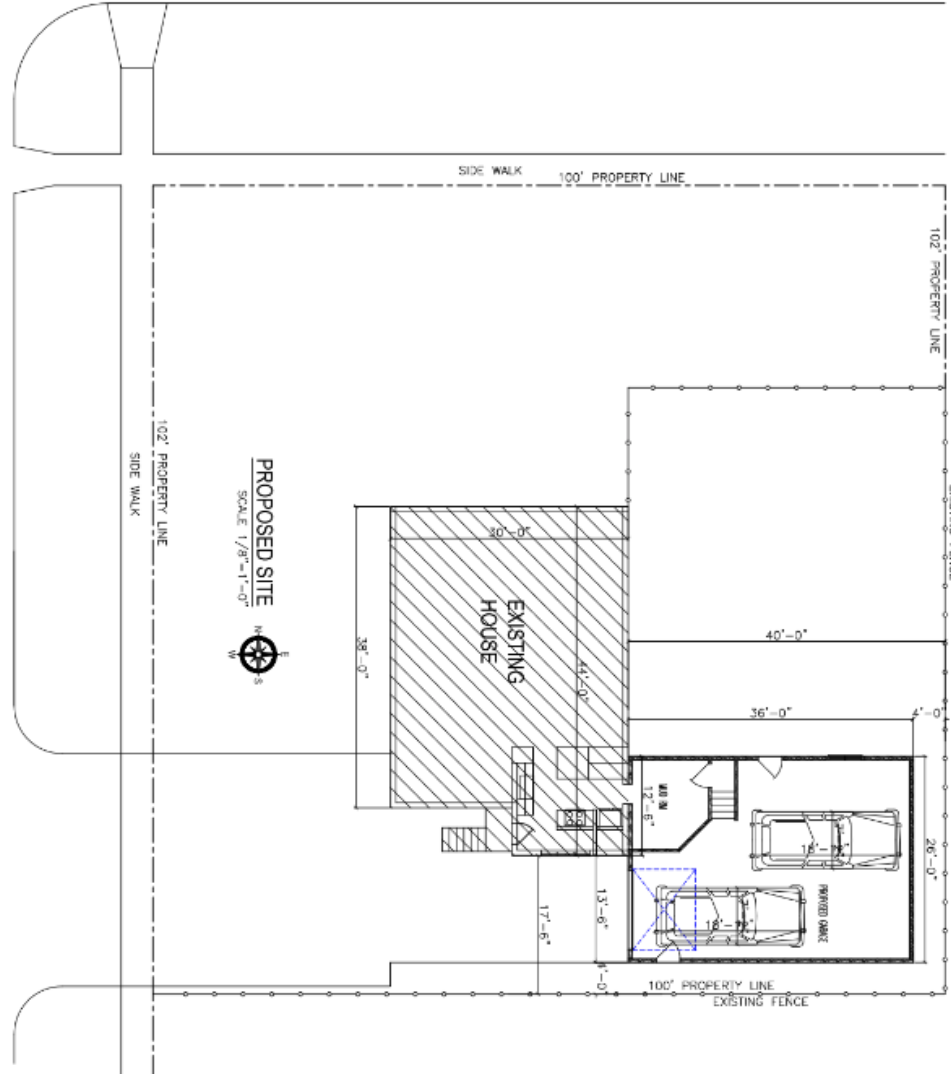
- .23-acre site
- Relatively flat
- R-3 Multiple-Family Residential District
- Lot to the South is empty
- Lot to the East has buildings way within setbacks





EAST 9TH STREET

CEDAR STREET



NEW GARAGE ADDITION FOR:		ANDREW & ABI VRBAS 500 EAST 9TH ST HASTINGS NE andrew@pachaseap.com 785-626-4395	
SCALE:	APPROVED BY:	REFERENCE NO.:	DRAWN BY: J. SMOKEWET
DATE: 6/09/24			REVISED:
PROPOSED SITE PLAN		DRAWING NO. 1 OF -	

Proposal

- Construct an attached garage
- 36 feet long on north and south sides
- 26 feet on east and west sides
- West side attached by 12 feet 6 inches with remaining 13 feet 6 inches extending off the house.
- South and east side will be approximately 4 feet from property line





Findings Summary

Sec. 34-706(4). No such variance shall be authorized by the Board unless it finds that all four of the following conditions have been found to exist and the merits of the situation support such authorization

- (a) The strict application of the zoning regulations would produce undue hardship.
- Historic house placed near the center of the property.
 - Any alternative placement of the garage would likely encroach on front or rear yard setbacks.
 - Placement of the garage to the southeast connects to the home's kitchen.
 - Strict application would cause them to be unable to build a garage on their property.

Staff Findings Summary (continued)

- (b) Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- Lots are often large enough to accommodate both a house and a garage within the required setbacks
 - Several other properties in the neighborhood have detached garages that encroach upon the required setbacks

Staff Findings Summary (continued)

(c) The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.

Property to the South

- Vacant lot
- Setback requirements for the new development should meet any separation requirements for fire protection

Property to the East

- No detriment

Placement on southeast section

- Garage hidden slightly from neighborhood view
- Consistent throughout the neighborhood

Staff Findings Summary (continued)

- (d) The granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit or caprice. In no instance, shall a variance be granted which would allow the use of land or a building which is not permitted within the zoning use district in which the property is located. No variance shall be authorized unless the Board finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations.
- Many surrounding properties have an attached or detached garage
 - With the layout of the property there is not a reasonable way for them to implement the garage without encroaching on existing setbacks
 - With midwestern weather conditions a garage is not a matter of convenience, more as it is a way to protect assets from weather damage

Staff Recommendations

Staff recommends the Board of Adjustment **APPROVE** the **VARIANCE** request to allow the construction of a garage that encroaches on the existing 10.2-foot setback on the south side of the property and 10-foot setback on the east side of the property, reducing those setbacks to 4 feet on both the south and east sides of the property, with the following condition of approval:

1. All applicable permits shall be applied for and issued.
2. The Variance request is valid for 180 days. A building permit must be issued within the validation period.

Note: If the Board of Adjustment is inclined to not take the recommendations of City staff, and/or add conditions of approval, they should clearly and specifically articulate the findings of their decision and any conditions of approval.





