

MINUTES

**BOARD OF ZONING APPEALS
REGULAR MEETING
PUBLIC HEARING
Tuesday, May 18, 1993**

10:00 a.m.

Members Present: David Wright, Belvin Harris, Ben Turbeville, Joyce Rigler, Don Hawkins and Lewis Ozuna.

Members Absent: None.

Staff Present: Pat Payne

Visitors: List

The first item of business was calling the meeting to order at 10:00 a.m. by Chairman Don Hawkins.

The second item of business was consideration of and action on the minutes of the regular meeting of April 20, 1993. A motion was made by Ben Turbeville and seconded by Lewis Ozuna to approve the minutes as presented. Motion carried by the following votes: Ayes: Hawkins, Harris, Rigler, Ozuna, and Turbeville. Nays: None. Absent: David Wright. Abstentions: None.

The third item of business was consideration of and action on a request by Diana Nelson Eichenberger for a 2 foot, 3 inch side yard setback variance to the requirements of the Zoning Ordinance on her property at 1705 Laurel Road to build an addition onto her residence.

Mr. Hawkins asked Mr. Fred Eichenberger if he wanted to speak in favor of the request. Mr. Eichenberger, husband of Diana Nelson Eichenberger, explained that the house was originally built six feet from the side property line, and the required setback is 8' 3". He said they want to extend the structure to the rear and would like to keep the present building line without having to inset the structure to conform with the setback requirements.

Mr. Hawkins said a variance should be granted on the original nonconforming setback to clear any cloud on the property. Mr. Eichenberger said they purchased the property some six years prior. (At that time, variances were not required to clear discrepancies on building setbacks for titles and deeds.)

Mr. Hawkins asked if there was anyone present who wanted to speak in opposition to the variance request; there was none.

After no further discussion, a motion was made by Belvin Harris and seconded by Ben Turbeville to grant a 2' 3" side yard setback variance on the east side of the structure at 1705 Laurel Road.

Motion carried by the following votes: Ayes: Hawkins, Ozuna, Harris, Turbeville, and Rigler. Nays: None. Absent: Wright. Abstentions: None.

The fourth item of business was consideration and action on a request by Spraylat Corporation for a variance to the requirements of the I-35 Development Standards Ordinance for allowable signage area and placement to put an attached sign on their building at 3333 N. I-35.

Mr. Hawkins asked if someone was present to present the request. Mike Middleton of the Five Star Sign Corporation was in attendance and stated that because of the location of the building off of the Interstate, the sign was necessary for visibility for the business for vehicles coming from the south over the hills.

Jon Kirk, commercial realtor for the development, said a pylon sign with a directory will be set at the front of the complex with names of all the businesses listed on it. However, he said that would not take place of signs being placed on the buildings for visibility. He further stated that he thought what Spraylat was requesting was very appropriate in order for the business to be identified from the freeway.

Mr. Hawkins asked if there were further comments; there was none.

After no further discussion, a motion was made by Belvin Harris and seconded by Ben Turbeville to grant a 35' variance for length of the sign; and a 410 sq.ft. variance for signage area to the Spraylat Corporation at 3333 N. I-35 for an attached sign.

After no further business, the public hearing adjourned at 10:13 a.m.