

**MURRAY BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
WEDNESDAY, SEPTEMBER 21, 2022
4:30 P.M.**

The Murray Board of Zoning Adjustments met in a regular meeting on Wednesday, September 21, 2022 at 4:30 p.m. in City Hall at 500 Main Street.

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

Board Members Absent: None

Also Present: Rakov Aetherus, Dannelta Clayton, Carol Downey, Kim Miles, Attorney David Perlow, and public audience.

Chairman Faihst called the meeting to order and welcomed all guests and applicants. Kim Miles called the roll.

Chairman Faihst called for a motion to approve the minutes from the regular BZA meeting on August 17, 2022.

John Krieb made a motion to approve the minutes from the regular BZA meeting on August 17, 2022 as corrected. Paula Hulick seconded the motion and the motion carried unanimously.

Public Hearing: Dimensional Variance: 900 North 12th Street – Huck's: Request to allow four additional wall signs on the front façade. Carol Downey reviewed the ordinance regulations and presented the Staff Report including pictures and dimensions of the proposed signs, the zoning map, and pictures of the property as well as surrounding properties.

Scott Elpers came forward and was sworn in. Mr. Elpers explained the reason why the canopy had not been updated yet and stated that if approved tonight, they will come down and do everything at one time. He also mentioned that the Fresh, Fast, Friendly letters are non-illuminated but all other signs are illuminated. The board asked if this location would be exactly like the one on the south end of town. Mr. Elpers responded that there are a couple of minor sign placement differences, but otherwise it is the same.

Chairman Faihst opened the public hearing and asked if anyone wished to speak in favor or opposition of this request. No one came forward, so Chairman Faihst closed the public hearing and brought it back to the board for discussion and a motion.

Jim Foster made a motion to approve the sign variance to allow four additional wall signs on the front façade wall of Huck's to be located at 900 North 12th Street as presented. John Krieb recommended adding the findings of fact that it will match the South 12th Street facility that was already approved. 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 seconded the motion and the motion carried with a 7-0 roll call vote.

Public Hearing: Dimensional Variance: 300 Main Street – Murray Convention & Visitors Bureau: Request to allow a mural on exterior wall. Carol Downey reviewed the ordinance regulations and presented the Staff Report including pictures and dimensions of the proposed mural, the zoning map, and pictures of the property as well as surrounding properties. The board asked if any surrounding property owners responded and Carol stated that Ryan Walker with State Farm relayed to Erin Carrico that he was in favor of the mural.

Erin Carrico came forward and was sworn in. Ms. Carrico stated that the mural is a way to refresh and revitalize this area of town and a lot of traffic goes through the project site coming from the lake.

Chairman Faihst opened the public hearing and asked if anyone wished to speak in favor of this request.

Debi Henry Danielson came forward and was sworn in. Ms. Danielson spoke to the value of art in the community, especially public art.

Deana Wright came forward and was sworn in. Ms. Wright shared how excited she is about this mural.

Chairman Faihst asked if anyone wished to speak in opposition of this request. No one came forward, so he closed the public hearing and brought it back to the board for discussion and a motion. The board asked if there has been a problem with graffiti on any of the murals so far and the timing of the project. Ms. Wright and Ms. Carrico explained there would be security cameras and the project can be completed in one week.

Chairman Faihst made a motion to approve a mural to be painted directly on the façade of the building located at 300 Main Street as presented. The findings of fact include that there is no opposition and with the maintenance agreement, it is a good addition to the city. Josh Vernon added that no current historical value will be destroyed at the chosen location and the mural is being installed by a professional artist. 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. Paula Hulick seconded the motion and the motion carried with a 7-0 roll call vote.

**Public Hearing: Dimensional Variances: 1104 Chestnut Street – Kentucky Fried Chicken:
1. Request to allow nine additional signs on the facade.**

2. Request to allow three of the nine requested additional signs to be stencil renderings on the façade.

3. Request to allow an 18.75 square foot variance for the free-standing sign.

4. Request to allow an 11.6 square foot variance for the wall signage on the eastern façade.

Carol Downey reviewed the ordinance regulations and presented the Staff Report including renderings and dimension information for the signs on each side of the building, the free-standing sign, the zoning map, and pictures of the property as well as surrounding properties. The board asked for clarification on the dimensions and location of the proposed free-standing sign.

Elizabeth Pitchford, Michael Pucci and the Associate Manager of Architecture and Design for KFC came forward and were sworn in. Ms. Pitchford expressed KFC's excitement towards building in Murray and their new branding. The board asked for specifics regarding the stenciled signs, illuminated signs and the free-standing sign. The board and the applicant discussed substitutes and placement options for the free-standing sign. The applicant stated they would be willing to make the adjustment to the monument sign if needed.

Chairman Faihst opened the public hearing and asked if anyone wished to speak in favor or opposition of this request. No one came forward, so Chairman Faihst closed the public hearing and brought it back to the board for discussion and a motion. The board voiced concerns regarding the total number of signs and how this decision will affect future requests.

John Krieb made a motion to deny the 18.75 square foot variance for the free-standing sign requested for 1104 Chestnut Street signage for the proposed Kentucky Fried Chicken plan. The free-standing sign should be eliminated from the plan and replaced with a monument sign. Jim Foster seconded the motion and the motion carried with a 7-0 roll call vote.

Josh Vernon made a motion to approve the dimensional variance to allow the following:

- **Nine additional wall signs to the proposed façade**
- **Three of the nine requested additional signs to be stencil renderings on the façade**
- **An 11.6 square foot variance for the wall signage on the eastern façade of the building for the proposed Kentucky Fried Chicken plan to be located at 1104 Chestnut Street as presented. The findings of fact include that the signage and building work together and are integral in the design of the company brand. John Krieb seconded the motion and the motion carried with a 7-0 roll call vote.**

Discussion: The Board recommended wayfinding signs at fast food restaurants be considered in a zoning update.

Questions and Comments: The Comprehensive Plan update was given and the board requested that the zoning ordinance for travel trailers be reviewed.

Chairman Faihst called for a motion to adjourn.

Paula Hulick made a motion to adjourn. John Krieb seconded the motion. The meeting adjourned at approximately 5:36 p.m.

A handwritten signature in black ink, appearing to read 'Mike Faihst', written over a horizontal line.

Chairman, Mike Faihst

A handwritten signature in blue ink, appearing to read 'Lindsay Aycock', written over a horizontal line.

Recording Secretary, Lindsay Aycock