

1. Call to Order

2. Roll Call

Present 4 - Rick Miles, Max Dacus, Kevin Bailey, and Casey Caples

Absent 1 - Doug Gilmore

3. Approval of Minutes

MIN-21:070 MINUTES: BZA Minutes from June 15, 2021 BZA Meeting

Attachments: Meeting Minutes from June 15, 2021 BZA Meeting

4. Appeal Cases

VR-21-26 VARIANCE: 3418 E. Johnson Avenue

Kum & Go, LLC at 3418 E. Johnson Avenue is requesting a variance from the overlay district sign requirement. They are requesting a 30' freestanding sign rather than the 8' monument sign required by code in the C-3 General Commercial District.

APPLICANT: Ross Whitney, representing Cupples Sign Company, asked if anyone from the Jonesboro Planning Commission was present. Ross Whitney stated he filled out a sign permit application for the 30' freestanding sign and paid the \$800 fee. He stated after the sign was installed he received a call that the sign was in an overlay district and would need a variance. Ross Whitney said they paid the \$400 variance fee yesterday, and are requesting a variance to leave the sign where it is.

COMMISSION: Rick Miles asked when the sign permit was issued.

APPLICANT: Ross Whitney stated the permit was issued December 18th 2020

COMMISSION: Rick Miles asked if the sign was on the plans, identified, and went through standard procedure.

APPLICANT: Ross Whitney answered yes.

STAFF: Ryan Robeson stated that after the plans were submitted the Planning Department later realized it was in an overlay district and before the sign was erected the sign company was notified that it would have to come down to a 8' monument. The sign was installed regardless.

COMMISSION: Rick Miles asked if this was after the permit had been issued.

STAFF: Ryan Robeson answered yes, it was after the permit had been issued but before the sign was erected.

COMMISSION: Kevin Bailey asked the applicant if they went ahead and put the sign up even though the City notified you that it was an overlay district.

APPLICANT: Ross Whitney asked if they had a date he was notified on.

STAFF: Ryan Robeson answered that they did not have a date.

COMMISSION: Rick Miles asked if we knew who was notified, the sign company or Kum & Go.

STAFF: Ryan Robeson answered that he did not know.

APPLICANT: Ross Whitney stated that he was not aware of it until the sign was already installed. He stated he filled out the variance application on July 21 2021. The applicant explained that the existing sign is back further from the highway than the original sign.

COMMISSION: Kevin Bailey asked if the Planning Department has received any plans on the State Highway Department's plan to widen the intersection in this area.

STAFF: Ryan Robeson answered they have not received any plans yet.

COMMISSION: Casey Caples asked if anyone opposed the variance or if there were any more questions.

A motion was made by Kevin Bailey to rule on the motion, seconded by Max Dacus. The motion PASSED with the following vote.

Aye: - 4 Rick Miles, Max Dacus, Kevin Bailey, and Casey Caples

Nay: - 0

VR-21-27 VARIANCE: 2731 East Nettleton Avenue

Arvest Bank at the request of Steve May at 2712 E Nettleton is requesting a variance from the access management ordinance in the C-3 General Commercial District. They are requesting to keep two drives onto Nettleton when the access management only allows one driveway.

APPLICANT: Carroll Caldwell stated that the ordinance has created a hardship on the seller and the buyer. Carroll Caldwell turned over the floor to Ralph Waddell. Ralph Waddell represents the proposed buyer Steve May. Ralph Waddell stated that this property was developed in 2007 and in 2010 was sold to Heritage Bank and then bought out by Arvest. Ralph Waddell stated that this property has been vacant for the past three years. He stated that Steve May wishes to purchase this property to relocate his business (Professional Title), his plans are to remodel the current building by removing the back part of the drive thru covering the ATM and close in the remainder of the drive thru to create more office space. Ralph Waddell stated they are seeking a variance because this is a remodel, not a new construction. He stated that because the alterations proposed by the byer are less than 25%, the shared access management standards are not triggered.

(See video for comments)

APPLICANT: Ron Burnett, on behalf of Arvest Bank, stated that over the past three years there has not been much interest in the property. He stated the proposed drive aisle is less than what the City

code requires, creating an unnecessary hardship on the buyer. Ron Burnett stated that this would devalue the Arvest property by taking away parking spaces and E Nettleton access.

(See video for comments)

COMMISSION: Rick Miles asked if there was anyone to protest this variance or any questions. Max Dacus asked if there was a substantial grade change between the two properties.

APPLICANT: Harris, of Harris Furniture, stated that there is a two foot grade change, the retaining wall was installed to keep the landscaping out of the parking lot.

COMMISSION: Rick Miles stated that the frontage would not change until Harris Furniture was sold. The buffer would stay there until Harris Furniture made a change.

STAFF: Ryan Robeson confirmed that there is no change in access management until Harris Furniture sold, they will still have two drives until Harris Furniture redevelops.

COMMISSION: Casey Caples stated, in his opinion that creates a hardship for Harris Furniture. Rick Miles asked if it would be the West entrance that would be closed.

STAFF: Ryan Robeson replied yes, it would be the West entrance.

COMMISSION: Casey Caples stated that the whole ordinance needs to be changed, it makes no sense to force this on an existing property.

A motion was made by Max Dacus to rule on the motion, seconded by Rick Miles. The motion PASSED with the following vote.

Aye: - 3 Rick Miles, Max Dacus, and Casey Caples

Nay: -0

5. Staff Comments

6. Adjournment