HASTINGS

Nebraska



HASTINGS

Nebraska

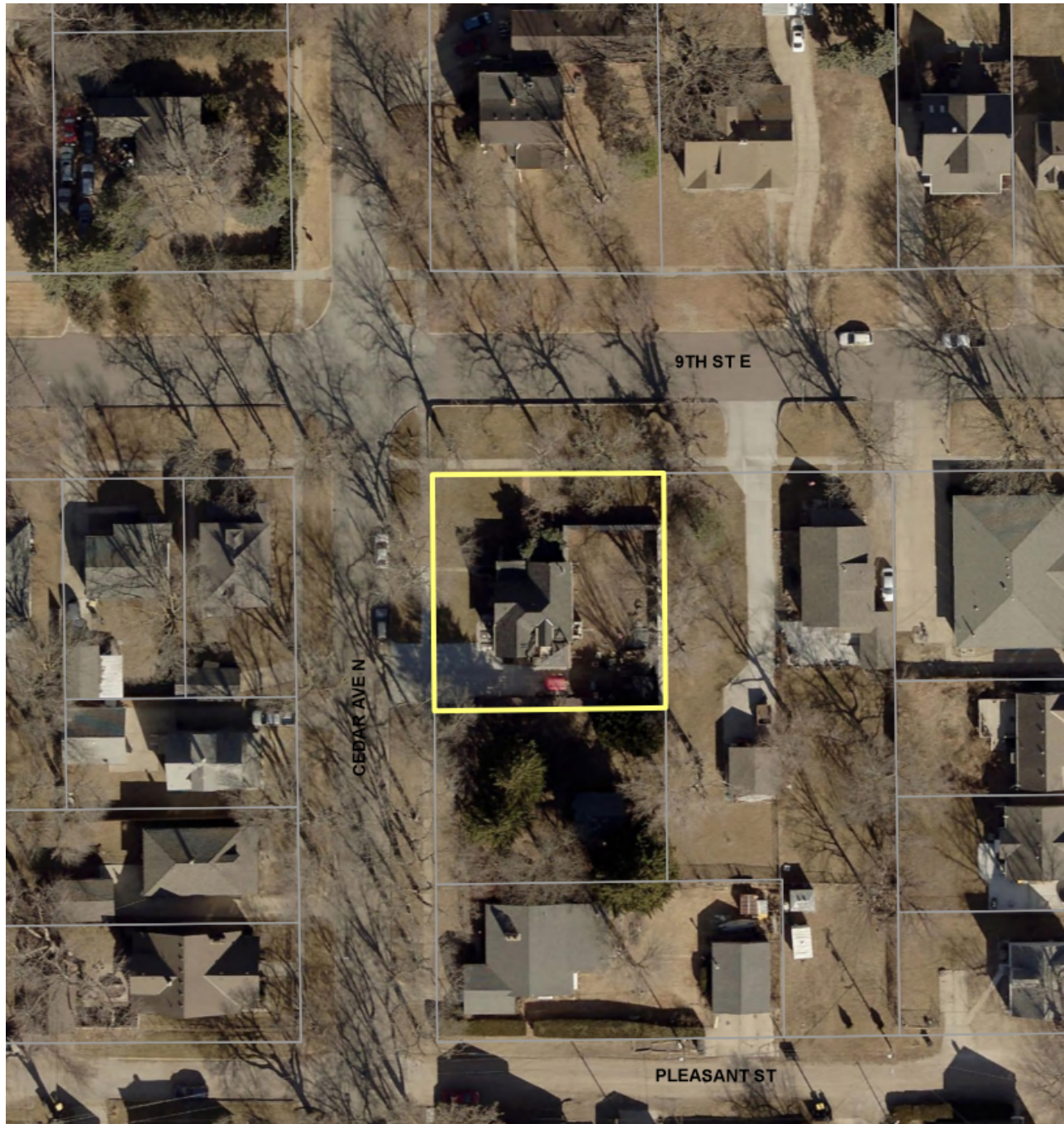


File No.	2024-200
Project	Variance to reduce setbacks to construct a garage
Applicant/ Property Owner	Andrew and Abigail Vrbas

Details:

- .23-acre site
- Relatively flat
- R-3 Multiple-Family Residential District
- Lot to the South is empty
- Lot to the East has buildings way within setbacks





EAST 9TH STREET



CEDAR STREET

PROPOSED SITE
SCALE 1/8"=1'-0"



NEW GARAGE ADDITION FOR:		ANDREW & ARI VRBAG 500 EAST 9TH ST HASTINGS NE andrew@pachasoap.com 785-626-4395	
SCALE:	APPROVED BY:	REFERENCE NO.:	DESIGN BY: 3 SOUTHWEST
DATE: 6/09/24		REVISED:	
PROPOSED SITE PLAN		DRAWING NO.	1 OF -

Proposal

- Construct an attached garage
- 36 feet long on north and south sides
- 26 feet on east and west sides
- West side attached by 12 feet 6 inches with remaining 13 feet 6 inches extending off the house.
- South and east side will be approximately 4 feet from property line





Findings Summary

Sec. 34-706(4). No such variance shall be authorized by the Board unless it finds that all four of the following conditions have been found to exist and the merits of the situation support such authorization

- (a) The strict application of the zoning regulations would produce undue hardship.
- Historic house placed near the center of the property.
 - Any alternative placement of the garage would likely encroach on front or rear yard setbacks.
 - Placement of the garage to the southeast connects to the home's kitchen.
 - Strict application would cause them to be unable to build a garage on their property.

Staff Findings Summary (continued)

- (b) Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- Lots are often large enough to accommodate both a house and a garage within the required setbacks
 - Several other properties in the neighborhood have detached garages that encroach upon the required setbacks

Staff Findings Summary (continued)

- (c) The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.

Property to the South

- Vacant lot
- Setback requirements for the new development should meet any separation requirements for fire protection

Property to the East

- No detriment

Placement on southeast section

- Garage hidden slightly from neighborhood view
- Consistent throughout the neighborhood

Staff Findings Summary (continued)

- (d) The granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit or caprice. In no instance, shall a variance be granted which would allow the use of land or a building which is not permitted within the zoning use district in which the property is located. No variance shall be authorized unless the Board finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations.
- Many surrounding properties have an attached or detached garage
 - With the layout of the property there is not a reasonable way for them to implement the garage without encroaching on existing setbacks
 - With midwestern weather conditions a garage is not a matter of convenience, more as it is a way to protect assets from weather damage

Staff Recommendations

Staff recommends the Board of Adjustment **APPROVE** the **VARIANCE** request to allow the construction of a garage that encroaches on the existing 10.2-foot setback on the south side of the property and 10-foot setback on the east side of the property, reducing those setbacks to 4 feet on both the south and east sides of the property, with the following condition of approval:

- 1.All applicable permits shall be applied for and issued.
- 2.The Variance request is valid for 180 days. A building permit must be issued within the validation period.

Note: If the Board of Adjustment is inclined to not take the recommendations of City staff, and/or add conditions of approval, they should clearly and specifically articulate the findings of their decision and any conditions of approval.





HASTINGS

Nebraska

Department: Development Services
Staff Contact: Chad Bunger
Board of Adjustment Meeting Date: 7/25/2024
File No: 2024-195
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

The public hearing is to request a variance related to a proposed projecting sign to be installed at 5705 W. 2nd Street, in the C-3, Central Business District. The Variance requests are to allow the sign to increase in area from the maximum 10 square feet to 40 square feet (Sub-Sec. 34-706(4)).

Motion to recommend approval of the Variance request to allow the proposed project sign to increase in area from 10 square feet to 40 square feet, with two conditions of approval, as recommended by City staff.

Names of People/Business affected by this action:

The applicant, the surrounding neighborhood, the people of Hastings, and the City.

Why Board of Adjustment action is required:

Neb. Rev. Stat. 19-910 (1) The board of adjustment appointed pursuant to section 19-907 shall, subject to such appropriate conditions and safeguards as may be established by the city council or village board of trustees, have only the following powers: (a) To hear and decide appeals when it is alleged there is error in any order, requirement, decision, or determination made by an administrative official or agency based on or made in the enforcement of any zoning regulation or any regulation relating to the location or soundness of structures, except that the authority to hear and decide appeals shall not apply to decisions made under subsection (3) of section 19-929; (b) to hear and decide, in accordance with the provisions of any zoning regulation, requests for interpretation of any map; and (c) when by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the zoning regulations, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any enacted regulation under this section and sections 19-901, 19-903 to 19-904.01, and 19-908 would result in peculiar and exceptional practical difficulties to or exceptional and undue hardships upon the owner of such property, to authorize, upon an appeal relating to the property, a variance from such strict application so as to relieve such difficulties or hardship, if such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of any zoning regulation.

Type of action requested:

Motion

Suggested motion:

Deadlines associated with action:

Development Service staff has reviewed the Variance application for the proposed sign at the property. The complete details of the staff's review and recommended findings are in the attached staff report.

Department head comments:

Recommendation:

Approve the Variance request to allow the proposed project sign to increase in area to 40 square feet at 705 W. 2nd Street, in the C-3, Central Business District, with two conditions of approval, as recommended by City staff.



City of Hastings Board of Adjustment

STAFF REPORT

Variance: A request for a Variance to allow for a projecting sign to be larger than the allowed 10 square feet for a property in the C-2, Central Business District.

