

BOARD OF ZONING ADJUSTMENT MINUTES
MEETING OF JANUARY 9, 2012 - 2:00 P.M.
MOBILE GOVERNMENT PLAZA, MULTI-PURPOSE ROOM

MEMBERS PRESENT

William Guess, Chairman
Sanford Davis
Adam Metcalfe
Jeremy Milling
Russell Reilly*
*supernumerary member

MEMBERS ABSENT

Vernon Coleman
J. Tyler Turner*

STAFF PRESENT

Frank Palombo, Planner II
Caldwell Whistler, Planner I
Sondi Galanti, Secretary I

OTHERS PRESENT

John Lawler, City Attorney
Butch Ladner, Traffic Engineering
DC Billy Roach, Fire-Rescue Department
Brian Johnston, Fire-Rescue Department

The notation *motion carried unanimously* indicates a consensus, with the Chairman voting.

CALL TO ORDER:

Mr. Guess, the Chair, called the meeting to order and called roll with the following people answering at that time:

- Russell Reilly
- Jeremy Milling
- Sanford Davis
- Adam Metcalfe

Chairman Guess advised all in attendance as to the policies and procedures of the Board of Zoning Adjustment. He noted one of the regular voting members was not in attendance that day, so supernumerary member, Russell Reilly, would vote that absence. He advised that it would require four members to vote in the affirmative to approve any variance and then called the meeting to order.

HOLDOVERS:

#5724

(Case #ZON2011-02780)

Travis Leon Sims

1885 Staples Road

(South side of Staples Road, 450'± West of Tulsa Drive)

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Use Variance to allow a second dwelling unit in an R-1, Single-Family Residential District; the Zoning Ordinance requires a minimum zoning of R-2, Two-Family Residential District for a property with two dwelling units.

The Chair announced the matter, advising it had been recommended for denial and that the applicant should address the Board regarding the subject at that time.

Leon Sims, 4116 Perch Point Drive, Mobile, AL, spoke on his own behalf and made the following points for approval:

- When he purchased the property in 2007, the second dwelling was already in existence, having been used by the previous owner's wife for arts and crafts and by their daughter as a residence while she attended the University of South Alabama;
- He had used both dwellings as rental properties;
- He was unaware of the permitting process when he decided to install new windows in the dwellings; and,
- One of his renters decided they did not like having such close neighbors and reported the other unit as a dwelling to the City.

Mr. Metcalfe said the house which appeared to be the primary residence on the property appeared to be vacant. He asked how long the dwelling had been unoccupied.

Mr. Sims said it had been occupied, but he had to evict those tenants.

Mr. Metcalfe asked if the applicant had constructed the secondary building.

Mr. Sims stated he had not and that it had been there since he purchased the property in 2007.

The Chair asked the applicant if, when he purchased the property, it was his intent that both dwellings were to be used as rental property.

Mr. Sims said his neighbors knew he rented the property and had no issues with such.

The Chair noted the property had been used as rental property for some time.

Mr. Sims stated there was also a barn on the property, but he used it to store his personal tractor.

The Chair asked if there were any more questions from the Board. Hearing none, he asked if there were those in opposition to the matter and opened the floor to their comments. Hearing none, he opened the matter for a motion.

A motion was made by Mr. Metcalfe, with second by Mr. Milling, to deny the above referenced request.

The motion carried unanimously.

#5725

(Case #ZON2011-02806)

Zion Baptist Church

2514 Halls Mill Road

(Northwest corner of Halls Mill Road and Pollard Lane)

Surfacing, Access and Maneuvering, and Parking Ratio Variance to allow a church with a grass parking area, no designated parking spaces, and a 10-foot wide asphalt drive in an R-1, Single-Family Residential District; the Zoning Ordinance requires designated parking spaces equal to one space per four seats surfaced with asphalt or concrete, with two-way drive aisles a minimum width of 24 feet for a church in an R-1, Single-Family Residential District.

