



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
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**BOARD OF ADJUSTMENT
MINUTES
January 10, 2019**

MEMBERS PRESENT:

Hannah Cicioni
Roger Clark
Andrew Curry
Aaron Smith
John Schmelzle, Planning Commission Representative

OTHERS ATTENDING:

Bonnie Bridges, Staff Attorney
Lori Ericson, Planning Administrator
Beth Johnson, Planner II
Kara King, Planning Technician
John McCurdy, Director of Community Development

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

NEW BUSINESS

19-01: A request by Mercy Go Health for a variance to allow an additional wall sign at 2012 S. Promenade Blvd. in the city's C-2 (Highway Commercial) zoning district.

Staff indicated that the request is for an additional wall sign for the endcap tenant, Mercy Go Health. A similar request by AT&T, located in the same building, was approved in 2015. The request is for one additional sign and no additional sign area is requested.

Tray Watts with Springfield Sign representing the request, had no additional comments for the Board.

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

Schmelzle motioned to approve the variance request for one additional wall sign. Second by Curry. Voice vote: (unanimous). Motion carried. **APPROVED.**

19-02: A request by Landmarc Custom Homes for a variance to reduce the exterior side setback (from 30' to 20') at 5500 W. Lakewood Drive in the city's RSF-4 (Residential Single Family, 4 units per acre) zoning district.

Staff indicated that the request was to reduce the exterior side setback from 30' to 20' to allow for the construction of a new home. The lot is currently undeveloped and staff was unable to determine any site-specific hardships.

Tim Boudrey with Landmarc Custom Homes representing the request, stated the variance would allow him to construct a home comparable in size to other homes in the neighborhood.

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

Clark and Cicioni indicated that no site-specific hardship was presented.

Motion by Cicioni to deny the exterior side setback reduction from 30' to 20'. Second by Clark. Voice vote: Yes- Cicioni, Clark, Smith, Schmelzle. Curry abstained. Motion carried. **DENIED.**

19-03: A request by Landmarc Custom Homes for a variance to reduce the exterior side setback (from 30' to 20') at 5501 W. Lakewood Drive in the city's RSF-4 (Residential Single Family, 4 units per acre) zoning district.

19-04: A request by Landmarc Custom Homes for a variance to reduce the exterior side setback (from 30' to 20') at 5500 W. Bay Drive in the city's RSF-4 (Residential Single Family, 4 units per acre) zoning district.

Applicant, Tim Boudrey, requested to withdraw applications 19-03 and 19-04.

Clark motioned to withdraw both requests. Second by Cicioni. Voice vote: Yes- Cicioni, Clark, Smith, Schmelzle. Curry abstained. Motion carried. **WITHDRAWN.**

19-05: A request by Carlton Laws for a variance to reduce the rear setback, utility easement, and drainage easement (from 20' to 10') at 5602 S. 46th St. in the city's RSF-5 (Residential single Family, 5 units per acre) zoning district.

Staff outlined that the request is for a 10' rear setback reduction to allow for the construction of a pool. Carlton Laws representing the request, had no additional comments for the Board.

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

Cicioni motioned to approve the rear setback reduction from 20' to 10'. Second by Clark. Voice vote: (unanimous). Motion carried. **APPROVED.**

19-06: A request by Valley West, Phase II for a variance to reduce the front setback (from 30' to 20') and the rear setback from (30' to 7') at 2.63 acres on N. Valley West Drive in the city's RMF-8A (Residential Multifamily, 8 units per acre, ownership) zoning district.

Staff indicated that the front setback reduction would be accompanied by a condition to dedicate 17.47' of additional right-of-way along N Valley West Drive. The townhomes directly south of this property are 24' from the right-of-way versus the 30' required by Code. Because the site is next to the Razorback Greenway and Turtle Creek floodway, no development would be negatively impacted by this reduction.

Reed Hill and Barry Williams with Crafton Tull and Associates represented the request. Hill reiterated that the front right-of-way dedication would be greater than what is typically required of a minor street. The rear, southern-most structure would remain 35' from the Razorback Greenway if the rear setback reduction was approved.

Smith opened the public hearing and proceeded as follows:

- Perry Olsen – concerns over the impact on the Razorback Greenway and traffic along N. Valley West Drive.
- Amy Wolfe – opposition to the rear setback reduction due to the Razorback Greenway. The proposed structure would be closer to the trail than the existing townhomes to the south.
- Mike Eldridge – concerns over the impact on the trail, particularly public safety.
- Kathy Wingert expressed concerns over density. Schmelzle stated that the density had been determined by Planning Commission during the rezone request. Wingert expressed concerns over safety and visibility along the Razorback Greenway.
- Two citizens, no information provided, also voiced concerns over safety and visibility along the Razorback Greenway.
- No attendees spoke in favor of the request.

Smith asked how many alternative plans the applicants have looked at for this site. Hill replied 2-3 alternatives were developed. The most recent proposal has the units shifted to the East to accommodate an existing water line that runs north to south across the lot.

Curry motioned to approve the front setback reduction on lot 7 and lot 6 from 30' to 20' as presented on the condition that the applicant dedicate the 42.47 feet of right-of-way on the setback reduction survey. Second by Schmelzle. Voice vote: Yes – Cicioni, Curry, Schmelzle, Smith. No- Clark. Motion carried. **APPROVED.**

Curry motioned to approve the rear setback reduction on tract A1 from 30' to 7'. Second by Schmelzle. Voice vote: Yes – Cicioni, Curry, Schmelzle, Smith. No- Clark. Motion carried. **APPROVED.**

19-07: A request by Elite Rental and Outdoors for a variance to allow an additional wall sign at 2410 S 8th St in the city's C-4 (Open Display Commercial) zoning district.

Staff outlined the request is for one additional wall sign. The applicant is not requesting any additional sign area. John Dykema representing the request, had no additional comments for the Board.

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

Motion by Clark to approve the request for one additional wall sign. Second by Curry. Voice vote: (unanimous). Motion carried. **APPROVED.**

Previous minutes: December 27, 2018.

Clark motioned to approve the minutes from December 27, 2018. Second by Curry. Voice vote: (unanimous). Motion carried. **APPROVED.**

Meeting adjourned at 4:55 pm.

Roger Clark, Board of Adjustment Secretary