

CITY OF SULPHUR SPRINGS  
ZONING BOARD OF ADJUSTMENTS AND APPEALS  
MEETING MINUTES  
MAY 22, 2018  
5:30 P.M.

Present: Chairman Brad Burgin, Vice-Chairman Matt Johnson, Board Member Kyle Robinson, Alternate Jonathan Newsom

Absent: Board Member Carrie Nuckolls, Board Member Kevin Mohl

Staff: Tory Niewiadomski, Community Development Director

Others: John Berry, Joe Moore, Bobby Hill

**CALL MEETING TO ORDER:**

Chairman Brad Burgin called the Zoning Board of Adjustments and Appeals Meeting to order at 5:32 P.M.

**DISCUSSION/ACTION ON ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING MINUTES OF APRIL 17, 2018.**

Consider for approval the Zoning Board of Adjustments and Appeals meeting minutes of April 17, 2018. Vice-Chairman Matt Johnson moved to approve the meeting minutes. Board Member Kyle Robinson seconded. Motion carried, all voting aye.

**DISCUSSION/ACTION ON A REQUEST BY FIX AND FEED FOR A VARIANCE TO THE SIGN ORDINANCE FOR PROPERTY LOCATED AT 1000 GILMER ST.**

Fix and Feed is requesting to construct an on premise detached multi-business pole sign that is 25 foot tall and 168 square feet in size. **The applicant would need a variance of 5 feet in height and 88 square feet in sign area.**

This property has existing non-conforming signage that exceeds the size requirements. If approved, the applicant has indicated that they would remove the non-conforming sign truck. The proposed signage would reduce the amount of signage that they currently have on site and would be an improvement. The applicant is seeking to install multi-use signage which has a height limitation to 20 feet.

Based on the applicant's proposed signage, the site signage will be more coordinated and will have less sign area overall. The proposed signage will be concentrated in one area of the site which will increase communications efficiency and safety. The request will not further impact or overload the public's capacity to receive information by distracting and obstructing driver's vision or interfering with the communications efficiency, thus protecting the intent of the ordinance.

Staff sent 15 certified letters to residents and businesses within 200ft. of the property. We received two response in favor and none in opposition.

Vice-Chairman Matt Johnson moved to approve the request as presented by Staff. Board Member Kyle Robinson seconded. Motion carried, all.

**DISCUSSION/ACTION ON A REQUEST BY SAPUTO DAIRY FOODS, USA FOR A VARIANCE TO THE SETBACK REQUIREMENT FOR PROPERTY LOCATED AT 300 E. INDUSTRIAL ON THE COMO STREET SIDE.**

Saputo's production facility is located at 300 E. Industrial Drive and is bound by Bill Bradford and Como Street on three sides in the Industrial Park. In order to have a perpendicular and square building, the applicant has expressed the need for a variance of 10 feet to the front yard setback for a portion of the project. The area of encroachment will be for shipping and warehouse purposes for trucks. Staff sent out 7 letters and received one response in favor and none in opposition.

The purpose of setbacks are to provide a barrier or delineation between properties so that activities on a site do not infringe upon the rights of neighbors, it provides greenspace for lawns and trees that serve as filtration for storm-water run-off, fire separation between structures, provide access to sunlight and air, establish aesthetic character in districts, and prevent the overcrowding of land.

This particular site is part of an industrial park, the property has frontage on three streets requiring front yard setbacks on three sides that is unique to this property, and the curvilinear street present additional hardships that are not common on other properties.

Joe Moore spoke regarding this request and feels that building in the setback is not a good idea. Doing so could become a life safety issue, and feels that there are other options that could be explored for this request besides building within the setback. This will also a precedence for other requests to be approved.

Staff recommends approval as the request is not contrary to the public interest due to special conditions being present on the property that result in an unnecessary hardship to the property.

Vice-Chairman Matt Johnson moved to approve the request as presented by Staff. Board Member Kyle Robinson seconded. Motion carried, all.

**ADJOURN:**

With no further business the meeting was adjourned at 5:49 P.M.