



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

**BOARD OF ADJUSTMENT
MINUTES
June 27, 2019**

MEMBERS PRESENT:

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

OTHERS ATTENDING:

Beth Johnson, Planner II
Gloria Garcia, Planning Technician

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

OLD BUSINESS

19-38: A request by KFC for a variance to allow changes on a nonconforming pole sign at 507 S. 8th Street in the city's C-2 (Highway Commercial) zoning district and in the city's Overlay District.

Joe Conway represented the request. Staff outlined that the applicant is requesting to add the word buffet onto their non-conforming pole sign, which is considered a change of copy and not permitted. Staff stated that the applicant would be allowed a 6' monument with 72 square feet of sign area.

Conway stated that they are requesting a small change to the pole sign hoping this will bring awareness to customers that the restaurant has a buffet. Conway also stated that the restaurant has lost 4 wall signs that were proposed.

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

Members from the board asked staff if the applicant would have been permitted a like-for-like change. Staff stated that like-for-like changes are allowed but by adding new text it was now a change of copy.

Motion by Cicioni to deny the variance request to allow changes on a non-conforming pole sign. Second by Zvers. Voice vote: (unanimous). Motion carried. **DENIED.**

NEW BUSINESS

19-39: A request by River Dental for a variance to allow additional sign area at 2603 W. Pleasant Grove Road in the city's C-2 (Highway Commercial) zoning district and in the city's Overlay and Interstate district.

Don Cobb represented the request. Staff outlined that the applicant is requesting 74.43 square feet of additional sign area. Staff stated that the previous tenant, Ventura Dental, was granted a variance for 46.5 square feet of additional sign area. Staff has also contacted the property owner letting them know any future tenants with a sign greater than 25 square feet will be required to apply for a variance as well.

Cobb stated that the sign area allowed for the building has been met, leaving no sign area for his client.

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

Members of the board are concerned about how many other future tenants will be require variances.

Cicioni asks the applicant the reasoning behind the request. Cobb answers that they have changed ownership and has no answers as to why they are making it larger than what is permitted by right. Cobb states that the way the sign is measured there is some wasted space taken into account, making the sign area larger but not necessarily the actual sign.

Motion by Curry to approve the variance request for 74.43 square feet of additional sign area. Second by Clark. Voice vote: (unanimous). Motion carried. **APPROVED.**

Previous minutes: June 13, 2019.

Clark motioned to approve the minutes from June 13, 2019. Second by Zvers. Voice vote: (unanimous). Motion carried. **APPROVED.**

Meeting adjourned at 4:16 pm.

Roger Clark, Board of Adjustment Secretary