



**BOARD OF ADJUSTMENT
AGENDA
April 11, 2018**

I. Call to Order

II. Approval of Minutes

III. New Business:

- 1. Showcase Cars & Trucks, Inc. (VAR18-0008) Variance***
1105 SE Walton Blvd.
 - Digital Billboards/Separation Requirements/Distance from other Billboards
- 2. Hwy 102, LLC (VAR18-0009) Variance***
1404 SE Eagle Way
 - Digital Billboards/Location/Setbacks

IV. Other Business

V. Adjournment

Board of Adjustment
Minutes
March 14, 2018

Meeting called to order by Sam Pearson, Vice Chairman

Present: Joe Haynie, Rustin Chrisco, Sam Pearson, and Jan Holland
Absent: Rick Rogers
Staff: Jon Stanley and Tyler Overstreet

Motion by Mr. Haynie, seconded by Ms. Holland to approve the minutes of February 28, 2018 as written.

Approved 4-0

New Business

Item #1

Schelard, Variance Request for 410 NW 6th Street, Fence Height, VAR18-0007

Tyler Overstreet reads the staff report.

Opened public hearing

Closed public hearing

The applicant and Dave Burris explains the hardship for the variance. There is discussion amongst the Board members.

There is an agreement to transition from 8 feet to 6 feet at the southwest corner before connecting to the home. Also, a minimum of a 15-foot radius accounted for to allow turning movements.

Approved 4-0

Motion by Mr. Chrisco, seconded by Mr. Haynie to adjourn.

Meeting adjourned

Ali Worley

*A copy of this recording can be obtained from the Bentonville Planning Department.

BOA STAFF REPORT

VAR18-0008, Showcase Cars & Trucks, LLC – Digital Billboards/Separation Requirements/Distance from other Billboards

TO: Bentonville Board of Adjustment Members
THRU: Shelli Kerr, Community Development Director
FROM: Jon Stanley, Planner
BOA DATE: April 11, 2018

GENERAL INFORMATION:

Representative: Ashby Street Outdoor, LLC

Applicant: Showcase Cars & Trucks, LLC

Location: 1105 SE Walton Blvd.

Existing Zoning: C-2, General Commercial

Existing Land Use: Commercial/Retail

REQUEST: Variance

Digital Billboards/Separation Requirements/Distance from other Billboards Variance		
	Regulation	Request
Article 801, Section 801.17.G.3, Separation Requirements/Distance from other Billboards	New digital billboards shall be separated by a distance of no less than 1,000' from existing nonconforming billboards that are on the same side of the street.	Request of: 260' Variance of : 740'

SURROUNDING ZONING:

Direction	Zoning
North	R-1, Single Family Residential
South	C-2, General Commercial & A-1, Agricultural
East	C-2, General Commercial
West	C-2, General Commercial

BACKGROUND:

The applicant has submitted a variance request to the billboard separation requirements, specifically the separation between a proposed digital billboard and an existing static billboard on the same side of the street for property located at 1105 SE Walton Blvd. The applicant is requesting that the proposed billboard be located 260' from the existing static billboard, which is a variance of 740' from the 1,000' required by ordinance.

This variance request is part of a larger plan by the applicant to reduce the overall height and square footage of existing off-site signage within the City of Bentonville.

For additional information, please reference the attached documents.

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 digital billboard only, as provided by the applicant within this application.
2. The applicant shall obtain a sign permit prior to constructing the digital billboard.
3. The applicant shall obtain an approved Conditional Use permit from the City of Bentonville Planning Commission prior to construction of the billboard.



OUTDOOR, LLC

Date: March 26, 2018

To: City of Bentonville, AR
From: Ashby St. Outdoor

RE: Variance Request for Outdoor Advertising (Showcase Cars)

Ashby St. Outdoor is requesting a spacing variance for a digital billboard to be located at Showcase Cars approximately 250' east of the Walton BLVD/J St. Intersection.

The variance request involves the spacing from a existing off-premise sign. The ordinance requires a new digital location be 1000' from a existing off-premise sign. We are requesting the variance to allow the new location to be approximately 260' from the existing sign to the east. This request does not violate the State or Federal spacing regulations for locations within a municipality with a comprehensive zoning plan.

This variance request is part of a larger plan to reduce the overall height of off-premise signage on Walton BLVD and reduce the square footage within the City of Bentonville. The plan calls for the removal of three (3) structures, reduction of 2739sqf of signage, and reduction of the three large double stack signs on Walton BLVD from 65' overall height to single faces 30' in overall height. With this reduction, Ashby St. Outdoor is requesting three (3) new digital locations within the City of Bentonville as well as the conversion of one other location.

As part of this plan, we are removing the location at the NW corner of Walton BLVD and SW 12th Street. This location does not comply with the City's spacing requirements and is approximately 135' from another off-premise sign to the north.

Please refer to the attached plan description for additional details.

The undersigned can be reached at 479-200-9387 or wweeks@ashbystoutdoor.com if you need additional information.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Whit Weeks', is written over a horizontal line.