File No. 2024-195

Applicant Jacque Cranson – Small Town Famous

Property Location: 705 W. 2nd Street

Lot Size: 10,208 square feet (0.23 acres)

Date of Public Hearing: July 25, 2024

Zoning C-2, Central Business District

Adjacent Zoning: North: C-2 District
East: C-2 District
South: C-2 District
West: C-2 District



SECTION AND REQUIREMENT OF HASTINGS CODE OF ORDINANCE REQUESTED FOR VARIANCE:

- **Sec. 34-309.04 – Sign type and district requirements:**

Projecting sign: Maximum Area per face - 10 square feet

PROPERTY DESCRIPTION: The Variance request is for 705 W. 2nd Street, in the heart of the Central Business District. On the site is a large two to three-story commercial building built in the 1890s. The building is a contributing property for the Downtown Historic District.

The commercial space was originally two- separate buildings that were previously renovated for one retail use. The building is completely built out on the site and the footprint totals approximately 10,200 square feet in area. The building’s storefront on W. 2nd Street is approximately 88 feet wide and roughly 45 feet to 50 feet tall.

The applicant is currently completely renovating the building to establish their retail store and screening business, Small Town Famous. As part of the building renovation and business expansion, the applicant has proposed new exterior signage, including window signs and a projecting sign.

Please note that the applicant has proposed a large sign to be in the public right-of-way, which will also act as a tourist attraction element. This sign has been approved through the City’s established right-of-way use permit and is not a part of this request.

The property and surrounding area are zoned C-2, Central Business District.

DESCRIPTION OF VARIANCE REQUESTED:

As discussed, the applicant has proposed new signage to coincide with the business remodel and business relocation. Currently, the proposed project sign does not conform to the maximum sign area of 10 square feet. The proposed sign is to be rectangular and 40 square feet in area.

STANDARDS FOR VARIANCE:

Pursuant to [Sub-Sec. 34-706\(4\)](#) of the City Code of Ordinance, No such variance shall be authorized by the Board unless it finds that all four of the following conditions have been found to exist and the merits of the situation support such authorization:

(a) The strict application of the zoning regulations would produce undue hardship.

At 88 feet in width and 50 feet tall, with a total façade area of 4,275 square feet, the subject site is one of the largest buildings in Downtown Hastings devoted to one business. Other singular businesses with similar or larger sized buildings would be Eakes Office Supply (100 feet wide, 20 - 30 feet tall, 1,980 façade area), Nelson Furniture (78 feet wide, 20 feet tall, 1,975 façade area), The Rivoli movie theater (154

feet wide, 40 feet tall, 1,800 façade area), and Dutton – Lainson Company (224 feet wide, 90 feet tall, 12,900 façade area).

The current sign regulations, which limit a project sign to a maximum of 10 square feet, do not allow for a sign to be proportionally appropriate for the business façade. A 10-square-foot sign would be ineffective in appropriately informing the passing public along W. 2nd Street of the location of the business.

Additionally, the lower floor of the building is almost completely display windows for the retail business. Roughly 80% of the upper floors of the façade also consist of windows. Functionally, no other on-premise sign types, other than window signs, would work on the building without removing the functionality of the existing windows or requiring them to be removed and replaced with an insert to allow for another sign type, such as a wall sign.

Without having a sign of appropriate size for the building to inform pedestrians and vehicle traffic of the business would be a detriment to that business and could be considered an undue hardship.

(b) Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

As previously discussed, the size of the building, 88 feet wide with a total façade area of 4,275 square feet, is not widely shared by other properties in the C-2, Central Business District. Only four other buildings devoted to one business are similar in size.

Half of the other buildings of similar size for one business have signs that project from the building face that are larger than the proposed projecting sign for the subject site. Nelson Furniture, at 450 W. 2nd Street, has two separate signs that do not technically meet the definitions of a wall sign or projecting sign that measures roughly 60 - 80 square feet of area. The Rivoli, 528 W. 2nd Street, has a large marquee that is roughly 120 square feet in area.

Additionally, there are other projecting signs within the C-2 District, including signs along W. 1st Street, W. 2nd Street, and N. St. Joseph Avenue that exceed the current 10-foot maximum sign area for projecting signs.

It is presumed that all of these signs conformed to the sign regulations when they were installed and would be considered legally nonconforming to today's sign regulations.

Strictly imposing the current sign regulations on this uniquely large building would be a hardship that other buildings, some of which are smaller in size with similar signs, have not had to manage.

- (c) The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.**

As previously discussed, there are several projecting signs throughout the Downtown area. Projecting signs are a historic element for many businesses in the surrounding area. The presence of the sign or its size should not impact the character of the district.

Due to the size/width of the building, a projecting sign on the property also should not impact adjacent properties. The location of the sign in roughly the center of the building will not detract from other signage along the street or block other elements of adjacent buildings.

- (d) The granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit or caprice. In no instance, shall a variance be granted which would allow the use of land or a building which is not permitted within the zoning use district in which the property is located. No variance shall be authorized unless the Board finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations.**

Although it can be argued that the proposed sign is a purpose of profit because it is related to a business, the reality is that it is customary for businesses to have appropriate signage to inform the public and customers of the location of the business and its offerings.

As previously discussed, the current regulations do not allow for signs to be proportionately sized to the business façade. Limiting a projecting sign to 10 square feet compared to the size of the building façade would make the maximum sign ineffective.

Additionally, because of the design of the historic building, with its large number of windows across the entire façade, very few sign types would be appropriate for the building without rendering existing windows useless or requiring significant renovations for the exterior. Renovation of the façade to allow a wall sign or other sign types, may not be allowed because of the building's historic contributions to the Downtown Historic District character.

Considering these factors, granting the variance is based on the reason for demonstrable and exceptional hardship and not convenience, profits, or caprice.

STAFF COMMENTS: Staff recommends the Planning Commission **APPROVE** the **VARIANCE** for the proposed project sign at 705 W. 2nd Street, in the C-2, Central Business District, with the following conditions:

1. All permits must be applied for and issued, including applicable electrical permits, before the proposed sign can be installed.
2. The Variance request is valid for 180 days. Applicable permits must be issued within the validation period.

PREPARED BY: Chad Bunger, AICP, CFM, Director of Development Services

DATE: July 17, 2024

ATTACHMENTS:

1. Application materials



Permit #: 23085

Permit Date: 07/01/24

Permit Type:

GROUP:

Permit Type: Variance

Title: Variance Cranson

Site Address: 705 W 2nd St Hastings, NE 68901

Parcel Number: 010006044

Owner Name:

Owner Address:

City State Zip:

Owner Phone:

Owner Email:

Applicant Name: Jacque Cranson

Applicant Address: 1805 Westchester Dr

City, State, Zip: Hastings, NE 68901

Phone Number: 402-515-4454

Applicant Email: badsportz@yahoo.com

Proposed Use: Multi-level retail space

Description: Proposed hanging sign to be affixed to exterior of building is proposed to be 41.21 sq ft and extend 4.1 ft beyond the wall face. While it is outside the parameters of the City code, a 12 sq ft sign is not appropriate for the size of the building, making the regulations inappropriate when applied to this situation. A request to approve the variance to the sign requirements in this instance to approve the proposed sign.