The Chair announced the matter, advising that the request had been recommended for denial and that the applicant should address the Board regarding the subject at that time.

Bruce Moseley, 605 Bel Air Boulevard, Suite 27, Mobile, attorney and pastor of Zion Baptist Church. He made the following points in favor of the matter:

- Zion Baptist Church was formed 1848 and had been at the location in question for almost 170 years;
- The area was annexed by the City approximately 40 years ago;
- The congregation was small but had a large church facility in a location that was marked by cultural change;
- Zion Baptist was a small, white congregation, and they had spoken with a multi-cultural church with a strong congregation who had shown an interest in purchasing part of Zion Baptist's property, specifically the auditorium and the pastorium adjacent to it;
- Zion Baptist would retain control of the cemetery historically associated with the church and the less than 3000 square foot educational building located on the property;
- The requested variance would allow the subdivision process to continue as well as allow the new congregation to come in without requiring extensive paving on their part;
- He noted that the parking area utilized by the church had been used as such for the last 150 years or so without the benefit of paved parking;
- There had never been erosion issues associated with the property;
- In the 1940's and 1950's, Zion Baptist Church had a congregation of approximately 500 members and 500 to 600 people attended in the 1970's, around the time Brookley Field closed; and,
- It is a matter of public good for the strong, multi-cultural congregation to take over control of the property in question because they would lend stability to a neighborhood that has already seen much crime in the last few years.

The Chair asked if both congregations would utilize the church building at the same time or would they divide the time of use.

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Mr. Moseley stated his congregation utilized the education building located more closely to the cemetery, and, on any given Sunday, he saw a congregation of approximately 25 people with about eight cars parked by the building.

Mr. Metcalfe said the applicant was proposing to subdivide the property, a matter which would be heard by the Planning Commission.

Mr. Palombo advised that the Subdivision application and an associated Planned Unit Development were set to be heard at the January 19, 2012, Planning Commission meeting.

Mr. Metcalfe asked what the applicant proposed to do with the remaining building.

Mr. Moseley stated the education building contained a meeting room which would serve as the location for their church services.

Mr. Metcalfe asked if the proposed buyer was amicable to the applicant still using the sanctuary for their services.

Mr. Moseley stated that was not the case or the need as the educational building would serve his church's purpose. He added the new congregation would use the auditorium and larger building.

Mr. Palombo asked if the Board would consider holding the matter over until the February meeting to allow the Planning Commission to rule on the subdivision and Planned Unit Development applications.

The Chair stated he did not anticipate there being an issue regarding holding the matter over.

Mr. Moseley introduced Pastor Carl Coker, who represented the new, multi-cultural congregation, and both men agreed to holding the matter over.

The Chair asked if there were any more questions from the Board. Hearing none, he asked if there were those in opposition to the matter and opened the floor to their comments. Hearing none, he opened the matter for a motion.

A motion was made by Mr. Metcalfe, with second by Mr. Davis, to hold the above referenced matter over until the February 6, 2012, meeting.

The motion carried unanimously.

#5726

(Case #ZON2011-02816)

New Hope Baptist Church

1270 & 1272 Pecan Street, 608 Live Oak Street, 1261 & 1263 Persimmon Street

(Northeast corner of Pecan Street and Live Oak Street extending to the Southeast corner of Pecan Street and Persimmon Street)

Tree Planting Variance to reduce the number of Frontage Heritage Trees required for a church in an R-1, Single-Family Residential District; the Zoning Ordinance requires a

minimum of one frontage heritage tree per 30 linear feet of street frontage for a church in an R-1, Single-Family Residential District.

The Chair announced the matter, advising it had been recommended for denial and that the applicant should address the Board regarding the subject at that time.

