



**BOARD OF ADJUSTMENT
AGENDA
April 25, 2018**

I. Call to Order

II. Approval of Minutes

III. New Business:

- 1. LG Bentonville Walton, LLC (VAR18-0010)** **Variance***
1402 South Walton Blvd.
 - Number of Wall Signs allowed
- 2. Koenigseder (VAR18-0011)** **Variance***
SW F Street (Lot 21)
 - Accessory nonresidential building size
- 3. Koenigseder (VAR18-0012)** **Variance***
SW F Street (Lot 20)
 - Accessory nonresidential building size
- 4. Showcase Cars & Trucks, Inc. (VAR18-0013)** **Variance***
1105 SE Walton Blvd.
 - Digital Billboards/Separation Requirements/Distance from other Billboards
- 5. Hwy 102, LLC (VAR18-0014)** **Variance***
1404 SE Eagle Way
 - Digital Billboards/Location/Setbacks

IV. Other Business

V. Adjournment

Board of Adjustment
Minutes
April 11, 2018

Meeting called to order by Rick Rogers, Chairman

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

Motion by Mr. Pearson, seconded by Mr. Haynie to approve the minutes of March 14, 2018 as written.
Approved 4-0

The applicant is not present; Board decides to give a certain length of time to see if he will show up to represent the items.

New Business

Item #1

Showcase Cars & Trucks, Inc., Variance Request for 1105 SE Walton Blvd, Digital Billboard Separation Requirements, VAR18-0008

Tyler Overstreet reads the staff report.

Opened public hearing

No public comments

Closed public hearing

Mr. Rogers states there is comments in the staff report on other signs throughout the city. He states he understands that those are apart of a Conditional Use application which is separate and will not be taken into consideration.

Mr. Chrisco asks the staff about the hardship. Staff states that within the narrative, there is no hardship.

Mr. Chrisco then asks about safety issues. Staff states that it is the applicant's responsibility to provide that information and it was not provided.

Denied 4-0

Item #2

Hwy 102, LLC, Variance Request for 1404 SE Eagle Way, Digital Billboard Location Setbacks, VAR18-0009

Tyler Overstreet reads the staff report.

Opened public hearing

No public comments

Closed public hearing

There is discussion amongst the Board Members. They agree they do not see a hardship.

Denied 4-0

Motion by Mr. Pearson, seconded by Mr. Rogers to adjourn.

Meeting adjourned

Ali Worley

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

BOA STAFF REPORT

VAR18-0010, LG Bentonville, LLC – Number of Wall Signs Allowed

TO: Bentonville Board of Adjustment Members
THRU: Shelli Kerr, Community Development Director
FROM: Jon Stanley, Planner
BOA DATE: April 25, 2018

GENERAL INFORMATION:

Representative: Architectural Graphics, Inc. (Sarah McDougal)

Applicant: LG Bentonville, LLC (Raising Canes Chicken Fingers)

Location: 1402 South Walton Blvd.

Existing Zoning: C-2, General Commercial

Existing Land Use: Commercial/Restaurant

REQUEST: Variance

Signs Allowed with a Sign Permit/Height & Area Regulations (East facing façade)		
	Regulation	Request
Article 801, Section 801.15.A.3, Height & Area Regulations	Only one (1) wall sign allowed per wall/facade	Request of: 2 signs Variance of : 1 sign

Signs Allowed with a Sign Permit/Height & Area Regulations (North facing façade)		
	Regulation	Request
Article 801, Section 801.15.A.3, Height & Area Regulations	Only one (1) wall sign allowed per wall/facade	Request of: 2 signs Variance of : 1 sign

Signs Allowed with a Sign Permit/Height & Area Regulations (South facing façade)		
	Regulation	Request
Article 801, Section 801.15.A.3, Height & Area Regulations	Only one (1) wall sign allowed per wall/facade	Request of: 2 signs Variance of : 1 sign

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 number of wall signs allowed for property located at 1402 South Walton Boulevard that resides in the C-2, General Commercial zoning district. Ordinance allows one (1) wall sign per façade. The applicant is requesting two (2) wall signs per façade, which is a variance of one (1) sign as allowed by ordinance. The request is to allow two (2) wall sign for the east facing façade, two (2) wall signs for the north facing façade and two (2) wall signs for the south facing façade.

Please note that the ordinance allows for a maximum of 15% of the wall area for wall signs. If the variances are granted the applicant will still comply with this requirement.

For additional information, please reference the attached documents.

PUBLIC COMMENT:

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

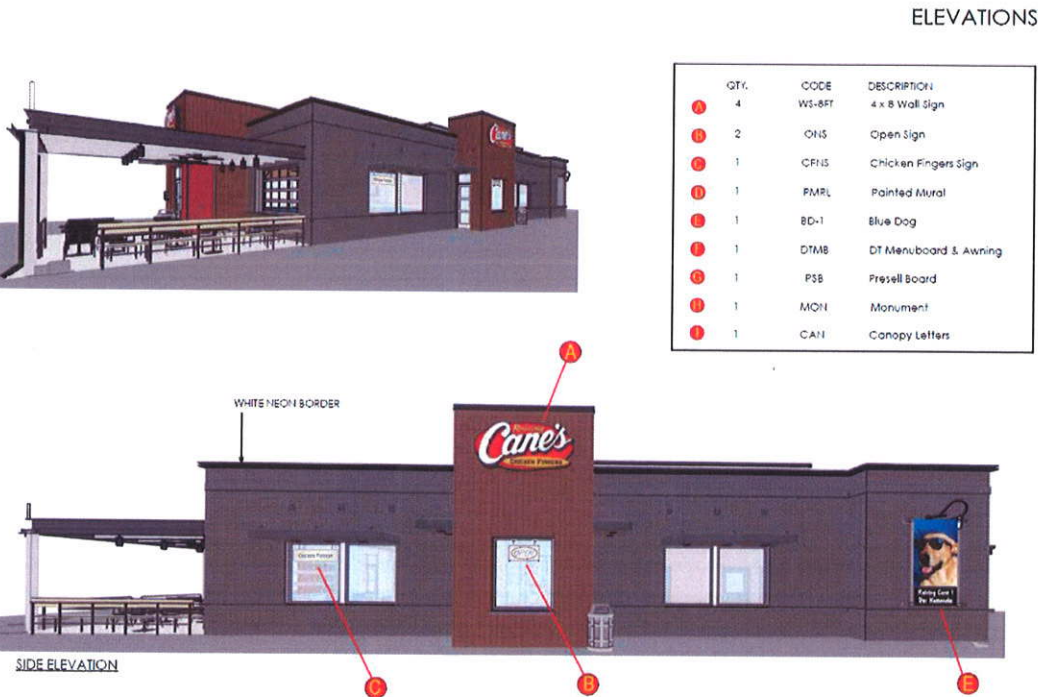
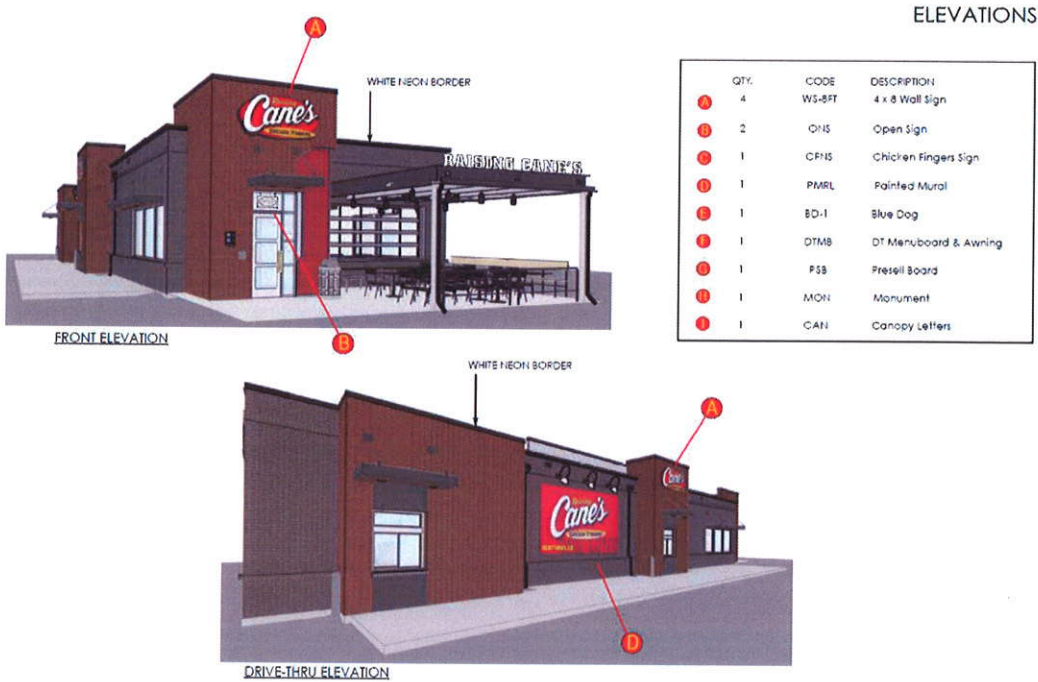
CONDITIONS OF APPROVAL:

