

NORTH LITTLE ROCK BUILDING AND HOUSING BOARD OF ADJUSTMENT

MINUTES

June 8, 2010

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The meeting of the North Little Rock Building and Housing Board of Adjustment was called to order by Chairwoman Zap at 9:30 A.M. in the Community Planning Office conference room.

Members Present:

**Tommy Cupples
Phillip Davis
Brad Hughes
Basil Shoptaw
Karen Zap**

Members Absent:

None

Staff Present:

**Wade Dunlap, City Planner
B.J. Jones, Secretary**

Others Present:

Cody McCallum, Seiz Sign Co., 1231 Central Ave., Hot Springs, AR

APPROVAL OF MINUTES:

Mr. Hughes made a motion to approve the minutes from the previous meeting.

Mr. Phillips seconded the motion and there was no dissent.

OLD BUSINESS

None

NEW BUSINESS

- 1. BHBA Case # 536 – Mr. Cody McCallum, Seiz Sign Company, representing Treadway Electric Company at 1501 N Cypress Street – To allow a 29 ft. height variance for a freestanding sign in a C-3 zone.**

Chairwoman Zap stated the case number and asked the applicant to state his name for the record.

Cody McCallum stated his name and explained that he was in need of a height variance for his customer's non-conforming sign

Mr. Cupples asked if the sign was existing and if the sign company was only changing the copy on the existing sign.

Mr. McCallum replied in the affirmative and noted that a new business had moved into the property.

Mr. Cupples asked for staff recommendations.

Mr. Dunlap agreed that the sign had already been in existence, but noted that a permit should have been issued for any change of copy. He explained that any previous variance issued would have become void when the property changed ownership. A new business would need to apply for its own variance and need a permit for copy changes.

Mr. Cupples asked the applicant if he had been aware of such.

Mr. McCallum replied in the negative and defended that most cities do not require a permit to change copy.

Mr. Davis asked the applicant why he did not get a permit.

Mr. McCallum explained that they had obtained permits for new wall signs, but had been unaware that a permit was necessary to just change the copy on the existing freestanding sign.

Mr. Cupples stated that he did not object to the existing sign.

Mr. Davis formed a motion to grant the applicant's request.

Mr. Cupples seconded the motion and it was passed with four affirmative votes. Mr. Hughes abstained from the vote.

ADMINISTRATIVE:

Wade Dunlap advised the Board that there are new sign regulations proposed for nine overlay districts regarding electronic changeable copy signs. He stated he would keep the Board informed and send them a copy of the new sign code.

Mr. Hughes asked if any new Code officers had been hired to enforce the sign codes.

Mr. Dunlap replied in the negative and explained that the Mayor was expected to sign an executive order directing a staff member of the Planning Department to inspect an electronic sign when it is turned on to assure that the brightness of the sign complied with City codes.

Mr. Shoptaw asked for clarification on how the sign code impacted cases such as the one before the Board today.

Mr. Dunlap explained that any copy change requires a permit and any non-conforming sign must have a variance.

Mr. Shoptaw questioned how the sign is non-conforming considering it has been in place for over twenty years.

Mr. Dunlap suggested that previously the sign code may have allowed the sign, but changes to the code do not. He added that by the current code, when ownership changes, necessitating a copy change, the sign should come down or apply for a variance from this Board.

After some further discussion by the Board regarding how zoning affects the size of signs, Mr. Hughes formed a motion to adjourn.

PUBLIC COMMENT / ADJOURNMENT:

Mr. Hughes made the motion to adjourn at 9:45am. Mr. Davis seconded the motion and there was no dissent.

PASSED: _____ RESPECTFULLY SUBMITTED:

KAREN ZAP, CHAIRWOMAN

ROBERT VOYLES, DIRECTOR