

BOARD OF ZONING APPEALS

MINUTES

JULY 28, 1994

A. ROLL CALL

ABSENT:

Mr. Feigley
Mr. Ripley
Mr. Giedd
Ms. Wallace

Mr. Carr

Others Present:

Bernard M. Farmer, Jr. Zoning Administrator

B. MINUTES

Approval of the May 26, 1994 and June 30, 1994 minutes was deferred.

C. OLD BUSINESS

None.

D. NEW BUSINESS

ZA-14-94; Norge Plaza, Inc.

Mr. Farmer presented the staff report stating that Norge Plaza is a shopping center being constructed at the corner of Richmond Road and Croaker Road. Mr. John Yarrington of Talley Anchor Sign Co. on behalf of Farm Fresh, Inc. has applied for a variance to the size limitation for a building face sign in the general business zoning district. They have requested a variance to permit a 160 square foot building face sign for a grocery store under construction in the Norge Shopping Center. The property is located at 115 Norge Lane in the B-1, General Business zoning district.

Mr. Farmer summarized Section 20-68 of the Zoning Ordinance. He further stated that the Planning Commission has not approved any special signage for this store or for the shopping center. This limits each individual sign to a maximum of 60 square feet. No special circumstances have been demonstrated that are not shared by other businesses in like zoned property and there are not unusual topographical, size or shape considerations that make this property unique. There is a legal administrative avenue available through the Planning Commission to grant relief to this perceived hardship. He stated that he felt it inappropriate to bring this before the Board of Zoning Appeals prior to having all other

administrative actions exhausted. It is the staff's recommendation that this variance request be denied and if the Planning Commission denies their approval of the request then it would also be the staff's position that it would be inappropriate for the BZA to usurp the Planning Commissions' legislated authority.

Mr. Feigley opened the public hearing.

Mr. John Yarrington representing Farm Fresh, Inc. and employed by Talley Anchor Sign Company spoke on behalf of the application. He spoke regarding the readability of the sign and distance from Richmond Road.

Mr. Feigley asked Mr. Yarrington if he was aware of the alternative of going to the Planning Commission for special designs of signs?

Mr. Yarrington stated that he was not aware.

Ms. Wallace clarified that the additional signs proposed on the diagram were all a part of Farm Fresh.

Mr. Yarrington stated that he is asking for a total of 160 square feet.

Mr. Feigley closed the public hearing.

Mr. Feigley motioned to deny the variance.

Ms. Wallace seconded the motion.

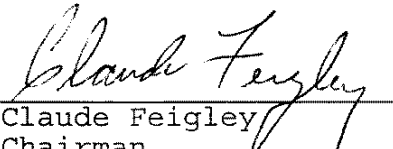
The motion passed unanimously.

E. MATTERS OF SPECIAL PRIVILEGE

None.

F. ADJOURNMENT

The meeting was adjourned at 8:15 P.M.



Claude Feigley
Chairman



Bernard M. Farmer, Jr.
Secretary