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Zoning Board of Appeals

ZBA-25-52

Hearing Date: 2/24/2026

TO: City of Pueblo Zoning Board of Appeals
FROM: Hannah Prinzi, Planner
THROUGH: Beritt Odom, Land Use Administrative Official
LOCATION: 611 Broadway Ave
APPLICANT: Ron Pittmann
PROPERTY OWNER: Agape Fellowship Church
YEAR BUILT: 1962 (or earlier)
LEGAL DESCRIPTION: LOTS 24-26 + THE SE2 LOTS 27-32 BLK 121 COLORADO COAL + IRON COMPANYS ADDITION NO 1 FORMERLY #15-021-20-012 + 015
ZONE DISTRICT: Neighborhood Business (B-1) Zone District
PARCEL ID: 1502120016
LOT SIZE: 28, 606 sq. ft.

REQUEST: Variance to Sec. 17-10-05 of the Pueblo Municipal Code regarding the distance of Electronic Variable Message Signs from residential zone districts

BACKGROUND

The applicant is requesting a variance to reduce the minimum distance required between an Electronic Variable Message Sign (EVM sign) and residential uses at 611 Broadway Ave. The subject property is home to Agape Fellowship Church, who has used the site as a religious institution since 2004. There is an existing monument sign on the subject property adjacent to Broadway Ave that the applicant wishes to upgrade with digital panels. Per Code, "EVM signs shall not be permitted less than 100 feet from the property line of a residential use" (Sec. 17-10-05). The sign is approximately 180 feet from the residence to the north across E Orman Ave and 145 feet from the residence south of the church across the parking lot; however, it is only about 90 feet away from the residence to the northwest. Thus, the applicant would need a variance to convert the sign to an EVM.

The subject property also needs to rezone from a Single-Family Residence (R-2) to a Neighborhood Business (B-1) Zone District and obtain a Special Use Permit to operate in the B-1 Zone District (Z-25-23 and ZBA-25-51). The Planning and Zoning Commission forwarded a recommendation to approve the rezoning to City Council on February 11th, 2026. Should the rezoning, special use permit, and variance be granted, the applicant would then need a sign permit issued by the Building Department after being approved by all applicable reviewers.

STAFF ANALYSIS

E Orman Ave is adjacent to the subject property and is the closest residence to the monument sign. The residence is approximately 90' from the sign, measured as a straight line. However, the sign is completely out of sight from the residence because it is blocked by the church building. Converting the sign to an EVM will not negatively impact the surrounding residences in regard to light or air.

SURROUNDING ZONE DISTRICTS AND LAND USES

	Zone District:	Developed with:
North	Single-Family Residential (R-2) Multiple-Residential and Office (R-5)	One-Family Residences, Duplex, and Multi-Family Residence
East	Commercial Charter Neighborhood (CCN)	Community Center
South	Single-Family Residential (R-2)	One-Family Residences, Playground
West	Single-Family Residential (R-2)	One-Family Residences

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	No comment
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

CONDITIONS REQUIRED FOR VARIANCE

- 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: Affirmative finding. The sign is completely screened from view from the closest residence by the building mass. The rest of the surrounding residences are more than 100 feet away from the sign.
- 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 existing sign does not block vehicle or pedestrian traffic and does not impede access onto the property or into the building. Upgrading the sign into an EVM sign will not change its size or location.
- Strict adherence to this Title would not secure appropriate development of the property for which the variance is requested.

Comments: Neutral finding. The subject property could not install an EVM sign without this variance. There is no location on-site that maintains 100 feet from every residence in the vicinity. However, an EVM sign may not be critical to support the religious institution’s activities.

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: Negative finding. The subject property does not suffer a unique or singular disadvantage not common to other property in the district. Religious institutions are commonly located in residential or low-intensity business Zone Districts near neighborhoods. It is likely that other religious institutions that wished to add an EVM sign to their property would face similar issues.

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 only.

ATTACHMENTS

- A. Standard Permit Conditions
- B. Aerial Map
- C. Zoning Map
- D. Comprehensive Plan Map
- E. Public Notice Photo
- F. Site Photos
- G. Supporting Documents

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 2/24/2026	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 2/24/2027
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

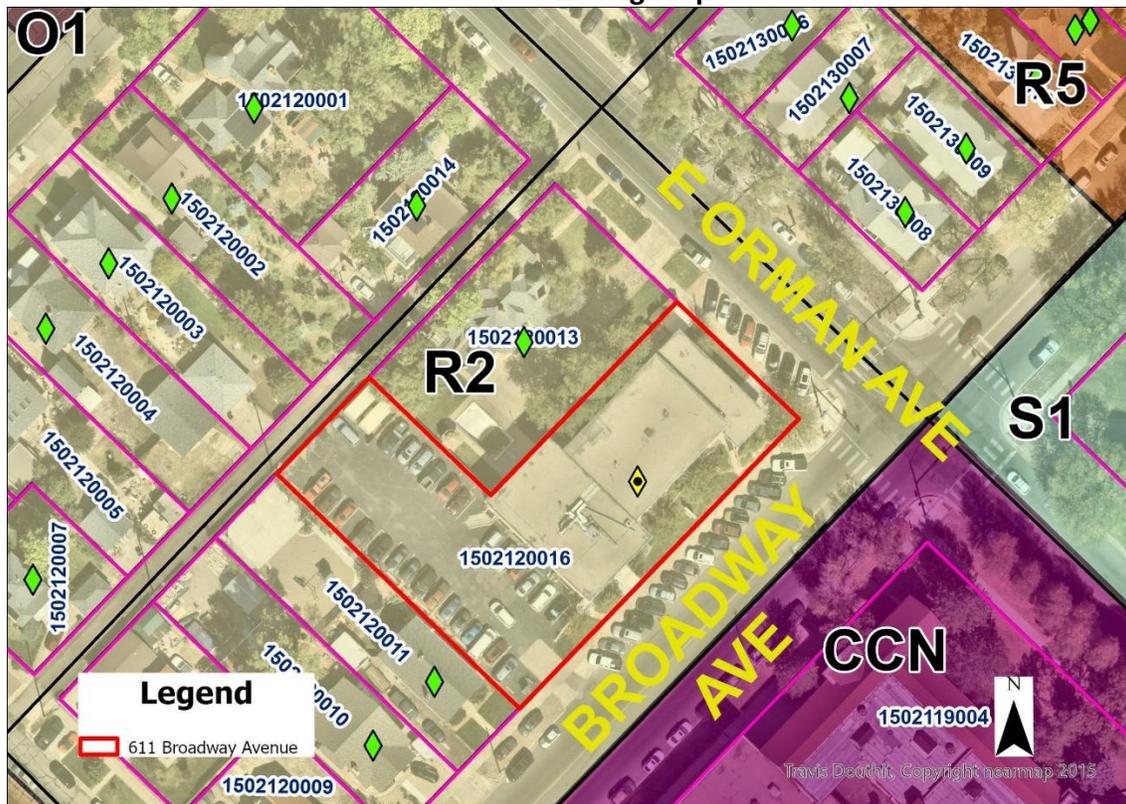


Exhibit D. Comprehensive Plan Map



Exhibit E. Public Notice



Exhibit F. Site Photos



90' between sign and 117 E Orman Ave



Monument Sign, South Face



Monument Sign, North Face

Exhibit G. Supporting Documents: Application, Property Owner Affidavit, Sign Plan, Site Plan

To view the Supporting Documents, please visit the Planning and Community Development Office at 101 W Riverwalk or call (719) 553-2259.