



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

**BOARD OF ADJUSTMENT
MINUTES
May 13, 2021**

MEMBERS PRESENT:

Hunter Fry
Roger Clark
Andrew Curry
Aaron Smith
John Schmelzle.

OTHERS ATTENDING:

Lori Ericson, Zoning Administrator
Gloria Garcia, Zoning Technician
Karen Perez, Zoning Technician

Hunter Fry called the meeting to order at 4:02 pm.

NEW BUSINESS

- 1. VAR 21-17: A request by Boston Mountain Flooring to allow the use of an existing pole sign in the C-2 (Highway Commercial) zoning district and in the city's Overlay District at 1724 S. 8th Street.**

Staff presented the request noting the applicant cites the fact that they are leasing the space and the landlord isn't interested in changing out the existing sign as a hardship.

Mike Jones, with Best Sign Group, stated the request is to update the sign faces on the existing pole sign. He confirmed the owner of the property's refusal to cooperate.

Fry opened the public hearing. There were no public comments and the hearing was closed.

Andrew Curry stated that the BOA has held fast in its denial of pole signs in the Overlay District, and with that in mind, he said he opposes the variance.

Motion by Clark to DENY the variance. Second by Smith.

Voice vote: YES – Unanimous **Motion carried**

DENIED

- 2. VAR 21-18: A request by HFA for Walmart #3479 for a variance to allow two additional**

wall signs and additional sign area in the C-4 (Open Display Commercial) zoning district and in the city's Overlay District at 1819 S. 8th Street.

Staff presented the request for the two additional wall signs and 88.58 additional sign area for a total sign area of 435.5 for the store. Staff also made note of previous variance for the structure.

Jody Ebert, with HFA representing Walmart, reviewed the request. Staff noted that one of the "Welcome" signs requested would be under the canopy over the entrance and wouldn't need a variance or a permit for that since it would be considered an interior sign. That made the request a total of 422.04 sf. in total signage, Ebert said. He noted the extensive setback from S. 8th Street and Walmart's desire to enlarge its spark logo and the pharmacy drive-through facing west. He said the trees on the south side prevent visibility from New Hope for the pharmacy sign.

Fry opened the public hearing. There were no public comments and the hearing was closed.

Schmelzle stated he supported the variance, noting the store could end up removing those trees if denied. Curry clarified the request is for less sf than the original application. Staff confirmed the request was modified to one additional wall sign and 79.77 additional sign area.

Motion by Schmelzle to APPROVE the variance request as amended. Second by Curry.

Voice vote: YES – Unanimous *Motion carried*

APPROVED

3. VAR 21-19: A request by Wing Stop to allow a roof sign, three additional wall signs, and additional sign area in the C-2 (Highway Commercial) zoning district and in the city's Overlay District at 1036 W. Walnut Street.

Staff presented its staff report on the variance request for a roof sign on the restaurant's front and three additional wall signs. Two on the west elevation at 28.3 sf and 39.3 sf, and one on the east side at 39.3 sf.

Mike Jones, with Best Sign Group, noted visibility in the request for the additional wall signs, and agreed with the staff report that the building frontage doesn't allow for any signage other than on the roof. He said the additional wall sign request is to offset the lack of freestanding signage. There's not enough room to add a monument sign without eliminating some parking.

Fry opened the public hearing. There were no public comments and the hearing was closed.

Curry noted his support for the roof sign considering the lack of a monument sign. He said, however, he finds the amount of wall signage requested alarming. Board members discussed the three wall signs, favoring the logo signs but not the additional Wing Stop sign requested for the west side of the building. Clark noted the signage on the east and west sides of the building will help with visibility without the monument sign.

Motion by Clark to APPROVE the variance for a roof sign. Second by Smith.

Voice vote: YES - Unanimous *Motion carried*

APPROVED

Board members discussed separating votes on the wall signs between the two wing –logo signs and the larger Wing Stop sign on the west side. Considering the Board’s reluctance to approve the Wing Stop name sign, Jones asked that it be withdrawn from consideration allowing a vote on the two additional logo signs only.

Motion by Clark to APPROVE the variance for the two logo signs. Second by Schmelzle.

Voice vote: YES – Unanimous *Motion carried*

APPROVED

- 4. VAR 21-20: A request by Midwest Outdoor Concepts to allow an additional wall sign in the C-2 (Highway Commercial) zoning district and in the city’s Overlay District at 2403 W. Hudson Road.**

Staff presented the request for additional wall signage noting a previous variance for a former tenant of the same retail space.

Mike Jones, with Best Sign Group, stated the need for more visibility on Hudson Road and to adequately designate the tenant’s location with frontage on both Hudson and the side parking area.

Fry opened the public hearing. There were no public comments and the hearing was closed.

Calling the issue a “no brainer” since the signage is still less than the amount allowed, Curry said he supports the proposal.

Motion by Curry to APPROVE the request. Second by Schmelzle.

Voice vote: YES – Unanimous *Motion carried*

APPROVED

- 5. VAR 21-21: A request by Chick-fil-A to reduce the required number of parking spaces in the C-2 (Highway Commercial) zoning district and in the city’s Overlay District at 4001 W. Walnut Street.**

Staff explained the request for reduced parking due to a plan to double the drive-through area and handle more traffic for the restaurant. City Code requires 54 spaces and the reduction will result in 49 spaces.

Bryan Burger, engineer representing Chick-fil-A, said the planned project will include a small building expansion and a dual-lane ordering station that will eliminate a few spaces and improve the speed of service at the drive-through.

Fry opened the public hearing. There were no public comments and the hearing was closed.

Clark said he supports the proposal with the expected improvement in traffic flow.

Motion by Clark to APPROVE the request. Second by Smith.
Voice vote: YES – Unanimous *Motion carried*
APPROVED

Previous minutes: April 8, 2021

Motion by Clark to accept the minutes for the April 8, 2021 meeting of the Board of Adjustment as presented. Second by Smith.
Voice vote: YES - Unanimous *Motion carried*
APPROVED

Meeting adjourned at 4:36 pm.

As recorded by:
Gloria Garcia
Zoning Tech
Community Development Department
City of Rogers

Approved by vote of the Board of Adjustment on: *June 10, 2021*