Mark Wattier, Wattier Surveying, 4321 Downtowner Loop North, Mobile, AL, spoke on behalf of his client, New Hope Baptist Church and made the following points in favor of approving the matter:

- They are asking to be allowed to provide four frontage trees along a roadway where they would normally be required to provide ten;
- The church has been at this location for decades;
- Their existing structure is located very near the right-of-way lines on both roadways;
- They want to enlarge their sanctuary space and provide paved parking;
- The site is oddly configured, and it is a tight fit;
- They have revised the plans several times after meeting with Engineering, Traffic, Planning, and each obstacle was overcome to bring the design up to standard except the issue of frontage trees;
- They were granted PUD and subdivision approval through the Planning Commission so the site plan submitted has been approved in every aspect except for the frontage trees;
- They have frontage on three streets, and they are able to meet the requirement on two of the streets;
- The plan shows that $\frac{1}{4}$ of the street frontage on the third street is taken up by the sanctuary and a concrete sidewalk that extends into the right-of-way;
- The other $\frac{1}{4}$ of the length of the roadway is where the new parking lot is going, and they are proposing to put the four frontage trees in that area;
- About $\frac{1}{2}$ the length of that roadway is where the new sanctuary is being built; and,
- The approved PUD has allowed them to put the new sanctuary within 8' of the roadway, and it looks like it might be ideal to put trees in that area, but due to the design of the storm drainage for the site, they have had to add inlets in this section. This storm drainage pipe is very shallow, and the trees would eventually get into the pipe and disrupt the flow.

The Chair asked if there were any questions from the Board. The Chair asked if they had stated that there was another area on the site where they could add the additional trees, just not on that frontage, or were they just looking to avoid planting the additional six trees.

Mr. Wattier replied that they may be able to find a place to put the other trees, but it is tight with them getting the required number of parking places on the plans. They would agree to placing understory trees rather than overstory trees that wouldn't have as big a root ball.

Hearing no opposition or further discussion, a motion was made by Mr. Metcalfe, with second by Mr. Milling, to approve the above referenced request, subject to the following conditions:

- 1) **coordination with Urban Forestry for the frontage tree planting requirements of the Ordinance to allow the planting of understory**

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- trees instead of overstory trees within the location of the building;
and,
2) compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

#5729

(Case #ZON2011-02820)

Wright Transportation

1917 Military Road and 2216 Cassie Lane

(Southwest corner of Military Road and Cassie Lane)

Use and Surfacing Variances to allow the expansion of a trucking company with a 135-space aggregate-surfaced parking and storage area in an R-1, Single-Family Residential District; the Zoning Ordinance requires at least an I-1, Light Industry District for a trucking company with storage, and also requires all parking and maneuvering surfaces to paved with concrete, asphalt, or an approved alternative surfacing.

Mr. Metcalfe recused himself from discussion and voting on the matter.

The Chair announced the matter, advising both requests had been recommended for denial and that the applicant should address the Board regarding the subject at that time.

The following people spoke in favor of the application:

- 1) Jerry Byrd, Byrd Surveying, Inc., 2609 Halls Mill Road, Mobile, AL, and;
- 2) Mr. Pat Wright, Wright Transportation, 2333 Dauphin Island Parkway, Mobile, AL.

They made the following points in support of the matter:

- Mr. Wright's trucking business is doing well, and he needs storage for the tractor trailers when not in use;
- The site plan shows a large site of 13.4 acres that is wooded with an open field;
- Mr. Wright will purchase the site if the variance is approved and work only in the open field area;
- There will be no access on Cassie Lane as that has houses on the other side;
- There will be one driveway at the north end of Military Road - it would line up with the west Perimeter Road that goes around Brookley Field which is pretty heavily used by trucks on an ongoing basis;
- This is not a zoning issue;
- The house that is on the site has sat vacant for years and has been severely vandalized, has a hole in the roof, and there have been no other interested buyers;
- The open area where the proposed parking is shown on the site plan was utilized during renovation of access roads at Brookley to park material and storage onsite – they put loose stone and asphalt that was planed up on site (Mr. Wright had nothing to do with this activity) – this has been about ten years ago, the grass is grown high so all the aggregate would have to be scraped off;
- They asked for a surface variance to go with aggregate because that already exists, and the type of use that he is requesting is for equipment storage that will be just driven in and out with only his employees on site;