Number of Cases: 0

Project Cost: 0

Square Feet: 35000

Within City Limits: Yes

Current Zoning: C-2, Central Business

Current Zoning Explained:

Proposed Zoning: C-2, Central Business

Conditions:

Conditions

Defined:

1st PN & Agenda

Send By (11:30):

1st PN & Agenda

Due Date:

1st PN & Agenda

Sent:

2nd PN & Agenda

Send By (11:30):

2nd PN & Agenda

Due Date:

2nd PN & Agenda

Sent:

Sign / Website

Posting - Post By:

Sign / Website

Posting - Posted:

APO Letter - Send

By:

APO Letter - Sent:

PC Approval -

Date Approved:

PC Outcome

Letter - Due:

PC Outcome -

Completed:

CRA Approval -

Meeting Date:

CRA Approval -

Approved:

CC Packet - Goal

Load Date:

CC Packet - Due

Date:

CC Out/Admin

Due Date:

CC Packet -

Completed:

Stage: Awaits Fees

CC Out/Admin -

Completed:

ENG Meeting:

ENG Email:

Plat Track Review

Email:

Communication Preferences: Email

Status: Open

Assigned To: Chad Bunger

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
010006044	705 W 2ND ST		COMMUNITY REDEVELOPMENT AUTHORITY OF CITY OF HASTINGS	4024618415	--

Fees

Fee	Description	Notes	Amount
Appeal/Variance			\$300.00
Total			\$300.00

Attached Letters

Date	Letter	Description
07/01/2024	Web Form - Zoning Application	

Uploaded Files

Date	File Name
07/01/2024	9cde2a3b05cc95be449abe5ed316c795_20448.3 - small town famous - exterior signage - hastings.pdf

Small Town FAMOUS

EXTERIOR SIGNAGE

705 W 2nd St.
Hastings, NE 68901
Date: 2/27/2024
Project: #20448

INDEX OF DRAWINGS

PAGE 1 - SITE: SITE PLAN
PAGE 2 - NORTH: NORTH RENDERING
PAGE 3 - A1.01: PRIMARY ID - REVERSE CHANNEL LETTERS
PAGE 4 - B1.01: BUILDING ID - PROJECTION SIGN

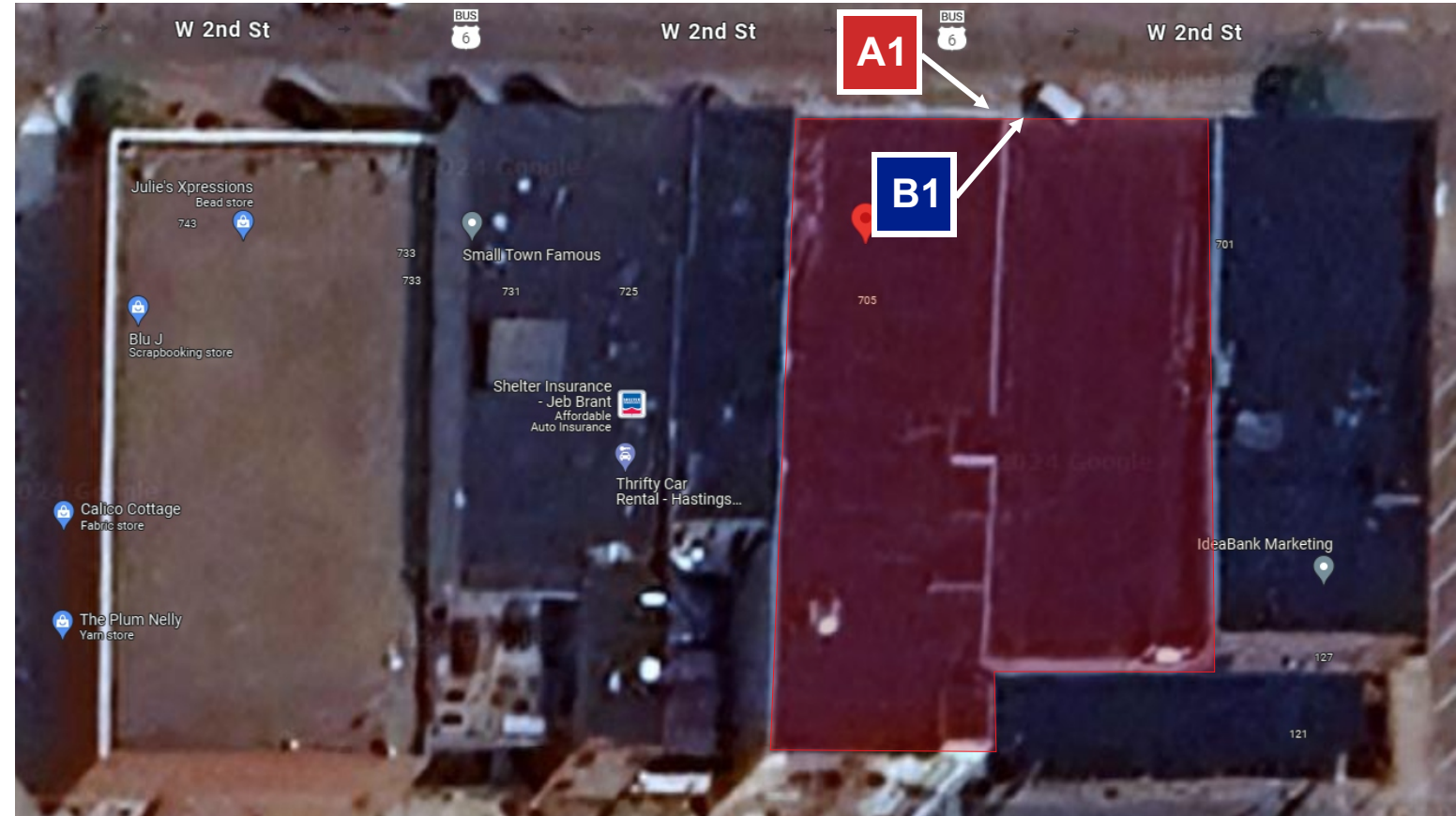


-DO NOT SCALE DRAWINGS. VERIFY ALL DIMENSIONS AND CLEARANCES WITH A FIELD SURVEY BEFORE PRODUCTION.
-VERIFY ALL PAINT AND VINYL COLORS WITH CUSTOMER BEFORE FINISHING.

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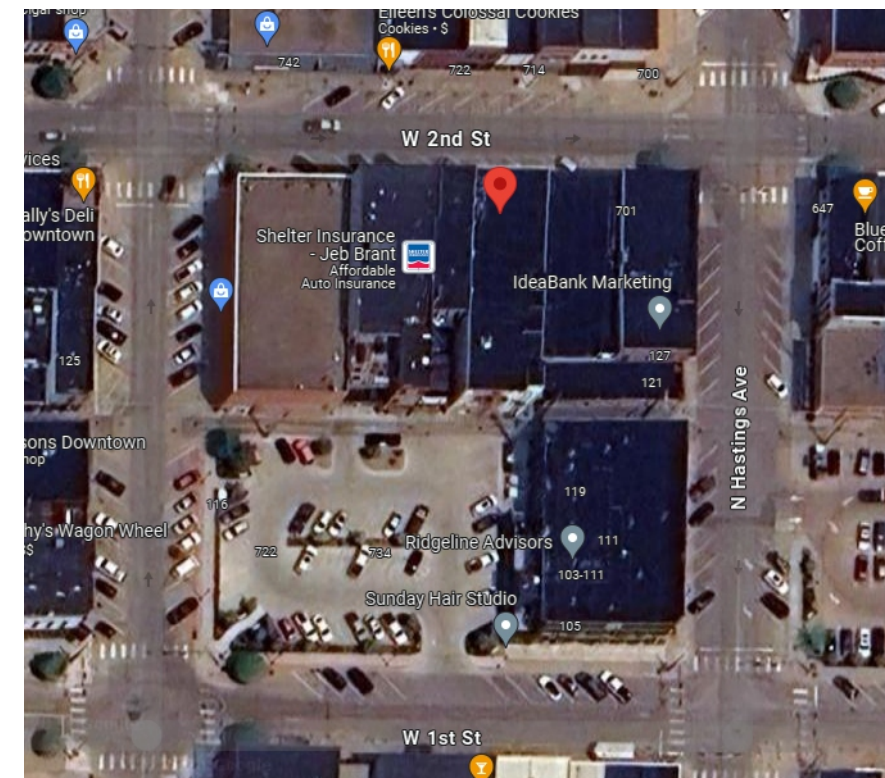
Small Town
FAMOUS