Whit Weeks
Vice President/General Manager
Ashby St. Outdoor

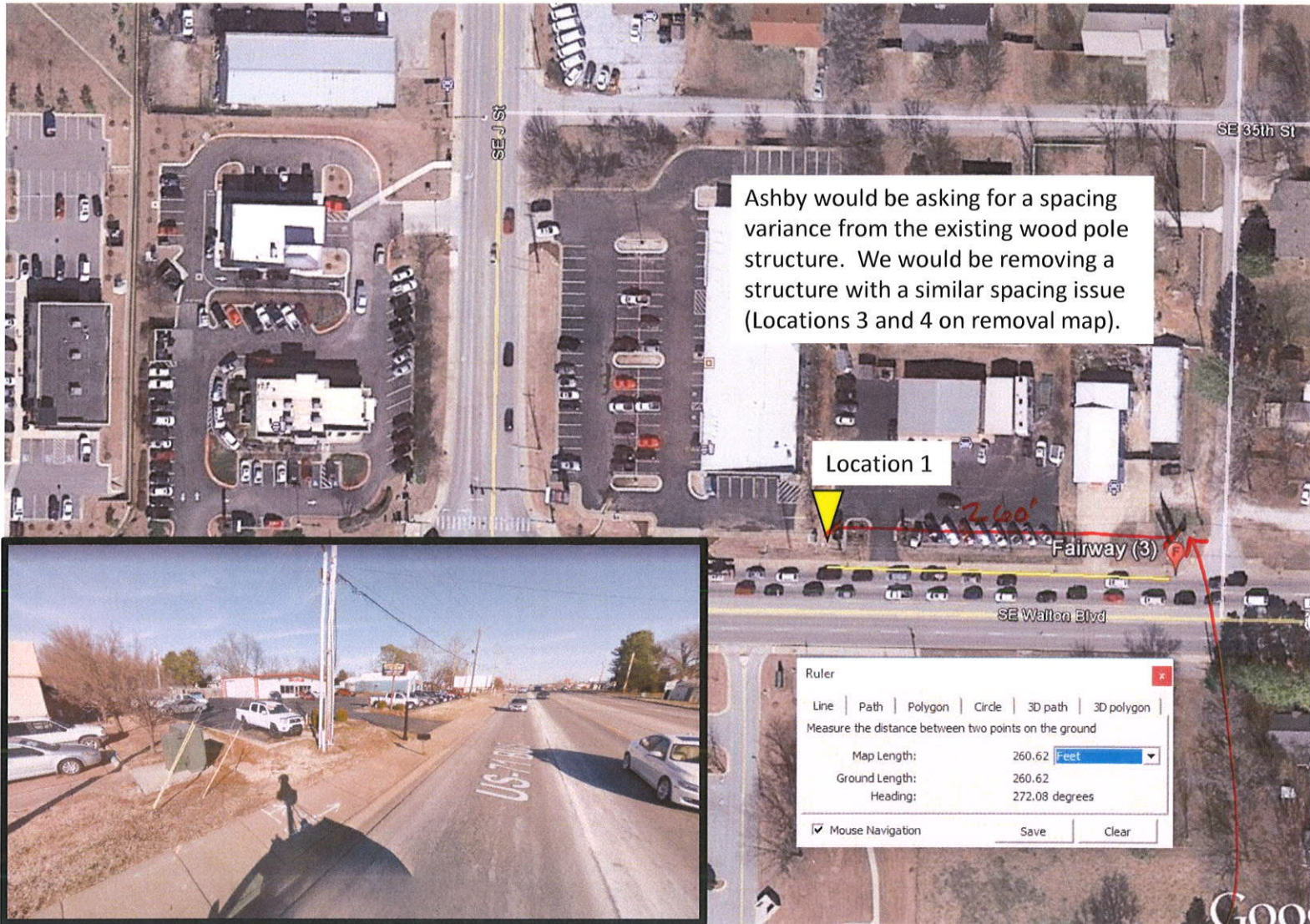
OFFICE
1830 Shelby Lane
Fayetteville, AR 72704

