



DEPT. OF COMMUNITY DEVELOPMENT  
PLANNING DIVISION  
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**BOARD OF ADJUSTMENT  
MINUTES**  
February 25, 2021

**MEMBERS PRESENT:**

Hunter Fry  
Roger Clark  
Andrew Curry  
Hannah Cicioni  
Aaron Smith  
Mandel Samuels

**OTHERS ATTENDING:**

Lori Ericson, Zoning Administrator  
Gloria Garcia, Zoning Technician  
John McCurdy, Community Development Director

**Hunter Fry called the meeting to order at 4:00 pm.**

**NEW BUSINESS:**

- 1. 21-05: Variance request by Extreme Sport Boats to allow additional wall signage at 2601 W. Hudson Road in the I-1 (Light Industrial) zoning district.**

Staff presented the request for seven additional signs to advertise the brands they offer. Gloria Garcia noted the signs would each be 10 square feet and the total signage for the building would not be more than what is allowed for the building.

Board members discussed other similar business requests.

Chairman Fry asked if anyone in the public wanted to speak regarding the request. There were none. The public hearing was declared closed.

Roger Clark said his only concern with the issue of not sticking to the ordinance just to advertise the brands.

Jason Dement, NLG Printing, represented the applicant. He said the promotion of the brands they offer is an important part of their business plan. He noted alternatives as vinyl in the windows or a large banner sign on the building that includes all the brand signs. The signs on the building will be cleaner and a better presentation for the business, Dement said.

Andrew Curry reminded the Board that the decision-making process can't include the business concerns of the applicant. But, he said, the discussion of cramming the same signs into a large banner sign makes him favor the request as a more appealing option. Mandel Samuels and Chairman Fry agreed the larger sign would not be as appealing.

Cicioni agreed and made a motion to approve the request. Second by Curry.

Voice vote: Unanimous-YES *Motion carried*

**APPROVED**

**2. 21-06: Variance request by Greenwood Gearhart to allow additional wall signage at 4100 S. Grand Ave., Ste. B121 in the RMF-29B (Residential Multifamily, 29 units per acre, rentals) zoning district.**

Gloria Garcia presented the request for the Pinnacle Heights building in Uptown Rogers. She said the business has only one street frontage but the building faces both Grand Ave and Pauline Whitaker. Greenwood Gearhart would like another sign and, she said, they have approval from building management. She noted no hardship, but staff agreement with the wayfinding benefit in the mixed-use development.

Brock Gearhart, president and CEO of Greenwood Gearhart, said the business is expanding and has been operating in Fayetteville for the past 30 years, and he believes the additional signage will help customers to find the business location.

Tom Allen, Sage Properties, said that if approved this would be the last sign the building ownership would authorize for the building frontage facing Pauling Whitaker Parkway.

Board members discussed the need for wayfinding in the Uptown Development, the existing sign on the building that was allowed by right, and the aesthetics of the sign addition.

Clark made a motion to approve the request as submitted. Second by Cicioni.

Voice vote: Unanimous-YES *Motion carried*

**APPROVED**

**3. 21-07: Variance request by Barry Subbert to allow an accessory building taller than the 16-foot limit at 1254 W. Subbert Way in the N-R (Neighborhood Residential) zoning district.**

Staff presented the request for additional height for their RV. The request is for 19'3" total height for 16-foot walls. Lori Ericson noted the lot is 2.54 acres allowing plenty of distance from the neighbors.

Michael Subbert, son of Barry and Kay Subbert, said the new building is not only planned for the RV but also other equipment and items that are now sitting outside.

Chairman Fry asked if anyone in the public wanted to speak regarding the request. There were none. The public hearing was declared closed.

Samuels questioned if neighbors had any input. Subbert said they hadn't discussed with the neighbors, but he noted the commercial businesses and distance from neighbors. Samuels noted the trees also buffering the planned location. Staff confirmed a sign had been placed at the property about the variance, but there had been no calls from the public.

Curry said the minimal impact of the taller height in this location reduces any of his usual reluctance to approve such a request. Clark said he agreed.

Clark made a motion to approve the request as submitted. Second by Cicioni.

Voice vote: Unanimous-YES **Motion carried**  
**APPROVED**

**4. 21-08: Variance request by Phillip and Carrie Johnson to reduce the rear setback for a home expansion at 5300 S. 62<sup>nd</sup> Place in the RSF-5 (Residential Single Family, 5 units per acre) zoning district.**

Staff presented the request noting the plan to expand the house for better bathroom access from the pool. Staff noted the lot backs up to the subdivision detention pond and the small size of the expansion.

Phillip Johnson confirmed the addition would include a restroom. He said they have talked with the neighbors and they had no objections. In addition, he said the subdivision POA has approved the planned expansion as well. Carrie Johnson noted the expansion puts the structure closer to the detention pond, but not any closer to any neighbor.

Chairman Fry asked if anyone in the public wanted to speak regarding the request. There were none. The public hearing was declared closed.

Board members agreed that the lack of impact on neighboring property owners made the proposal acceptable.

Curry made a motion to approve the request as submitted. Second by Samuels.  
Voice vote: Unanimous-YES **Motion carried**  
**APPROVED**

**5. 21-09: Variance request by Shine Solar to allow a 76.8 square foot sign atop a canopy at 5214 W. Village Pkwy., Suite 100 in the C2-CU (Highway Commercial, Condominium Use) zoning district.**

Staff presented the request for the sign atop a canopy structure on the front of the building. Gloria pointed out the lack of wall space, the architectural design of the building, and the fact that a previous variance for the same type of sign for this building in the past.

A representative of the sign company stated that this is the best location for a sign near the tenant's entrance.

Chairman Fry asked if anyone in the public wanted to speak regarding the request. There were none. The public hearing was declared closed.

Cicioni said she remembered the previous request and would favor this one for the same reasons – the uniqueness and the challenges of the lack of wall area to hang a sign, calling it a “sensible and creative idea” for placing a sign on the building. Clark commended her wording, saying he agreed.

Cicioni made a motion to approve the request as submitted. Second by Smith.  
Voice vote: Unanimous-YES **Motion carried**  
**APPROVED**

**ACTION ON MINUTES:**

**Previous minutes:** February 11, 2021

Clark motioned to approve the minutes as presented. Second by Samuels.

Voice vote: Unanimous **Motion carried**

**APPROVED**

**Meeting adjourned at 4:46 pm.**

**As recorded by:**

Gloria Garcia

Zoning Tech

Community Development Department

City of Rogers

**Approved by vote of the Board of Adjustment on: March 8, 2021**