

**MURRAY BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
WEDNESDAY, OCTOBER 18, 2017
4:30 P.M.**

The Murray Board of Zoning Adjustments met in regular session on Wednesday, October 18, 2017 at 4:30 p.m. in the council chambers of City Hall located at 104 North 5th Street.

Board Members Present: Jim Foster, Mike Faihst, John Krieb, Bobbie Weatherly, Dennis Sharp and Terry Strieter

Board Members Absent: Josh Vernon

Also Present: Maurice Thomas, Jessie Boshell, Gerald Gilbert, David Roberts, Attorney David Perlow, John Hale and public audience

Chairman Krieb called the meeting to order and welcomed all guests and applicants. Maurice Thomas called the roll. Chairman Krieb then asked for a motion to approve the minutes from the September 20, 2017 Regular BZA meeting.

Mike Faihst made a motion to approve the minutes from the September 20, 2017 regular BZA meeting as amended. Terri Strieter seconded the motion and the motion passed unanimously.

Public Hearing: Consideration of a sign variance (V-09-17) request located at 1102 Octane Drive – Applicant: Pocket’s – Chuck Baker: Jessie Boshell explained that the applicant is requesting a sign variance to allow an additional wall sign to be located at the new Pocket’s on Octane Drive. The property is located in a B-2 Highway Business District and is adjacent to B-2 properties to the north and south, R-2 to the east and R-4 to the west. Under current regulations the maximum allowable wall signage per building is two or three per lot. The new Pocket’s store is still under construction; however, the signs have already been installed. There is a 56 square foot “Pockets” wall sign, a 32 square foot “Krispy Krunchy Chicken” wall sign and a 16 square foot “Pizza Pro” wall sign on the front of the building. Existing regulations allow 129 square feet. The three signs have a total of 104 square feet. In addition to the three wall signs, there is a 43 square foot monument sign in the yard which brings the overall total to four signs on the property.

Staff recommends approval of the additional wall sign on the following basis: the sign is a part of a sign package from the Pocket’s corporate entity; the total signage area will not exceed the allotted 129 square foot of signage; and the uniqueness of the subject site having frontage on three roads.

Chairman Krieb asked the applicant to come forward.

John Hale with Bill Adams Construction, representative for Pocket’s, came forward and was sworn in. Mr. Hale stated that they are the general contractor for the project. The proposed sign package is the same sign package that Pocket’s asked for earlier at the 10th & Chestnut location. Mr. Hale added that the signs are already up on the building because when the sign company was there to install them, he made the decision to go ahead and let them put all three of the signs up at that time. Mr. Hale told Jessie that if the board did not approve of it, they would take the

“Pizza Pro” sign down.

Chairman Krieb then opened the public hearing and asked if there was anyone that wished to speak either in favor or opposition to the request. No one came forward; therefore, the public hearing was closed and the item turned over to the board for discussion and a motion.

Jim Foster made a motion to grant the Sign Variance Site Text and Site Plan as presented. The testimony presented in this public hearing has shown that granting the Sign Variance is reasonable and necessary. The Sign Variance is compliant with the Zoning Ordinance. Mike Faihst seconded the motion and the motion carried with a 6-0 roll call vote.

Questions and comments: The question was asked if the Sign Ordinance discussion that took place the previous night in the Planning Commission meeting would be brought before the BZA. Mr. Gilbert explained that there would be a Public Hearing for the changes that were proposed and then the item would go before the City Council. He added that if the changes are implemented there will not be a variance request necessary in the future for this type item.

A motion to adjourn was made by Jim Foster and seconded by Mike Faihst. The meeting adjourned at 4:40 p.m.

Chairman, John Krieb

Recording Secretary, Reta Gray