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- The side of the building is about 400' from the property line, and there are no windows on that side of Palmer Pillans School;
- The school board owns the next property over to the west, and it used for a maintenance facility so the School Board has already introduced a construction/industrial atmosphere to the students at the school;
- As shown on the site plan, they have proposed putting a board fence along the open field area to shield the residences on the east side; and,
- There is a natural buffer of trees and shrubs that have grown up over the years between the site and the school – the school isn't visible from the property due to the trees and shrubs.

The Chair asked what the intent is regarding the house that sits on the back part of the property.

Mr. Wright stated that they are going to put a roof on it immediately to save the structure; they will use it in some way, but they haven't decided yet how it will be used.

Mr. Palombo stated that they would need to approach the board for use of the building if they want to use it for an office or any other use. He stated that what the Board is looking at today is the site plan as is. He asked if they were putting a board fence on the school board side of the property as well.

Mr. Byrd stated that they didn't show it that way on the plans. He stated that they showed the 10' natural vegetative buffer on that side.

Mr. Guess asked if there was intent to have an apron and concrete entrance along with the aggregate.

Mr. Wright stated that they would have to have an asphalt entrance where the road comes into the property and then the aggregate.

Mr. Byrd stated that they hadn't planned on curbing as the aggregate will be back 10' from the west side, and it is behind the fence on the east (Cassie Lane) side.

Mr. Wright stated that there is enough space to not have to back up right up to the property line; they could park 20'-30' away from the property line.

Mr. Guess stated that his concern wasn't as much about keeping the aggregate in place, but for the safety of the students where the gravel would present a hazard when cutting grass along the west side.

Mr. Wright stated that there is probably 500' between the property line, the natural buffer, and the school.

The Chair asked if there were any questions from the Board.

Mr. Reilly asked what they foresaw as far as the amount of traffic anticipated.

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Mr. Wright stated that they have 100 trucks and that the trucks are in one day a week. They would have about 15 trucks per day coming in and out within about a 24 hour period. Their office is already on Dauphin Island Parkway, so there won't be more traffic – they have just grown and need additional parking. This site is convenient as it is right next to their current office.

The Chair asked if there were those present in favor of the matter and opened the floor to their comments.

Betty Potter, 2522 Cassie Lane, Mobile, AL, spoke on her own behalf and made the following points in support of the application:

- She has lived there for 69 years;
- She would like to see the Board pass this application because the house has been vacant for too long – the owner has no intention of coming back to live there
- Her house has been robbed five times in the last year due to the vacancy; and,
- She would like to see the property kept up and thinks that Mr. Wright would be a good neighbor.

The Chair asked if she thought the trucks would be a disturbance to her or any of the other neighbors.

Ms. Potter stated that she did not because Mr. Wright had told her that the trucks would come off of Military Road and that he wouldn't run the trucks down Cassie Lane.

The Chair asked if there were any more questions from the Board.

Mr. Reilly asked if there was any mention of fencing in the previous discussion.

Mr. Wright confirmed that there would be a wooden fence on the Cassie Lane side and the natural buffer on the school side.

Mr. Guess asked if there would be security on the site due to the trucks coming in at all hours and whether that would provide a deterrent for vandals.

Mr. Wright stated that there will be no security onsite, but vandals hate to see operations like his come in as there is no pattern as to when a truck may come or go from the site; and it would definitely be a deterrent.

Hearing no opposition or further discussion, the Chair opened the floor for a motion.

A motion was made by Mr. Milling, with second by Mr. Davis, to approve the above referenced request, subject to the following conditions

- 1) compliance with all other municipal codes and ordinances.**

The motion carried unanimously with Mr. Metcalfe recusing from the vote.

