

Mike Castellucci
Chair

Yvonne Lujan-Slak
Vice Chair



Lisa Bailey
Secretary

Georgia Way

Andrew Ruybal

Zoning Board of Appeals

ZBA-25-25

Hearing Date: 9/23/2025

TO: City of Pueblo Zoning Board of Appeals
FROM: Hannah Prinzi, Planner
THROUGH: Beritt Odom, Director of Planning and Community Development
LOCATION: 151 N Bradford Ave
APPLICANT: Justin Johnston, Lamar Advertising
PROPERTY OWNER: Melvin Ortiz
YEAR BUILT: N/A
LEGAL DESCRIPTION: Lots 1, 2 and NELY 1/2 of Lot 3, Block 14
ZONE DISTRICT: Multiple-Residential and Commercial (R-6) Zone District
PARCEL ID: 431229001
LOT SIZE: 0.30 acres

REQUEST: Variance to increase the maximum sign height and sign face area by 25% in a Multiple-Residential and Commercial (R-6) Zone District

BACKGROUND

The applicant is requesting a variance to increase the maximum height and face area for a proposed off premise sign (billboard) by 25% in a Multiple Residential and Commercial (R-6) Zone District. The subject property, commonly known as 151 N Bradford Ave, is a 0.30-acre parcel located adjacent to Interstate 25 at the intersection of N. Bradford St and E 2nd St. It sits undeveloped. Per the Pueblo Municipal Code, an off-premises sign (billboard) may be constructed in an R-6 Zone District with a maximum height of 30 ft and maximum area of 300 sq. ft. (Section 17-10-05., (i)). However, Code also allows the Zoning Board of Appeals to grant a variance of up to 25% with respect to maximum sign area and height (Section 17-10-12). The applicant is also requesting to rezone the property from a Highway and Arterial Business (B-3) to Multiple Residential and Commercial (R-6) Zone District. This rezoning request was heard by the Planning and Zoning Commission on September 10th, 2025, and forwarded to City Council for final approval. The rezoning request must be approved for a billboard – no matter its dimensions – to be placed on the subject property.

STAFF ANALYSIS

The proposed billboard would stand 37.5 feet tall and be placed in the northwest corner of the lot. It would have static, dual-facing sign faces to serve northbound and southbound traffic on I-25. Each sign face would be 375 sq. ft in area and illuminated by fixtures designed to prevent light spillover. The north-facing sign face would be visible from the four homes to the north of the subject property and may impede their south-facing view. The lot that will contain the billboard sits much higher than the existing houses to the north, and the proposed support pole will extend 37.5 feet tall therefore it is assumed that the sign face will not obscure views at ground level but may obscure views into the sky and from the second story of the homes. Construction of the billboard will temporarily generate increased traffic on the streets immediately adjacent to the property, but once construction is complete, traffic volume should decrease as the site will only need to be accessed occasionally for maintenance of the billboard. The granting of the variance would not change the volume of traffic generated. The applicant will also

be required to provide curb, gutter, sidewalk, and landscaping. These improvements will likely increase the value and aesthetics of the subject property.

Site improvements, a CDOT sign permit, and a building permit are all required for a billboard at the property regardless of if this variance is granted. Under no circumstances could the billboard become an electronic variable message sign: the sign faces must remain static.

The applicant stated that the variance to increase sign height and sign face area is necessary because of “visibility constraints due to existing tree cover, site elevation changes, and nearby structures.” The east side of the north bound I-25 traffic lanes have a sound wall that will obscure the view of the billboard for northbound travelers. Additionally, while the “elevated hill provides a natural advantage for sign visibility,” the steep topography necessitates a variance for height “to ensure the sign remains visible.” Indeed, there is an elevation gain of 12 feet measured from the eastern property line to the western property line. The steep elevation gain hinders development of the property because some level of grading would be required to ensure a level base for construction, drainage, and landscaping. However, the highest point of the property – which is where the applicant intends to place the proposed billboard – offers an advantage point for advertising to traffic on I-25. The unique topography, therefore, is both a barrier and opportunity for placing a billboard on the property.

