



**BOARD OF ADJUSTMENT
AGENDA
November 9, 2016**

I. Call to Order

II. Approval of Minutes

1. October 26, 2016 Minutes

III. New Business:

1. Food Hub NWA, LLC
801 Southeast 8th Street

- Maximum Single Tenant Sign Area

Variance*

2. Troy Link Enterprises, LLC
805 South Walton Boulevard

- Fence Location Adjacent to Public Right-of-Way

Variance*

IV. Other Business

V. Adjournment

Board of Adjustment
Minutes
October 26, 2016

Meeting called to order at 5:00 p.m. by Rustin Chrisco, Chairman

Present: Joe Haynie, Sam Pearson, and Rustin Chrisco
Absent: Jan Holland and Rick Rogers

Motion by Mr. Pearson, seconded by Mr. Haynie to approve the minutes of October 12, 2016 as written
Approved 3-0

New Business:

Item #1

Terry and Jill Pike, Variance request for fence and wall requirements (front yard fence height), 1523
Dysart Woods Lane, Zoned R-1.

Ms. Pike spoke on her behalf and presented pictures to the Board.

Staff noted that this fence height was typical along J Street and that the Pike house was the only one
oriented this way. The Board stated that as a result, this left little backyard to be utilized.

Approved 3-0

Motion by Mr. Chrisco to adjourn, seconded by Mr. Pearson
Meeting adjourned

Ali Worley

*Please note there is no recording available and these notes were added by Jon Stanley after the
meeting had taken place.

BOA STAFF REPORT

16-11000034, Food Hib NWA, LLC, Signs on Private Property (Max. Sign Area)

TO: Bentonville Board of Adjustment Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
BOA DATE: November 9, 2016

GENERAL INFORMATION:

Representative: Brenda Anderson

Applicant: Food Hub NWA, LLC

Location: 801 Southeast 8th Street

Existing Zoning: C-2, General Commercial

Existing Land Use: Culinary School/Commercial Office

REQUEST: Variance

Maximum Sign Area Variance		
	Regulation	Request
Article 801, Sec 801.15.A Maximum Sign Area (per face)	Maximum area (per face) of a freestanding, single tenant sign shall be shall be 60 square feet (per face).	Request of: 92 sq. ft. (pre face) Variance of: 32 sq. ft. (per face)

SURROUNDING ZONING:

Direction	Zoning
North	I-2, Heavy Industrial & C-1, Neighborhood Commercial
South	R-1, Single Family Residential, R-3, Medium Density Residential & I-2, Heavy Industrial
East	I-2, Heavy Industrial
West	I-2, Heavy Industrial

BACKGROUND:

The applicant has submitted a variance request to the maximum area (per face) of a freestanding, single tenant sign. The applicant is requesting 92 square feet of sign area be allowed (per face) which is a variance of 32 square feet (per face) from the 60 square feet (per face) allowed by ordinance. (See attached)

PUBLIC COMMENT:

Staff has **NOT** received public comment regarding this request.

CONDITIONS OF APPROVAL:

If approved, the following condition(S) shall apply:

1. The approved variance shall be for the proposed height, area, location and materials of the sign only, as provided by the applicant within this application.
2. The applicant shall obtain a sign permit prior to constructing the sign.
3. The sign must be located a minimum of 5' from all public utilities.

NARRATIVE
Variance Request

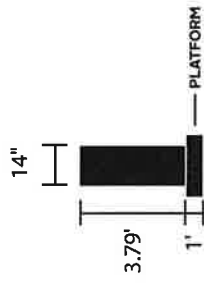
Food Hub NWA LLC
801 SE 8th
Free-Standing Sign Size

As illustrated by the attached, the Owner proposes the construction of a free-standing sign of approximately 92 square feet in size. The size is above that allowed for a single tenant (60 sf), but below that allowed for a multiple tenant sign (100 sf). The sign language "MARKET" alludes to multiple tenants, but the tenants are not identified individually on the sign.

