



**BOARD OF ADJUSTMENT
AGENDA
May 13, 2015**

I. Call to Order

II. Approval of Minutes

III. New Business:

- 1. ARC KGBTVAR001, LLC (Kum & Go)**
3610 Southwest Regional Airport Boulevard
(Signage, Fuel Canopies)

Variance*

IV. Other Business

V. Adjournment

Board of Adjustment
Minutes
April 22, 2015

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

Present: Joe Haynie, Sam Pearson, Jan Holland and Rick Rogers.

Absent: Rustin Chrisco

Motion by Haynie, seconded by Holland to approve the minutes of April 8, 2015 as written.
Approved 4-0

New Business:

Item #1

TTTSC,LLC: (15-11000009)Lot Width, 708 Southwest 'O' Street, Zoned R-1.

The applicant has submitted a variance request to the minimum street frontage requirement for property located in the R-1, Single Family Residential zoning classification. The applicant is requesting that 25 feet of street frontage be allowed for two (2) proposed lots which is a variance of 35 square feet from the 60 feet required by ordinance. Ordinance states that each lot shall have a minimum street frontage equal to the minimum lot width required at the building line except for lots fronting on cul-de-sacs and curving streets. The variance request is to allow the use of the existing red dirt road bed.

Opened public hearing

Tyler Steele representative was available for questions.

Closed public hearing

If approved the following contingencies shall apply:

1. The approved variance shall be for the two(2)proposed lots only, as provided by the applicant within this application.
2. A lot split creating the two(2)proposed lots shall be approved, filed and recorded.

Approved 4-0

Item #2

Richard Lambert: (15-11000007)Side Interior and Rear Setback Variance, 306 Southwest 'E' Street, Zoned R-1.

The applicant has submitted a variance request to the Side Interior setback for property located in the R-1, Single Family Residential zoning classification. The applicant is requesting a 0 feet Side Interior setback be allowed which is a variance of 7 feet from the 7 feet required by ordinance. In addition the applicant is also requesting a 8 feet Rear setback be allowed which is variance of 17 feet from the 25 feet required by ordinance. The proposed variance is for an addition to the primary dwelling unit. Fifty feet of right-of-way currently exist along Southwest Glover Street.

Opened public hearing

Jack Lambert spoke on behalf of his father

Closed public hearing

Side Interior setback for the property located in the R-1, Single Family Residential zoning classification.

Approved 4-0

Also requesting a 8 feet rear setback be allowed which is a variance of 17 feet from the 25 feet required by ordinance.

Approved 4-0

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

1. The approved variance shall be for the proposed structure only, as provided by the applicant within this application.
2. Structure shall comply with 2012 IRC.

Approved 4-0

Item #3

Russell Martin: (15-11000008)Martin, Side Exterior Setback and Rear Setback Variance, 1914 Southwest Marquette Road, Zoned R-1, Single Family Residential.

The applicant has submitted a variance request to the Side Exterior and Rear setback for property located in the R-1, Single Family Residential zoning classification. Ordinance states that an accessory building shall be no larger 720 square feet or the structure must meet the setbacks for the R-1 Single Family Residential zoning district.

The applicant is requesting an 8 feet Side Exterior setback be allowed which is a variance of 12 feet from the 20 feet required by ordinance. In addition the applicant is also requesting an 11 feet Rear setback be allowed which is a variance of 14 feet from the 25 feet required by ordinance.

The proposed variance is for a 1,120 square feet accessory nonresidential building. The original building was not built in the location of the site plan provided by the applicant and approved by staff therefore the existing building is not in compliance with the building permit that was issued on May 24, 2013 and resides 3 feet inside in existing 25' utility easement. In addition a building permit was not applied for by the applicant for the 20'x20' addition to the originally permitted structure.

The applicant has submitted a petition to vacate the utility easement but the request is not supported by the water or electric departments due to an 8" water main and electrical conduits for street lights that are located within the easement. The nonconforming addition is within approximately 3 feet of the 8" water main.

Vote for side Exterior sideback

Denied 4-0

Vote for rear setback

Denied 4-0

Meeting adjourned

Diane Shastid

BOA STAFF REPORT

15-1100010 ARC KGBTVAR001,LLC (Kum & Go) – Signage, Fuel Canopies

TO: Bentonville Board of Adjustment Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
BOA DATE: May 13, 2015

GENERAL INFORMATION:

Representative: Nathan Streett (CEI Engineering)

Applicant: ARC KGBTVAR001, LLC (Kum & Go)

Location: 3610 Southwest Regional Airport Boulevard

Existing Zoning: PUD, Planned Unit Development

Existing Land Use: Commercial

REQUEST: Variance

Signage, Fuel Canopies		
	Regulation	Request
Article 801. Sec 801.9.C.2 Signage, Fuel Canopies	Limited to logo signs	Two 31 square feet fuel pricing signs placed on existing canopy.

