



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

I. Call to Order

II. Approval of Minutes

III. New Business:

1. Benton Mobly, LLC

Variance*

1800 Southeast Moberly Lane

- Wall sign area in an R-O, Residential Office Zoning Designation

IV. Other Business

V. Adjournment

Board of Adjustment
Minutes
February 24, 2016

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

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

Motion by Haynie, seconded by Pearson to approve the minutes of February 10, 2016 as written.
Approved 5-0

NEW BUSINESS:

Item #1

Gene Waldon, 303 Northwest 'B' Street, Front & Rear Setback Variance, Zoned R-1, Single Family Residential.

The applicant has submitted a variance request to the Front Setback for property located in the R-1, Single Family Residential zoning classification to allow for the construction of a new single family residence. The applicant is requesting a 9' front setback be allowed which is a variance of 11' from the 20' required by ordinance.

In addition the applicant is also requesting a variance to the Rear Setback for the property. The applicant is requesting a 10' rear setback be allowed which is a variance of 15' from the 25' required by ordinance.

Public water and sewer service are within the right-of-way of Northwest 'B' Street and there are no utility easements that are located along the front or rear of the property that would be impacted by the construction of the home. Adequate right-of-way exists along Northwest 'B' Street.

Opened public hearing

Bill Norwood representative-construction of a new 1700 sq. ft. home for future retirement.

Jan Waldon-husband has serious back issues so they building a future home that can accommodate for any future disabilities, right now the current house is a 2 story.

Closed public hearing

Rustin-does the city have any issues?

Jon-no this falls in line what we will see more of in the future, rear load garages, walkability and pedestrian friendly area downtown.

What style of home? Bill Craftsman

No other questions

Vote on Front Setback

Approved 5-0

Vote on Rear Setback

Approved 5-0

Meeting Adjourned

Diane Shastid

BOA STAFF REPORT

16-11000006 – Benton Mobly, LLC – Wall Sign Area Variance

TO: Bentonville Board of Adjustment Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
BOA DATE: February 24, 2016

GENERAL INFORMATION:

Representative: Laura Tucker

Applicant: Benton Mobly, LLC

Location: 1800 Southeast Moberly Lane

Existing Zoning: R-O, Residential Office

Existing Land Use: Commercial

REQUEST: Variance

Wall Sign Area Variance		
	Regulation	Request
Article 800, Sec 801.9.A Maximum Wall Sign Area Requirements for R-O, Residential Office	4 square feet max.	Request of: 33.5 square feet Variance of : 29.5 square feet

SURROUNDING ZONING:

Direction	Zoning
North	R-O, Residential Office
South	R-3, Medium Density Residential
East	R-4, High Density Residential
West	R-1, Single Family Residential

BACKGROUND:

The applicant has submitted a variance request to the Maximum Wall Sign Area for property located in the R-O, Residential Office zoning classification to allow for the installation of new wall signage on the east wall of an existing office building. The applicant is requesting 33.5 square feet of total wall signage be allowed. Thirty one square feet will be utilized by a Business Identification sign on the east façade while 2.5 square feet will be used to identify the entrance on the east side as the physical therapy entrance. This is a variance of 29.5 square feet from the 4 square feet allowed by ordinance.

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 wall signage only, as provided by the applicant within this application.



Current zoning is RO for 1800 SE Moberly.

Our client, Ozark Orthopaedics originally requested a road sign at the allowed 32square feet. However, under new setback regulations on this road – the sign would have to be set in the parking lot.

Hardships of road sign installed in parking lot:

It is behind a tree line making visibility difficult when trees are in bloom.

It sets back further than the neighboring apartment fence line which creates a visibility issue.

New setback regulations require the road sign to be placed 10' back from current right-of-way which places the sign past parking lot curb into parking spaces.

Customers cannot find the clients business and this is detrimental for success of business.

In the RO zone you are only allowed 4 sq ft of signage which on a building of this size is minimal.

We are requesting a variance to allow our client to have a readable building signs in lieu of a road sign.

We are requesting up to 31 sq ft of building signage along with an additional 2.5' feet over each entrance.

Ozark Orthopaedics currently resides in 2 of the 3 lease spaces and is in the process of acquiring the 3rd space as it comes available this summer.

We are asking for building signage to be allowed on the building noting the name of the business and the department above each of the 2 doors. A tasteful non-illuminated sign constructed of flat cut acrylic letters mounted directly to the building. This would be placed on the street frontage side of the building to help clients locate their destination. We also request that a sign be placed over the 2nd suite entrance so that patients can correctly locate each distinct department. Also, shown is an alternative small directional sign in the corner of the property snugged up against the building in the landscaped area that would be another addition or alternative. This type and size of sign would typically be allowed under normal zoning allowances.

Attached is a letter from the property owner in support of the above request.

Thank you for your consideration.

Laura Tucker, President

Ozark Orthopaedics

PHYSICAL THERAPY

A NON-ILLUMINATED FLAT CUT ACRYLIC -3/8" - 1'

OZARK ORTHOPAEDICS : 31 SQ FT
NON-ILLUMINATED
21" FLAT CUT ACRYLIC LETTERS
QTY 1

PHYSICAL THERAPY : 2.5 SQ FT
NON-ILLUMINATED
FLAT CUT ACRYLIC LETTERS
QTY 1

BUILDING SQUARE FOOTAGE : STREET FACING : 845 SQ FT
LINEAR FT 57'



SCALE
LOCATION
DATE
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1/8" - 1'

anyway, you sign would sit too far back to be visible
would have to be installed in parking lot due to city setbacks



proposed sign location