MAILING
PO Box 10352
Fayetteville, AR 72703

OFFICE (479) 442-0300
FAX (479) 442-0301

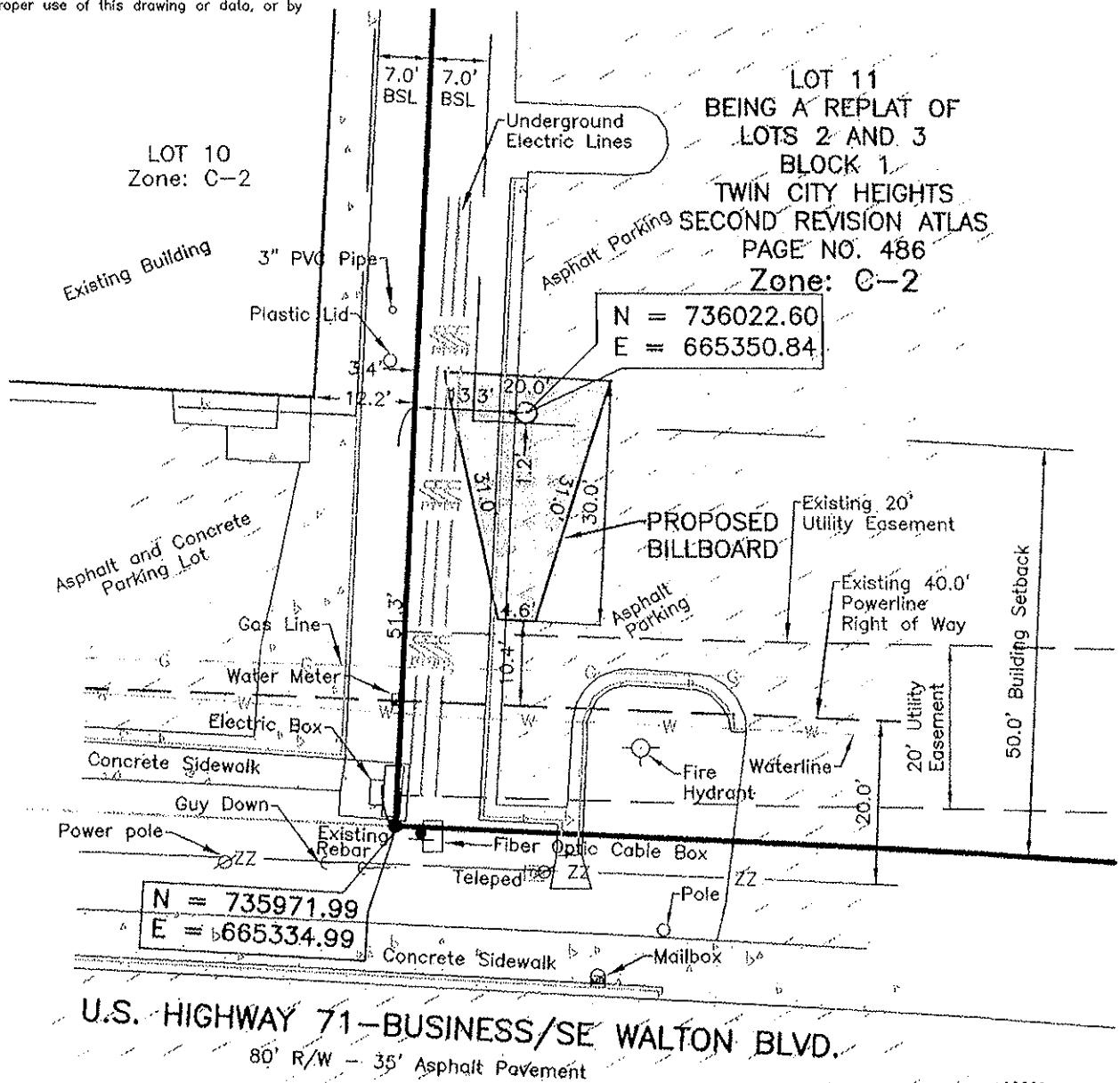
ashbystoutdoor.com

Location 1



EXISTING
BILLBOARD

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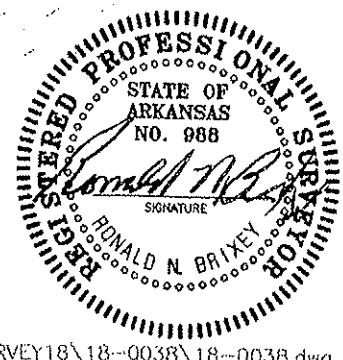


1105 SE Walton Boulevard
Bentonville, Arkansas 72712

SETBACK REQUIREMENTS:

Front: 50.0'
Side: 7.0'
Rear: 20.0'

NOTE: Utilities shown are based on visual observation and painted marks by Utility Location Service.



Prepared For: Ashby Street Outdoor Advertising

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BRIXEY ENGINEERING & LAND SURVEYING, INC.

CONSULTING ENGINEERS -- LAND SURVEYORS

5223 East Highway 48 (479) 840-8394
P.O. Box 6180 Fort Smith, Arkansas 72908



SITE PLAN

PROPOSED SIGN LOCATION
LOT 11 A REPLAT OF LOTS 1 & 2
BLOCK 1 TWIN CITY HEIGHTS
SECOND REVISION ATLAS PAGE NO. 486
CITY OF BENTONVILLE, ARKANSAS

Scale: 1" = 20'
Date: 02/27/2018
Drawn By: TMC
Job No. 18-0038



OUTDOOR, LLC

Date: March 26, 2018

To: City of Bentonville, AR

From: Ashby St. Outdoor

RE: Variance Request for Outdoor Advertising (1404 SE Eagle Way)

Ashby St. Outdoor is requesting a setback variance for a digital billboard to be located 1404 SE Eagle Way.

The variance request involves the side setback. The ordinance requires a 7' side setback from adjacent properties. We are requesting the variance to allow the new location to be built with a 6" side setback. In order to meet the 7' side setback, the sign location would protrude onto parking lots travelled way. This would not impact the sign however would encroach into the City's mandatory 24' clearance for two-way traffic in the parking lot leaving only 20.9'. All other setback requirements and spacing requirements are met at this location.

This variance request is part of a larger plan to reduce the overall height of off-premise signage on Walton BLVD and reduce the square footage within the City of Bentonville. The plan calls for the removal of three (3) structures, reduction of 2739sqf of signage, and reduction of the three large double stack signs on Walton BLVD from 65' overall height to single faces 30' in overall height. With this reduction, Ashby St. Outdoor is requesting three (3) new digital locations within the City of Bentonville as well as the conversion of one other location.

Please refer to the attached plan description for additional details.

The undersigned can be reached at 479-200-9387 or wwh@ashbystoutdoor.com if you need additional information.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Whit Weeks', is written over a horizontal line.

