



## **Board of Adjustment Minutes for February 5, 2009**

Members Present: John Curtis, George Mehler, John Archibald, J.B. Smith and Ken Wilson

Staff Present: Don Measamer, Assistant Director of Planning/ Building Official

The Chair Mr. Brad Snyder called the meeting to order at approximately 7:00 p.m.

### **Petition to vacate 5 feet of "A" Avenue adjacent to Lot 11 Block 243**

Mr. Don Measamer, Assistant Director of Planning briefed the Board on the proposed application. He presented an overhead drawing to show the location of the proposed 5 foot vacation. This proposal would allow the applicant to create two 7,500 square foot lots.

Mr. James Wilkison, 2412 12<sup>th</sup> Street, owner, explained that by purchasing 5 feet of the city right-of-way would allow him to divide the existing single lot into two lots. Mr. Measamer, Building Official explained that the right-of-way is 80 feet, which if 5 feet was sold the street would still be able to be improvement, if decided, in the future.

After discussion, the Board of Adjustment recommended to city council to approve the petition to vacate as submitted. This action was taken on a motion by Mr. Smith, seconded by Mr. Mehler. The vote: Ayes; Mr. Smith, Mr. Curtis, Mr. Mehler, Mr. Wilson  
Nay; Mr. Bourbeau.

### **Variance Request: A request to reduce the required front yard setback in an R4 zone for signage placement located at 1110 22<sup>nd</sup> Street**

Mr. John Curtis introduced the variance request to reduce the front yard setback in an R4 zone from the required 10 feet to 1.29 feet for placement of a sign located at 1110 22<sup>nd</sup> Street (Sleep Disorder Clinic).

Mr. Mike Rutherford, 12508 E Street, Mt. Vernon, described that the request would allow the applicant to place a new sign on the property line for the newly constructed sleep disorder clinic. He explained that there is an 80 foot right-of-way in front of the building with curb, gutter and sidewalks. They would like the sign to abut the edge of the sidewalk so patients can better locate the clinic.

The Board denied the variance for sign setback. This action was taken on a motion by Mr. Curtis, seconded by Mr. Archibald. Vote: Ayes: Mr. Curtis, Mr. Archibald, Mr. Smith; Vote: Nos; Mr. Wilson and Mr. Mehler.

Meeting adjourned at approximately 7:33 p.m.