PUBLIC HEARINGS:

#5730

(Case #ZON2011-03046)

Glyn Dykes

18 Midtown Park Drive West

(West side of Midtown Park Drive West, 385'± South of Dauphin Street Service Road)

Parking Ratio, Frontage Landscaping and Tree Planting Variances to allow seven on-site parking spaces for a 10,500-square foot office/retail building with 1,000 square feet of frontage landscaping and no trees in a B-3, Community Business District; the Zoning Ordinance requires at least 35 on-site parking spaces for a 10,500 square-foot office/retail building, with 2,458 square feet of frontage landscaping for a 34,140 square-foot site, and a total of 28 trees in a B-3, Community Business District.

The Chair announced the matter, advising the requests regarding parking ratio and tree planting were recommended for denial, making the request for relief regarding frontage landscaping moot, and that the applicant should address the Board regarding the subject at that time.

The following people spoke in favor of the application:

- 1) Don Williams, Williams Engineering, 6300 Piccadilly Square, Mobile, AL, spoke on behalf of the applicant,
- 2) Glyn Dykes, 18 Midtown Park Drive West, Mobile, AL, spoke on his own behalf, and
- 3) Courtney Dykes, 18 Midtown Park Drive West, Mobile, AL, spoke on her own behalf.

They made the following points in support of the application:

- Mr. and Mrs. Dykes are the co-owners of Lola Bell's Pet Grooming Service;
- The building in question is the old Mobile Glass building on Midtown Park;
- The area is a built-up area near Dauphin at I-65;
- There are several accountants, Rester and Coleman Engineers, traffic school, several contractors (with no materials stored on site) and other offices in the area – the character is older development;
- A lot of buildings pre-date the Tree Ordinance and Stormwater Retention Ordinances;
- There is very little stormwater retention in the area;
- When Mobile Glass was there, it was out of character for the area as they were running primarily a warehousing type situation with about 1/8 of the building as office space;
- There has been no one to move into this site since Mobile Glass has been gone due to there not being enough parking, and there's been no one with a compatible use;
- Lola Bell's is currently located on Florida Street;
- They do pet grooming, and they have no boarding at their location on Florida Street;
- They would like to use this site for pet grooming and some boarding of animals;
- The boarding will probably be more on the weekends and holidays, but they can also use about 2/3 of the warehouse space for an inside play yard and 1/3 for kennels;
- There is a nice back yard that fronts onto Springdale Boulevard that they can use for a back yard play area – it is relatively quiet back there due to the creek, vegetation and traffic along Springdale Boulevard;

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- Please consider the dogs as being warehoused – none of them have their driver’s licenses;
- They work by appointment only with appointments every half hour – there are no drop-ins;
- People drop their pets off to be groomed then come back to pick them up – there is no waiting;
- They have added an additional parking space. They have increased the parking spaces from six to seven, but if the staff recommendation holds, they would have to have 35 on this lot, and there is no way to do that;
- The most parking spaces that would be possible is twenty at the cost of the back yard play area behind the building;
- Lola Bell’s has four full-time employees so they don’t need more parking;
- The property was developed very close to the street, and the lot has very little landscaping in front;
- They would be required to put 28 trees on site if the entire building was counted in the parking calculation - and they feel like it was a business before and now, so with similar use there should be no trees required if they are only using 1800 square feet as office space;
- In the spirit of compromise, they could put a few trees in the back yard to enhance the site and would work with Urban Forestry to configure 14 trees with a mix of overstory and understory;
- They could triple their business and offer three more services than in their current location;
- Their building on Florida Street is only 1600 square feet, and they are working four employees out of there;
- The employees could park on the side on the back and not have to use the parking in front;
- They will have some vocational rehab employees as well, and they don’t drive – they are dropped off for work;
- The gravel area on the rear will be used as a dog play area;
- They have four employees on Friday and Saturdays which are their busy days, but only two employees the other days of the week;
- They were not able to get parking around in the back because the width of the side yard is not enough to allow two-way traffic with the 24’ required by Traffic Engineering; and,
- There is additional space along the side where more parking could be added.