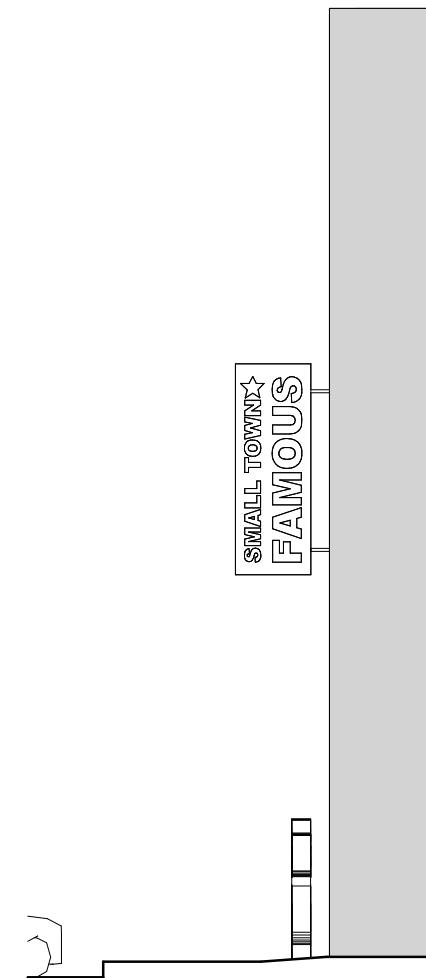
LEGEND

A1	REVERSE CHANNEL LETTERS	
B1	PROJECTION SIGN	50 SF

Vicinity Map



**Small Town
 FAMOUS**



Scope of Work

Furnish and install:

(1) set of A1 Non-illuminated Channel Letters reading "Small Town FAMOUS"
. See page A.1 for size and construction details.

(1) set of B1 Illuminated projection sign reading "Small Town FAMOUS" . See
page B.1 for size and construction details.

A1 PRIMARY ID - REVERSE CHANNEL LETTERS
 SCALE: 3/16"=1'-0" (11 X 17 paper)

**SURVEY
 REQUIRED**

MATERIALS		
COLOR	PMS/ PAINT MATERIAL	VINYL
M1	Crimson	
M2	Atomic Tangerine	
M3	Space Cadet	
M4	Persian Green	
M5	Mindaro	
M6	White	3M 220-20



3030 W Old Hwy 30
 Grand Island, NE 68802
 308.381.5525
 1.877.381.5530
www.lovesignco.com

Designer: L. Kroeger
 Project: Derek Beck
 Location: Grand Island, NE
 Date: 2-27-24
 Approved By:

Project: #20448

Exterior Signs

Client:

**Small Town
 FAMOUS**

Location:

705 W 2nd St.
 Hastings, NE 68901

Revisions:

#	DATE	REASON

File Location:

Y:\Misc projects\Small Town Famous\
 #20448 - Small Town Famous - Exterior
 Signage - Hastings.cdr

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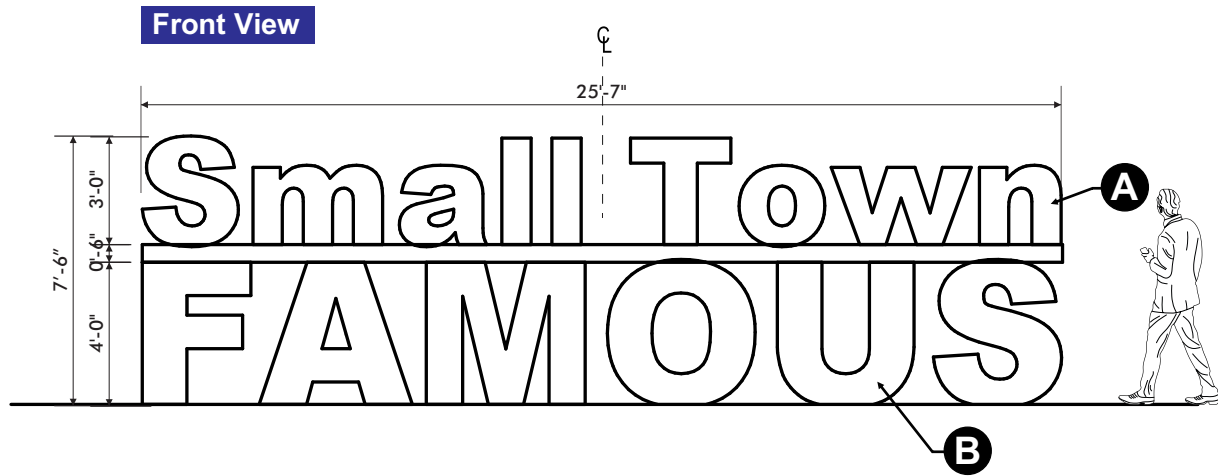
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PAGE NUMBER

3

SHEET TITLE

A1.01

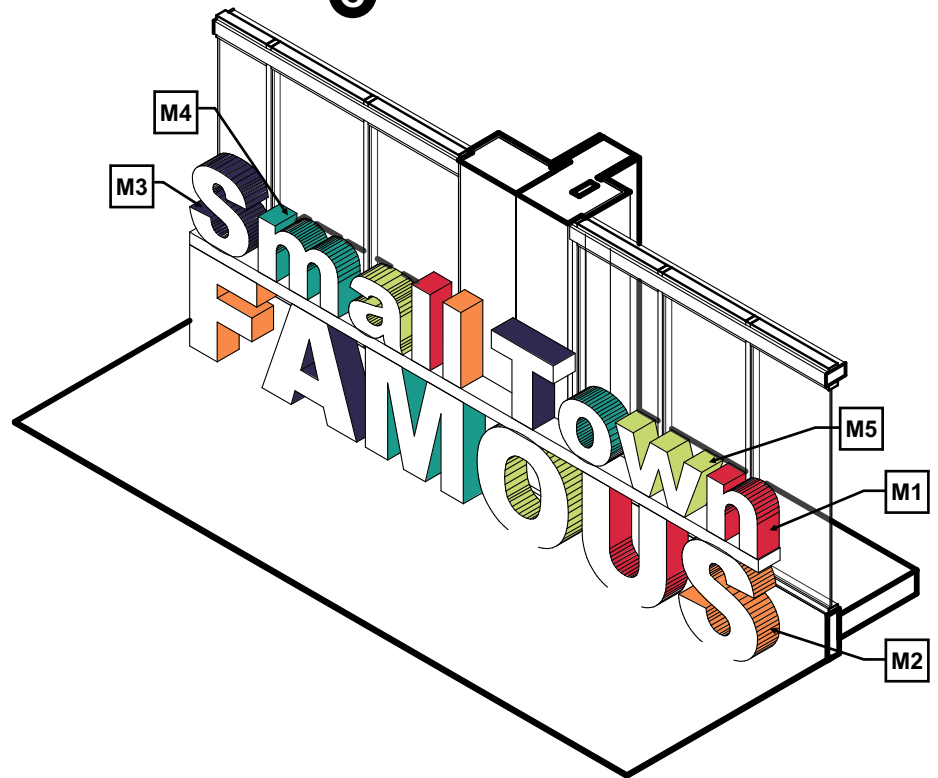
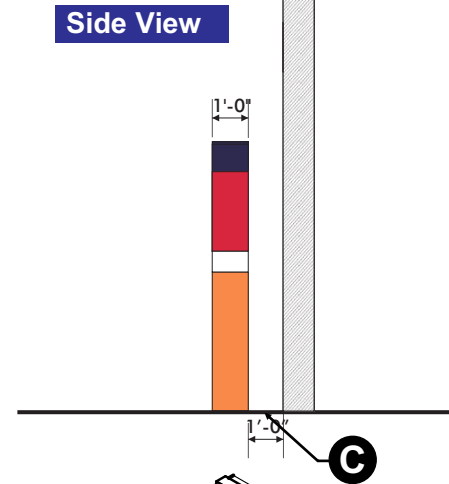


Specifications

A "Small Town FAMOUS" Letters
Faces: White aluminum
Trimcaps: 1" Black
Returns: 12" aluminum painted M1-M5
Illumination: None

B Footings and support structure to be done by a qualified engineer.