SURROUNDING ZONE DISTRICTS AND LAND USES

	Zone District:	Developed with:
North	Multiple Residential and Office (R-5) Zone District	One-family residences
East	Multiple Residential and Office (R-5) Zone District	One-family residences
South	Government Use (S-1) and Multiple-Residential and Commercial (R-6) Zone District	Interstate 25, car rental agency, and vacant land
West	Government Use (S-1)	Interstate 25

PUBLIC NOTICE

The property was publicly noticed in accordance with Title 17 Section 17-5-33(2) of the City of Pueblo Municipal Code. Specifically, the hearing was published in the Pueblo Chieftain, surrounding property owners within 100 feet of the property were notified by mail, and a sign was placed on the site (See Attachment E). These notices occurred at least 10 days prior to the hearing.

REVIEWING AGENCIES

City Code Enforcement	No comment
City Parks and Recreation Department	No comment
City Public Works Department	No comment
City Stormwater Department	No comment
City Transportation	The Applicant will need to obtain a permit through CDOT and meet all CDOT safety requirements.
City Wastewater Department	No comment
Fire Department	No comment
Pueblo Board of Water Works	No comment
Pueblo City/County Health	No comment

Pueblo Regional Building Department	No comment. Permits (and plan review, where needed) will be required for any new construction or modification.
CDOT	"Advertising Devices" adjacent to state highways <i>require</i> a CDOT Permit. On-premises and off-premises signage shall comply with the current Colorado Outdoor Advertising Act. Any utility work within the state highway right of way will require a utility permit from CDOT.

CONDITIONS REQUIRED FOR VARIANCE

1. The variance will not: reduce the required light and air to adjacent properties; constitute a nuisance to the properties within one hundred (100) feet of the property for which the variance is requested; or substantially reduce the monetary value of properties within one hundred (100) feet of the property for which the variance is requested.

Comments: Neutral finding. There are seven single-family homes and a car rental agency within approximately 100 feet of the subject property. The properties most likely impacted are the four homes north of the property since the north-facing sign face will be visible from these neighboring homes and the proposed billboard sign could potentially reduce light and air to adjacent properties.

However, the applicant will be required to improve the site to obtain a sign permit. Site improvements include constructing curb, gutters, and sidewalk along N Bradford Ave and E 2nd St as well as planting and irrigating the property in compliance with the Landscape Performance Standards. The sign will be illuminated; however, all lighting must be compliant with Section 17-4-52, (2), h., which states that "uplighting is prohibited for externally illuminated signs except for monument signs of less than six feet in overall height." Site improvements, illumination, and other details will be reviewed and addressed by staff during the sign permit application process. Similarly, issuance of the sign permit is contingent on the applicant also obtaining a CDOT permit. Under no circumstances could the proposed billboard become an electronic variable message sign. These measures are in place to reduce negative impacts of the billboard to surrounding properties.

2. The variance will not affect general planning of the city with respect to land use and the location of streets and highways will not be jeopardized.

Comments: Affirmative finding. The scope of this project will generate traffic to the property for construction and maintenance of the billboard. Once construction is complete, traffic volume will decrease. The variance would not change the volume of traffic generated by a billboard. The car rental agency to the east has a freestanding sign on their property.

3. Strict adherence to this Title would not secure appropriate development of the property for which the variance is requested.

Comments: Neutral finding. The applicant's ability to place a billboard at the subject property is contingent on the rezoning request being approved by City Council as well as CDOT issuing their permit. If both conditions are met, the applicant may place the billboard on the property with the appropriate permits. However, strict adherence to this Title would not allow the billboard to be as tall or large as proposed.

4. The property for which the variance is requested suffers a unique or singular disadvantage, not common to other property in the district, through the operation of this Title.

Comments: Neutral finding. The subject property is located on a hill with steep topography. There is an elevation gain of 12 feet measured from the eastern property line to the western property line. The steep elevation gain hinders development of the property because some level of grading is required to ensure a

level base for construction, drainage, and landscaping. However, the highest point of the property – which is where the applicant intends to place the proposed billboard – offers an advantage point for advertising to traffic on I-25. The unique topography, therefore, is both a barrier and opportunity for placing a billboard on the property.

PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION

If the Board makes the necessary findings of fact to approve this variance, staff recommends Standard Permit Conditions 1 through 13 as well as the following staff conditions:

1. The rezoning request (Z-25-15) must be approved by City Council. Otherwise, a billboard would not be an allowed land use at the subject property.
2. The applicant must meet City requirements for landscaping, lighting, curb, gutter, and sidewalk as part of the building permit issuance.

ATTACHMENTS

- A. Standard Permit Conditions
- B. Aerial Map
- C. Zoning Map
- D. Comprehensive Plan Map
- E. Lidar Map
- F. Public Notice Photo
- G. Site Photos
- H. Supporting Documents: Application, Sign Elevations, Site Plan

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 9/23/2025	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 9/23/2026
2.	Required Revisions Any revisions or additions to plans required as a result of approval must be submitted and stamped “approved” prior to the sign-off of the building permit routing slip or business license.
3.	Changes The project shall be completed as shown on the plans, which have been stamped “approved” and dated by the Department of Planning and Community Development. The project shall not deviate from the approved plans without prior written approval from the Department of Planning and Community Development.
4.	Property Inspection By acceptance of this permit, Permit holder authorizes City Officials and/or their authorized representatives, access to the subject property for purpose of observing work in progress, inspecting and/or measuring the property or improvements as long as the use authorized by this permit remains in effect.
5.	Certificate of Occupancy A certificate of occupancy must be issued by Regional Building <u>PRIOR</u> to use and/or occupancy of the subject premises. Prior to issuance, the Department of Planning and Community Development must certify that work has been completed in accordance with approved plans and that applicable conditions have been met. The Permit holder may be required to provide a Letter of Credit to obtain a Certificate of Occupancy prior to completion of all required improvements.
6.	Completion and Maintenance of Improvements and Landscaping Permit holder or successor in interest is responsible for completing all improvements shown on approved plans. By acceptance of this permit, Permit holder agrees to maintain all improvements in a satisfactory condition. Any landscaping installed according to the approved plan which becomes diseased, or dies shall be replaced by similar species and size no later than the first available planting season.
7.	Building Permit; Other Permits Permit holder is solely responsible for obtaining <u>BUILDING PERMIT</u> and all other applicable local, state and federal permits.
8.	Off-Site Drainage Issuance of this permit does not authorize the discharge of stormwater runoff or other surface drainage from the subject premises onto adjoining property or properties.
9.	Appeals of a decision of the Land Use Administrator can occur up to thirty (30) days following such decision. Appeals of Zoning Board of Appeals decisions can occur up to thirty (30) days following final decision. Any work done in connection with this permit prior to the expiration of all applicable appeal periods is done <u>SOLELY</u> at the risk of the Permit holder.
10.	Errors Permit holder is solely responsible for the accuracy of all information contained in the Zoning Permit form and in accompanying documentation. Any errors contained therein may invalidate the Zoning Permit and may result in issuance of a code violation citation and prosecution.
11.	Transfer of Ownership In the event of a transfer of ownership, partial or whole, of the subject premises, the transferee shall become Permit holder and subject to compliance with the terms and conditions of this permit.
12.	Violations/Penalties A violation of any of the conditions of this permit or of any provision of the Pueblo Municipal Code may result in a penalty of up to three hundred dollars (\$300) per day.
13.	Incorporation and Reference of All Plans Presented to the Zoning Board of Appeals. This approval incorporates by reference all plans and drawings presented and all verbal representations by the applicant at Zoning Board of Appeals meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions or regulations.