Mr. Metcalfe stated that he concurred with Mr. Williams regarding the use of the property. He asked about the sign that is covered with a tarp on the back of the building.

Mr. Williams stated that they got ahead of themselves working on the sign, and the staff asked that it be covered while going through the variance process. Then they will permit and move forward.

The Chair mentioned that two documents were provided from The Dermatology Center and Nonnenmacher and Clark, PC. They have an objection to the variance requesting changes in parking, and they did ask that some landscaping/shrubs be added on the back as would be appropriate to shield the dog walk area. They objected to the sign as well.

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Mr. Milling asked if they were currently occupying the building, what number of animals they anticipated at one time, and if they had a size limitation. He also said that with his experience next to vet offices that noise can be a problem and asked how they dealt with that.

Mr. Dykes stated that they are not currently occupying the building; they got an extension on their lease from Bowen Realty on the Florida Street location. They anticipate a maximum of 30 animals at any time, and their current customers have small-medium dogs. He does feel that the business will expand to include larger dogs in the new location, but they can't handle larger dogs in their current location. The building has been soundproofed by an engineer – they have cinderblocks around 35' high and 8" thick. Sound can't be heard outside the building, so the only noise would be the short time they have dogs in the back yard while they clean the kennels.

Mr. Williams said that the 14 trees would be most logically put in the back yard and along the side. They would work with Urban Forestry for placement of 6' high shrubs that would help with the noise.

The Chair asked if there were any more questions from the Board. Hearing none, he asked if there were those present in favor or opposition to the matter and opened the floor to their comments. Hearing none, he opened the matter for a motion.

A motion was made by Mr. Guess, with second by Mr. Davis, to approve the above referenced request, subject to the following conditions:

- 1) **coordination with Traffic Engineering to provide additional parking along the South side of the property;**
- 2) **coordination with Urban Forestry to provide additional landscaping and trees; and,**
- 3) **compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

#5731/5661/5550/5345

(Case #ZON2011-03123)

Austal USA, LLC

100 Dunlap Drive

(West side of Dunlap Drive, 450'± West of U.S. Highway 90 at the entrance to the Bankhead Tunnel)

Sign Variance to amend a previously approved Sign Variance to allow two additional wall signs at 443 square feet each and a 1,095 square-foot wall sign, for a new total of 7,647 square feet of signage in an I-2, Heavy Industry District; the Zoning Ordinance limits wall signs to 30% of the usable wall area up to a maximum of 350 square feet per sign for a single-tenant site in an I-2, Heavy Industry District.

The Chair announced the matter, advising it had been recommended for approval and that the applicant should address the Board regarding the subject at that time.

Wade Burcham, Thompson Engineering, 2970 Cottage Hill Road, Mobile, AL, spoke on behalf of the applicant and made the following points in favor of the application:

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- Austal is expanding, and they want to get some consistency in their signage;
- The large building that is seen from the I-10 entrance has their traditional logo on it;
- They wish to replicate that logo and put it on both the front side of the building and the side of the building facing the river;
- They want to put the logo/sign on both the existing building and the building that is under construction now;
- The ordinance allows for up to 30% of the wall to be signed up to 350 feet – these buildings are extremely large so the 350' maximum works out to be only about 1% of the wall face;
- They are asking that they be allowed to increase the size to about 4%.

The Chair asked why they didn't ask for the sign on the river side on the existing building with their previous application.

Mr. Burcham stated that it was his fault, not Austal's. They were trying to push things through quickly, and they assumed it would be the same as the building out there. But when they looked at it after the building came up, they thought it would look better to put the logo everywhere.