SURROUNDING ZONING:

Direction	Zoning
North	PUD, Planned Unit Development
South	C-2, General Commercial & R-O, Residential Office
East	PUD, Planned Unit Development
West	Benton County

BACKGROUND:

The applicant has submitted a variance request to the Fuel Canopy signage requirements for property located in a PUD, Planned Unit Development zoning designation. Ordinance states that signage for fuel canopies shall be limited to logo signs. The applicant is requesting to add two (2) fuel pricing signs, each measuring 31 square feet to the west and east elevations of the existing fuel canopy. This signage will replace the existing monument /fuel pricing sign located on the northeast corner of the site at the intersection of Southwest Regional Airport Boulevard and Greenhouse Road. The existing sign is being removed due to the widening of Southwest Regional Airport Boulevard by the Arkansas State Highway and Transportation Department.

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 two fuel pricing signs located on the west and east end of the existing fuel canopy only, as provided by the applicant within this application.



CEI Engineering Associates, Inc.

ENGINEERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS ■ PLANNERS

3108 SW Regency Parkway, Suite 2
Bentonville, AR 72712
(479) 273-9472 Fax (479) 273-0844
www.ceieng.com

May 4, 2015

City of Bentonville
Board of Adjustments
305 SW A St.
Bentonville, AR 72712

Re: **Kum & Go #412 – Variance Request for Fuel Canopy Signage**
SW Regional Airport Blvd. & Greenhouse Rd.
CEI Project No. 26838.0

To Bentonville Board of Adjustments,

CEI Engineering Associates, Inc. requests a variance from Code Section 801.9 (C)(2) for fuel canopy signage for the existing Kum & Go fueling station located at 3610 SW Regional Airport Blvd. The request is to locate fuel pricing signage on the east, west, and south sides of the existing fuel canopy.

The variance is being requested due to the adjacent highway widening project in which right-of-way has been obtained by AHTD along the project site's frontage. The existing monument sign for Kum & Go (which contains the fuel pricing sign) is located in the newly acquired right of way, and will be demolished as part of the widening project. The acquired right of way along the principle roadway, SW Regional Airport Blvd., does not allow for relocation of the monument sign along this frontage.

Code Section 801.9.C.2, Canopy Signs on fuel canopies, states that *Signage for fuel canopies shall be limited to logo signs*. Kum & Go respectfully requests to add fuel pricing signage to the existing fuel canopy. Signs measuring 2' 10" tall, and 10' 7 1/2" wide, for a total of 30.10 square feet, are requested on the east and west faces of the fuel canopy (see the included exhibit). This signage will replace the monument sign and fuel pricing sign that was located on the northeast corner of SW Regional Airport Blvd. and Greenhouse Rd. The monument sign location was utilized to give the customers the highest visibility to the fuel pricing. By allowing the fuel signage to be located on the canopy, the applicant will be allowed rights commonly allowed by similar uses in the same district.

The special conditions and circumstances are not a result of any actions of the applicant.

We appreciate your consideration in this matter, and if you have questions or concerns, please do not hesitate to contact me.

