

ZONING BOARD OF ADJUSTMENT
MINUTES OF MEETING
JULY 16, 1992

MEMBERS PRESENT: Bob Callan, Bill Colbath, Randy Turner,
Chris Jacobs, Dean Trefethen

ALSO PRESENT: Tom Clark, Building Inspector

Bill Colbath chaired the meeting in the Chairman's absence.

Meeting brought to order at 7:15 PM.

ACCEPTANCE OF MINUTES

Dean Trefethen stated that he would like it noted in the minutes that he was present at the beginning of the last meeting.

Randy Turner made the motion to accept the minutes with the above referenced amendment.

Bob Callan seconded.

VOTE U/A

ITEM #1: New Business

Motion for a rehearing regarding Case #H92-8 Christian Linker & Lawrence Raiche, 595 Central Avenue, Assessor's Map 27, Lot 1, Zoned Office.

Tom Clark stated that apparently there is a conflict between Mr. Raiche's measurements and Mr. Sherwood's. Tom stated that he never measured the previous sign; he went by the measurements on the application. He said if we go by Mr. Sherwood's measurements, the new sign is smaller than the old one.

Chris Jacobs felt that he should be given the benefit of the doubt.

Randy Turner made the motion to grant the rehearing.

Chris Jacobs seconded.

VOTE U/A

ITEM #3: H92-11 William Reddy, 627 Central Ave. a/k/a Assessor's Map 27, Lot 144, zoned Office, requests a variance from the terms of Article IX, Section 170-32.I(3)(b) to erect a free-standing sign of approximately eleven & one-half (11-1/2) sq. ft. where four (4) sq. ft. per tenant is permitted.

Bill Reddy stated that he doesn't want a bigger sign than

anyone else. Across the street there is a huge U HAUL sign. He stated he just spent \$30,000 on rejuvenating the building. Mr. Reddy stated that the hardship is in the tree in the front of the building. He stated many of his clients have come close to being rear-ended when turning onto his property, consequently, a smaller sign would add to the problem.

Randy Turner made the motion to accept the application.
Chris Jacobs seconded.
VOTE U/A

Tom asked everyone if they were aware of Steve Stancel's memo.

They stated they were.

Randy Turner questioned what purpose would be served if the Board asked that the sign be reduced.

Bob Callan stated that he has a hard time agreeing with Tom Clark that this sign is not grandfathered, as it was allowed on Mr. Reddy's property next door. He also felt that Mr. Reddy has a point about the tree being a hardship.

Dean Trefethen stated that holding Mr. Reddy to a standard that is stricter than his immediate neighbors would create a hardship.

Randy Turner stated he couldn't justify throwing away the sign just because it was moved 30 feet.

5 CRITERIA

1. The applicant does face an unnecessary hardship because a smaller sign could be obstructed by the existing tree.
2. The variance will deliver substantial justice by allowing continued use of a sign that has been on a neighboring property for some time and allows him similar use as the neighboring properties.
3. The variance will be in harmony with the spirit and intent of the zoning ordinance because the total sign does not exceed the maximum signage allowable by ordinance for a multi-tenant sign.
4. The variance will not result in a diminution in value of surrounding properties as no evidence was presented.
5. The variance will be of benefit to the public interest as it will provide easier identification of property by passing motorists.

Dean Trefethen made the motion to approve.
Chris Jacobs seconded.
VOTE U/A

Randy Turner made the motion to adjourn
Chris Jacobs seconded.
VOTE U/A