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

1. The approved variance shall be for the proposed height, location and materials of the wall sign only, as provided by the applicant within this application.
2. The applicant shall obtain a sign permit prior to constructing the wall signs.

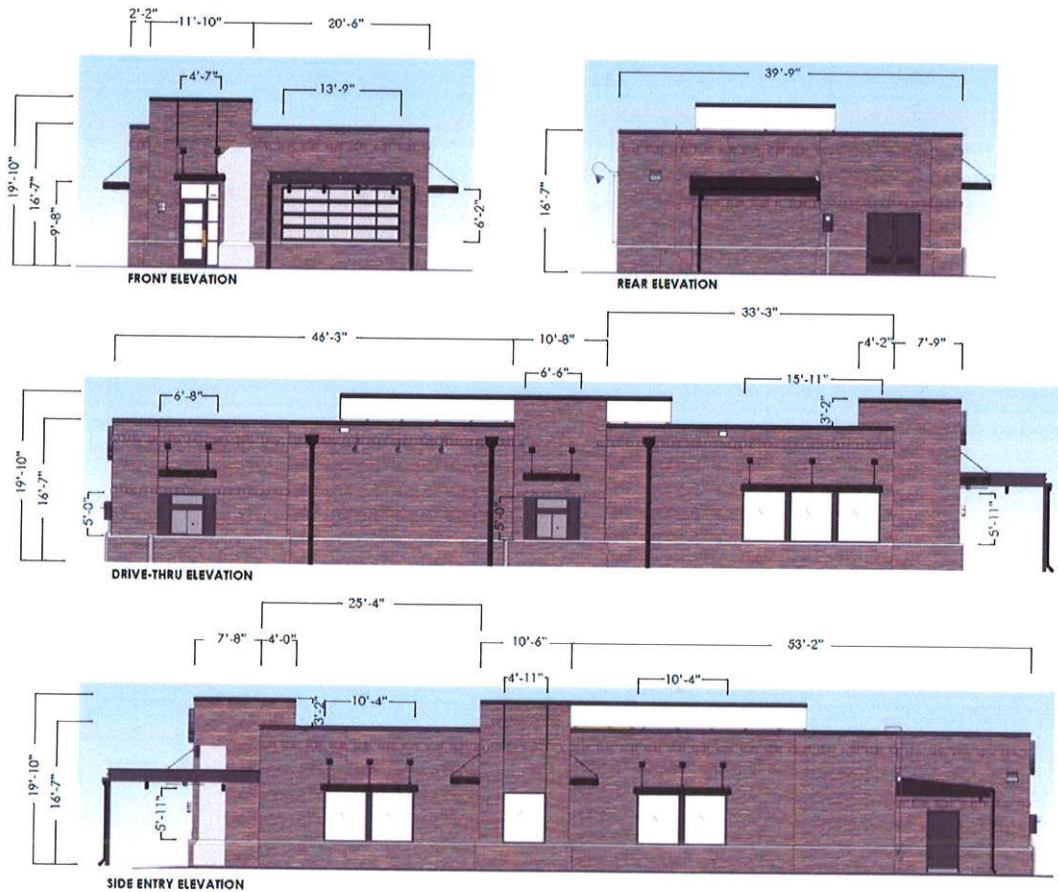
Raising Cane's is excited to be coming to the Bentonville, Arkansas area; however, there is a concern regarding the number of signs that are allowed per elevation, per the sign ordinance (Ord. no. 2016-117). We respectfully ask to be considered for a variance to allow our standard Raising Cane's signage, which includes the Raising Cane's mural and Blue Dog sign in addition to our standard wall signs. Below is the standard Raising Cane's signage that we are proposing.

Standard signage on building:



This hardship is due to the sign ordinance restricting the number of signs per façade to only allow one wall sign per wall at 15% for zone C-2 (Section 801.15-a). Raising Cane's total square footage per elevation underutilizes the 15% allowed. Please reference the breakout below and see the attached building dimensions.