Whit Weeks

Vice President/General Manager

Ashby St. Outdoor

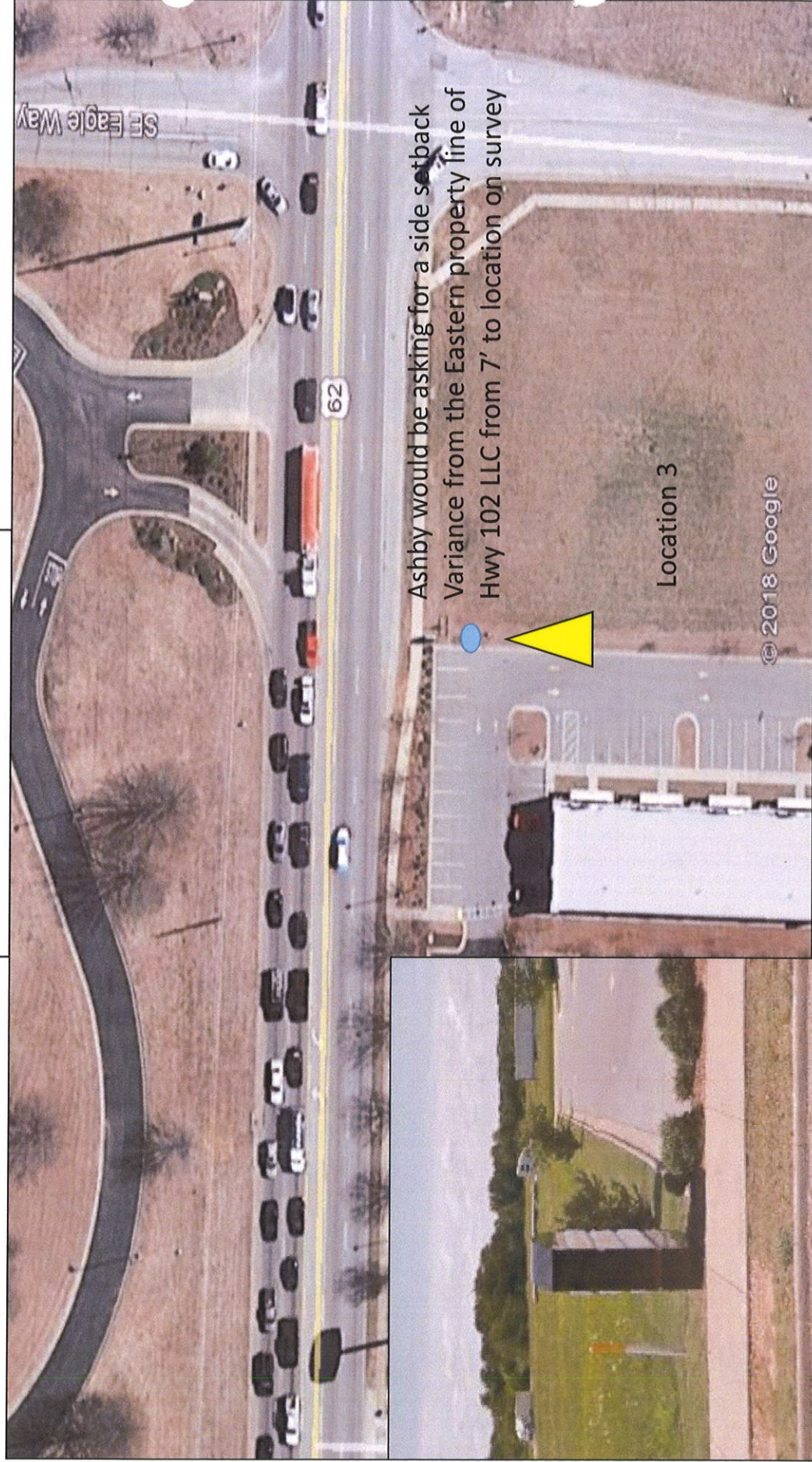
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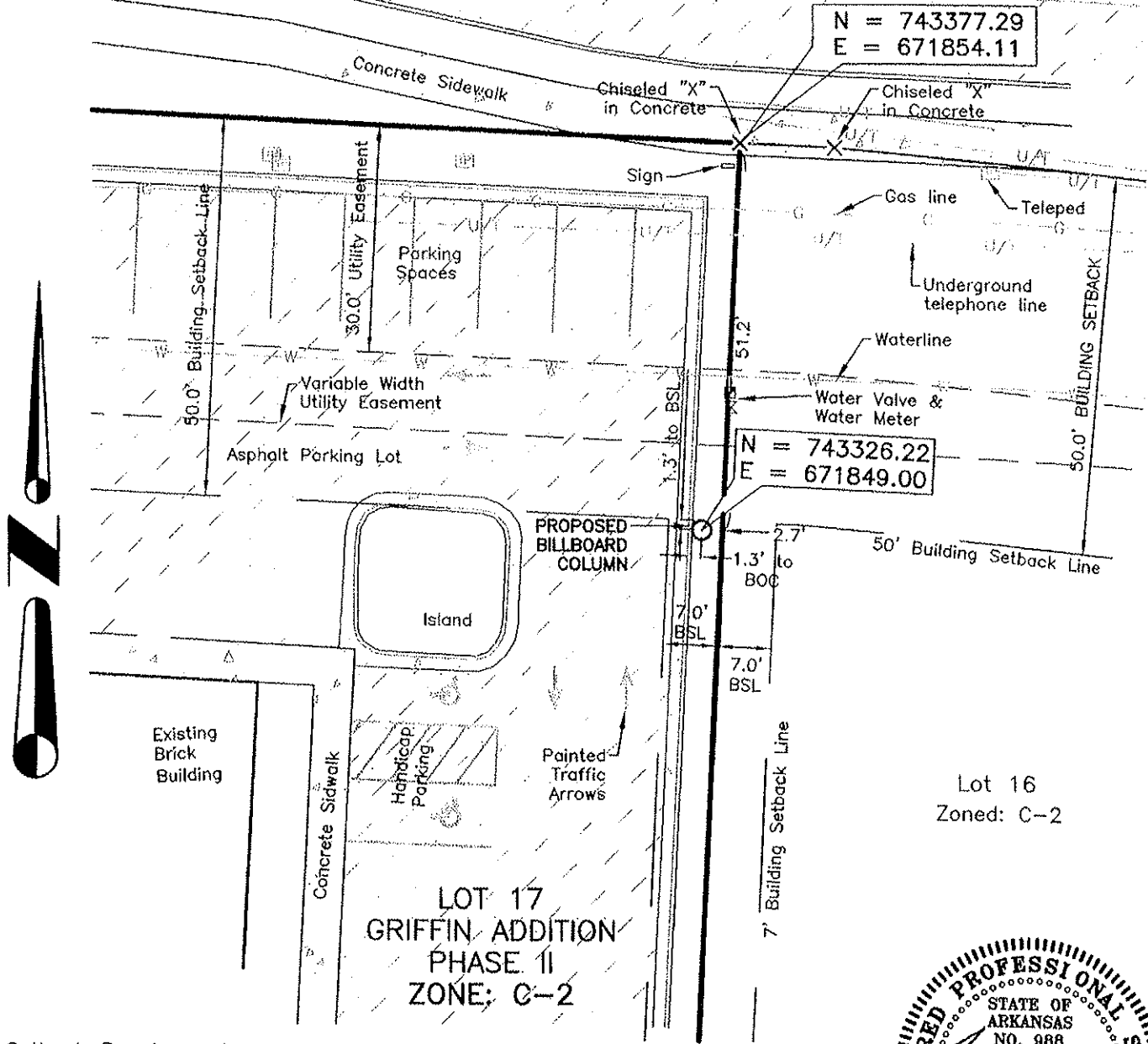
ashbystoutdoor.com

Location 3



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AR HIGHWAY 62 (SE 14TH ST.)
R/W Varies - Undetermined Asphalt Width



Setback Requirements

Front: 50'
Side: 7'
Rear: 30'

NOTE: Utilities shown are based on visual observation and painted marks by Utility Location Service.