Exhibit B. Aerial Map

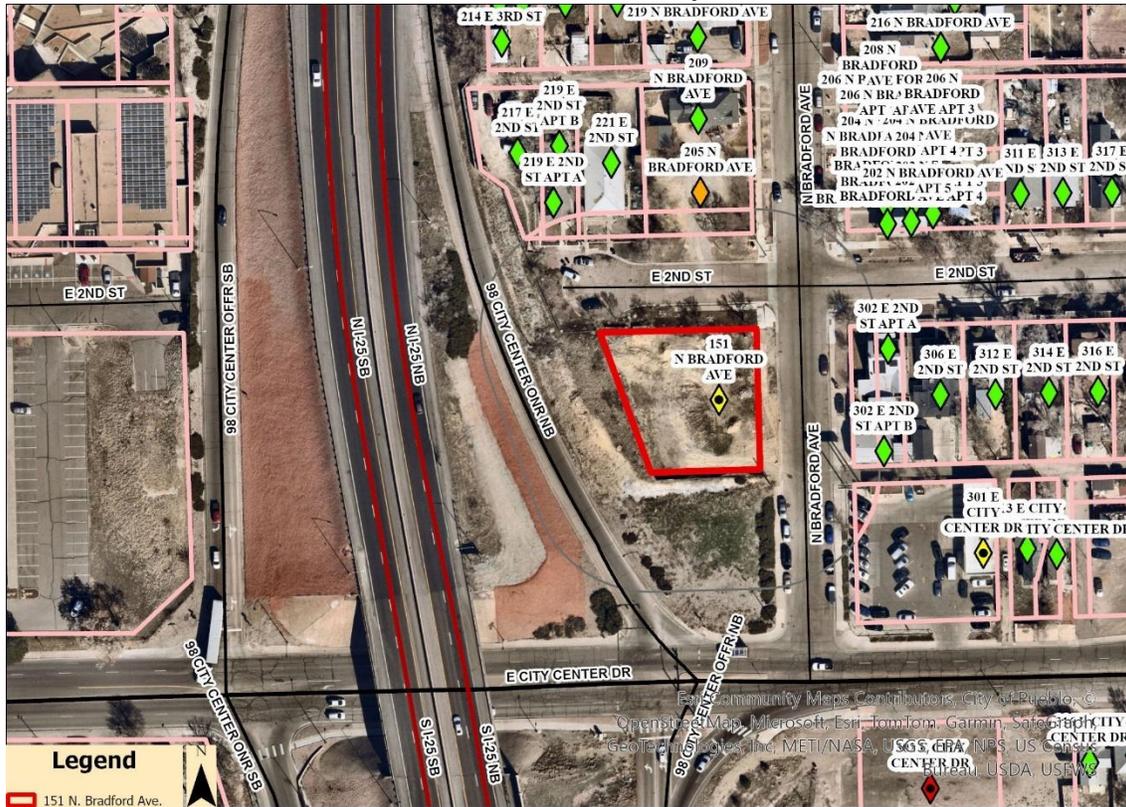


Exhibit C. Zoning Map

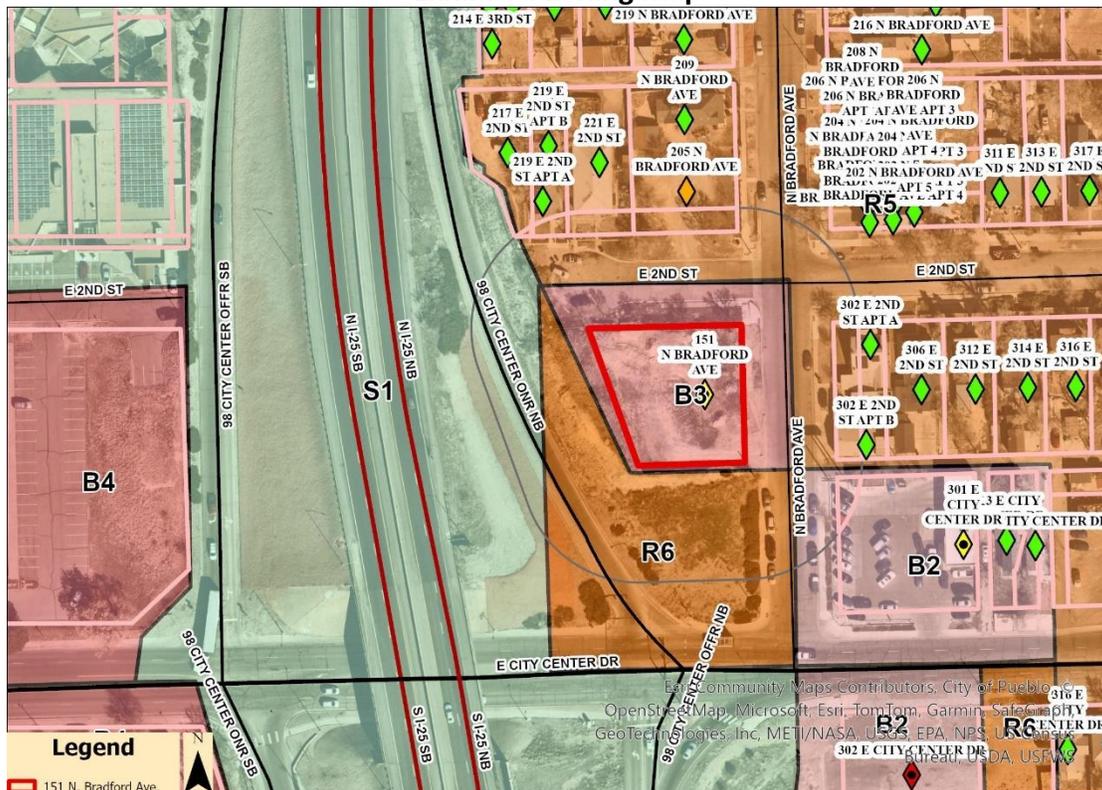


Exhibit D. Comprehensive Plan Map

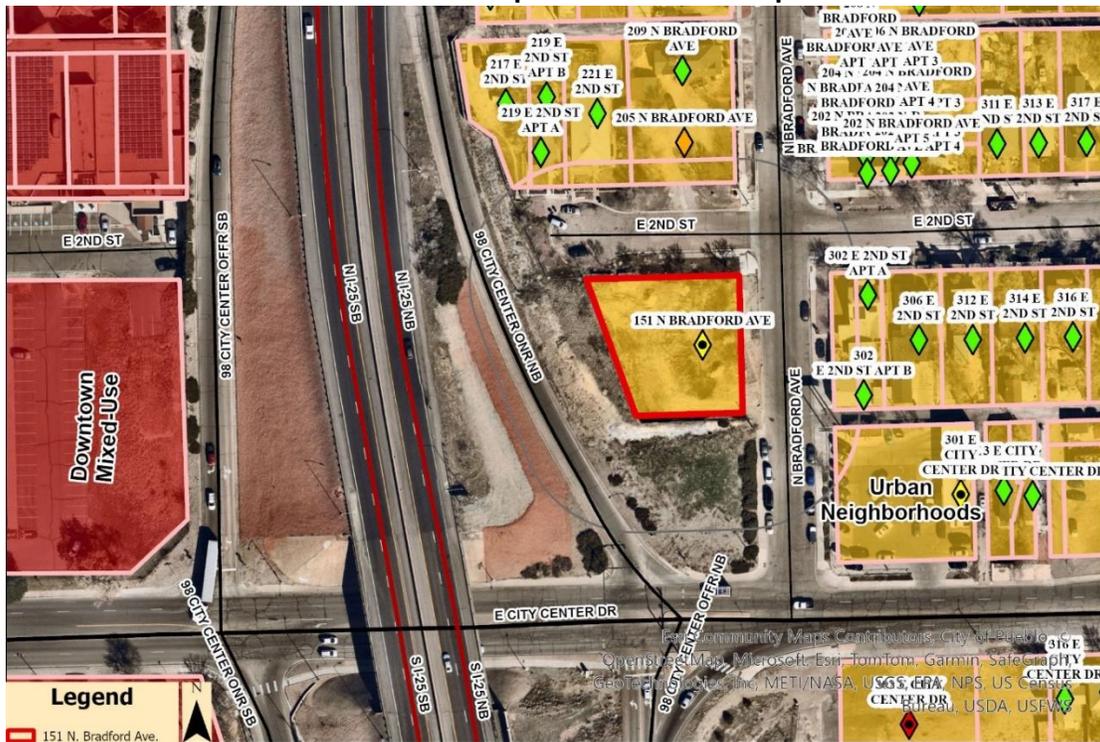


Exhibit E. Lidar

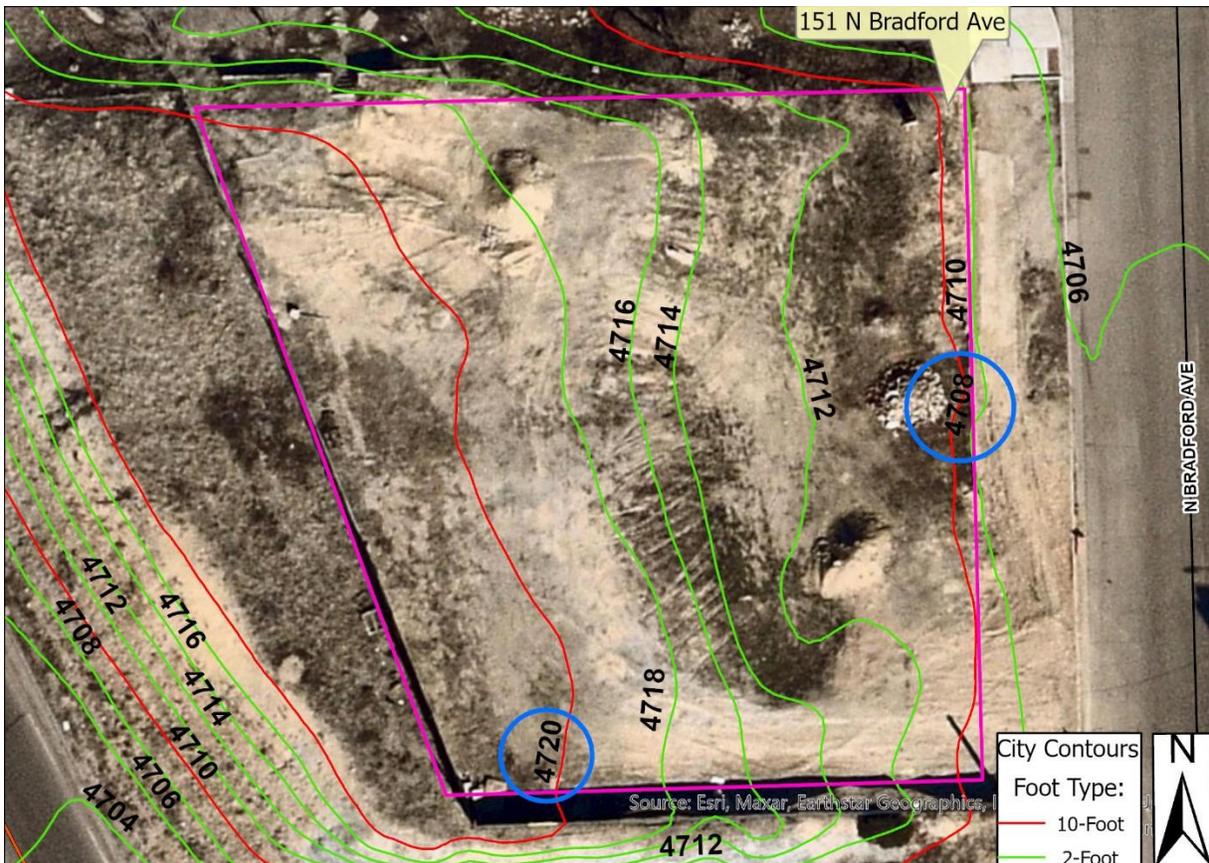


Exhibit F. Public Notice



Exhibit G. Site Photos



I-25 Northbound, Approaching E City Center Dr (Google Maps)



Viewing the Subject Property from E City Center Drive (Google Maps)



View of the Subject Property, Merging onto I-25 Northbound (Google Maps)



View of the Property from I-25 Northbound (Google Maps)



View of the Property from I-25 Northbound (Google Maps)



View of the Subject Property from N Bradford Ave facing West (Provided by the Applicant)



Corner of the Subject Property at E 2nd St and N Bradford Ave (Provided by the Applicant)



Enterprise's Freestanding pole sign at 301 E City Center Drive (Google Maps)

Exhibits H. Supporting Documents: Application, Sign Elevations, Site Plan

To view the supporting documents, please reach out to the Planning & Community Development Department at 211 E D St, or (719) 553-2259.