Elevation	Wall SF	Non-Usable SF	Actual Wall SF	Total SF Allowed	Proposed SF
Front	610.57	129.09	481.48	72.22 SF	49.17
Rear	659.18	0	659.18	98.87 SF	30.75
Drive Thru	1,696.80	160.00	1536.80	230.52 SF	170.25
Side Entry	1,674.75	151.35	1,523.40	228.51 SF	62.75



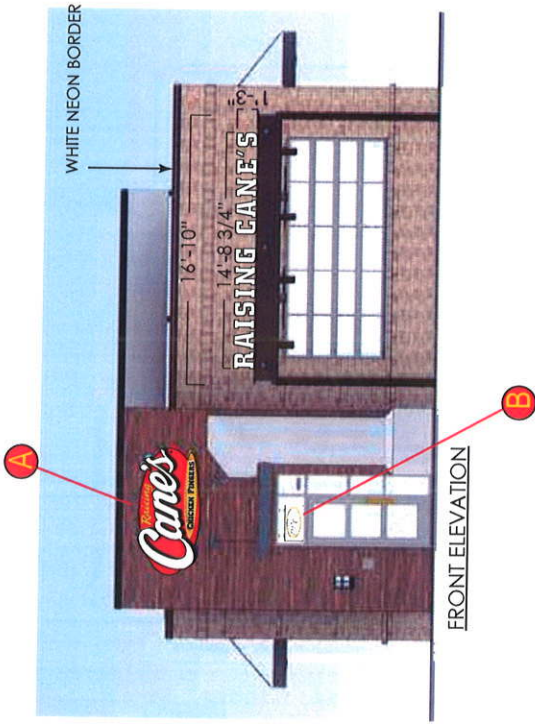
In addition, numerous businesses and direct competitors to Raising Cane's have multiple signs per elevation:

- Planet Fitness (1001 SW Westpark Dr.)
- Panda Express (319 S. Walton Blvd.)
- Taco Bell (102 S. Walton Blvd.)
- Sonic (208 S. Walton Blvd.)
- Natural Muse (1500 S. Walton Blvd.)
- Chick-fil-a (209 S. Walton Blvd.)

- Burger King (1700 S. Walton Blvd.)
- Pizza Hut (1404 S. Walton Blvd.)
- Walgreens Pharmacy (1311 S. Walton Blvd.)

Due to the limitation on the number of signs allowed and surrounding businesses that are non-conforming to this restriction, we respectfully ask that a variance be considered to allow standard number of Raising Cane's signs.

ELEVATIONS



FRONT ELEVATION



DRIVE-THRU ELEVATION

QTY.	CODE	DESCRIPTION
4	WS-8FT	4 x 8 Wall Sign
2	ONS	Open Sign
1	CFNS	Chicken Fingers Sign
1	PMRL	Painted Mural
1	BD-1	Blue Dog
1	DTMB	DT Menuboard & Awning
1	PSB	Presell Board
1	MON	Monument
1	CAN	Canopy Letters

Scale: 3/32"=1'



AGI Rep: G.W.

Location: Bentonville, AR

AGI PM: Sarah McDougal

Site ID: RC0355

Drawn by: S. Rogers

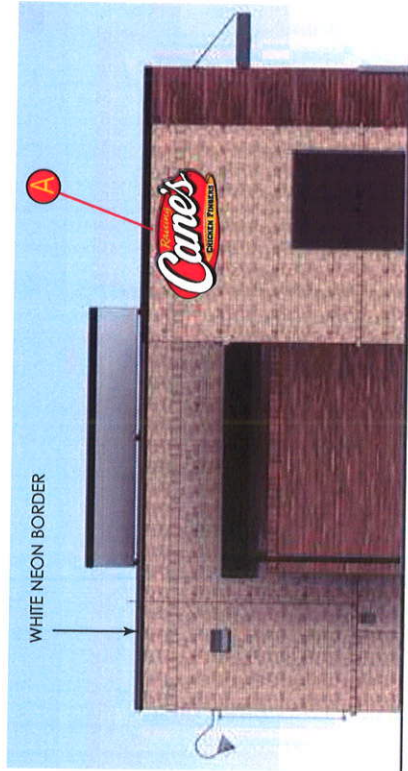
Date: 03/09/2017

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2655 International Pkwy., Virginia Beach, VA 23452
PHONE: (757) 427-1900 Fax: (757) 430-1297
www.AGISig.com

ELEVATIONS



REAR ELEVATION

WHITE NEON BORDER



SIDE ELEVATION

Scale: 3/32"=1'

QTY.	CODE	DESCRIPTION
4	WS-8FT	4 x 8 Wall Sign
2	ONS	Open Sign
1	CFNS	Chicken Fingers Sign
1	PMRL	Painted Mural
1	BD-1	Blue Dog
1	DTMB	DT Menuboard & Awning
1	PSB	Presell Board
1	MON	Monument
1	CAN	Canopy Letters



AGI Rep: G.W.

AGI PM: Sarah McDougal

Drawn by: S. Rogers

Location: Bentonville, AR

Site ID: RC0355

Date: 03/09/2017

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BOA STAFF REPORT

VAR18-0011, Koenigseder, - Use Regulations/Accessory Nonresidential Buildings/Size

TO: Bentonville Board of Adjustment Members
THRU: Shelli Kerr, Community Development Director
FROM: Jon Stanley, Senior Planner
BOA DATE: April 25, 2018

GENERAL INFORMATION:

Representative: Casey Koenigseder

Applicant: Casey Koenigseder

Location: SW F Street (Lot 21 Corley's Addition)

Existing Zoning: DN-2, Downtown Medium Density Residential

Existing Land Use: Vacant Single Family Lot

REQUEST: Variance

Use Regulations/Accessory Nonresidential Buildings/Size		
	Regulation	Request
Article 601, Sec601.01.B. Accessory Nonresidential building size	Total are of all accessory nonresidential buildings shall not exceed 40% of the total area of the primary structure	Request of: 51% Variance of : 11%

SURROUNDING ZONING:

Direction	Zoning
North	R-1, Single Family Residential
South	R-1, Single Family Residential
East	R-1, Single Family Residential
West	R-1, Single Family Residential

BACKGROUND:

The applicant has submitted a variance request to the Article 601, Section 601.01.B, Use Regulations for the size of an Accessory Nonresidential Building for property located on SW F Street (Lot 21 Corley's Addition). The applicant is requesting to construct an Accessory Nonresidential Building that is 51% of the total area of the primary structure, which is an 11% variance of the 40% 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 height, location and materials of the Accessory Nonresidential Building (garage) only, as provided by the applicant within this application.
2. The applicant shall obtain a building permit prior to constructing the Accessory Nonresidential Building (garage).
3. The Accessory Nonresidential Building (garage) shall not be converted into a residential dwelling without proper city approvals and permits.

Variance for garage at Corley's Lot 21

The lot size at 45' by 172' is particularly large compared to many of the other new downtown homes in the area. Because the garage is a rear load garage, a deeper garage is preferred in order to decrease the outside walking distance between the garage and entrance into the house. This still allows plenty of room for a good sized back yard, staying below the 60% coverage maximum.

Additionally, this lot is bordered by the cemetery in the rear. I would like to make the garage as wide as possible (same width as the house) in order to block the view of cemetery visitors into the backyard. This will be very nice garage of brick and wood siding (similar construction materials to many of the new homes in the area) and a wider structure should be more visually pleasing than privacy fencing.

