

**MURRAY BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
WEDNESDAY, JULY 16, 2014
4:30 P.M.**

The Murray Board of Zoning Adjustments met in regular session on Wednesday, July 16, 2014 at 4:30 p.m. in the council chambers of City Hall located at 104 North 5th Street.

Board Members Present: John Krieb, Linda Scott, Terry Strieter, Scott Seiber, Josh Vernon and Bobbie Weatherly

Board Members Absent: Mary Anne Medlock

Also Present: Candace Dowdy, Robert Jeffries, Hawkins Teague, and public audience

Chairman Krieb called the meeting to order and welcomed all guests and applicants. Mr. Krieb stated that the applicants were not in attendance because of the nature of the request. Changes were noted to the minutes from the June 18, 2014 regular meeting. Chairman Krieb asked if there were any additional comments concerning the minutes from June 18, 2014 regular meeting.

Scott Seiber made a motion to approve the BZA minutes from the June 18, 2014 regular meeting as amended. Bobbie Weatherly seconded the motion and the motion carried unanimously.

Public Hearing: Request for additional wall signage – McDonald’s: Candace Dowdy used a Power Point presentation to show the property at 107 North 12th Street. The property is in a B-2 zoning district. Ms. Dowdy explained that the old McDonald’s building has been demolished and construction has begun on the new building. She then showed pictures of the old building and the rendering of the new building. Ms. Dowdy explained that McDonald’s is allowed one wall sign of up to 53 square feet in size per the sign regulations. The restaurant’s corporate office has indicated that they didn’t think it was necessary to put the word “McDonald’s” on the building itself; therefore, they will be placing a McDonald’s golden arch logo (14 square feet in size) on the front of the building instead. Ms. Dowdy stated that she had received a Dimensional Variance Application from McDonald’s USA LLC requesting to add one additional McDonald’s golden arch logo (also 14 square feet) on the north side of the building. The total square footage for both logo signs will be 28 square feet which is less than what they are allowed for one sign. There will be no changes to the freestanding sign. Ms. Dowdy explained that the item had come before the board because logos are considered signs by the zoning ordinance and McDonald’s is requesting two logos on their building. She added that this type of request might be something that could be altered in the future whenever the city’s planning and zoning ordinances are updated. Something as minor as this request should probably be decided by the planning staff instead of being brought before the board. She said that since the letters and public notice had already gone out, the meeting had to be held. Ms. Dowdy stated she had received one phone call from a neighbor that was simply requesting information about the proposal. Ms. Dowdy concluded that the planning department didn’t have a problem with the request from McDonald’s. Several board members agreed that they probably shouldn’t have to meet to approve such a minor request.

Chairman Krieb opened the public hearing and asked if there was anyone that wished to speak in favor of the proposal. There was no one. Chairman Krieb asked if there was anyone that wished to speak against the request. There was no one. Chairman Krieb then closed the public hearing and turned the item over to the board for discussion and a motion.

Josh Vernon made a motion to approve the Dimensional Variance request for McDonald's USA LLC to allow one additional logo sign totaling 14 square feet to be placed on the north side of the building at 107 North 12th Street based on the fact that the total square footage of wall signage will be less than what is allowed. This variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. Terry Strieter seconded the motion and the motion carried with a 6-0 roll call vote.

Questions and Comments: Ms. Dowdy said there had been a couple of requests from applicants for a special-called BZA meeting for August 5 at 4:30 p.m. She asked if the board members would be able to make that meeting. Five of the members said that they would be able to attend; therefore, the board will have a quorum and the meeting will be held. She explained that the two applicants will split the cost of the fee required to have the board convene for a meeting outside its usual monthly date. Chairman Krieb asked if there was any progress being made for a replacement for Scott Seiber when he retires from his position on the board. Ms. Dowdy replied that she had not pursued that yet, but she would look into that in the near future.

Adjournment: Scott Seiber made a motion to adjourn. Josh Vernon seconded the motion and the motion carried unanimously. *The meeting adjourned at 4:45 p.m.*

Chairman, John Krieb

Recording Secretary, Reta Gray