

and located within a one-quarter (1/4) mile radius of Interstate Route 81 may be allowed up to two hundred (200) square feet of aggregate sign area and a height of twenty-five (25) feet from surface to the upward most portion of the sign; the sizes and locations of such signs to be specified within the site plan of such development and approved by the planning commission prior to finalization of such site plan [Adopted 2 Oct. 1989; Effective 2 Nov. 1989]

The applicant's request is asking for a variance of **43.5% increase in the allowed amount**. Mr. Vaughn has indicated that all signage has been removed from the Pizza Hut building, so this would be the only sign for the building.

Mr. Bell explained that the board, per the Code of the Commonwealth of Virginia, is to base its decision on the "Three Part Test":

No such variance shall be authorized by the board unless it finds:

- (a) That the strict application of the ordinance would produce undue hardship.
- (b) That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- (c) That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.

Mr. Vaughn, District Manager, stated that the size of the original sign, which was removed, did not fall within the current Guidelines; the sign was damaged (broken) and was considered to be a safety hazard. Since the proposed new sign was approximately same size of the original sign it was believed to fall within the Guidelines. The proposed sign was ordered from another company and Bristol Sign Company was selected to install the sign.

Mr. Jessee explained that it was an oversight on his part, not having contacted Mr. Jackson and offered his apologies.

Mr. Shuman expressed his sympathy and concerns in this situation, emphasizing the facts that Mr. Jessee did not contact Mr. Jackson regarding the sign and the sign is not conforming to the Guidelines. He stated that he feels the Board must support the 3-step process as required by the Guidelines.

After a lengthy discussion, Mr. Shuman made a motion that the variance in Case No. 397 not be approved, based on the fact that it is not considered an undue hardship to the applicant. Mr. Wilson seconded the motion.

VOTE:

| | |
|-------------|-----|
| Mr. Shuman | Aye |
| Mr. Wilson | Aye |
| Mr. Quetsch | Aye |
| Mr. Bell | Aye |

The motion passed.

Mr. Jackson explained that if there should be an appeal to this decision, it must be done within 30 days from the date of this meeting.

(5) Reorganization of Board of Zoning Appeals - Chairman, Vice-Chairman and Secretary

There was a reorganization of the Board of Zoning Appeals for the selection of a new Chairman, Vice-Chairman and Secretary.

Selection of Chairman

The floor was opened for nomination for selection of Chairman to the Board of Zoning Appeals.

Mr. Shuman made a motion that Mr. Bell be nominated to serve as Chairman. Mr. Quetsch seconded the motion. There being no further nominations, the floor was closed.

VOTE:

| | |
|-------------|-----|
| Mr. Shuman | Aye |
| Mr. Quetsch | Aye |
| Mr. Wilson | Aye |

The motion passed and Mr. Bell was selected to serve as Chairman to the Board of Zoning Appeals.

Selection of Vice-Chairman

The floor was opened for nomination for selection of Vice-Chairman to the Board of Zoning Appeals.

Mr. Quetsch made a motion that Mr. Shuman be nominated to serve as Vice-Chairman. Mr. Wilson seconded the motion. There being no further nominations, the floor was closed.

VOTE:

| | |
|-------------|-----|
| Mr. Quetsch | Aye |
| Mr. Wilson | Aye |
| Mr. Bell | Aye |

The motion passed and Mr. Shuman was selected to serve as Vice-Chairman to the Board of Zoning Appeals.

Selection of Secretary

The floor was opened for nomination for selection of Secretary to the Board of Zoning Appeals.

Mr. Shuman made a motion that Ms. Wheeler be nominated to serve as Secretary. Mr. Wilson seconded the motion. There being no further nominations, the floor was closed.

VOTE:

| | |
|-------------|-----|
| Mr. Shuman | Aye |
| Mr. Wilson | Aye |
| Mr. Quetsch | Aye |
| Mr. Bell | Aye |

The motion passed and Ms. Wheeler was selected to serve as Secretary to the Board of Zoning Appeals.

There being no further business, the meeting was adjourned.

Cameron Bell, Chairman

W. Garrett Jackson, Secretary