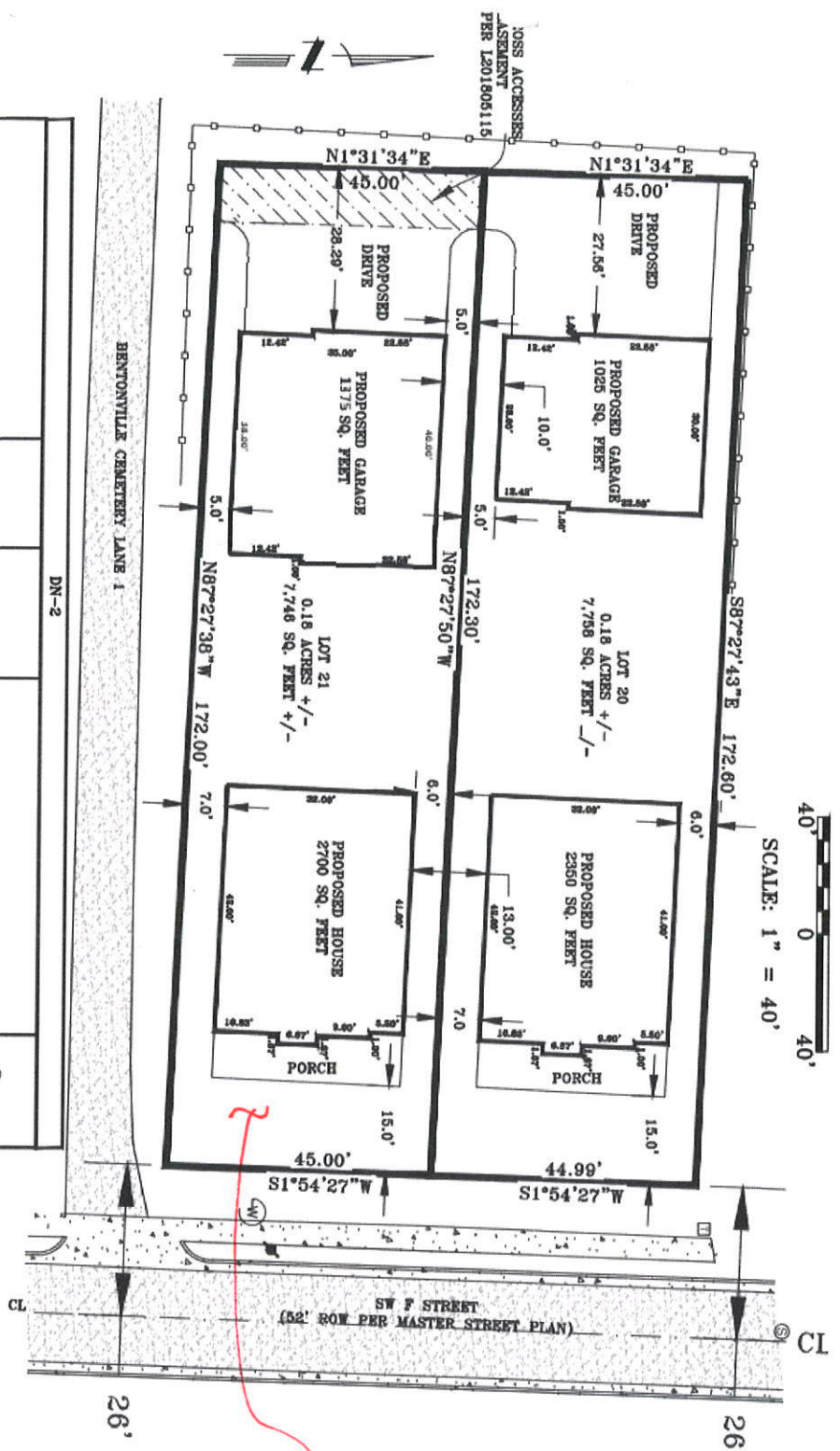
I personally own quite a few antique vehicles and motorcycles. Prior to razing of the old house, I actually parked the motorcycles on my front porch in the absence of a garage. My popup camper, gokart, and lawnmowers were in the back and viewable by cemetery visitors. Being a huge fan of the cemetery, and respectful of the visitors, I believe it is in everyone's best interest to put that stuff in a garage.

Finally, because there is no residential neighbor to the west (or south), the larger structure won't affect anyone but me...except as described above where it will be better for all visitors to the area.

	<u>Width</u>	<u>Depth</u>	<u>Sq Ft</u>	<u>% of Lot</u>
Total Lot	45.0	172.0	7,740.0	
House	32.0	58.0	1,856.0	24.0%
Garage	40.0	35.0	1,400.0	18.1%
Drive	18.3	35.0	640.5	8.3%
	10.0	45.0	450.0	5.8%
				<u>56.2%</u>

40' 0 40'

SCALE: 1" = 40'



Notes:
THIS DRAWING IS A SITE PLAN ONLY.

VARIANCE IS FOR LOT 21

LEGEND

- UTILITY POLE
- TELEPHONE RISER
- WATER METER
- SANITARY CLEANOUT
- FENCE
- PROPERTY LINES

BUILDING TYPE	FRONT YARD SETBACK		CORNER SIDE YARD SETBACK		INTERIOR SIDE YARD SETBACK		REAR YARD SETBACK
	F1 MIN.	F2 MIN.	MIN.	MAX.	TOTAL MIN.	TOTAL MAX.	
SINGLE-FAMILY-LOT > 50' & TWO-FAMILY	15'	25'	12'	N/A	5'	REMAINDER OF LOT WIDTH	25'
SINGLE-FAMILY-LOT WIDTH < 50' & TWO-FAMILY	15'	25'	12'	N/A	5'	REMAINDER OF LOT WIDTH	25'
TOWNHOUSE CLUSTER-BLOCK-END	15'	25'	12'	N/A	10'	REMAINDER OF LOT WIDTH	25'

Site Plan for:
Casey Koeningseder

JLS James Layout Services, LLC P.O. Box 611 Farmington, Arkansas 72730 Telephone: (479) 439-9929 surveys@jlsnwa.com		Project Data Drawing Name: House Layout Date: 03/29/2016 System: Plot Qa: Drawn By: MLE Checked By: Scale: 1" = 40' Sheet 1 of 1 Revision 0
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BOA STAFF REPORT

VAR18-0012, Koenigseder, - Use Regulations/Accessory Nonresidential Buildings/Size

TO: Bentonville Board of Adjustment Members
THRU: Shelli Kerr, Community Development Director
FROM: Jon Stanley, Senior Planner
BOA DATE: April 25, 2018

GENERAL INFORMATION:

Representative: Casey Koenigseder

Applicant: Casey Koenigseder

Location: SW F Street (Lot 20 Corley's Addition)

