



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

**BOARD OF ADJUSTMENT
MINUTES
December 12, 2019**

MEMBERS PRESENT:

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

OTHERS ATTENDING:

Lori Ericson, Planning Administrator
Chris Robinson, Planner I
Gloria Garcia, Planning Technician

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

OLD BUSINESS

19-51: A request by Phone Fix for a variance to allow additional signage space at Suite 125 of 1400 W. Walnut Street in the city's C-2 (Highway Commercial) zoning district.

Staff stated that the applicant was not present.

Motion by Curry to table the variance request. Second by Clark. Voice vote: (unanimous). Motion carried. **TABLED.**

19-54: A request by Signs Unlimited, Inc. for a variance to increase allowable square footage for signage at 4327 S. Pleasant Crossing Blvd. in the city's C2-CU (Highway Commercial-Condominium) zoning district.

The applicant requested to withdraw the application. **WITHDRAWN.**

NEW BUSINESS

19-55: A request by Jeffrey Whitham for a variance to allow an exterior side setback reduction from 25' to 20.2' at 901 N. Mallard Ln. in the city's RSF-5 (Residential Single Family, 5 units per acre) zoning district.

Jeffrey Whitham represented the request. Staff stated that the applicant's existing home encroaches into the exterior side setback and is requesting to reduce the setback so that they may move forward with selling the home.

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

Board members found this to be a reasonable request.

Motion by Curry to approve the variance request for an exterior side setback reduction from 25' to 20.2'. Second by Zvers. Voice vote: (unanimous). Motion carried.

APPROVED.

19-56: A request by Quick and Easy Storage for a variance to allow a freestanding sign at 753 W. Pleasant Grove Rd. in the city's C-4 (Open Display Commercial) zoning district and in the City's Overlay District.

Mike Jones represented the request. Staff stated that the applicant is requesting to install a pole sign but because the site is in the Overlay District, the use of the pole sign is prohibited. Staff stated if the site was outside the Overlay District, a pole sign would be allowed by right in the C-4 (Open Display Commercial) zoning district.

Jones stated he has three reasons for the variance request: a cluttered intersection that would make a monument sign obscure, as well as an elevation change and railroad tracks between the property and 8th Street. Jones stated that his client would like to have the highest visibility he can achieve.

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

Curry stated that the railroad tracks and elevation change is pretty uniform along that stretch of 8th Street so it's not really site specific. Cicioni stated that they could capture northwest traffic since they are allowed wall signage off of Pleasant Grove Road and 8th Street. Cicioni also stated that they've denied similar requests along 8th Street in the past.

Motion by Clark to deny the request for a freestanding sign. Second by Curry. Voice vote: (unanimous). Motion carried. **DENIED.**

19-57: A request by Darrel Donohew for variances allowing front, rear, and interior side setback reductions, a reduction from the lot size requirements, and allowing more than the maximum building coverage on 0.1 acres south of E. Hemlock St. and east of N. C St. in the city's RSF- 5 (Residential Single Family, 5 units per acre) zoning district.

Darrel Donohew represented the request. Staff stated that the site is actually in the R-DP (Residential Duplex Patio Home) zoning district and the applicant intends to build a duplex on the property. Staff also stated that the applicant was told by 911 Address Info. to address the property off of E. Hemlock St. which stops the applicant from meeting certain requirements.

Donohew stated that he is wanting to build a duplex under 700-square feet.

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

Curry stated that without approving the overlapping front and rear setbacks, the property would be useless. Board members discussed that the applicant could be trying to do too much with too little.

Motion by Zvers to approve the variance request as presented. Second by Curry. Voice vote: (unanimous). Motion carried. **APPROVED.**

19-58: A request by Peter Farmer for a variance to allow an exterior side setback reduction from 25' to 20' on Lot 93 of Scissortail Subdivision in the city's R-SF (Residential Single Family) zoning district.

Joey Ingle represented the request. Staff stated that the lot has three exterior side setbacks which reduces the buildable area on this lot. Staff stated that there is also a rock wall on the east, screening any potential structures from Scissortail Drive.

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

Curry stated that the irregular shape and the setback requirements created by the intersection presents a site specific hardship.

Motion by Cicioni to approved the variance request for an exterior side setback reduction from 25' to 20'. Second Clark. Voice vote: (unanimous). Motion carried. **APPROVED.**

Previous minutes: November 20th, 2019

Clark motioned to approve the minutes from November 20th, 2019. Second by Zvers. Voice vote: (unanimous). Motion carried. **APPROVED.**

Meeting adjourned at 4:30 pm.

Roger Clark, Board of Adjustment Secretary