



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Minutes - Final Board of Zoning Adjustments

Tuesday, December 19, 2017

1:30 PM

Municipal Center

1. Call to Order

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2. Roll Call

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Present 5 - Doug Gilmore; Sean Stem; Rick Miles; Max Dacus Jr. and Jerry Reece

3. Approval of Minutes

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MIN-17:139

MINUTES: BZA Minutes from November 21, 2017 Meeting

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Attachments: [BZA Minutes from November 21, 2017.pdf](#)

A motion was made by Jerry Reece, seconded by Max Dacus Jr., that this matter be Approved . The motion **PASSED** with the following vote.

Aye: 2 - Max Dacus Jr. and Jerry Reece

Absent: 2 - Doug Gilmore and Sean Stem

4. Appeal Cases

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VR-17-44**VARIANCE:** 2809 E. Highland Drive

Kirk B. Lonidier of A2Z Products on behalf of owner Keith Bayrid of Bayrid Preowned Supercenter is requesting a variance for address 2809 E. Highland Drive for a sign that is existing and is 185 square ft. and the sign ordinance only allows for 150 sq. ft. and to be replaced with Digital Reader of the same size. This is located within a C-3 General Commercial District Lot.

[play video](#)

Attachments: [Application.pdf](#)
 [Letter from Law Offices.pdf](#)
 [Letter.pdf](#)
 [Picture.pdf](#)
 [Pictures of Area.pdf](#)
 [USPS Certified Mail Receipts.pdf](#)
 [USPS Green Card Returns.pdf](#)
 [Adjoining Property Owners Returned 2.pdf](#)

APPLICANT: Good Afternoon, my name is Kirk Lonidier, I am an attorney here is Jonesboro and my business address is 603 Southwest Drive. My client is A2Z Products on behalf of owner Keith Bayrid of Bayrid Preowned Supercenter is requesting a variance for address 2809 E. Highland Drive for a sign that is existing and is 185 sq. ft. and the sign ordinance only allows for 150 sq. ft. and to be replaced with a Digital Reader of the same size. This digital read goes underneath the sign itself.

Rick Miles - Board Member: The variance we are looking at is the size of the sign correct Derrel.

Derrel Smith - Planning Director: Yes Sir.

Max Dacus - Board Member: The total face square footage that this succeeds?

Derrel Smith - Planning Director: Yes and there is also a letter you front of you describing the sign that we are looking at.

Max Dacus - Board Member: I was trying to clarify that the reader brings about the square footage for the current ordinance amount.

Rick Miles - Board Member: So I am assuming then what they are asking for the 185 sq. ft. is including

Derrel Smith - Planning Director: Well according to this letter and you might ask the representative it looks like the sign that is there is 185 sq. ft. and this additional 80 sq. ft. would be for the reader board. Therefore, that would be 265 sq. ft. Is that Correct?

APPLICANT: That is my understanding, I'm not for sure if the 185 includes the one that is on the top now and the one additional is the one that would take it over the allotted amount.

Jerry Reece - Board Member: How do the measurements compare to the ones on Nettleton and Stadium/

Derrel Smith - Planning Director: Are you talking about the Billboards:

Jerry Reece - Board Member: Yes

Derrel Smith - Planning Director: This is not near the size of a Billboard.

Rick Miles - Board Member: Much smaller than the Billboard.

Rick Miles - Board Member: Actually what you are saying we are looking at a variance of 35 ft. on the sign itself, but now we have to incorporate the rear.

Derrel Smith - Planning Director: That is correct.

Doug Gilmore - Chair: So it doesn't accede the Height.

Rick Miles - Board Member: So what you are showing there is that the actual sign we are discussing. The reader will be attached underneath.

Max Dacus - Board Member: So it was built under the old ordinance so that is what I understand.

Derrel Smith - Planning Director: They put a face in when they went in, but it is more than what the code allowed. They just replaced the face. We shouldn't have given them a sign permit originally for the 185 sq. ft. This is for Bayrid's now. When they opened it, we gave them a permit. The way the ordinance reads you are supposed to meet the code. They just let them change the face out which is larger. Therefore, they came back then wanting a LED Permit for the digital reader board. That is when we caught this.