Existing Zoning: DN-2, Downtown Medium Density Residential

Existing Land Use: Vacant Single Family Lot

REQUEST: Variance

Use Regulations/Accessory Nonresidential Buildings/Size		
	Regulation	Request
Article 601, Sec601.01.B. Accessory Nonresidential building size	Total are of all accessory nonresidential buildings shall not exceed 40% of the total area of the primary structure	Request of: 44% Variance of : 4%

SURROUNDING ZONING:

Direction	Zoning
North	R-1, Single Family Residential
South	R-1, Single Family Residential
East	R-1, Single Family Residential
West	R-1, Single Family Residential

BACKGROUND:

The applicant has submitted a variance request to the Article 601, Section 601.01.B, Use Regulations for the size of an Accessory Nonresidential Building for property located on SW F Street (Lot 20 Corley's Addition). The applicant is requesting to construct an Accessory Nonresidential Building that is 44% of the total area of the primary structure, which is an 4% variance of the 40% 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 height, location and materials of the Accessory Nonresidential Building (garage) only, as provided by the applicant within this application.
2. The applicant shall obtain a building permit prior to constructing the Accessory Nonresidential Building (garage).
3. The Accessory Nonresidential Building (garage) shall not be converted into a residential dwelling without proper city approvals and permits.

Variance for garage at Corley's Lot 20

The lot size at 45' by 172.3' is particularly large compared to many of the other new downtown homes in the area. Because the garage is a rear load garage, a deeper garage is preferred in order to decrease the outside walking distance between the garage and entrance into the house. This still allows plenty of room for a good sized back yard, staying below the 60% coverage maximum.

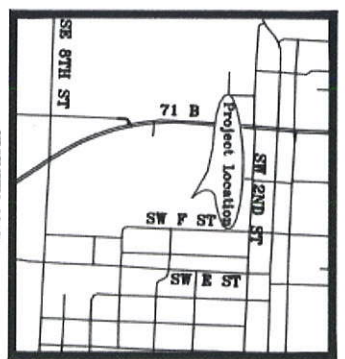
Additionally, this lot is bordered by the cemetery in the rear. I would like to make the garage as wide as possible (same width as the house) in order to block the view of cemetery visitors into the backyard. This will be very nice garage of brick and wood siding (similar construction materials to many of the new homes in the area) and a wider structure should be more visually pleasing than privacy fencing.

This garage will be close to the same as the garage on Lot 21 and visual symmetry is typically preferred by the human eye.

Finally, because there is no residential neighbor to the west, the larger structure won't affect anyone other than maybe the owner of Lot 21, who is me right now, and in the future will have the same garage width...except as described above where it will be better for all visitors to the area.

	<u>Width</u>	<u>Depth</u>	<u>Sq Ft</u>	<u>% of Lot</u>
Total Lot	45.0	172.3	7,753.5	
House	32.0	58.0	1,856.0	24.0%
Garage	30.0	35.0	1,050.0	13.6%
Drive	18.3	35.0	640.5	8.3%
	10.0	45.0	450.0	5.8%
				<u>51.6%</u>

40' 0 40'
SCALE: 1" = 40'



Notes:
THIS DRAWING IS A SITE PLAN ONLY.
VARIANCE IS FOR LOT 20

- LEGEND**
- UTILITY POLE
 - TELEPHONE RISER
 - WATER METER
 - SANITARY CLEANOUT
 - FENCE
 - PROPERTY LINES

BUILDING TYPE	FRONT YARD SETBACK	CORNER SIDE YARD SETBACK	INTERIOR SIDE YARD SETBACK	REAR YARD SETBACK
	P1 MIN.	P2 MIN.	TOTAL MIN.	REMAINDER OF TOTAL, BUT NO LESS THAN 5'
SINGLE-FAMILY- LOT > 50' & TWO-FAMILY	15'	25'	12'	25'
WITHOUT ALLEY ACCESS	15'	25'	12'	25'
SINGLE-FAMILY- LOT WIDTH < 50' & TWO-FAMILY	15'	25'	12'	25'
TOWNHOUSE CLUSTER- BLOCK-END	15'	25'	12'	25'

Site Plan for:
Casey Koeningseder

Project Data

Drawing Name: 17-091 house layout

Date: 02/29/2016

System:

Field Op:

Drawn By: N.E.

Checked By:

Scale: 1"=40'

Sheet 1 of 1

Revision 0

JLS

James Layout Services, LLC

P.O. Box 611

Farmington, Arkansas 72730

Telephone: (479) 439-9929

Survey@jlsllc.com

BOA STAFF REPORT

VAR18-0013, 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 25, 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: 250' Variance of : 750'

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 250' from the existing static billboard, which is a variance of 750' 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 that would require approval of a Conditional Use permit by the Planning Commission.

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.



Date: April 14, 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 an existing off-premise sign. The ordinance requires a new digital location be 1000' from an existing off-premise sign. We are requesting the variance to allow the new digital location to be approximately 262' 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 2739sqft 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 wweeks@ashbystoutdoor.com if you need additional information.