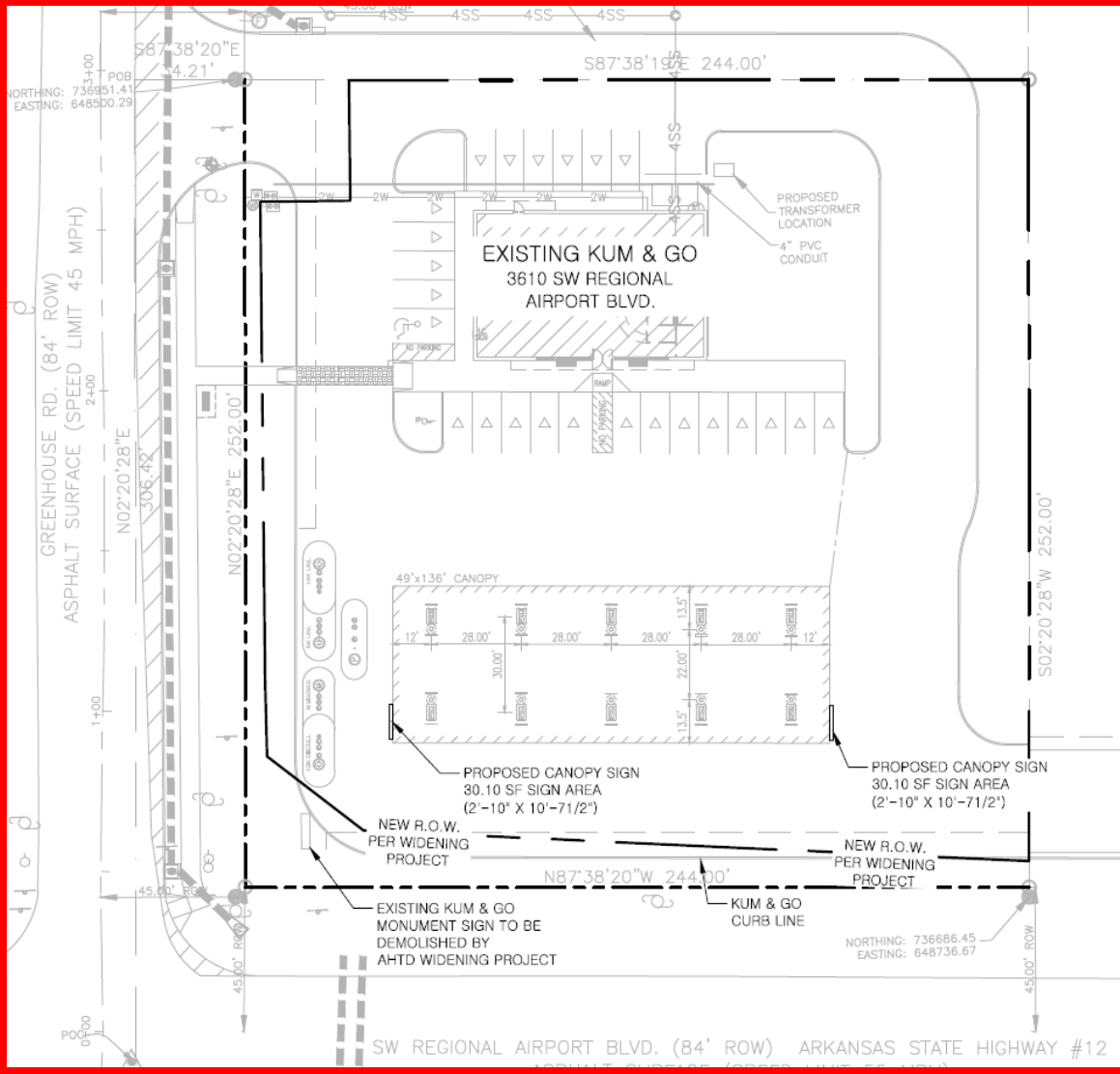
Respectfully submitted,

A handwritten signature in blue ink that reads "Nathan Streett".

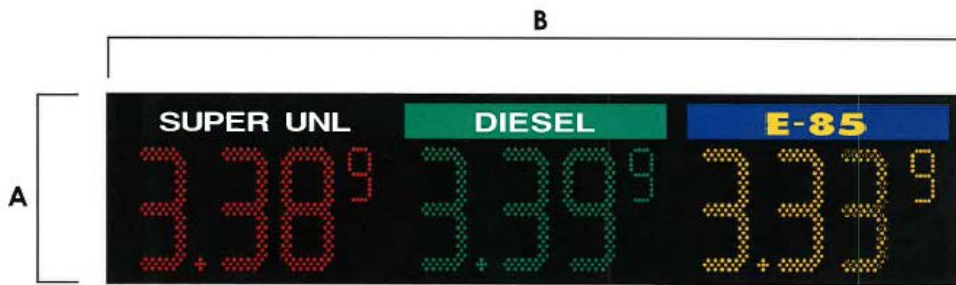
Nathan Streett, RLA
CEI Engineering Associates, Inc.

Providing Consolidated Land Development Services

CALIFORNIA ■ TEXAS ■ ARKANSAS ■ LOUISIANA ■ MINNESOTA ■ GEORGIA ■ PENNSYLVANIA



SW REGIONAL AIRPORT BLVD. (84' ROW) ARKANSAS STATE HIGHWAY #12



FUEL PRICER MEASUREMENTS & SQUARE FOOTAGES

A - HEIGHT	B - WIDTH	SQ. FOOTAGE	# SIZE
2 FT	6 FT 7 1/2 IN	13.25	8"
2 FT 6 IN	8 FT 10 1/2 IN	22.19	12"
2 FT 10 IN	10 FT 7 1/2 IN	30.10	16"
3 FT 4 IN	12 FT 7 1/2 IN	42.08	18"
4 FT	16 FT 7 1/2 IN	66.46	24"
5 FT 6 IN	19 FT 4 IN	106.33	36"
6 FT 8 IN	26 FT 4 IN	175.55	48"
8 FT	36 FT	288	62"