Doug Gilmore - Chair: Since we already allowed them to do that we need to go ahead and give this for the variance on that and now we are discussing the addition of the reader.

Derrel Smith - Planning Director: Yes

Jerry Reece - Board Member: The new sign will go directly under the old sign is that correct?

Derrel Smith - Planning Director: Yes, just like the picture in front of you.

Jerry Reece - Board Member: ok

Max Dacus - Board Member: It appears that it is appropriate and up out of the way, but we have an ordinance that prevents it.

Doug Gilmore - Chair: We also have a variance committee that handles this.

Derrel Smith - Planning Director: If you do approve this we would like to have one requirement on this and that the Digital Sign meet the requirements for Message and Flashing that are required by the Planning Department and we will give him those requirements. For not distracting drivers which are the

requirements below:

Signs shall utilize automatic dimming technology to adjust the brightness of the sign relative to ambient light so that at no time shall a sign exceed a brightness level of three tenths (0.3) foot candles above ambient light, as measured using a foot candle (Lux) meter.

All signs shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.

No sign message shall be displayed for a period less than 8 seconds and maximum transition time between messages shall seem instantaneous to the human eye.

Max Dacus - Board Member: I think it is and looks good and will be fine, but Doug how we talk about it some times where is the hardship.

Rick Miles - Board Member: If we are talking about if this should be approved or not approved, let's take one-step back; apparently, we are in a catch 22, because we have already allowed them the extra 35 ft. of space on the sign alone.

Max Dacus - Board Member: That is existing thought.

Derrel Smith - Planning Director: That is on the top sign not the bottom.

Rick Miles - Board Member: I understand

Doug Gilmore - Chair: Besides wanting to put that up there is there and advertise your business, this committee deals with like Max said hardships. Can you sale me on a hardship?

APPLICANT: The only hardship is that I am aware of is under the original permit all the materials were purchased and that original reader board to the turn of I think \$125,000 thousand dollars was purchased with the understanding that it would go up. As it was explained to me, had that been mounted under the original permit it was allowed for and I understand that was issued incorrectly, but it would have been allowed under that. I think there was some sort of a problem with the supplier or something like that getting the material that manufactured that so they delayed on installing that and after the time had run out we are setting here on all these materials and stuff and here we are. Therefore, he contacted stuff and me.

Rick Miles - Board Member: So all these materials have been bought and paid for.

APPLICANT: Yes, that is correct.

Max Dacus - Board Member: Derrel the face is two faces allowed on the same sign or is that total of what would be allowed on the pole?

Derrel Smith - Planning Director: The total is 150 sq. ft., which we allow more than that already. When they purchased this not they have had it over a year. Because the permit has been over a year when it was issued originally. They

never put that reader board up so that is the reason that it expired. Therefore, they had to come back for a new permit and we didn't allow this one.

Rick Miles - Board Member: So you are saying that if they had put it up that would be allowed.

Derrel Smith - Planning Director: If they would have got it up we would have to live with it.

A motion was made by Rick Miles, seconded by Max Dacus Jr., that this matter be Approved. The motion PASSED with the following vote:

Aye: 4 - Sean Stem;Rick Miles;Max Dacus Jr. and Jerry Reece

VR-17-45

VARIANCE: 2508 Rosewood Circle

Gavin and Laura McDowell is requesting a variance for address 2508 Rosewood Circle to waive the standard 6 ft. fence to 8 ft. for the back portion of their privacy fence, which runs along Harrisburg Road for better safety of their children. This is located within an R-1 Single Family Density District Lot.

[play video](#)

Attachments: [Application.pdf](#)
 [Pictures of Area.pdf](#)
 [Adjoining Neighbors Notifications.pdf](#)

Withdrawn

5. Staff Comments

[play video](#)

6. Adjournment

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