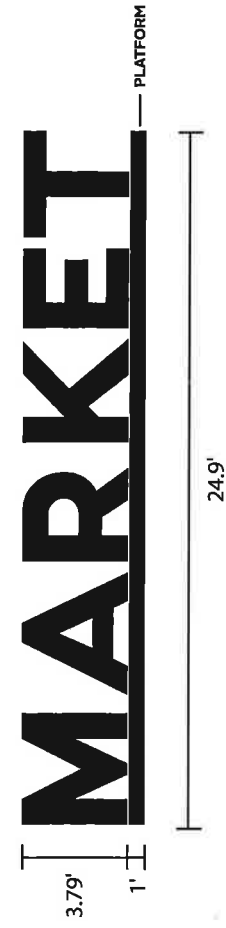
Please note that the sign is located more than 100' from the new SE 8th Street R.O.W. and will be "in scale" with the building and the surroundings (see rendering). Please consider allowing this interpretation/request on the basis on these conditions which may not have been contemplated by the ordinance.

MARKET MONUMENT

SIDE VIEW

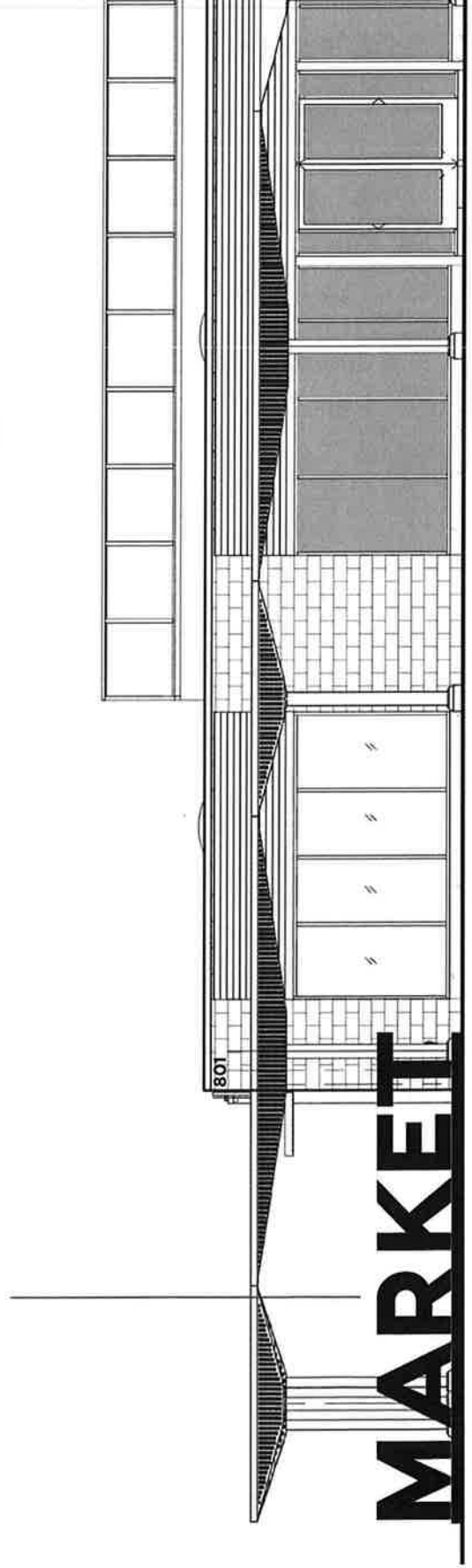


FRONT VIEW



CONCRETE MARKET MONUMENT SIGN

Size approximately 24.9'w x 3.79'h x 14"d.



MARKET MONUMENT



BOA STAFF REPORT

16-11000035, Troy Link Enterprises, LLC, Fence and Wall Requirements (Fence Location Adjacent to R/W)

TO: Bentonville Board of Adjustment Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
BOA DATE: November 9, 2016

GENERAL INFORMATION:

Representative: Morrison Shipley Engineers (Patrick Foy)

Applicant: Troy Link Enterprises, LLC

Location: 805 South Walton Boulevard

Existing Zoning: C-3, Central Commercial

Existing Land Use: Office Building

REQUEST: Variance

Fence Location Adjacent to Public Right-of-Way		
	Regulation	Request
Article 1400, Sec 1400.15.D.6, Fence Location Adjacent to Public Right-of-Way	No closer than 5' to the current or proposed public right-of-way as prescribed with the Master Street Plan	Request of: 0' Variance of : 5'

SURROUNDING ZONING:

Direction	Zoning
North	C-2, General Commercial
South	C-2, General Commercial
East	C-2, General Commercial
West	C-2, General Commercial

BACKGROUND:

The applicant has submitted a variance request to the location of a 3' tall wrought iron fence adjacent to the public right-of-way for property located at 805 South Walton Boulevard and known as the 8W Center. The applicant is requesting the proposed wrought iron fence be located on the public right-of-way line for approximately 265'

along South Walton Boulevard frontage. This is a variance of 5' from the 5' required by ordinance. See attached site plan and narrative for additional information.

