

**MURRAY BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
WEDNESDAY MAY 20, 2020
4:30 P.M.**

The Murray Board of Zoning Adjustments met in regular session on Wednesday, May 20, 2020 at 4:30 p.m. via webex.

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

Board Members Absent: Jim Foster

Also Present: Justin Smith, Jim Osborne, Maurice Thomas, Zach Warren, Attorney David Perlow, Cassandra Barker, and Mark Manning

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 December 18, 2019.

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

Public Hearing: Sign Variance request to allow two wall signs on the south side of building to be located at 818 North 12th Street – Applicant: Culver’s/Jim Foster: Justin Smith used aerial photography to show the location of Culver’s on North 12th Street. On-site photos were shown as well as a rendering of the proposed signage. The property is zoned B-2 (Highway Business District). B-2 zoning is to the north, south, east, and west. Justin reviewed applicable regulations for signs in the Business Districts. The current wall sign on the south side of the building is approximately 32 square feet (4 feet x 8 feet). The proposed additional sign on the brick wall is 6.56 square feet (1.75 feet x 3.75 feet). According to Jim Foster (owner), Culver’s has recently come out with a new logo sign. Mr. Foster would like to put the new sign on the brick wall near the entrance door on the south side of the building. He currently has one wall sign on the awning of the walkway of this entrance. The wall he wants to place the new logo on is 14 feet x 10 feet (140 square feet). This request is within size limitations for wall signage but would need variance approval by the Board to allow more than one sign on the side of the building.

The public hearing was opened. Chairman Krieb asked if there was anyone that wished to speak in favor or opposition to the request. The applicants were not present. There was no one that spoke either in favor or opposition; therefore, the public hearing was closed and the item turned over to the Board for further discussion and a motion. Justin noted that the meeting was being held via webex and that the public was able to speak just like the Board members were.

Paula Hulick made a motion to grant the Sign Variance to allow an additional wall sign on the south side of the building for 818 North 12th Street as presented in this hearing. There is nothing that diversely affects the public health, safety, or welfare; will not alter the

essential character of the general vicinity; will not cause a hazard or nuisance to the public; and will not allow unreasonable circumvention of the requirements of the Zoning Ordinance. Mike Faihst seconded the motion and said that he would like to add to the motion that with the distance off the highway, the sign would help with visibility of the business.

Chairman Krieb stated for the record to show that the motion was amended to include the comment that the request is being approved because of the buildings additional distance from the highway. The motion was voted on and carried with a 3-0 roll call vote. *Carmen Garland, Josh Vernon and Bobbie Weatherly were connected to the webex; however, they were not able to be heard during the voting.*

Public Hearing: Sign Variance request to allow a wall sign that exceeds 80 square feet to be located at 112 Robert Young Boulevard – Applicant: Dae-IL/USA Signs, LLC: Justin showed aerial photography of the property where Dae-IL Industrial Company has constructed a new building. The property is located in the I (Industrial District). The property to the north is outside the city limits. The property to the east is zoned G (Government). The properties to the south and west are I (Industrial). Justin explained that the applicant is requesting a Sign Variance of 112 square feet to allow a wall sign that exceeds the allowable size limitation of 80 square feet for Industrial Zones. The proposed wall sign is 12 feet x 16 feet totaling 192 square feet. This building is located over 600 feet away from US HWY 641 N and the purpose of the size of this sign is to allow a better visibility of the company from the highway. Justin showed a rendering of the sign on the building. The monument sign will be located on Robert Young Blvd and will not require a Variance. These two signs will be the only signage for Dae-IL at this time. Justin reviewed the applicable regulations for the signage. *Carmen Garland was still having audio issues and was unable to be heard. Josh Vernon said that he had been in attendance during the entire meeting but was having previous audio issues as well.*

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

Cassandra Barker (representative for Dae-IL) was sworn in. She reiterated the reason for such a large sign request. She said that the building is very large; therefore, it needed a larger sign. She then added that the business would be hard to identify from the highway unless the sign was very large. The only part of the sign that will be lit is the logo and that will be back lit.

Mark Manning was sworn in and also spoke in favor of the request. Mr. Manning stated that this Industrial Park is one of the most attractive in the Commonwealth. He stated that they think that with the distance from the highway and the height of the building, that the sign would not be intrusive. Speaking as the President of Murray Calloway County EDC, Mr. Manning said that they fully support this project.

No one spoke in opposition; therefore, the public hearing was closed and the item turned over to the Board for further discussion and a motion. Chairman Krieb stated that he was very pleased with the request. Ms. Hulick agreed that a larger sign is needed for the building and she thinks

that the sign enhances the Industrial Park. Mike Faihst also agreed that the proposed sign looked good.

Mike Faihst made a motion to grant the Sign Variance to allow a wall sign that exceeds 80 square feet to be located at 112 Robert Young Blvd as presented. Because of the distance off the road, the size is applicable; it is not a hinderance; and it enhances the building. The testimony presented in this public hearing has shown based on the findings, it does not adversely affect public health, safety, or welfare; will not alter the essential character of the general vicinity; will not cause a hazard or nuisance to the public; and will not allow unreasonable circumvention of the requirements of the Zoning Ordinance.


John Krieb amended the motion to add that the size of the sign is appropriate with respect to size of the end of the wall of the building. Josh Vernon seconded the motion. The motion carried with a 5-0 roll call vote. *All members were able to vote except for Bobbie Weatherly and she was still having audio difficulties.*

Questions and comments: Chairman Krieb thanked the Board and Staff for the first meeting of the BZA via teleconferencing. He thought it went reasonably well. Justin also thanked everyone for attending the first webex meeting. Hopefully, they will be able to work out any “kinks” that they got from this meeting if there should be a need for this type of meeting in the future. Attorney David Perlow commented that he thought the meeting went very smooth.

Paula Hulick made a motion to adjourn at 4:56 p.m. Mike Faihst seconded the motion and the motion carried unanimously.



Chairman, John Krieb



Recording Secretary, Reta Gray