

DEPT. OF COMMUNITY DEVELOPMENT  
PLANNING DIVISION  
301 W. CHESTNUT  
PHONE: (479) 621-1186  
FAX: (479) 986-6896

**BOARD OF ADJUSTMENT  
MINUTES  
January 12, 2017**

**MEMBERS PRESENT:**

Hannah Cicioni  
Andrew Curry  
Derek Eckelhoff  
Matt Loos  
Mandel Samuels  
Juli Zimmerman

**OTHERS ATTENDING:**

Ethan Hunter – Planner  
Lance Jobe – Assistant City Engineer

Chairperson Matt Loos called the meeting to order at 4:00 pm.

**NEW BUSINESS**

**17-01:** A request by Braum's for a variance to allow modification of a nonconforming pole sign and additional wall signage on a non-street frontage elevation at 1102 W Walnut Street in the city's C-2 (Highway Commercial) zoning district and in the city's Overlay District.

Wendell Stewart and Dave Schied represented this item. They explained the nature of the variance request(s). Hunter clarified an error in the description of the request; the proposed wall sign would be located on 11<sup>th</sup> Street, an elevation with street frontage.

Cicioni asked to verify that the existing pole sign is nonconforming due to Overlay District standards. Hunter confirmed and added that projected AHTD road construction on Walnut could affect existing right-of-way, so staff suggests waiting for details before investing in new signage. Curry stated that precedence for similar requests has been denial regardless of road construction.

In regard to the wall sign request, Cicioni asked what the total sign area would be. Hunter responded that the new sign area would be 154sf, and that elevation is allowed a maximum 192sf.

Curry motioned to approve the pole sign request. Cicioni seconded. Voice vote: NO (unanimous). Motion failed. **DENIED.**

Curry motioned to approve the wall sign request. Cicioni seconded. Voice vote: YES (unanimous). Motion carried. **APPROVED.**

**17-02:** A request by Hank's Fine Furniture for a variance to allow 225 additional square feet of wall signage at 4308 S Pleasant Crossing Boulevard in the city's C-2 (Highway Commercial) zoning district.

Chris Braun represented this item. He explained the nature of the variance request. Cicioni asked if Pleasant Crossing technically qualified as street frontage. Hunter confirmed.

Curry verified that the total wall sign area in question is 869sf. Hunter added that a previous variance was granted in 2010 for an additional 245sf, which brings the total to 869sf in consideration of the proposed 225sf. Curry stated that this request would bring the building total to double what is allowed, but the size of the building presents an extreme example. Cicioni concurred.

Curry motioned to approve as requested. Samuels seconded. Voice vote: YES (unanimous). Motion carried. **APPROVED.**

**17-03:** A request by Impact Cycles for a variance to allow the continued use of a nonconforming pole sign at 2328 S 8<sup>th</sup> Street in the city's C-4 (Open Display Commercial) zoning district and the city's Overlay District.

Russ Shaffer represented this item. He explained the nature of the variance request. His justification for hardship was based on visibility due to neighboring businesses.

Cicioni asked if there are height restrictions for monument signs. Hunter stated that monument signs for single-tenant buildings in the Overlay District are limited to 6 feet. Cicioni stated that pole signs in the 8<sup>th</sup> Street Overlay District are all transitioning to monument signs, and similar requests to maintain nonconforming pole signs have been denied.

Shaffer stated that there was a communication error with the sign contractor regarding permitting when opening the business at this location. Hunter added that if it had been brought to staff for a permit, it would have been flagged prior to installation of the sign copy and a violation would not have been issued.

Cicioni motioned to approve as requested. Curry seconded. Voice vote: NO (unanimous). Motion failed. **DENIED.**

**17-04:** A request by Crestwood Homes for a variance to allow 2.55' side setback reductions at 1401 W Ash Street in the city's R-SF (Residential Single Family) zoning district.

Ron Pender represented this item. He explained the nature of the variance request. He justified the hardship based on the fact that the subject lot is 75 feet wide compared to adjacent lots which are 80 feet wide.

Loos asked if there has been input from neighbors. Pender confirmed that there was none. Curry expressed doubt that a 5 foot difference in lot width justified a hardship, but acknowledged the request was small. Pender stated that when the subdivision developed, the lots were subject to two different zoning standards. Jobe and Hunter referred to city GIS to determine that the east side of the subdivision was zoned N-R, a zone with smaller setbacks.

Cicioni motioned to approve as requested. Curry seconded. Voice vote: YES (5 – Cicioni, Eckelhoff, Loos, Samuels, Zimmerman); NO (1 – Curry). Motion carried. **APPROVED.**

**17-06:** A request by Walmart for a variance to allow an additional 50 square feet of total sign area, creating a 200-square-foot highway sign at 4206 Pleasant Crossing Boulevard in the city's C-2 (Highway Commercial) zoning district and the city's Interstate Sign District.

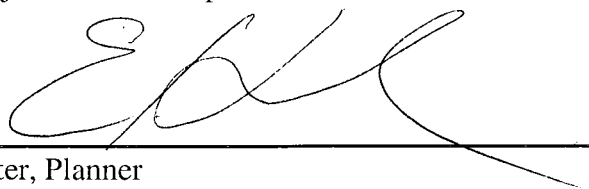
Andy Moon represented this item. Jay Sawyer with Walmart, Joe Conway with Arkansas Sign & Banner, and staff from Walmart Sign Shop represented this item from the audience. Moon explained the nature of the variance request, and asked that the request be amended to provide for a 250 square foot sign.

Hunter provided background on the recent changes to Interstate Sign District standards and procedure. Moon and Sawyer stated that the primary reason for this request was based on visibility.

Curry motioned to approve as amended. Eckelhoff seconded. Voice vote: YES (5 – Curry, Eckelhoff, Loos, Samuels, Zimmerman); NO (1 – Cicioni). Motion carried. **APPROVED.**

**Previous minutes (12/19/16):** Zimmerman motioned to approve. Curry seconded. Voice vote: YES (unanimous). Motion carried. **APPROVED.**

Meeting adjourned at 4:37 pm.



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Ethan Hunter, Planner