1404 SE Eagle Way
Bentonville, AR. 72712



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CONSULTING ENGINEERS -- LAND SURVEYORS

6223 East Highway 45 (479) 646-6394
P.O. Box 6180 Fort Smith, Arkansas 72906

SITE PLAN
PROPOSED SIGN LOCATION
PART OF LOT 17

GRIFFIN ADDITION PHASE II
CITY OF BENTONVILLE, ARKANSAS

Prepared For: Ashby Street Outdoor Advertising

Scale: 1" = 20'
Date: 02/27/2018
Drawn By: TMC
Job No. 18-0039

OVER ALL PLAN IF VARIANCES ARE APPROVED

- Ashby St. proposes removing the tops of the three stack units on Walton BLVD and shortening as close to the new maximum height as the location allows. We would include proposed new heights for these three locations with our City of Bentonville applications.
- Upon completion of the removal of these tops, City of Bentonville will allow the usage of the square footage removed in February of 2017. Ashby understands these sqf do not count unless the top of the three stack units on Walton BLVD are removed.
- Ashby will request a spacing variance for location 1 (see Proposed New Locations map).
- Ashby will request a side setback variance for location 3 (see Proposed New Locations map).
- Locations 1, 2, and 3 would be two sided 9' 5.375" x 29' 4.75" digital faces. Each totaling 559 (279.49 x 2) square feet of digital faces and requiring 1397.5 sqf of static trade in.
- Total sqf required for trade in on all three locations is 4192.5 sqf.
- In addition to the three main structures, we propose converting the existing 8'x16' sign at the intersection of HWY 102 and I St. to a 8'x16' digital face (128 sqf). This will require an additional 320 sqf to be traded in.
- Total sqf required for trade in for all four locations would be 4512.50.

This project would take place in three steps upon receipt of City of Bentonville permits:

- 1 Step One would consist of the City of Bentonville application process followed by applications to AHTD for locations 2, 3, and 4.
- 2 Step Two would consist of removal of the top of location 3 and the removal of structure 4. Upon removal of those structures, we would construct new location 1 which does not require a AHTD permit.
- 3 Step Three begins upon receipt of the permits for locations 2, 3, and 4 from AHTD. Once those are received, we would remove the tops of locations 1 and 2 then construct locations 2, 3, and 4.

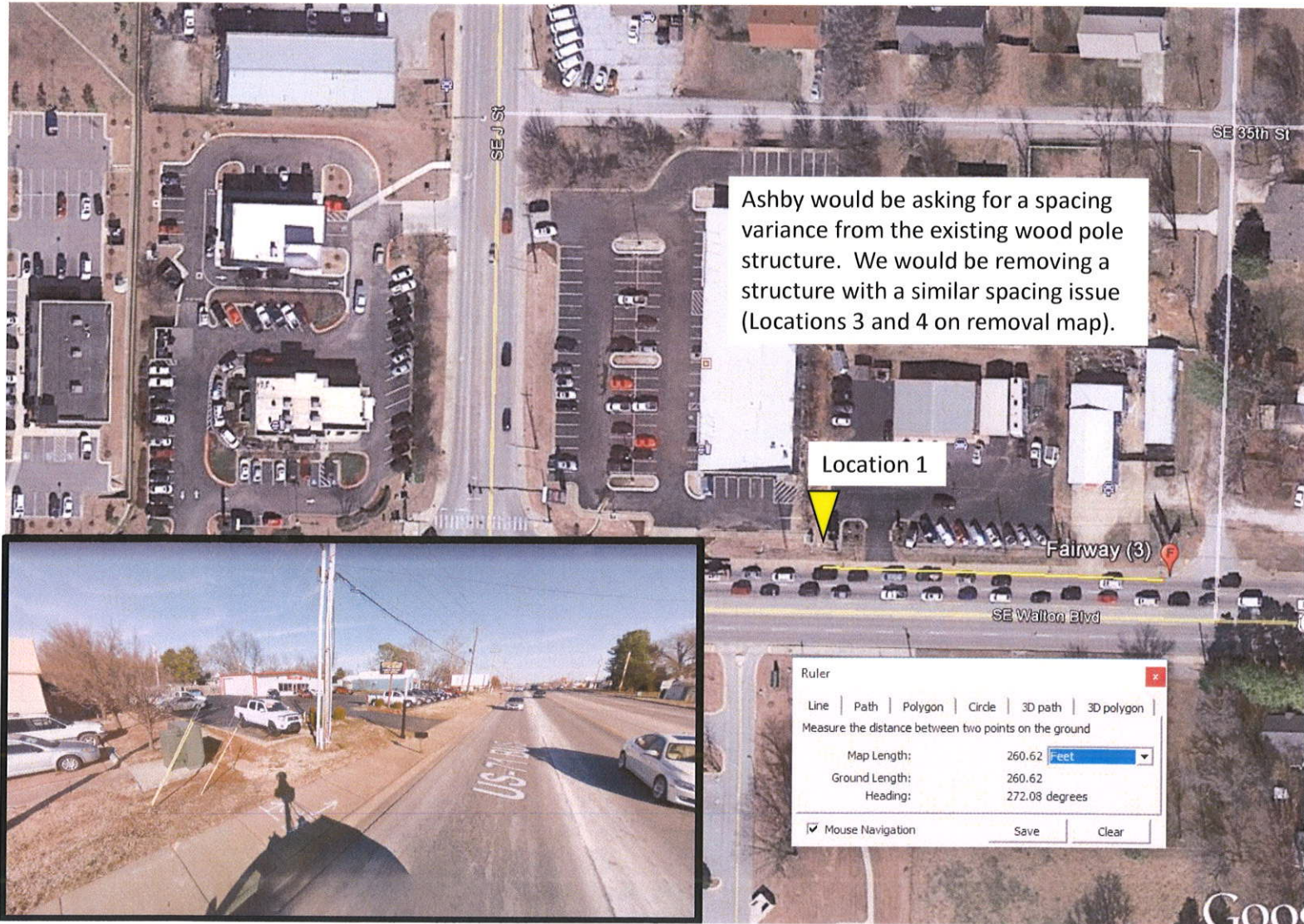
*Square Feet for Trade In:

-I49 at Exit 86 Southern Structure (840 sqf)		
-I49 at Exit 86 Northern Structure (840 sqf)		
-Walton near SE C St (Glasgow's) (720 sqf)	4544	sqf traded in from 13 faces
-Walton near SW 2nd St (Sonic) (720 sqf)	4512.50	sqf needed for 7 faces
-Walton near SW 12th St (Bville Butcher) (720 sqf)		
-Walton near SW 12th St (Below above) (576 sqf)	31.5	sqf excess
-HWY 102 and I St. 8x16 (128 sqf)		
-*Total 4544 sqf Traded In		

Exit 86 Locations



Location 1



Walton BLVD Locations to be Modified/Removed

10' x 36' (360 sqf) faces x 4
Propose Removing the Top
2 faces (720 sqf)



10' x 36' (360 sqf) faces x 4
Propose Removing the Top
2 faces (720 sqf)



12' x 24' (288 sqf) faces x 2
Propose Removing Both
2 faces (576 sqf)



10' x 36' (360 sqf) faces x 4
Propose Removing the Top
2 faces (720 sqf)



Proposed New Locations



BOA STAFF REPORT

VAR18-0009, Hwy 102 LLC – Digital Billboards/Location/Setback

TO: Bentonville Board of Adjustment Members
THRU: Shelli Kerr, Community Development Director
FROM: Jon Stanley, Planner
BOA DATE: April 11, 2018

GENERAL INFORMATION:

Representative: Ashby Street Outdoor, LLC

Applicant: Hwy 102, LLC

Location: 1404 SE Eagle Way

Existing Zoning: C-2, General Commercial

Existing Land Use: Commercial/Retail

REQUEST: Variance

Digital Billboards/Location/Setback Variance		
	Regulation	Request
Article 801, Section 801.17.C.3, Location, Setback	Digital billboards shall be placed behind the front, side and rear setback of the district. In this case, 7' is required for a side setback.	Request of: 6''(inches) Variance of : 6'-6"

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 side setback requirements for a proposed digital billboard column located at 1404 SE Eagle Way that resides in the C-2, General Commercial zoning district. The required side setback in the C-2 district is 7' from the property line. The applicant is requesting that a 6-inch side setback be allowed which is a variance of 6'-6" from the 7' required by ordinance.

This variance request is part of a larger plan by the applicant to reduce the overall height and square footage of existing off-site signage within the City of Bentonville.

For additional information, please reference the attached documents.

