

CITY OF SULPHUR SPRINGS
ZONING BOARD OF ADJUSTMENTS AND APPEALS
MEETING MINUTES
NOVEMBER 20, 2018
5:30 P.M.

Present: Chairman Brad Burgin, Vice-Chairman Matt Johnson, Board Member Carrie Nuckolls, Alternate Board Member Tony Bassham

Absent: Board Member Kevin Mohl, Board Member Kyle Robinson

Staff: Tory Niewiadomski, Community Development Director, Jennifer Graham, Admin Asst., Community Development

Others: Mark Hill

CALL MEETING TO ORDER:

Chairman Brad Burgin called the Zoning Board of Adjustments and Appeals Meeting to order at 5:30 P.M.

DISCUSSION/ACTION ON ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING MINUTES OF OCTOBER 16, 2018.

Consider for approval the Zoning Board of Adjustments and Appeals meeting minutes of October 16, 2018. Board Member Carrie Nuckolls moved to approve the meeting minutes. Vice-Chairman Matt Johnson seconded. Motion carried, all voting aye.

DISCUSSION/ACTION ON A REQUEST BY KRISTY RIERA TO PERFORM MICROBLADING AT 119 W. INDUSTRIAL DR..

The applicant is requesting to perform microblading at the Hair Studio. The salon is located on Industrial Dr. west of Broadway and east of Fisher St. between the Metro Diner and Tire Shop in a three suite building. Because this is considered a form of tattooing it requires a Special Use Permit. The State requires an approval letter from the City in order to obtain a license to do microblading. This Special Use Permit will be limited to cosmetic tattoos only. Vice-Chairman Matt Johnson moved to approve the Special Use Permit request. Board Member Carrie Nuckolls seconded. Motion carried, all voting aye.

DISCUSSION/ACTION ON A SIGN VARIANCE REQUEST BY CHICK-FIL-A FOR PROPERTY LOCATED AT 130 E. SHANNON RD.

A request by Chick-fil-A Inc. for a variance to the Sign Ordinance for property located at 130 Shannon Road, being further described as Lot 14C, 14B, and 15 Block 207 (Lisciotti Addition-Lot 1). Chick-Fil-A is in the process of constructing their new restaurant and have requested variances to the Sign Ordinance as they relate to the size allowances for wall signage.

Variance 1:

The request is to construct two signs totaling 68 square feet of wall signage on the east elevation of the building (main elevation: signs B and C1). The total length of this side of the building is 120.25'. 33% of the allowable area for this side of the building would permit up to 79.36 square feet. The applicant is requesting to occupy 28% of the allowable area. However, due to the further restriction of 30 square feet, the applicant needs a variance of 38 square feet for the wall signage on the east elevation. Vice-Chairman Matt Johnson moved to approve the request. Board Member Carrie Nuckolls seconded. Motion carried, all voting aye.

Variance 2:

The applicant is also seeking to install a 33 square foot wall sign on the west elevation of the building (rear elevation: sign C4). The total length of this side of the building is 120.25'. 33% of the allowable area for this side of the building would permit up to 79.36 square feet. The applicant is requesting to occupy 7.28% of the allowable area. However, due to the further restriction of 30 square feet, the applicant needs a variance of 3 square feet for the wall signage on the west elevation. Vice-Chairman Matt Johnson moved to approve the request. Board Member Carrie Nuckolls seconded. Motion carried, all voting aye.

DISCUSSION/ACTION ON A SETBACK VARIANCE REQUEST BY MARK HILL FOR PROPERTY LOCATED AT 876 CAMP ST.

The applicant started construction of a four unit complex with the intent to plat the property into four individual lots under the single family attached housing zoning designation. The applicant is required to meet the 25 foot front yard setback, however, an error was made during the construction process and two of the proposed interior lots encroach the 25 foot front yard setback with the bump outs by a little over 1 foot encroachment. According to the plat, it shows that property line starts about 10 feet behind the curb which is more than most property in the City. 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.

Most lots in the City measure the property line from the back of curb. In instances, when the City has obtained additional right-of-way, it is common to provide 9 feet behind the back of curb. In this case, the right of way is about 10 feet behind the back of curb and the buildings closest point is approximately 33.9 feet from the back of curb. Board Member Tony Bassham moved to approve the request. Vice-Chairman Matt Johnson seconded. Motion carried, all voting aye.

ADJOURN

With no further business the meeting was adjourned at 5:45 P.M.