

TOWN OF ABINGDON
BOARD OF ZONING APPEALS
REGULAR MEETING
February 14, 2006 - 7:30 P.M.

The Regular Meeting of the Town of Abingdon Board of Zoning Appeals was held Tuesday, February 14, 2006, at 7:30 P.M. The meeting was held in the Municipal Building, downstairs meeting room.

Mr. Fred H. St. John, called the meeting to order.

Roll Call:

Members Present: Mr. Fred H. St. John
Mr. Edward B. Morgan
Ms. Pauline B. Gotham
Mr. Sam Hurt

Comprising a quorum of the Board

Members Absent: Mr. Gerald Henninger, Chairman

Administrative Staff: Mr. W. Garrett Jackson, Director of Planning/Zoning

Visitors: Mr. Ed H. Street, Jr.
Mr. Marshall Quina
Ms. Joan Winger

(2) Approval of Minutes: Regular Meeting, October 11, 2005

Mrs. Gotham made a motion that the minutes of the regular meeting held October 11, 2005 be approved. Mr. Hurt seconded the motion, with unanimous approval.

(3) **Case No. 381 - Ed H. Street, Jr., Representative, P. O. Box 6135, Johnson City, Tennessee 37602; application for a variance from the requirements of Article 21, Signs, Section 21-3-6, B-2, B-3, M-1 and M-2 Districts in the B-2 General Business District as contained in the Zoning Ordinance. The property is located at 668 West Main Street (Walgreens Project). **Tax Map No. 17 (1) 11 and 11A.****

This request is for a variance from Article 21, Signs, Section 21-3-6, B-2, B-3, M-1 and M-2 Districts in the B-2 General Business District in which the property is located.

The date of this application is January 3, 2006, and the application was scheduled to be heard on this date, February 14, 2006.

The property is located at 668 West Main Street.

The application was duly advertised in accordance with the requirements of the Code of Virginia (1950, as amended, Section 15.2-2204) and all adjoining owners were notified of the meeting.

The requirements of Article 21, Signs, Section 21-3-6, B-2, B-3, M-1 and M-2 Districts in the B-2 General Business District allow 60 sq. ft.; a variance of 56 sq. ft. is requested by Walgreens Pharmacy, which would enable the Walgreens Pharmacy to have the two (2) requested signs, if approved.

Mr. Street explained that a variance is needed for the two (2) proposed signs be erected at the site of the proposed Walgreens Pharmacy to be located at 668 West Main Street. One of the proposed signs will be a "Walgreens

Pharmacy” sign to be placed on front side the structure, being 56 sq. ft. in size. The second sign will be a monument sign to be placed near the street, being 60 sq. ft. in size. The monument sign will have a brick base up to signage to match brick on structure, with trim to match green trim and green roof color of structure.

After review of the plans submitted to the Planning Commission at its regular meeting held December 29, 2005, signage of 56 sq. ft. was approved, and Mr. Street was advised at that time that any variance request was required to be submitted to the Board of Zoning Appeals for approval.

Mr. Street explained that without the variance would cause a visibility hardship due to the size of structure.

It was noted by Mr. Jackson that the CVS Pharmacy located at 801 East Main Street and Rite-Aid Pharmacy located at 711 West Main Street met the signage requirements of the ordinance when each of the structures were built.

Mr. Hurt stated that he didn’t see visibility as being a problem. Other Board members stated that they didn’t feel there was a hardship in this matter and they felt the amount of signage allowed by the Ordinance would be sufficient.

After discussion, Mrs. Gotham made a motion that the variance request in Case No.381 be denied. Mr. Hurt seconded the motion, with unanimous approval.

(4) **Case No. 382 - Marshall and Kathleen H. Quina**, 19247 Landfall Court, Abingdon, Virginia 24211; application for a variance from the requirements of Article 4, R-1 Residential District, Section 4-4-1, Setback Regulations as contained in the Zoning Ordinance. The property, a vacant lot, is located on Crestview Drive. **Tax Map No. 105B (1) 8.**

This request is for a variance from Article 4, R-1 Residential District, Section 4-4-1, Setback Regulations, for a vacant lot, located on Crestview Drive.

The date of this application is January 17, 2006, and the application was scheduled to be heard on this date, February 14, 2006.

The application was duly advertised in accordance with the requirements of the Code of Virginia (1950, as amended, Section 15.2-2204) and all adjoining owners were notified of the meeting.

The requirements of Article 4, R-1 Residential District, Section 4-4-1, Setback Regulations, allow a setback of 35 ft.; a variance of 5 ft. is requested by the applicant, in order to accommodate the house plan selected, the topographic conditions and septic tank system permit.

Mr. Quina explained that because of where the septic system is allowed a variance is needed to accommodate the selected house plan. The house plan is deeper than the Health Department will allow for the location of foundation of the structure, in relation to the septic system. The variance is required in order to have an extension for porch of the structure plans.

Several house plans have been considered but due to the steep topographic conditions, many of the plans considered were not feasible to be located on the property and would not blend with other existing structures in the same area. The main structure will be constructed in line with other structures located Crestview Drive.

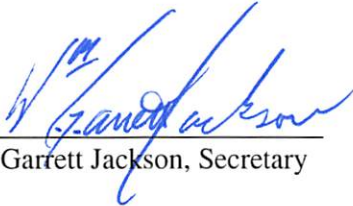
Ms. Wingler stated that she had concerns regarding the setback of the proposed structure in relationship to the lot.

After a lengthy discussion, Mrs. Gotham made a motion that the variance request of 10 ft. in Case No. 382 be granted for porch structure only, because without the variance would pose a hardship for the property owner. Mr. Morgan seconded the motion, with unanimous approval.

(5) Discussion -- Proposed Time Change, Board of Zoning Appeals Meeting

Mr. Jackson asked the Board members for their opinion of a proposed change in meeting time from 7:30 P.M. to 7:00 P.M. for the Board of Zoning Appeals meeting. All members were in agreement to change the time. Mr. Jackson will present the suggestion to Town Council for consideration.

There being no further business, the meeting was adjourned.



W. Garrett Jackson, Secretary

Fred H. St. John, Chairperson