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 digital billboard only, as provided by the applicant within this application.
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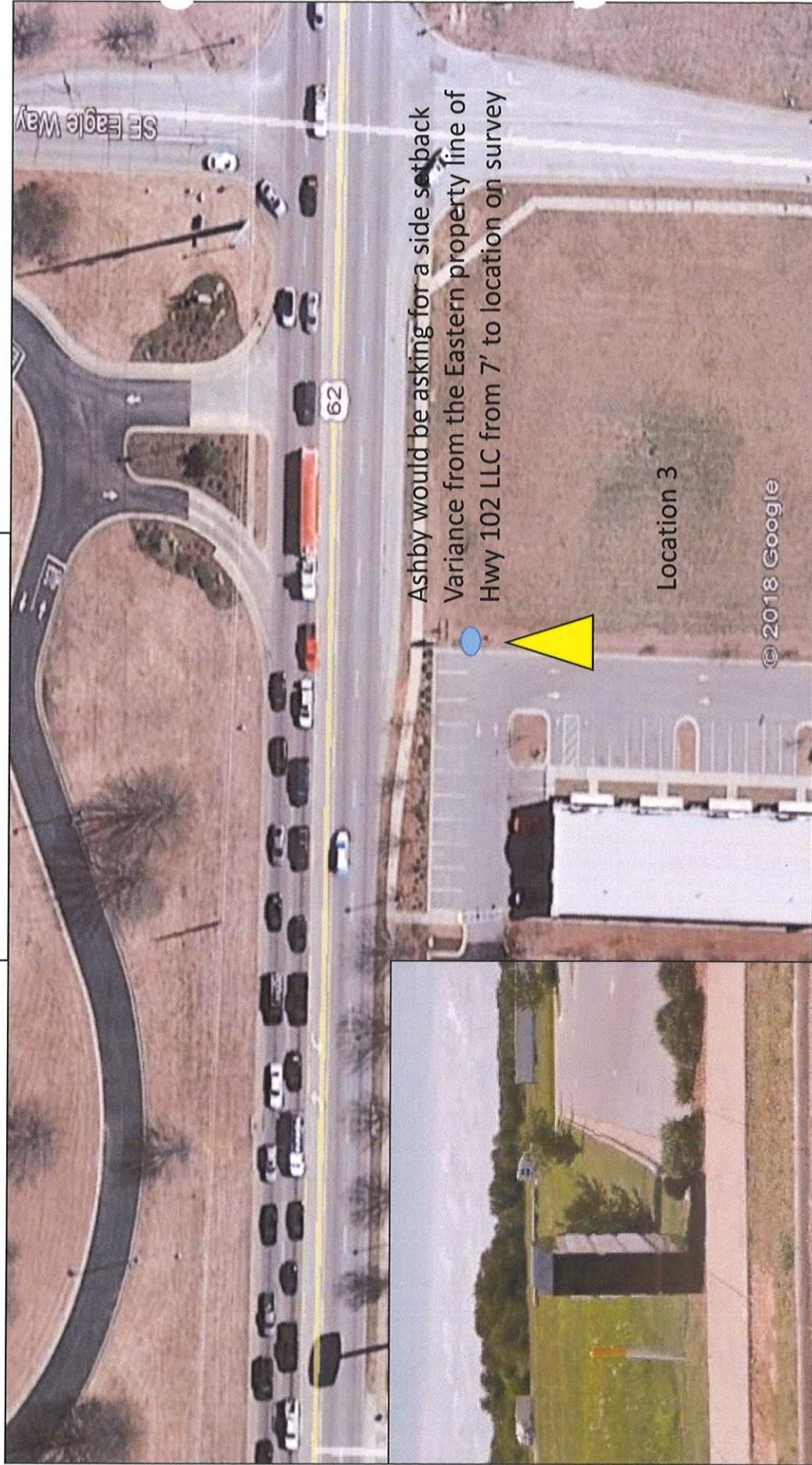
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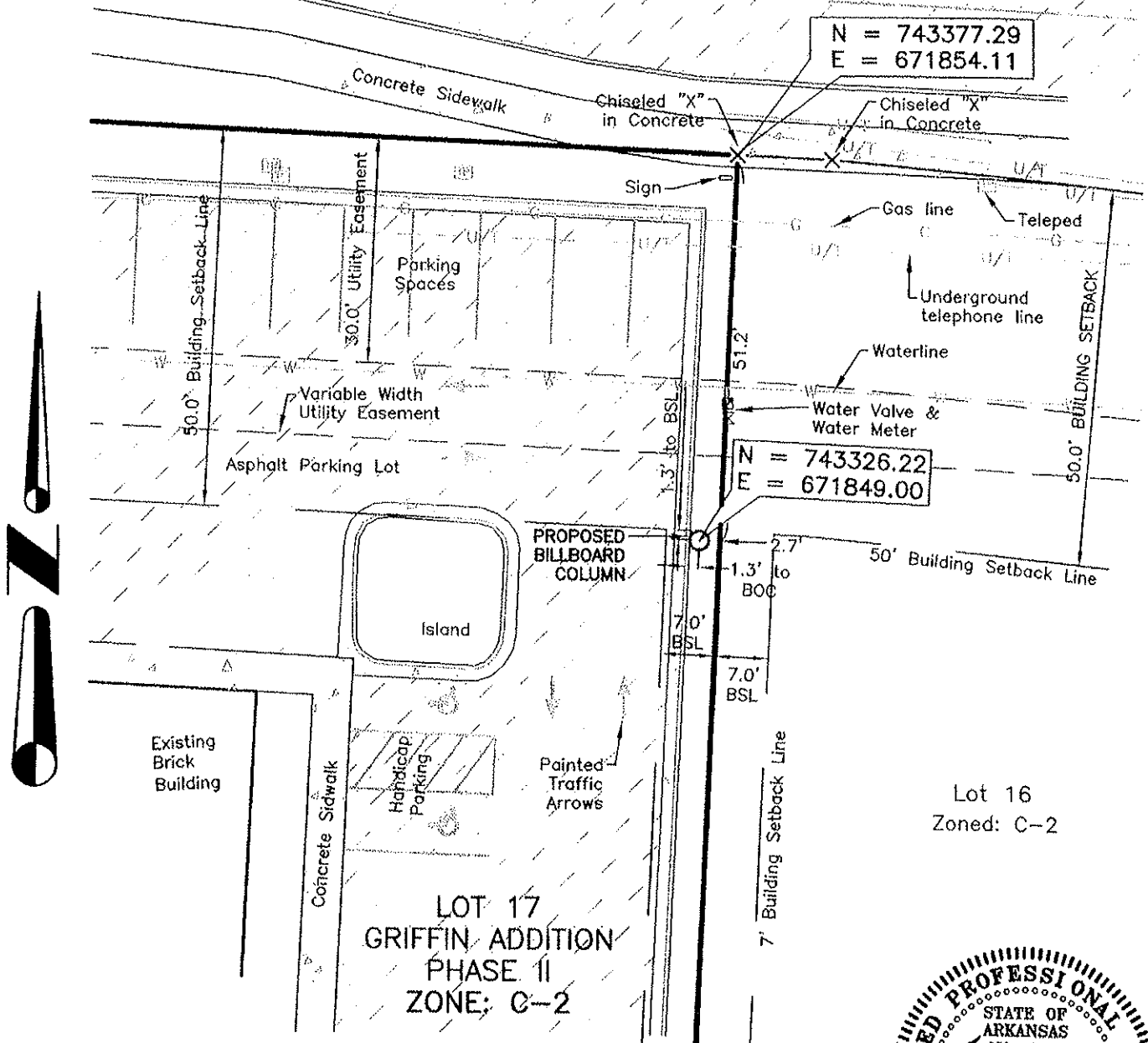
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AR HIGHWAY 62 (SE 14TH ST.)
R/W Varies - Undetermined Asphalt Width



Lot 16
Zoned: C-2

LOT 17
GRIFFIN ADDITION
PHASE II
ZONE: C-2

Setback Requirements

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P.O. Box 6160 Fort Smith, Arkansas 72906

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PROPOSED SIGN LOCATION
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Prepared For: Ashby Street Outdoor Advertising