Respectfully,

Whit Weeks
Vice President/General Manager
Ashby St. Outdoor

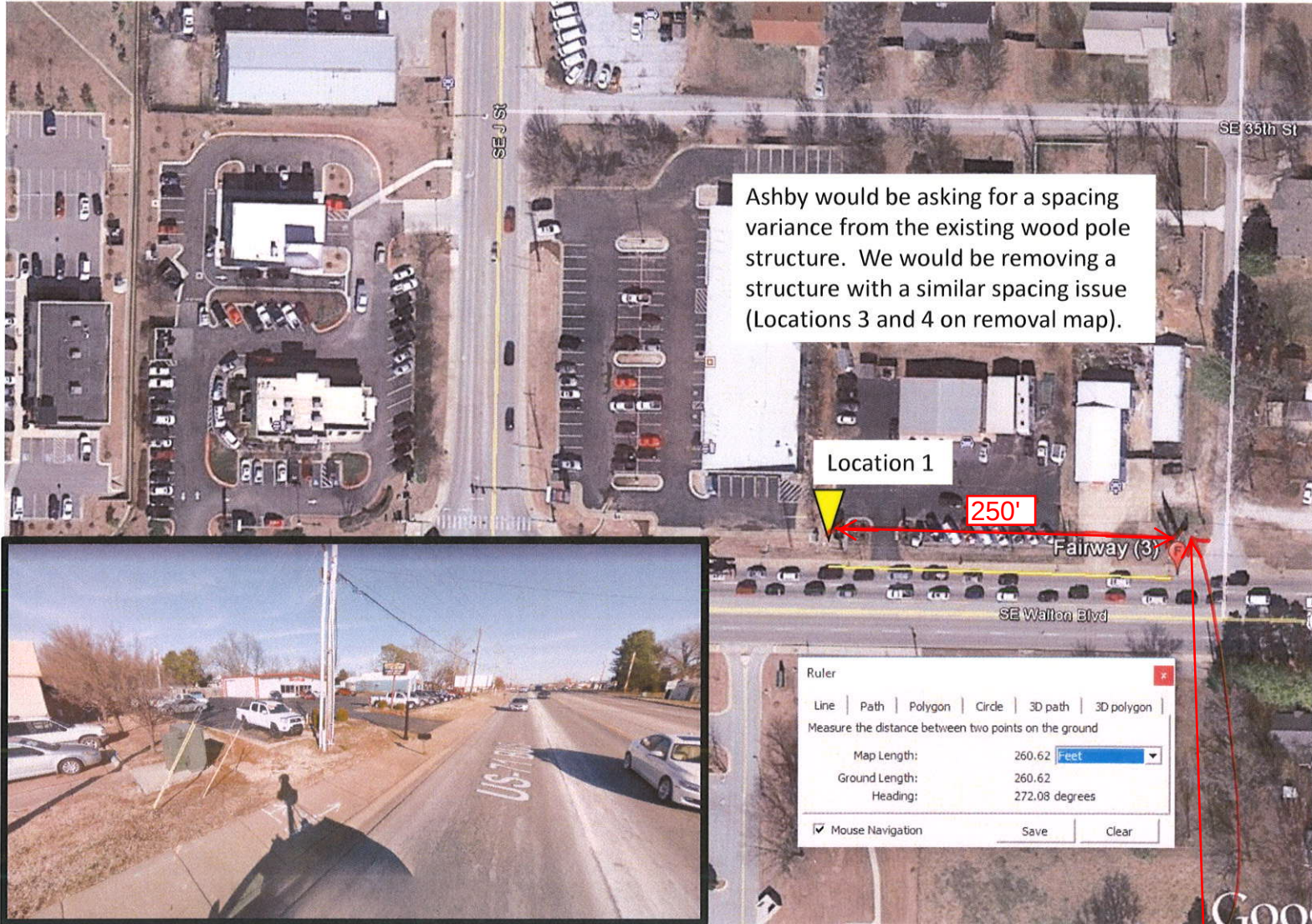
OFFICE
1855 Shelby Lane
Fayetteville, AR 72704

MAILING
PO Box 10352
Fayetteville, AR 72703

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

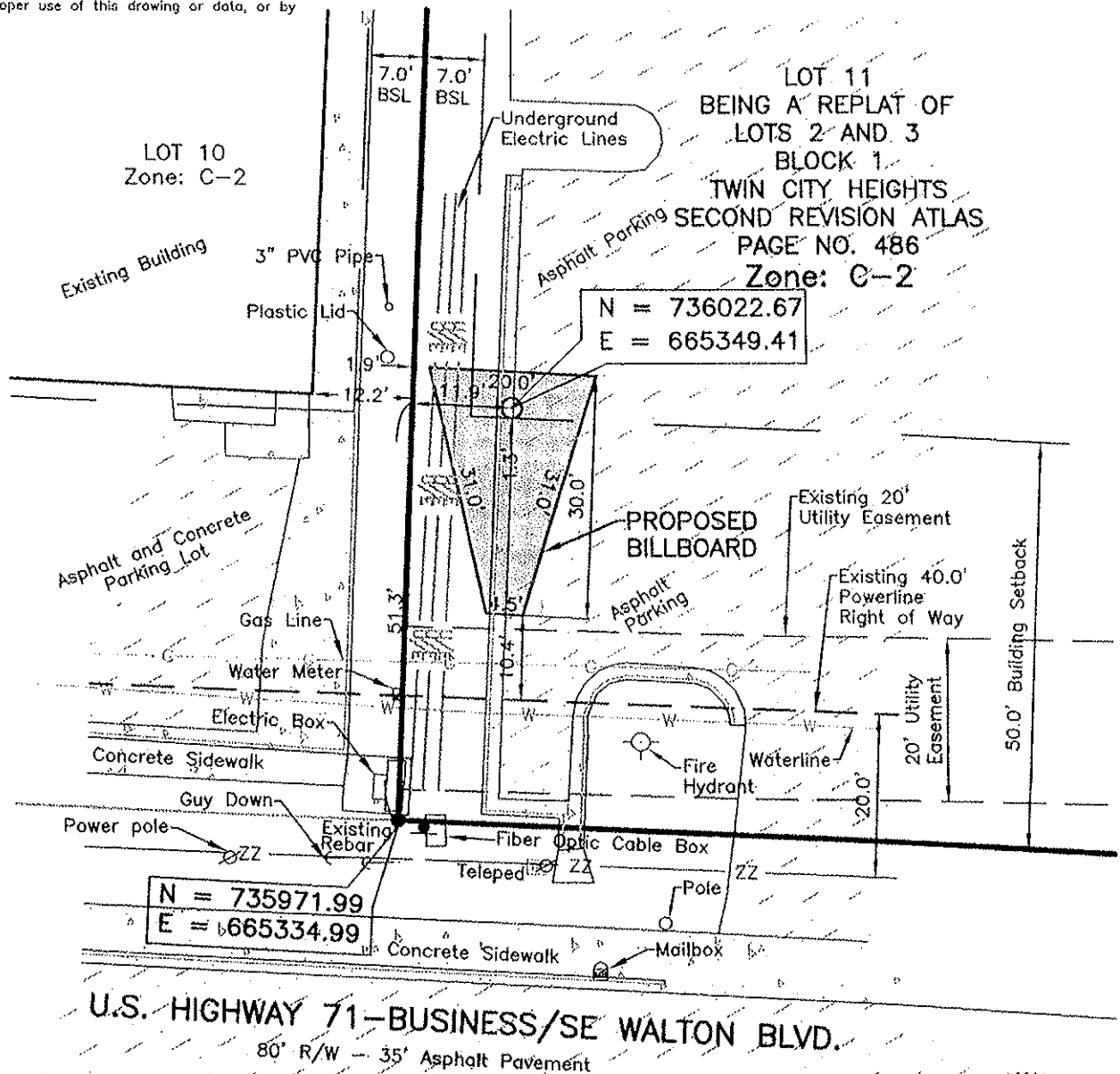


Location 1



Existing Billboard

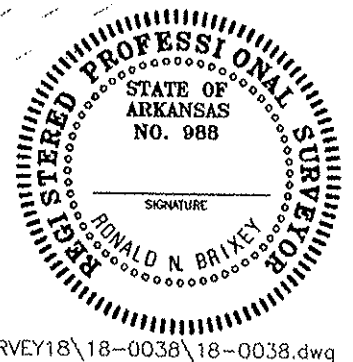
Any unauthorized use of this drawing or data by others is at the sole risk of the user. Brixey Engineering & Land Surveying, Inc. shall be held harmless and without liability from claims, costs or damages of any nature including costs of defense arising from improper use of this drawing or data, or by another party.



