



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
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**BOARD OF ADJUSTMENT
MINUTES
August 13, 2020**

MEMBERS PRESENT:

Roger Clark
Andrew Curry
Mandel Samuels
Hannah Cicioni

OTHERS ATTENDING:

Ethan Hunter, City Planner
Kyle Belt, Planner I
Gloria Garcia, Planning Tech.

Roger Clark called the meeting to order at 4:05 pm.

NEW BUSINESS

20-17: A request by Brett Crowson for a variance to allow a rear setback reduction at 4 S. Queensborough Lane in the city's R-SF (Residential Single Family) zoning district.

Semyon Lisun represented the request. Staff stated the request is to allow a one foot rear setback reduction. The house was constructed in a non-conforming manner, which created a violation of the rear setback. Staff has not identified any circumstances unique to the individual property where strict enforcement of the zoning ordinance would cause undue hardship and recommends approval of the request.

Lisun stated that essentially they are needing the rear setback reduction so that they are in compliance and can obtain the remodel permit.

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

Curry stated that the house has been this way for more than decade and states that this is truly a standard cleanup.

Motion by Curry to approve the request as presented. Second by Samuels.

Voice vote: Unanimous **Motion carried**

APPROVED.

20-18: A request by Kum & Go for multiple signage variances at 200 W. Hudson Road in the city's C-3 (Neighborhood Commercial) zoning district and Overlay District.

John Sewell represented the request. Staff stated that this request involves multiple variances to the maximum number and size of proposed wall, canopy, monument and directional signage.

While portions of the request (additional wall and canopy signs) are consistent with previously approved signage, the applicant has not demonstrated any circumstances unique to the individual property where strict enforcement of the sign ordinance would cause undue hardship. Community Development recommends the following actions for each request:

1. Consider variance from Sec. 44-9(1) to allow two additional wall signs.
2. Consider variance from Sec. 44-99(1) to allow two additional canopy signs on a single canopy face.
3. Deny variance from Sec. 44-9(1) to allow 187-sf of additional wall sign area.
4. Deny variance from Sec. 44-13 to allow a 14-ft increase in monument sign height.
5. Deny variance from Sec. 44-13 to allow 9.67-sf of additional monument sign area.
6. Deny variance from Sec. 44-7(7) to allow 1.5-sf of additional sign area per directional sign.

Sewell explained the reasons for each of the requested variances. Sewell stated that this site was originally zoned C-2, which could have allowed a majority of the proposed signage but when they rezoned to C-3 it limited their signage.

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

Samuels asked staff if it was correct that the applicant is allowed one canopy sign per canopy face which is to be deducted from the allowed total sign area. Staff stated that was correct.

Cicioni asked the applicant if they were aware of the signage restrictions in C-3 that differed from the C-2 zoning when they rezoned. Sewell stated that when they were in the rezone process they didn't look at the allowed signage for C-3 and were not aware of the differences.

Curry stated that the request for the two additional wall signs and two additional canopy signs on a single canopy face were reasonable and not relatively large and should be considered. Curry stated that they should also consider the additional wall sign area to accommodate the additional wall and canopy signs.

Motion by Curry to approve the request to allow two additional wall signs. Second by Cicioni.

Voice vote: Unanimous **Motion carried**
APPROVED

Motion by Curry to approve the request to allow two additional canopy signs on a single canopy face. Second by Samuels.

Voice vote: Unanimous **Motion carried**
APPROVED

Motion by Curry to approve the request to allow 187-sf of additional wall sign area. Second by Cicioni.

Voice vote: Unanimous **Motion carried**
APPROVED

Motion by Curry to deny the request to allow a 14-ft increase in monument sign height. Second by Cicioni.

Voice vote: Unanimous **Motion carried**
DENIED

Motion by Curry to deny the request to allow 9.67-sf of additional monument sign area.
Second by Cicioni.
Voice vote: Unanimous **Motion carried**
DENIED

Motion by Samuels to deny the request to allow 1.5-sf of additional sign area per directional sign. Second by Curry.
Voice vote: Unanimous **Motion carried**
DENIED

Previous minutes: July 23, 2020

Curry motioned to approve the minutes from July 23, 2020. Second by Samuels. Voice vote: (unanimous). Motion carried. **APPROVED.**

Meeting adjourned at 4:42 pm.

Roger Clark, Board of Adjustment Secretary