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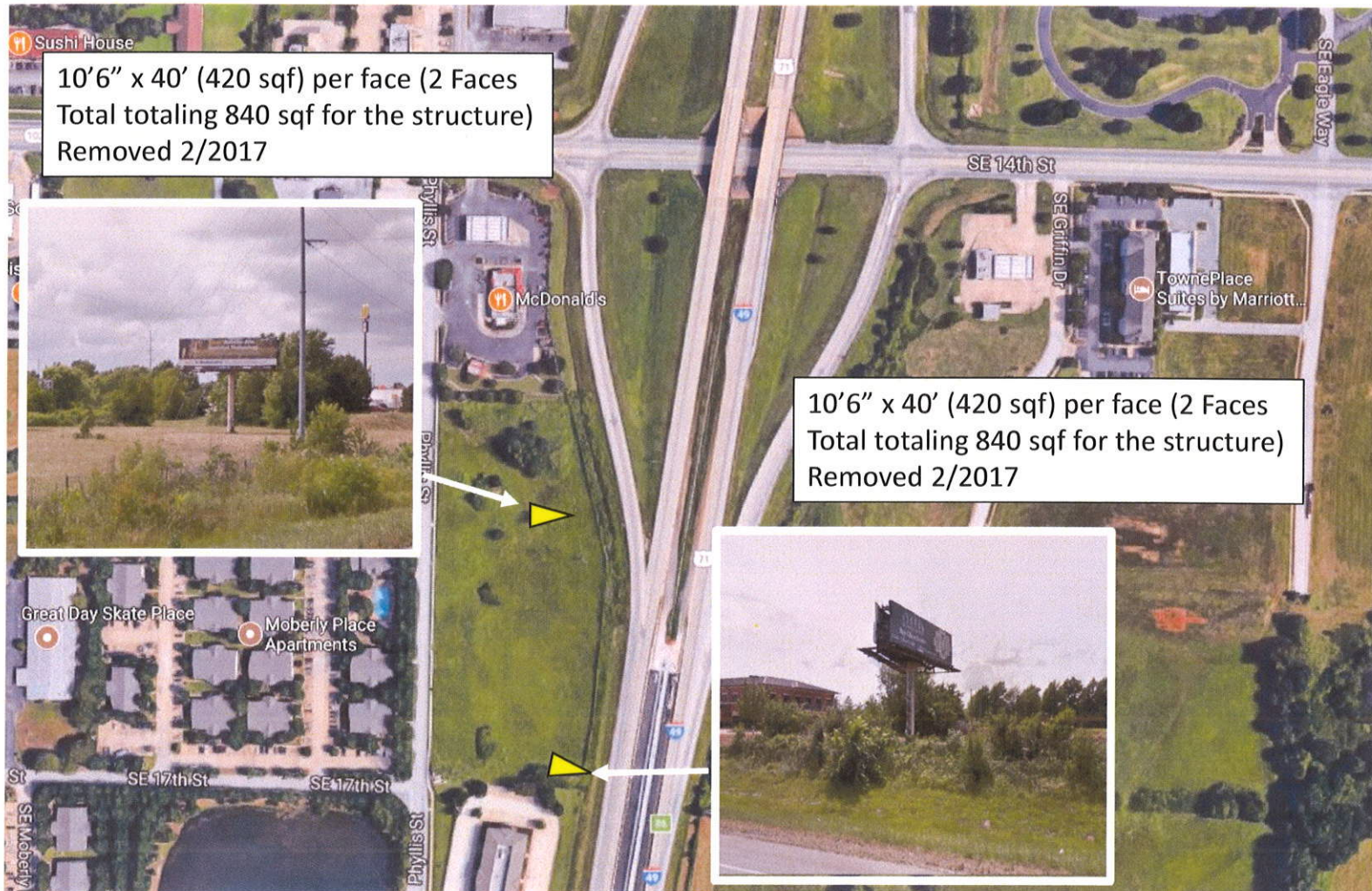
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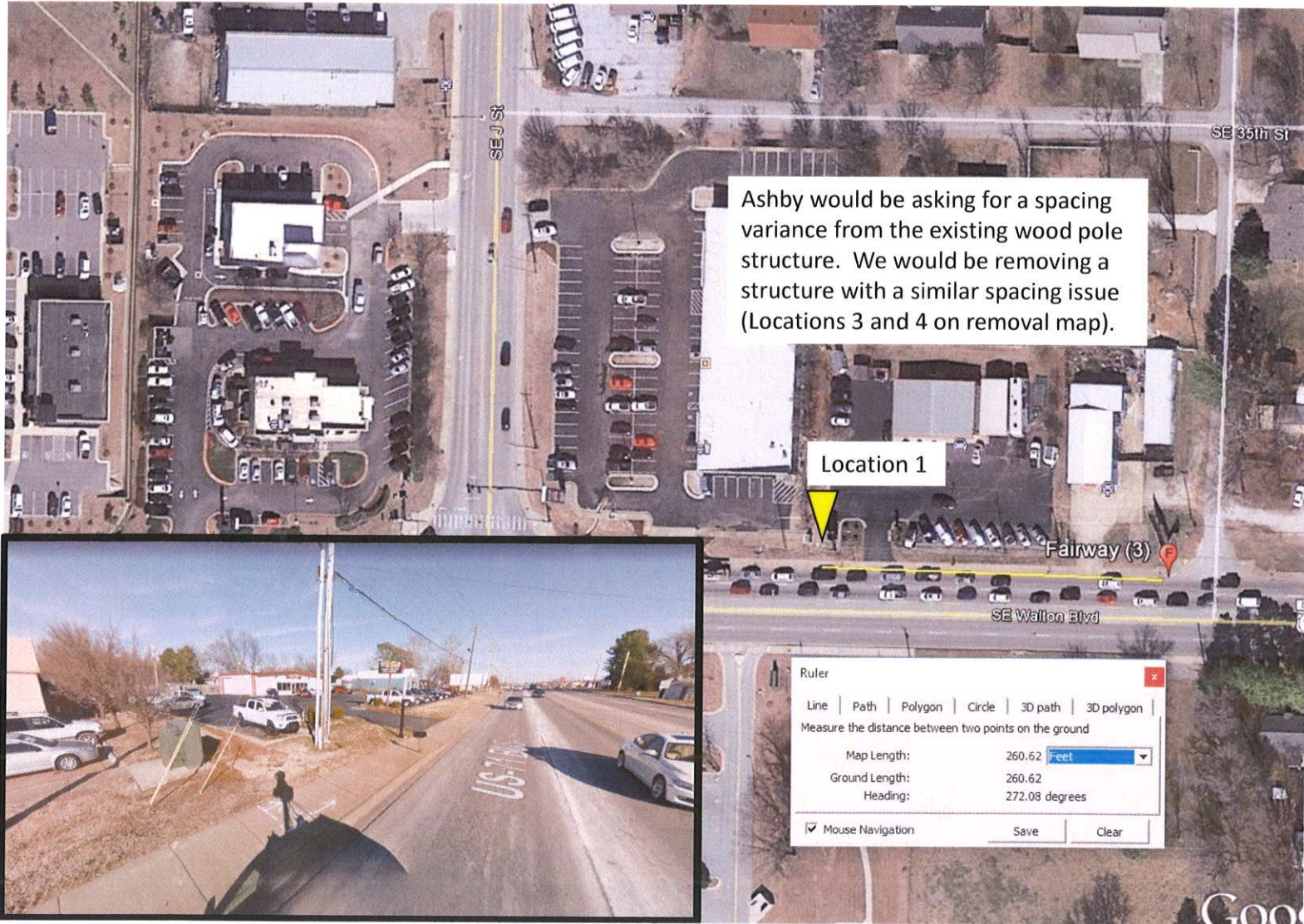
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