PUBLIC COMMENT:

Staff has **NOT** received public comment regarding this request.

CONDITIONS OF APPROVAL:

If approved, the following condition(S) shall apply:

1. The approved variance shall be for the proposed height, location and materials of the fence only, as provided by the applicant within this application.
2. The fence shall be bolted to the concrete sidewalk/patio, no footings or subsurface post shall be permitted.
3. The applicant shall obtain a fence permit prior to constructing the fence.



MORRISON SHIPLEY

ENGINEERS • SURVEYORS

October 12, 2016

Board of Adjustments
City of Bentonville
315 S.W. "A" St.
Bentonville, AR 72712

**Re: 8W Center
805 S. Walton Boulevard, Bentonville, AR
Variance Request**

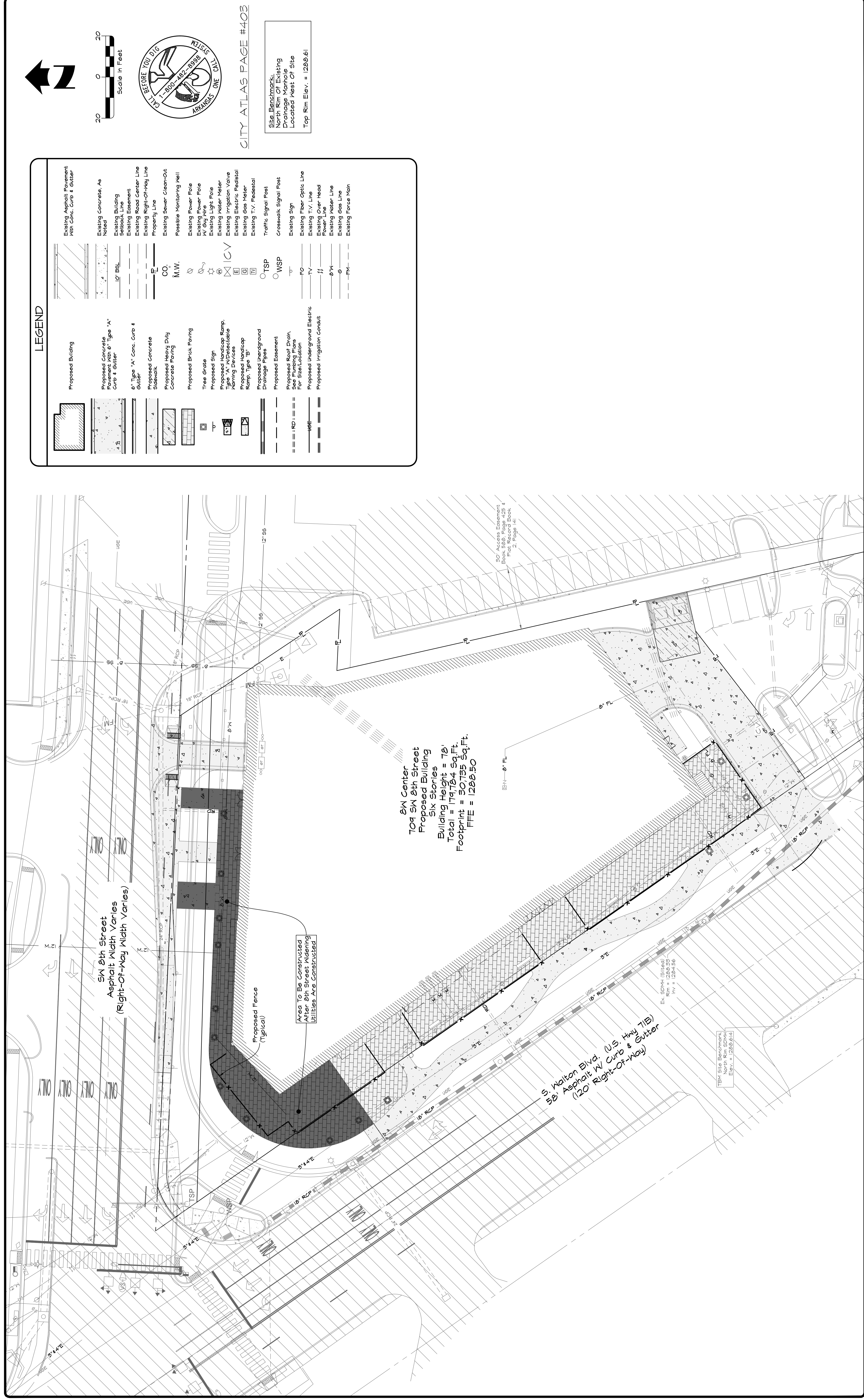
Dear Board Members:

The 8W Center that is currently under construction at the southeast corner of SW 8th Street and S. Walton Blvd is coming close to completion. The goal of this project is to create a downtown atmosphere, and promote a welcoming but safe setting to the public. **We are respectfully requesting a variance from the 5' setback of fencing adjacent to Right of Way to allow the patio fencing to be built on the property line.** We are proposing a wrought iron fence approximately 36" tall that will be bolted to the concrete sidewalk/patio area located on the property line. The fence would create a separation between the patio for the 8W Center and the traffic along SW 8th Street and S. Walton Blvd. We have coordinated with Preston Newbill with the water department and he has approved the location so long that the bolted connection is used and the variance is approved by the Board of Adjustments. The fence will total approximately 265' of the 335' of Walton frontage. There will be two access points to the 8W Center along Walton to ensure it is inviting to the public. The fence location will provide plenty of room for the patio site amenity and to create a sense of safety for the customers. For the reasons listed above, we ask that a variance be granted for the location of the fence for the proposed 8W Center building.

Sincerely,
Morrison Shipley Engineers, Inc.
Representing Troy Link Enterprises, LLC



Patrick Foy E.I.
Project Manager



8W Center
 709 SW 8th Street
 Proposed Building
 Six Stories
 Building Height = 78'
 Total = 179,784 Sq.Ft.
 Footprint = 30,735 Sq.Ft.
 FFE = 1288.50

SW 8th Street
 Asphalt Width Varies
 (Right-Of-Way Width Varies)

S. Walton Blvd. (U.S. Hwy 71B)
 58' Asphalt W/ Curb & Gutter
 (120' Right-Of-Way)

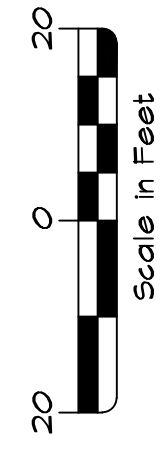
Proposed Fence
 (Typical)

Area To Be Constructed
 After 8th Street Widening
 Utilities Are Constructed

LEGEND

	Proposed Building		Existing Asphalt Pavement With Conc. Curb & Gutter
	Proposed Concrete		Existing Concrete, As Noted
	Proposed Concrete Curb & Gutter		Existing Building Setback Line
	Proposed Concrete Curb & Gutter		Existing Easement
	Proposed Concrete Curb & Gutter		Existing Road Center Line
	Proposed Concrete Curb & Gutter		Existing Right-of-Way Line
	Proposed Concrete Curb & Gutter		Property Line
	Proposed Concrete Curb & Gutter		Existing Sewer Clean-Out
	Proposed Concrete Curb & Gutter		Proposed Sewer Clean-Out
	Proposed Concrete Curb & Gutter		Proposed Heavy Duty Concrete Paving
	Proposed Concrete Curb & Gutter		Proposed Brick Paving
	Proposed Concrete Curb & Gutter		Tree Grate
	Proposed Concrete Curb & Gutter		Proposed Sign
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "A", ADA/Accessible
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "B"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "C"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "D"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "E"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "F"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "G"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "H"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "I"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "J"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "K"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "L"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "M"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "N"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "O"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "P"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "Q"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "R"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "S"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "T"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "U"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "V"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "W"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "X"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "Y"
	Proposed Concrete Curb & Gutter		Proposed Handicap Ramp, Type "Z"

Site Benchmark
 North Edge Of Existing
 Drainage Manhole
 Located West Of Site
 Top Rim Elev. = 1288.61



Drawn By:	JDS
Approved By:	JRW
Date:	09.29.16
Project No.:	PER-01
Drawing Name:	Plan Sheets

FOR REVIEW

MORRISON SHIPLEY
 ENGINEERS + SURVEYORS
 2407 SE Cottonwood Street • Bentonville, AR 72712 • 478-273-2268 • morrisonshipleyma.com

Revision	By	Date