C Letters to be stood off building by 1ft.



Rendering



- 1) Need vector logo
- 2) Need PMS colors or match with Sherwin Williams

B1 BUILDING ID - PROJECTION SIGN
 SCALE: 3/8"=1'-0" (11 X 17 paper)

**SURVEY
 REQUIRED**

MATERIALS		
COLOR	PMS/ PAINT MATERIAL	VINYL
M3	Space Cadet	NA
M6	White	3M 220-20



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Designer: L. Kroeger
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Exterior Signs

Client:

**Small Town
 FAMOUS**

Location:

705 W 2nd St.
 Hastings, NE 68901

Revisions:

#	DATE	REASON

File Location:

Y:\Misc projects\Small Town Famous\ #20448 - Small Town Famous - Exterior Signage - Hastings.cdr

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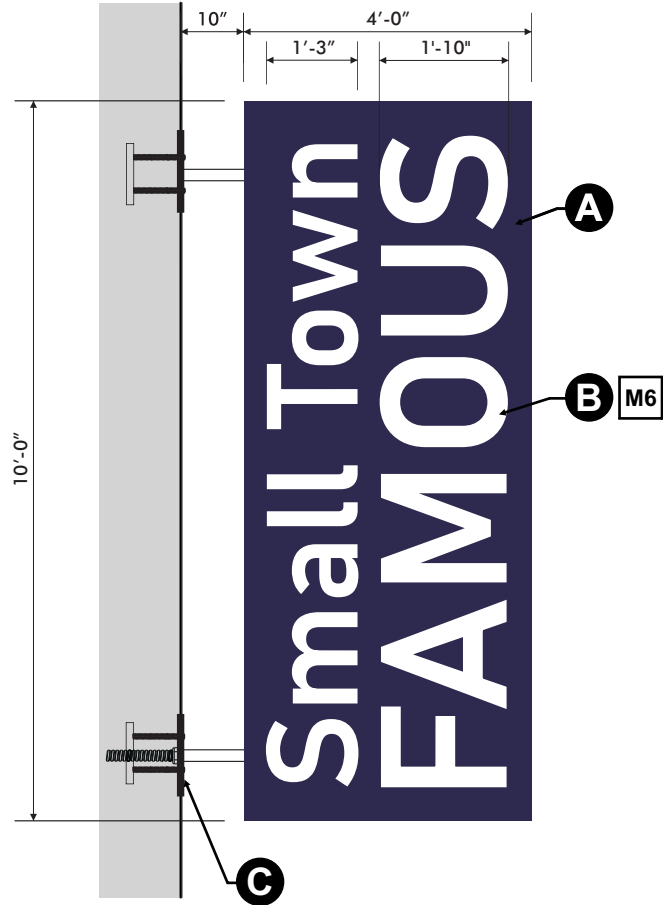
PAGE NUMBER

4

SHEET TITLE

B1.01

East Elevation



Specifications

- A** Cabinet built from a welded aluminum frame. Skin frame with .090 aluminum paint color TBD.
- B** Material to be 3m opaque vinyl applied to first surface. Color to be white 220-20.
- C** Project sign from building with square tube aluminum posts welded to plate aluminum. Install through wall and bolt to match plate.

Side View

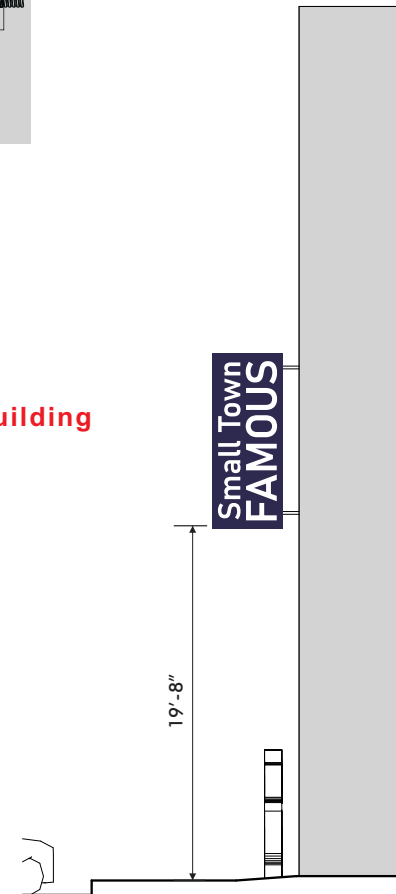


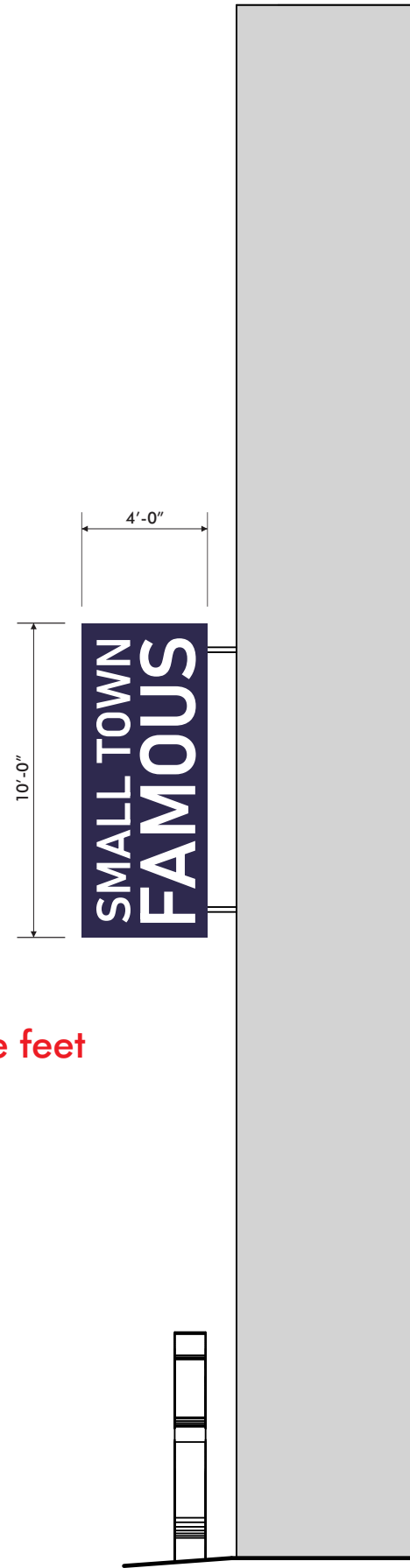
West Elevation



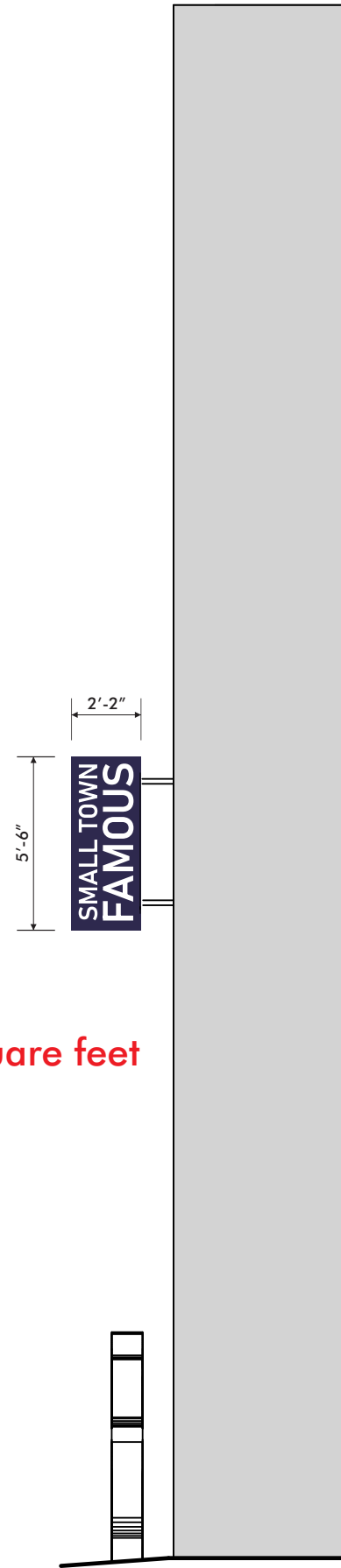
Align with B.O. east building window stone ledger.

