

**MURRAY BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
WEDNESDAY, OCTOBER 16, 2019
4:30 P.M.**

The Murray Board of Zoning Adjustments met in regular session on Wednesday, October 16, 2019 at 4:30 p.m. in the council chambers of City Hall at 500 Main Street.

Board Members Present: Bobbie Weatherly, John Krieb, Mike Faihst, Jim Foster, Paula Hulick and Carmen Garland

Board Members Absent: Josh Vernon

Also Present: Justin Smith, Jeremy Buchanan, Jim Osborne, Maurice Thomas, Zach Warren, Attorney David Perlow, Ralph Pittman, Jim Karvounis and public audience

Chairman Krieb called the meeting to order and welcomed all guests and applicants. Maurice Thomas called the roll. At this time Chairman Krieb asked if there were any changes to the minutes from the regular BZA meeting on September 18, 2019.

Mike Faihst made a motion to approve the minutes from the regular BZA meeting on September 18, 2019 as presented. Bobbie Weatherly seconded the motion and the motion carried unanimously.

Public Hearing: Conditional Use Permit request to allow an electronic reader board in a residential zone located at 1601 Main Street – Applicant: First Presbyterian Church: Justin Smith explained that the applicant is requesting a Conditional Use Permit to allow an electronic reader board in a residential district for a religious place of worship. The church is located in an R-2 zoning district. Justin showed pictures of the current sign at the First Presbyterian Church, the church and surrounding area and a rendering of the proposed sign. He then reviewed the sign's dimensions (total sign area: 17.76 square feet/total sign height: 4.8 feet). The total allowed square footage for the proposed changeable copy sign is 5.4 square feet of the 17.76 square feet which is 30 percent of the overall allowable footage. The applicant is requesting 45 percent of the total sign area. Justin explained that Staff has been working with the First Presbyterian Church since 2017 in getting regulations passed so the church could ask the board for approval of an electronic reader board. The city adopted new regulations for the electronic reader board signs in residential zoning districts to be allowed as Conditional Use Permits in 2018. The church is not planning on reconstructing the brick of their current sign. Their plans consist of simply changing out the inner part. Overall it will not be a very big sign, height wise or square footage wise.

Chairman Krieb opened the public hearing and asked if there was anyone that wished to speak in favor or opposition to the request.

Ralph Pittman came forward and was sworn in. Mr. Pittman is a member of the First Presbyterian Church in Murray. He thanked the board for allowing them to come forward with this request. By approving this request will allow them to bring their current sign up to date and also will give them an opportunity to "talk to" the constituents that are moving past their church. The reader board

should not pose any issues with the surrounding houses. From the corner of the sign nearest Main Street you cannot see the neighbor's doorway because the house is blocked by trees and the corner of the church. The church's Administrative Assistant will post the messages from the church through the control box. Mr. Pittman concluded that they just want to get their message out by using a reader board.

There was no one that spoke in opposition to the request. The public hearing was closed and the item was turned over to the Board for discussion and a motion. Jim Foster said that his main concern was that someone would walk out in front of an automobile by being distracted by the sign. Bobbie Weatherly stated that she had driven by the University Church that was recently granted a Conditional Use for the same type of sign. She said that she does not think that it is distracting at all. It is professionally done and does not offer a distraction to drivers.

Bobbie Weatherly made a motion to grant the Conditional Use Permit for 1601 Main Street to allow an electronic reader board for a religious place of worship in a residential zoning district as presented by the staff report which included the signage rendering. The testimony presented in this public hearing has shown that granting the Conditional Use Permit is reasonable and necessary. It is in compliance with the provisions of 156.050 in regards to Conditional Use Permits for the R-2 (Single Family Residential District) for places of religious worship. Mike Faihst seconded the motion and the motion carried with a 6-0 roll call vote.