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

1105 SE Walton Boulevard
Bentonville, Arkansas 72712

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



Prepared For: Ashby Street Outdoor Advertising

G:\SURVEY18\18-0038\18-0038.dwg



BRIXEY ENGINEERING & LAND SURVEYING, INC.
CONSULTING ENGINEERS -- LAND SURVEYORS
5223 East Highway 46 (470) 646-0394
P.O. Box 8180 Fort Smith, Arkansas 72906

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

BOA STAFF REPORT

VAR18-0014, 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 25, 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: 1'-6'' Variance of : 5'-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 1'-6" side setback be allowed which is a variance of 5'-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 that would require approval of a Conditional Use permit by the Planning Commission.

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.



Date: April 14, 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 at 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 1' 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 22' 6". 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 2739sqft 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,

Whit Weeks
Vice President/General Manager
Ashby St. Outdoor

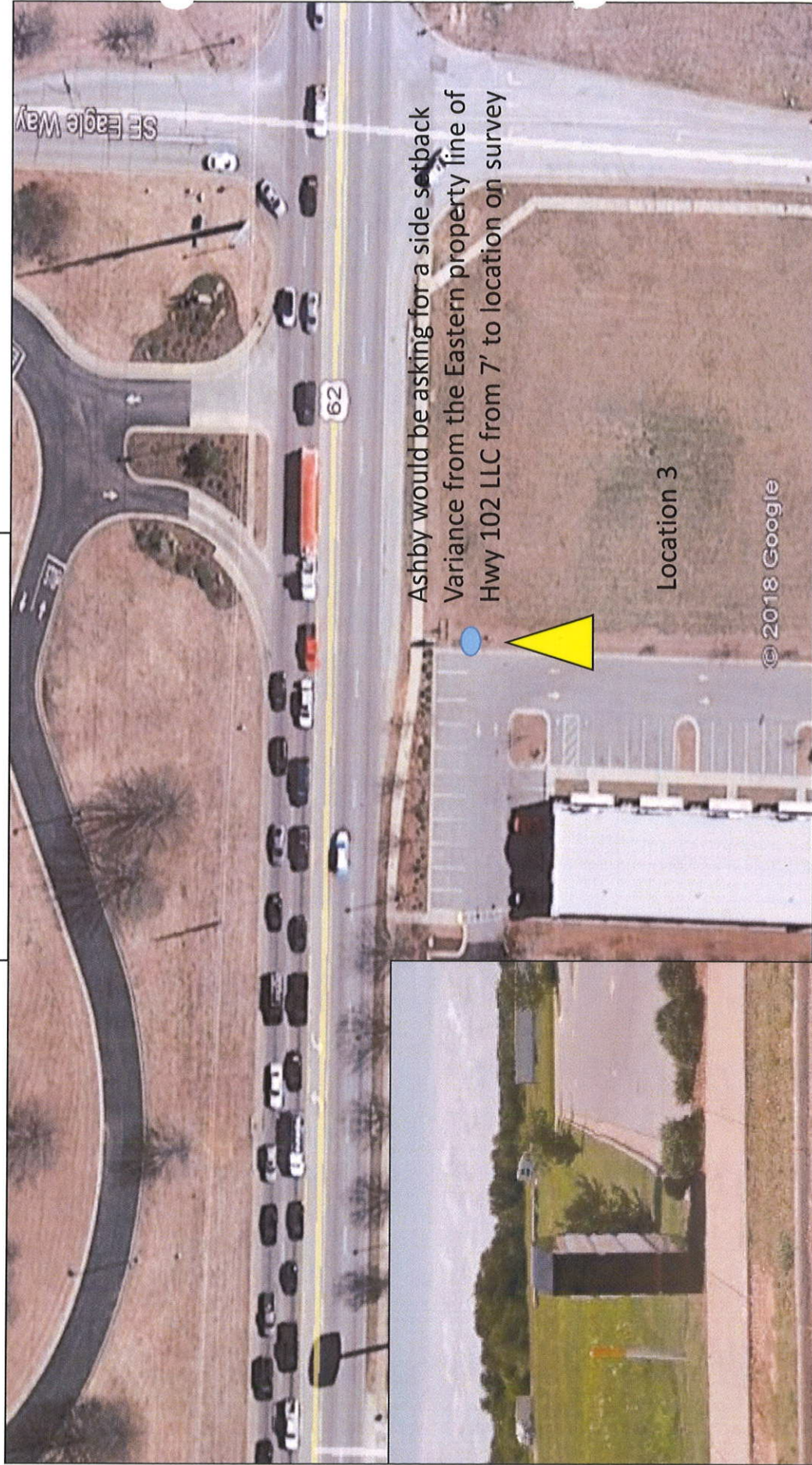
OFFICE
1855 Shelby Lane
Fayetteville, AR 72704