Mr. Milling asked if he had seen the staff recommendations and reviewed them.

Mr. Burcham stated that he was okay with the recommendations.

The Chair asked if there were any more questions from the Board. Hearing none, he asked if there were those present in favor or in opposition to the matter and opened the floor to their comments. Hearing none, he commented that each time Austal has constructed a building, it has been a fairly consistent practice of the Board to consider their requests based on the square footage due to the size of the buildings, but he still wasn't sure why the sign on the back was needed other than for consistency. He didn't know how much benefit would be gained from the river side. He then opened the matter for a motion.

A motion was made by Mr. Milling, with second by Mr. Metcalfe, to approve the above referenced request, subject to the following conditions:

- 1) the obtaining of a sign permit for each sign; and,**
- 2) compliance with all other municipal codes and ordinances.**

The motion carried unanimously.

#5732/5632

(Case #ZON2011-03124)

Mobile Area Chamber of Commerce

451 Government Street

(Block bounded by Government Street, South Hamilton Street, Church Street, and South Lawrence Street)

Sign Variance to amend a previously approved Sign Variance to allow two 25' x 10' wall banners (with a total of 500 square feet of banners), and eight 3' x 2' lamp post signs from January 31, 2012, until July 30, 2013, (eighteen months) in a B-4, General Business

District; the Zoning Ordinance allows three banner permits per year with a maximum allowance of 32 square feet per banner, each valid for thirty days, with at least a thirty-day break between permits, and does not allow lamp post signage in a B-4, General Business District.

The Chair announced the matter, advising it had been recommended for approval and that the applicant should address the Board regarding the subject at that time.

Shayla Beeco, Mobile Area Chamber of Commerce, 451 Government Street, Mobile, AL, spoke on behalf of the applicant and made the following points in favor of the matter:

- They are requesting a sign variance for two banner signs, 25' X 10', on the front façade of the building as well as eight lamp post signs along the corridor entryway to the Chamber of Commerce Building;
- They are in the process of celebrating their 175th anniversary, and that event will culminate with their annual meeting on January 25th;
- They will launch their new marketing campaign, "Believe in Mobile," at that time;
- They have gotten verbal endorsements from both the City and the County;
- The Chamber's plan is to reach out beyond their membership to various community partners asking that they take on the marketing campaign and use it for their individual purposes; and,
- Their request is to allow an extension of the timeframe that the signs can be displayed.

The Chair asked if these signs would replace the existing signs.

Ms. Beeco replied that was correct; the other signs would be removed.

The Chair asked if there were any questions from the Board. Hearing none, he mentioned that this application is consistent with what was previously approved.

Mr. Metcalfe asked about the time span of the approval – stating that it was a long time and whether they felt like the signs would hold up for that length of time. He also asked if the July 30, 2013 was an arbitrary date chosen for the end of the request.

Ms. Beeco stated that with their previous application, they agreed to repair/replace immediately any signs that are damaged for any reason. Based on information from her marketing and communications team, July 30, 2013 is the ending date of this campaign.

The Chair asked if there were any more questions from the Board. He did ask that there be a condition added that the signs would be replaced should they show any wear and tear. Hearing no further questions or discussion, he opened the matter for a motion.

A motion was made by Mr. Milling, with second by Mr. Davis, to approve the above referenced request, subject to the following conditions:

- 1) **obtaining any necessary approvals from the Architectural Review Board for the banner and sign designs;**

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- 2) the banners and signs are limited to the time span of January 31, 2012, to July 30, 2013; and,
- 3) compliance with all other municipal codes and ordinances.

The motion carried unanimously.

OTHER BUSINESS:

The Chair stated that there were minutes to approve.

A motion was made by Mr. Metcalfe, seconded by Mr. Davis, to approve the minutes from the following Board of Zoning Adjustment meetings:

- May 2, 2011.

There being no further business, the meeting was adjourned.

APPROVED:



Chairman of the Board

/lw