SCALE: 3/32"=1'-0"





40 square feet



12 square feet



HASTINGS

Nebraska



File No.	2024-195
Project	Public hearing to consider a request for a Variance to allow for a projecting sign to be larger than the allowed 10 square feet for a property in the C-2, Central Business District.
Applicant	Jacque Cranson – Small Town Famous



LINCOLN AVE N

HASTINGS AVE N

DENVER AVE N

2ND ST W

2ND ST W

2ND ST W

2ND ST W

LINCOLN AVE N

HASTINGS AVE N

DENVER AVE N



BURLINGTON AVE N

BURLINGTON AVE N

BURLINGTON AVE N

LINCOLN AVE N

DENVER AVE N

2ND ST W

2ND ST W

2ND ST W

2ND ST W

2ND ST W

LINCOLN AVE N

HASTINGS AVE N

DENVER AVE N

1ST ST W

1ST ST W

1ST ST W

1ST ST W

DENVER AVE S

PD

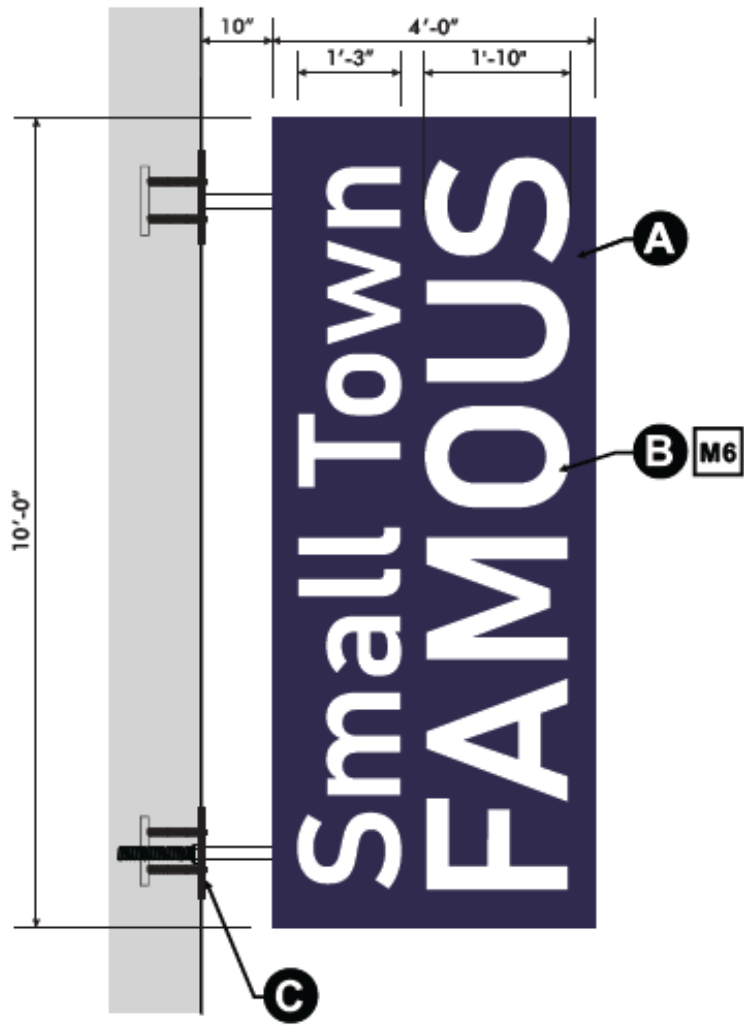
HASTINGS AVE N



Small Town
FAMOUS

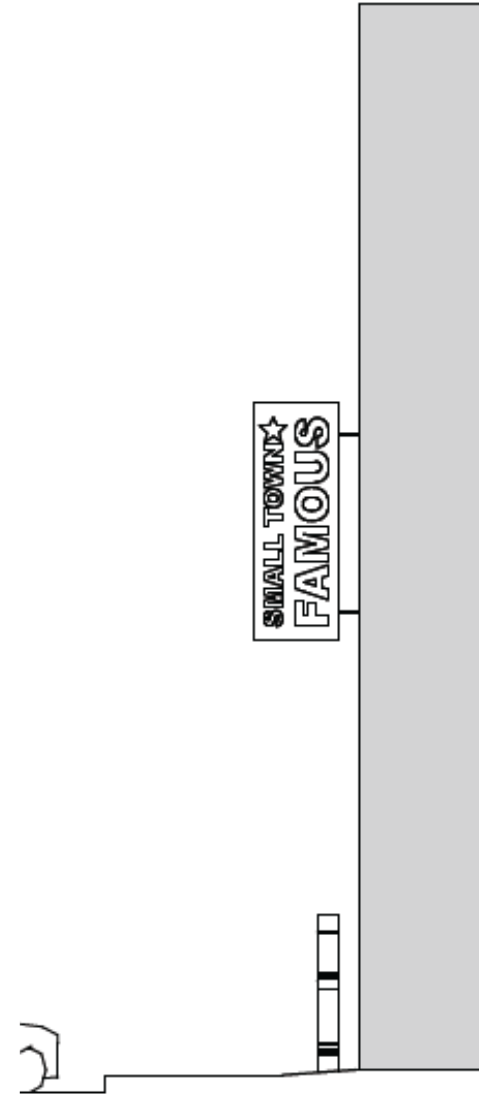
Small Town
FAMOUS

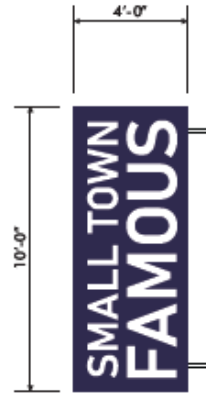
Small Town
FAMOUS



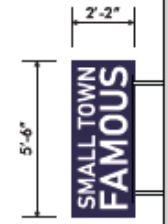
Specifications

- A** Cabinet built from a welded aluminum frame. Skin frame with .090 aluminum paint color TBD.
- B** Material to be 3m opaque vinyl applied to first surface. Color to be white 220-20.
- C** Project sign from building with square tube aluminum posts welded to plate aluminum. Install through wall and bolt to match plate.





40 square feet



12 square feet



Staff Findings Summary

- a) The building is one of the largest (building width and façade area) in the Downtown area devoted to one business.

Because of the building's size, a 10 sq. ft. sign would be ineffective

The design of the building is mostly windows, which limits owner's ability to use other sign types

Having a sign that is not effective would be considered a hardship to the business.

Staff Findings Summary

- b) There are few buildings devoted to one business in the Downtown area of a similar size.

There are some businesses Downtown that have projecting signs in smaller buildings.

Other properties do not generally share the hardship in the zoning District.

- c) This sign type is common in the area and is a historic element to many businesses in Downtown.

The sign is proportional to the building and should not detract from the area or impact adjacent properties or businesses.

Staff Findings Summary

d) As discussed, the sign regulations size regulations are not proportional to the size of the business facade. The storefront's design also limits the number of sign types available to the business.

Although the request is for a business, it is customary for businesses to have appropriate signs to attract and inform customers of the business and its location.

Granting the variance is based on a demonstrable hardship, not for reason of convenience, profits, or caprice.

Staff Recommendation

Staff recommends the Planning Commission **APPROVE** the **VARIANCE** for the proposed project sign at 705 W. 2nd Street, in the C-2, Central Business District, with the following conditions:

1. All permits must be applied for and issued, including applicable electrical permits, before the proposed sign can be installed.
2. The Variance request is valid for 180 days. Applicable permits must be issued within the validation period.