Public Hearing: Dimensional Variance request to allow a free-standing sign for Olympic Plaza located at 506 North 12th Street – Applicant: Jim Karvounis: Justin reviewed the request by Jim Karvounis for a variance to construct a new freestanding sign (instead of a monument type sign at Olympic Plaza). He reviewed the regulations for monument signage along the 12th Street corridor along with the shopping center regulations for signs. Justin showed the location of the proposed sign (located where the former Tom's Pizza sign was), the current location of the Olympic Plaza sign on the corner of Arcadia & North 12th, and Fast Pace Urgent Care sign. He also showed a picture of the shopping plaza as it has been recently refaced with new tenant signs added. The proposed rendering for the sign was shown. The height of the sign is approximately 23 feet tall with the sign estimated at 8 feet x 13 feet (104 square feet). Mr. Karvounis has no preference as to whether the new sign is located where the current Olympic Plaza sign is located or where the former Tom's Pizza sign was located. He will make that determination once he receives the two quotes from Greer Neon. Staff has suggested that he construct a true shopping center sign with slots for all of his tenants but at this time Mr. Karvounis is undecided in making that commitment. The Board of Zoning Adjustments may need some clarification from Mr. Karvounis on his final request before action is taken. If the previous location of the Tom's Pizza sign is allowed, a 7 foot front setback variance is needed. The history of previous signage was reviewed for the Olympic Plaza with reference to the latest decision by the board where only two signs could be located on the front of the plaza and one of those signs is Fast Pace's sign.

Chairman Krieb opened the public hearing and asked if there was anyone that wished to speak in favor or opposition to the request.

Jim Karvounis came forward and was sworn in. Jim said that he basically wanted to keep the same original Olympic Plaza sign with some updated modifications. He described that they would cut off the top where the arch is, paint it and add new back lit channel letters on a new panel front. The left over brick from the recent shopping plaza renovation will be used for columns and a new foundation. If feasible, they might consider moving the sign to where the former Tom's Pizza sign was in order to be more visible from North 12th; however, if it is going to be too much of a cost, they will just leave it where it is. Mr. Karvounis was asked if he planned to have slots for his tenants on the new sign. He replied that he had looked into that, but because of the costs involved he probably won't do that at this time; that may be something he could look at in the future. Mr. Karvounis said that the proposals that they have will blend the sign with the new design of the building. Whichever location he decides to use for his sign, the remnants of the other sign/signs will be removed and the ground leveled and cleaned up. The Board commended him on the renovation of the shopping center.

No one came forward to speak in opposition; therefore, the public hearing was closed. The item was turned over to the Board for further discussion and a motion. After much deliberation, the Board decided to table the matter until Mr. Karvounis has decided on a definite location for the sign as the location of the sign will make a difference in the decision the Board will need to make.

Jim Foster made a motion to table this item until the location where the sign will be located is known. Mike Faihst seconded the motion and the motion carried with a 6-0 roll call vote.

Annual Election of Officers: Justin explained that at the Planning Commission meeting the night before officers were elected for the upcoming year. Tom Kind (who is the Chairman) has not decided if he will be willing to renew his term in January with the Planning Commission. If he decides not to renew, then a new chairman would need to be elected. Most likely, the 1st Vice-Chair (which is John Krieb) would be the potential Chairman.

Mike Faihst made a motion to keep the BZA officers as they currently are contingent upon reappointment. Bobbie Weatherly seconded the motion.

Jim Foster added that Josh Vernon was not in attendance much anymore and he is now in the 2nd Vice-Chair position. He thought that if someone else wanted to serve, that might be reasonable. Bobbie Weatherly volunteered to serve as 2nd Vice-Chair.

Mike Faihst amended his motion to add Bobbie Weatherly as 2nd Vice-Chair. Jim Foster seconded the motion. The motions carried with a 6-0 roll call vote. Justin clarified the following:

- John Krieb would serve as Chairman
- Mike Faihst would serve as 1st Vice-Chair
- Bobbie Weatherly would serve as 2nd Vice-Chair

Approval of the 2020 Board of Zoning Adjustments Calendar:

Jim Foster made a motion to approve the proposed 2020 Board of Zoning Adjustments Calendar. Paula Hulick seconded the motion. The motion carried unanimously.

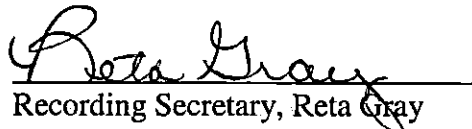
Questions and comments: Bobbie Weatherly said that she was pleased that the decision was made to table the item on signage for Olympic Plaza. She didn't think Mr. Karvounis was ready to submit his final decision and this would give him time to come back more prepared at a future meeting. The other Board members agreed.

Chairman Krieb noted that the previous night at the Planning Commission meeting, the revisions to the Transportation Element were reviewed by Jeremy Buchanan. The plan is to review one element each month during the next three months. No one was in attendance from the public or from the City Council. Mr. Krieb hopes there will be a few that attend the next reviews during the upcoming months.

Chairman Krieb called for a motion to adjourn. **Mike Faihst made a motion to adjourn at 5:34 p.m. Paula Hulick seconded the motion and the motion carried unanimously.**



Chairman, John Krieb



Recording Secretary, Reta Gray