

MINUTES

BOARD OF ADJUSTMENTS

REGULAR MEETING

Tuesday, December 17, 1991

10:00 a.m.

Members present: Bill Harris, Don Hawkins, Ben Turbeville, Joyce Rigler, and Robert Boone.

Members absent: Lewis Ozuna David Wright.

Staff present: Gene Cravens, David Hall and Pat Payne.

Visitors: List.

The **first item** of business was calling the meeting to order at 10:04 a.m by Chairman Don Hawkins.

The **second item on the agenda** was consideration and approval of the minutes from the regular meeting of November 19, 1991. A motion was made by Robert Boone and seconded by Bill Harris to approve the minutes as presented. Motion carried by the following votes: Ayes: Turbeville, Harris, Hawkins, Boone, and Rigler. Nays: None. Absent: Wright and Ozuna.

The **third item on the agenda** was consideration of and action on a request by Jimmy Riley, dba Golden Fried Chicken, for a ten foot front yard setback variance to the Gainesville Sign Code for an on-premise sign at 822 N. Grand Avenue.

Mr. Hawkins asked if anyone was present to represent the request; Jimmy Riley replied that he would let Ronnie Brooks, representing Future Signs, explain the request. Mr. Brooks presented plans and specifications depicting the new sign. The sign will be set on the old pole that was used by the former Dairy Queen business, but since the Dairy Queen has gone out of business, the placement of the pole has become nonconforming, being too close to the property line. Also, the sign would not be visible because of tree lines on Grand Avenue if it were set back according to setback requirements. Another factor was that the sign would be in the middle of the parking lot if it were moved.

Mr. Hawkins asked Mr. Cravens if he had any comments; he replied by saying that the old house to the south of the property was a visibility problem, along with the trees.

Mr. Hawkins asked if the Board had any comments or discussion; there were none. There was no one else to speak either for or against the request.

At that time, Mr. Harris made a motion to **grant a ten foot variance to the setback requirements of the Zoning Ordinance for a pole sign at**

822 N. Grand Avenue. Motion carried by the following votes: Ayes: Harris, Boone, Turbeville, Rigler and Hawkins. Nays: None. Absent: Ozuna and Wright. Abstentions: None.

The **fourth item of business** was consideration and action on a request by S. A. Murphey, dba Southern Style Nuts, for a forty two square foot variance to the requirements of the Gainesville Sign Code for total sign surface area for an on-premise sign at 1617 E. Highway 82. The sign consisted of a banner type sign on a wooden frame mounted on top of the building. The building frontage is only 20 feet wide and the maximum allowable square footage for a sign is thirty feet with the sign being seventy two square feet.

Mr. Hawkins asked Mr. Murphey if he wanted to speak for his request. Mr. Murphey replied that his business was seasonal and the sign would be removed after the holiday season was over. He said the size of the sign contributed to the successfulness of his business through the holiday season.

Mr. Hawkins expressed his concerns regarding the temporary status of the sign and what, if any, provisions could be made in future situations for this type of sign and any adjustment for them since they would be in place for only a short period of time, such as this one which is seasonal.

After no further discussion by the Board, a motion was made by Bill Harris and seconded by Robert Boone to **grant a forty two square foot variance for a banner sign at 1617 E. Highway 82 through December 24, 1991.** Motion carried by the following votes: Ayes: Rigler, Harris, Boone, Turbeville, and Hawkins. Nays: None. Absent: Ozuna and Wright. Abstentions: None.

The **fifth item of business** was consideration and action on a request by Ronnie Brooks, agent, and Richard Klement, owner, for (1) twenty foot variance to setback requirements, and (2) a five foot variance to the height requirements for off-premises signs, to erect a billboard at 905 E. Highway 82.

Ronnie Brooks was present to explain the purpose of his request. He said the billboard would be for off-premises advertising. The setback requirement is twenty five feet. Mr. Brooks said that the location of the business to the west of the property would obscure the visibility of a sign at that location.

Joyce Rigler asked if the billboard would be for any specific business or person; Mr. Brooks replied that it would be for rent or lease to anyone.

Mr. Hawkins asked Mr. Cravens if he had any further comments. Mr. Cravens explained that when the Sign Code was adopted, the City severely limited billboards. He continued by saying that a billboard could be placed there if it met all setback and heights standards. Mr. Hawkins questioned the fact that the proposed site of the billboard was even the two thousand required feet from another off-premise sign in the area.

There was no one else to speak either for or against the request.

After no further discussion, a motion was made by Robert Boone and seconded by Ben Turbeville that the **variance(s) be denied**. Motion carried by the following votes: Ayes: Rigler, Harris, Boone, Turbeville, and Hawkins. Nays: None. Absent: Ozuna and Wright. Abstentions: None.

After no further business, the meeting was adjourned at 10:36 a.m.