



CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **January 27, 2026**
Project: **110 Industrial Dr.**
Sign Ordinance Variance
Planner: Brad Spurlock

AGENDA ITEM **PH1, BOZA1** VARIANCE REQUEST 110 Industrial Dr. Parcel #: 830-37814-000

SUMMARY: The applicant is requesting a variance from the City of Tontitown sign regulations specifically to exceed the sign dimension requirements as set forth in the Tontitown Code of Ordinances. The applicant proposes a sign with the following dimensions:

Height: 5'1"

Width: 11'

Total Area is ~55 sq ft

Total allowable area for monument sign for one tenant is 48 sq ft. Variance would be for an additional 7 sq ft.

CURRENT ZONING: C-2, (General Commercial)

PROPOSED USE: C-2, (General Commercial)

CITY WARD: 1 – Alderpersons Misty Piazza and Amber Ibarra

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: Tontitown Water

Sewer: Tontitown Sewer

Electric: Ozarks Electric

Cable: Cox Communications

Phone: AT&T

Natural Gas: Black Hills Energy

School District: Springdale

PROJECT SYNOPSIS:

This property is owned by Vanclay Holdings, LLC and is currently zoned C-2. The owner is requesting a variance to place a sign on the property that is outside the normal "Monument Sign" requirements. The request is for a monument sign that includes a car to be placed on the property (pictures to be included) and had been previously reviewed by planning commissioners initially.

153.262 POWERS AND DUTIES

The Board of Zoning Adjustment shall have all the powers and duties prescribed by law and by these regulations, which are more particularly described as follows:

(B) To authorize upon appeal, in specific cases, such variance from the terms of this zoning chapter will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations would result in unnecessary hardship that would deprive the owner of any reasonable use of the land or building involved. A variance from the terms of these zoning regulations, shall not be granted by the Board of Zoning Adjustment unless and until:

(1) The applicant demonstrates that special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district; that literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these regulations; that special conditions and circumstances do not result from the actions of the applicant; and that granting the variance requested will not confer on the applicant any special privilege that is denied by the zoning regulations to other lands, structures, or buildings in the same district.

STAFF ANALYSIS: The applicant has not demonstrated that the lot's configuration and intended use for the additional space to create a practical difficulty.

(2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

STAFF ANALYSIS: Allowing this variance will not confer a unique privilege because the applicant is proposing a structure that remains compatible in scale and use with neighboring properties, especially given existing landscaping and building placement.

(3) The Board of Zoning Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of land, building, or structure.

STAFF ANALYSIS: The requested variance is the minimum modification necessary to permit the sign as proposed. Staff finds that the variance is tailored to the applicant's needs without substantially weakening the ordinance's intent.

(4) The Board of Zoning Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of these zoning regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

STAFF ANALYSIS: Granting the variance will be in harmony with the general purpose and intent of the zoning regulations. The structure will be located outside the Right-of-Way on 412 and meet all required setbacks and not visibly dominate neighboring properties. Staff do not anticipate any negative impacts on the neighborhood or public welfare.

(5) In granting any variance, the Board of Zoning Adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of these regulations.

STAFF ANALYSIS: If approved, appropriate conditions will ensure the variance does not adversely affect adjacent properties.

(6) Under no circumstances shall the Board of Zoning Adjustment grant a variance to allow a use not permissible under the terms of these zoning regulations in the district involved, or any use expressly, or by implication, prohibited by the terms of these regulations in said district.

STAFF ANALYSIS: Based on the current code of 153.262, the applicant has addressed each of the conditions along with supporting materials. Should any further conditions be necessary, the board of zoning shall make those recommendations.

Streets:

This property is located at 110 Industrial Dr.

NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project.

STAFF FINDINGS: *Per City Code 153.262, "a literal enforcement of the provisions of the regulations do result in unnecessary hardship that would deprive the owner of any reasonable use of the land or building involved." Due to the existing site conditions that are peculiar to the site that include site topography, existing utility and residence location, mature trees and lot size, only one location on the project site can accommodate the desired accessory building/use. Granting this variance would not afford the landowner a special privilege. Granting this variance will not be injurious to neighboring properties.*

STAFF RECOMMENDATIONS:

Based on the foregoing analysis, Planning Staff, although does not consider this a hardship, we do find the requested variance minor in nature, meets the rest of the criteria and will not be detrimental to the health, safety or welfare of the City or adjacent property owners.

Recommended conditions for approval:

1. The sign shall be constructed and installed as shown on the approved site plan or pictures and elevation drawings.
2. The sign shall comply with all other requirements of the Tontitown sign ordinance, including setback, lighting and permit requirements.

Figure 1: Vicinity Map



Figure 2: Current Zoning Map



(7) *Monument sign.*



(a) *Description.* A free-standing and permanently affixed sign that is supported by a solid base (other than poles) and such that no air space is visible within or between any portion of the sign display area and sign structure.

(b) *Sign dimensions.*

1. Sign area (max per sign):

- a. One tenant: 48 square feet.
- b. Two to three tenants: 72 square feet.
- c. Four to five tenants: 84 square feet.
- d. Six or more tenants: 108 square feet.

2. Height (max): eight feet for one to three tenants, 12 feet for four to six or more tenants.

(c) *Sign dimensions in N-C (allowed by conditional use permit).*

1. Sign area (max per sign):

- a. One tenant: 18 square feet.
- b. Two to three tenants: 24 square feet.
- c. Four to five tenants: 30 square feet.
- d. Six or more tenants: 38 square feet.

(d) *Regulations.*

1. Must be set back at least ten feet from the front lot line and ten feet from the side lot line.

2. The size of the monument sign for applicants which include more than six tenants may be increased by conditional use permit approved by the Planning Commission.

(e) *Number of signs.*

1. Only one monument, double post or freestanding sign structure is allowed per street frontage.

2. Where more than one monument, double post or freestanding sign structure is allowed on the same property, must be a minimum of 500 feet apart.

	A	R-E	R-1	R-2	R-3	R-3L	R-4	R-MF-16	R-MH	N-C	C-1	C-2	C-T	L-1	I
Monument	--	C	C	C	C	C	C	C	C	C	A	A	A	A	A