MAILING
PO Box 10352
Fayetteville, AR 72703

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



Location 3

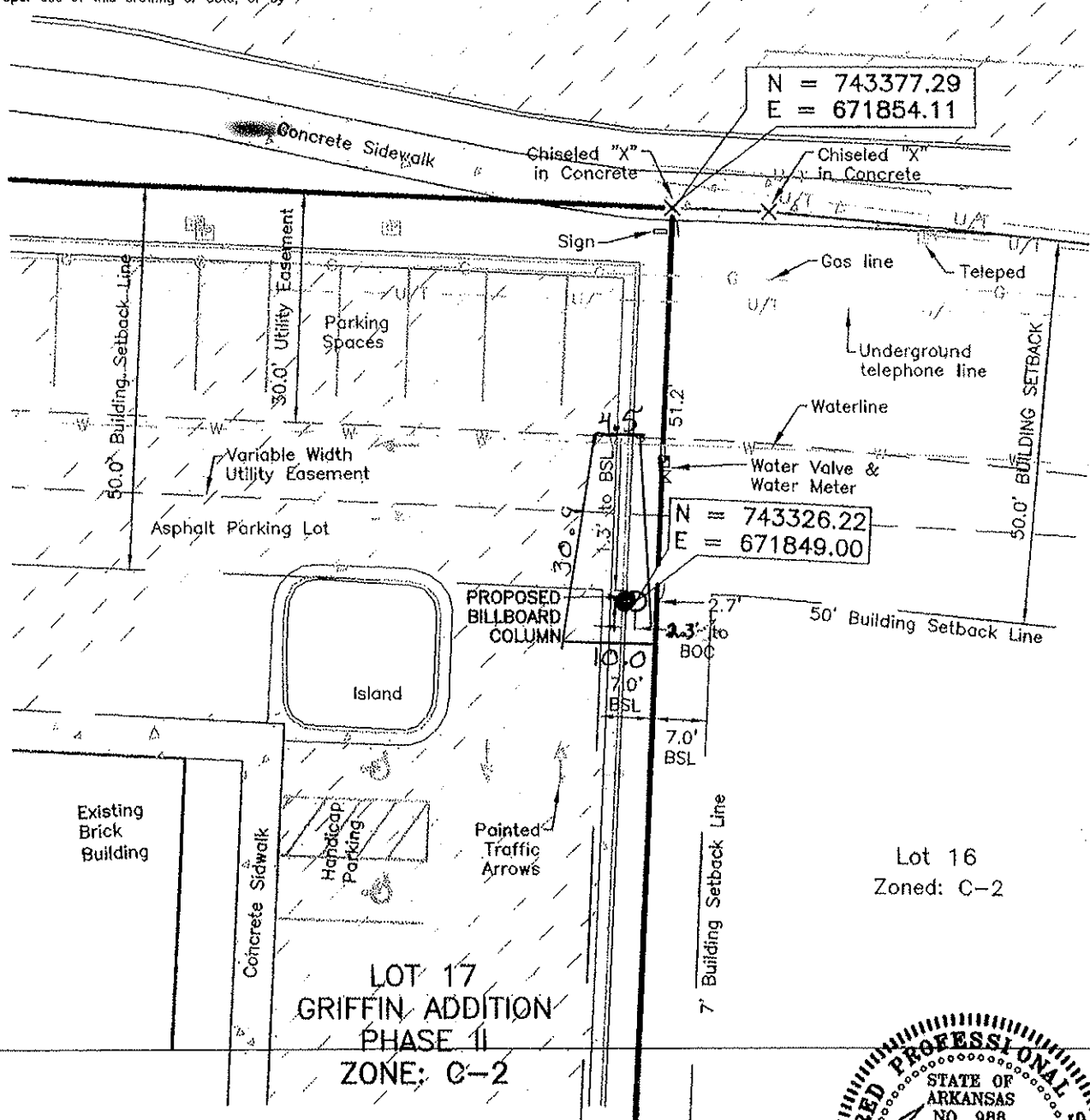


Any unauthorized use of this drawing or data by others is at the sole risk of the user. Brixey Engineering & Land Surveying, Inc. shall be held harmless and without liability from claims, costs or damages of any nature including costs of defense arising from improper use of this drawing or data, or by another party.

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

N = 743377.29
E = 671854.11

N = 743326.22
E = 671849.00



Setback Requirements

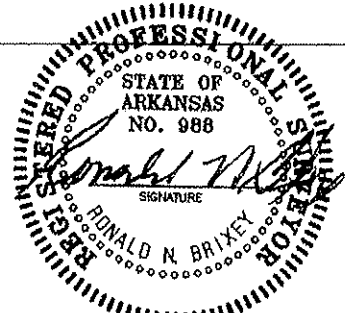
Front: 50'

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



G:\SURVEY18\18-0039\18-0039.dwg



CONSULTING ENGINEERS LAND SURVEYORS

5223 East Highway 45 (479) 646-8394
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
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-Walton near SW 2nd St (Sonic) (720 sqf)	4512.50	sqf needed for 7 faces
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-Walton near SW 12th St (Bville Butcher) (720 sqf)		
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-Walton near SW 12th St (Below above) (576 sqf)	31.5	sqf excess
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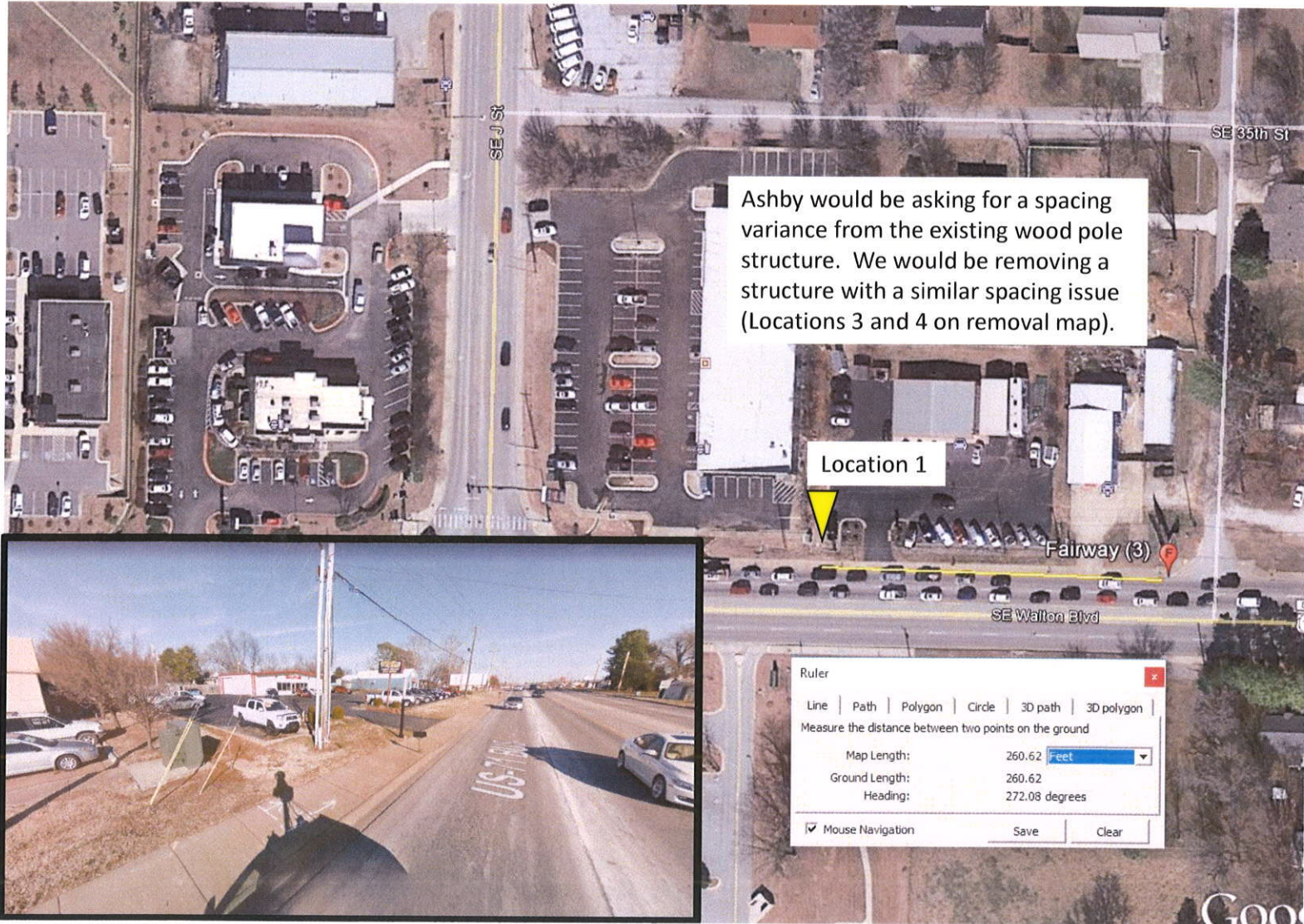
-HWY 102 and I St. 8x16 (128 sqf)

-*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