Note: If the Board of Adjustment is inclined to not take the recommendations of City staff, and/or add conditions of approval, they should clearly and specifically articulate the findings of their decision and any conditions of approval.





HASTINGS

Nebraska



File No.	2024-195
Project	Public hearing to consider a request for a Variance to allow for a projecting sign to be larger than the allowed 10 square feet for a property in the C-2, Central Business District.
Applicant	Jacque Cranson – Small Town Famous



LINCOLN AVE N

HASTINGS AVE N

DENVER AVE N

2ND ST W

2ND ST W

2ND ST W

2ND ST W

LINCOLN AVE N

HASTINGS AVE N

DENVER AVE N



BURLINGTON AVE N

BURLINGTON AVE N

2ND ST W

2ND ST W

2ND ST W

2ND ST W

2ND ST W

1ST ST W

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LINCOLN AVE N

LINCOLN AVE N

HASTINGS AVE N

DENVER AVE N

DENVER AVE N

DENVER AVE S

PD

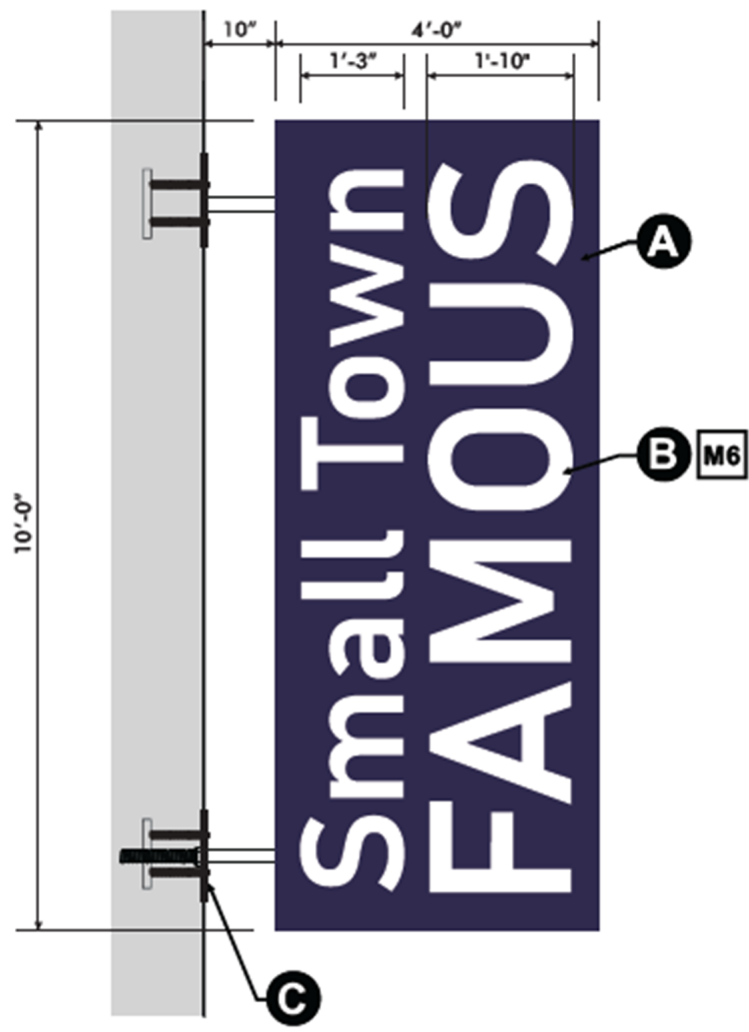
HASTINGS AVE N



Small Town
FAMOUS

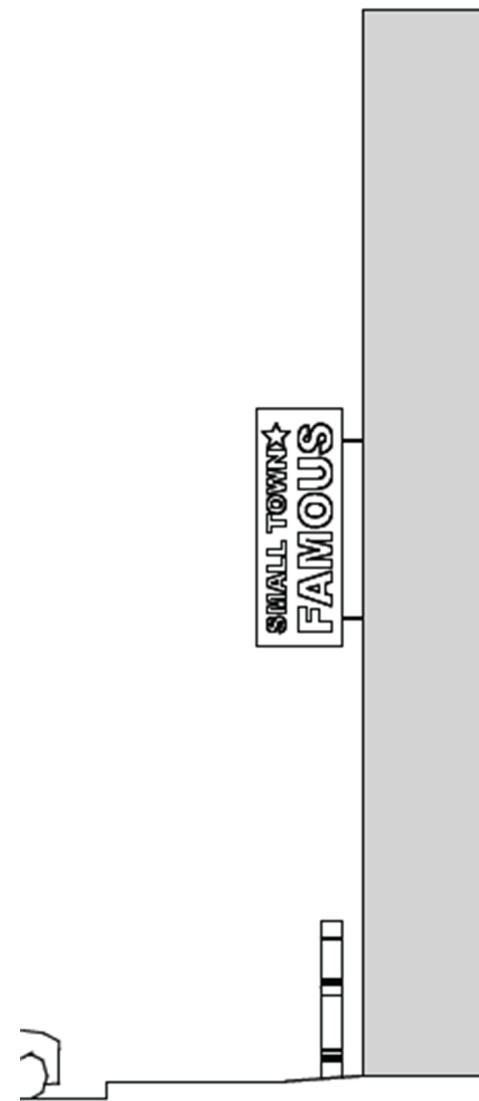
Small Town
FAMOUS

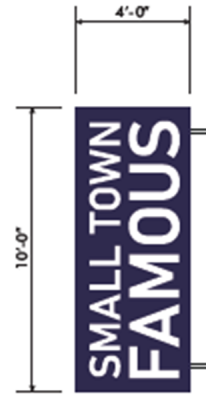
Small Town
FAMOUS



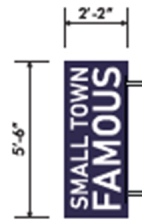
Specifications

- A** Cabinet built from a welded aluminum frame. Skin frame with .090 aluminum paint color TBD.
- B** Material to be 3m opaque vinyl applied to first surface. Color to be white 220-20.
- C** Project sign from building with square tube aluminum posts welded to plate aluminum. Install through wall and bolt to match plate.





40 square feet



12 square feet



Staff Findings Summary

- a) The building is one of the largest (building width and façade area) in the Downtown area devoted to one business.

Because of the building's size, a 10 sq. ft. sign would be ineffective

The design of the building is mostly windows, which limits owner's ability to use other sign types

Having a sign that is not effective would be considered a hardship to the business.

Staff Findings Summary

- b) There are few buildings devoted to one business in the Downtown area of a similar size.

There are some businesses Downtown that have projecting signs in smaller buildings.

Other properties do not generally share the hardship in the zoning District.

- c) This sign type is common in the area and is a historic element to many businesses in Downtown.

The sign is proportional to the building and should not detract from the area or impact adjacent properties or businesses.

Staff Findings Summary

d) As discussed, the sign regulations size regulations are not proportional to the size of the business facade. The storefront's design also limits the number of sign types available to the business.

Although the request is for a business, it is customary for businesses to have appropriate signs to attract and inform customers of the business and its location.

Granting the variance is based on a demonstrable hardship, not for reason of convenience, profits, or caprice.

Staff Recommendation

Staff recommends the Planning Commission **APPROVE** the **VARIANCE** for the proposed project sign at 705 W. 2nd Street, in the C-2, Central Business District, with the following conditions:

1. All permits must be applied for and issued, including applicable electrical permits, before the proposed sign can be installed.
2. The Variance request is valid for 180 days. Applicable permits must be issued within the validation period.

Note: If the Board of Adjustment is inclined to not take the recommendations of City staff, and/or add conditions of approval, they should clearly and specifically articulate the findings of their decision and any conditions of approval.

