

BOARD OF ZONING APPEALS
October 24, 2007

THE REGULAR MEETING OF THE GREENE COUNTY BOARD OF ZONING APPEALS WAS HELD ON WEDNESDAY, OCTOBER 24, 2007 AT 7:30 P.M.

Those present were: Raymond Daughtry, Chairman
 Joel Snow, Member
 Richard Herring, Member
 Bob Runkle, Member
 Bart Svoboda, Zoning Administrator
 Marsha Alley, Secretary

The Chairman called the meeting to order stating that there would be one public hearing for a variance.

PUBLIC HEARING

Gateway Market Center, LLC/Larry & Barbara Hall/Kerry Alorto et als/Larry Hall request a variance from Article 14 of the Greene County Zoning Ordinance which limits the size of business signs. This request is on a 39.67 acre tract, 24.44 acres of a 44.44 acre tract, a 1.51 acre tract, a 3.23 acre tract, a 0.48 acre tract, a 0.25 acre tract, and a 0.50 acre tract, which are zoned B-3, Business, located in Ruckersville on Spotswood Trail and Seminole Trail and identified on County Tax Maps as 60-(A)-18, 20 (portion), & 20B and 60C-(A)-4 and 60C-(2)-1 & 2. (VAR#07-005)

Mr. Daughtry asked Mr. Svoboda for a staff report.

Mr. Svoboda stated that the applicant is seeking a variance from provisions of Section 14-5-3, which limits the size of business signs in a B-3 zoning district to 100 square feet. He explained that the applicant is proposing an increase in the amount of allowable square footage for business signs located on this property from 100 square feet to 350 square feet. He added that the current ordinance would allow for a 100 square foot which at a distance of approximately 625 feet or greater from the view point on Route 29 would be difficult to identify. He noted that with the proposal, a 350 square foot sign located at approximately 625 or greater from Route 29 would be easier to identify and more legible. He stated that this would enable citizens quickly and safely identify their destination. He added that the applicant has submitted a statement of justification. He stated that staff recommends approval of this application with the following conditions in that this proposal would overcome topographical challenges and eliminate unidentifiable signage and allow citizens to quickly and safely locate their destinations:

- a. Wall signage located more than 400 linear feet from Route 33 and more than 600 linear feet from route 29 may be a maximum of 350 Square Feet.
- b. This request shall apply only to "primary store identification" signs.
- c. Signage shall be designed and maintained in general accord of the submitted signage exhibits.

Mr. Daughtry swore in the speakers.

Valerie Long and Andrew Boninti addressed the Board on behalf of the applicant.

Ms. Long thanked the Board for the opportunity to be heard. She explained that stores of this size like to have the signs be to the scale of the building. She added that the signs would provide identification of the store location allowing quick orientation without distraction while driving. She noted that the property topography is a challenge in regard to the varying elevation. She stated that she anticipates this area to be a regional shopping destination and the sign as proposed would be helpful to consumers who are not familiar with the area. She reviewed that the hardships would include the distance of the store from Route 29, the topography of the site, and existing businesses fronting closer to Route 29. She summarized that stores of this size need signs appropriately scaled to maintain proportionate features, other nearby properties do not face the same topographic challenges, and that there would be no detriment to the area by approving the request. She stated that the applicant assures an architecturally appropriate look for the stores.

Mr. Daughtry asked if the variance would be for the signs on the buildings only or if the road signs would be affected as well.

Mr. Svoboda stated that there will likely be a sign at the road also, but the variance would apply only to the signs in the area located approximately 625 feet from Route 29.

There was discussion regarding the out-parcels and how they would be affected.

Mr. Herring asked how many signs would be allowed per store.

Mr. Svoboda stated that the current ordinance does not limit the number of signs. He added that that issue would be addressed during the current sign ordinance revision.

There was discussion regarding the sign ordinance and the clarification of projecting signs and wall signs. Mr. Svoboda explained that wall signs are mounted on a wall and projecting signs are commonly known as "shingles", hanging perpendicular to the wall.

Mr. Herring asked how many signs the applicant is requesting per building.

Ms. Long stated that the applicant is requesting one (1) sign per building to exceed the size limit.

Mr. Snow asked, for clarification, if there could be other signs on the buildings within the size limit.

Mr. Svoboda stated that it could happen in accordance with the current zoning ordinance.

Mr. Snow referred to the concept data plat asking about the area between the Lowe's and Walmart and what that would be used for.

Mr. Svoboda stated that it would be a future commercial area with future access points noted.

Mr. Herring asked if the future commercial area would also need larger signs.

Ms. Long explained that the future commercial area between Walmart and Lowe's would not need the larger signs. She added that the request is for one (1) sign to exceed the 100 square feet limit on each building, i.e. Lowe's and Walmart.

Mr. Snow stated that the variance would only apply to the anchor stores.

Mr. Herring added that the Board of Supervisors would decide on the sign ordinance revisions which will apply to the other buildings.

There was discussion regarding the possible motion and conditions.

Mr. Snow made a motion to approve variance #07-005 with the following conditions:

- a. Wall signage located more than 400 linear feet from Route 33 and more than 600 linear feet from route 29 may be a maximum of 350 Square Feet.
- b. This request shall apply only to "primary store identification" signs and shall be limited to one (1) sign no greater than 350 square feet per building as shown on the site data sketch.
- d. Signage shall be designed and maintained in general accord of the submitted signage exhibits.

Mr. Runkle seconded the motion.

Mr. Daughtry asked if there was any further discussion.

Mr. Daughtry asked Mr. Svoboda to call for the vote.

Mr. Svoboda called for the vote.

AYE

Mr. Runkle
Mr. Snow
Mr. Herring

NAY

Mr. Daughtry

The motion to approve carried by a 4-0 vote.

Valerie Long and Andrew Boninti thanked the Board for their time and approval.

There was discussion regarding the decision and proposed sign ordinance revisions.

OLD/NEW BUSINESS

Mr. Svoboda announced that there are no cases to be heard for next month.

Mr. Svoboda informed that Board that the Lamar case is still pending.

There was discussion regarding the pipeline project in the Lydia area and the problems that had been encountered there. Mr. Svoboda explained that the Department of Conservation and Recreation (DCR) , the Department of Environmental Quality (DEQ), and the Game & Inland Fisheries are handling the situation.

MINUTES

Mr. Daughtry noted an error in condition #2 of the motion for the Sherrill request on page 2 and asked that "western" be corrected to state "eastern".

Mr. Snow made a motion to approve the minutes of July 25, 2007 with one correction, changing "western" to "eastern" in condition #2 of the motion for the Sherrill request on page 2.

Mr. Herring seconded the motion.

The minutes of July 25, 2007 were approved by a 4-0 vote.

OTHER MATTERS

There were no other matters for review.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marsha Alley

Marsha Alley, Secretary