



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

**BOARD OF ADJUSTMENT
MINUTES
October 24, 2019**

MEMBERS PRESENT:

Aaron Smith, Chair
Eriks Zvers, Planning Commission Representative
Hannah Cicioni
Andrew Curry
Roger Clark

OTHERS ATTENDING:

Ethan Hunter, City Planner
Chris Robinson, Planner I
Jessie Masters, Planner III
Gloria Garcia, Planning Technician

Chair Aaron Smith called the meeting to order at 4:00 pm.

OLD BUSINESS

19-47: A request by Meghan Gallo for a variance to allow a freestanding sign at 1 Halsted Cir. In the city's C-2 (Highway Commercial) zoning district and in the city's Overlay District.

Meghan Gallo represented the request. Staff stated that the applicant is requesting the use of an existing freestanding sign but due to the site being in the Overlay District, the use of the freestanding sign is prohibited, instead allowing a monument sign at 10' in height and 100 square feet in sign area. Staff outlined that the freestanding sign is permitted to be maintained as a nonconforming sign but any changes made will then have to be compliant with the sign code.

Gallo stated that she is one of the many businesses in the office building that sits perpendicular to Walnut Street, which makes it difficult for clients to know where she is located. Gallo states that signage on the freestanding sign would help promote their businesses.

Smith opened the public hearing and proceeded as follows:

- David Bordovsky- landlord/property owner, stated that the freestanding sign is like a landmark and has been well maintained over the years and would like to keep it that way.
- James Curtis- tenant, stated that they are not requesting to modify the sign and only want to install new tenant panels.
- Rick Wilson- tenant, stated that their business has suffered due to not being

allowed signage on the freestanding sign.

- No attendees spoke against the request.

Cicioni asked if the request was only for the allowance of a tenant panel for Meghan Gallo. Staff stated that the request by Gallo is to allow the use of the freestanding sign for all tenants at 1 Halsted Circle.

Curry stated that the freestanding sign is shaped uniquely and not really a pole sign but under the code they are both the same thing. Clark agreed that the freestanding is different but stated that it is clearly prohibited by the city. Cicioni stated in the past they have been very consistent with denying changes to pole signs in the Overlay District and correlates this request with what they have been very consistent with.

Motion by Curry to deny the use of the freestanding sign. Second by Cicioni. Voice vote: (unanimous). Motion carried. **DENIED.**

NEW BUSINESS

19-49: A request by Andres Forero for a variance to allow an exterior side setback reduction from 45' to 15' and a rear setback reduction from 45' to 30' at the northeast corner of S. 54th St. and W. Village Pkwy. in the city's C2-CU (Highway Commercial, Condominium Use) zoning district.

Andres Forero represented the request. Staff stated that the applicant is seeking to build on office building on the property and are requesting to reduce two exterior side setbacks to create a more buildable lot.

Forero stated that with the required right-of-way dedications and the required setbacks it leaves the buildable area to less than 3,000 square feet.

Smith opened the public hearing. Seth Holder, property owner, spoke in favor of the request. Holder stated he is wanting to construct a building that is similar in size to the existing buildings in the development. The public hearing was then closed.

Curry stated that in the staff report it outlines that having two exterior side setbacks presents a site specific hardship and he agrees with the statement but it doesn't necessarily grant the variance.

Motion by Cicioni to approve the variance request for an exterior side setback on the west property line as presented. Second by Clark. Voice vote: (unanimous). Motion carried. **APPROVED.**

Motion by Cicioni to approve the variance request for an exterior side setback on the north property line. Second by Zvers. Voice vote: (unanimous). Motion carried. **APPROVED.**

Previous minutes: September 26, 2019

Clark motioned to approve the minutes from September 26, 2019. Second by Zvers.
Voice vote: (unanimous). Motion carried. **APPROVED.**

Meeting adjourned at 4:21 pm.

Roger Clark, Board of Adjustment Secretary