



**CITY OF EUREKA SPRINGS MUNICIPAL CODE**      **Adopted Aug. 13, 2007**

**CHAPTER 7.52 Signs      Section 7.52.11 Appeals and Variances**

A. Any person aggrieved, sign owner or applicant, or any officer, department, board or bureau of the city who alleges that the Building Official acted erroneously in enforcing this article may appeal the decision of the Building Official to the Board of Zoning Adjustment. Such appeal, including any appeal fee, shall be filed within 20 days of the receipt of an official notice of decision.

B. A fee of \$10.00 shall be paid for each appeal filed. If the decision of the appeal is in favor of the appellant, the fee shall be refunded.

**C. Variance**

1. Recognizing that the strict application of the requirements of this may work an undue hardship by the limitations placed on the signs permitted by this article due to sight distances, existing vegetation, location of buildings on adjacent lots and or the topography of the parcel, variances from the strict application of the provisions of this article may be granted by the board of zoning adjustment for commercial districts C-1, C-2, and C-3. Variances shall be restricted to one (1) additional on site or off site sign, subject to the general sign standards of the district.

2. Any addition signage approved shall be limited to the applicant only, and shall not apply to any future tenant of business.

3. Each application for a variance under this section shall be in writing and shall state the reasons for the request for a variance. The application shall be signed by the applicant and the sign contractor. The Board of Zoning Adjustment shall grant the variance, grant the variance with conditions, or deny the application within 30 days after the appeal is filed.

4. A fee of \$50.00 shall be paid for each variance appeal filed.