

MINUTES

BOARD OF ADJUSTMENTS

REGULAR MEETING

Tuesday, August 20, 1991

10:00 a.m.

Members present: Bill Harris, Lewis Ozuna (alternate), Joyce Rigler, and Robert Boone.

Members absent: Ben Turbeville, David Wright (alternate) and Don Hawkins.

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

Visitors: List.

The meeting was called to order at 10:01 a.m by Acting Chairman Robert Boone.

The **second item on the agenda** was consideration and approval of the minutes from the regular meeting of July 16, 1991. A motion was made by Lewis Ozuna and seconded by Bill Harris to approve the minutes as presented. Motion carried by the following votes: Ayes: Harris, Boone, Ozuna and Rigler. Nays: None. Absent: Wright, Turbeville, and Hawkins.

The **third item on the agenda** was consideration of and action on a request by Stephen J. Dyer for a 2' 6" variance to the side yard setback requirements of the Zoning Ordinance at 621 Lindsay Street for construction of an addition to the residence.

Mr. Boone asked Mr. Cravens to explain the variance request. Mr. Cravens said that to state the fact, this is a lot that is 83 feet wide; the area is zoned 2F, which allows for a side yard of not less than 10% of the lot width (8' 4" per side). The existing garage has been converted into part of the living area. The addition will be for a carport, which will be 5 feet, 10 inches from the side property line. He said that this problem is common in that part of the City where the houses are older and restrictions weren't placed upon properties or were not enforced when the structures were built or added to; therefore, it is not an unusual occurrence. The structure does not extend past the front of the main structure.

Mr. Boone asked Mr. Dyer if he had anything to say. Mr. Dyer only explained that it is a carport and he wants protection for his vehicles.

Mr. Boone asked if there was anyone else present who wanted to speak either for or against the proposed variance. Russell Duncan, 628 Lindsay Street, said he felt he had "an investment" in the property as well since he lives across the street. He said the Dyers have, in his

opinion, done an excellent job of every project they have done to their home, and he is in favor of the variance .

After no further discussion, a motion was made by Bill Harris and seconded by Lewis Ozuna to **grant a 2' 6" side yard variance at 621 Lindsay Street**. Motion carried by the following votes: Ayes: Rigler, Harris, Boone, and Ozuna. Nays: None. Absent: Wright, Turbeville and Hawkins.

The **fourth item of business** was consideration and action on a request by Barnett & Sweet (owners of the Gainesville Shopping Center-Highway 82) for a variance to the requirement of the Gainesville Sign Code, Ordinance #442-4-90, Section Thirteen: Total Sign Surface Area, for the Gainesville Craft Mall, located within the shopping center. The total frontage of the business is twenty two feet.

Mr. Cravens explained that in setting up the total surface area computation of a sign(s), it depends upon the width of the lot. Normally, it is simple and has a literal way of being interpreted. However, the business in question, the Gainesville Craft Mall, is in a corner area, in an inset, and the front canopy juts out with a frontage and also a side exposure. The circumstances are that the business is recessed and customers cannot see it coming from the west until they are right on it. The variance is for an additional sign on the side position of the extended canopy. Each sign is 4' X 8' and under the Sign Code only one is allowed without the variance.

Mr. Boone asked if anyone was present to speak for the variance request. Mr. Mitchell Barnett stated that the projection of the building next to the Craft Mall blocks visibility of the business and makes it difficult to draw customers into it. He said people had told him they could not find the store when there was only one sign (on the front).

Juanell McCabe, prospective owner of the business, said they were not aware of the ordinance provisions when the second sign was erected. She said, however, they did need the sign for visibility of their business.

Mr. Boone asked if the Board had any comments. Mr. Harris asked if that business had been a part of the restaurant next to it some time ago; he was told it had been. (That would have made a better and more visible frontage.)

After no further discussion, a motion was made by Bill Harris and seconded by Lewis Ozuna to **approve a variance to the Gainesville Sign Code, Section Thirteen, for Total Sign Surface Area**. Motion carried by the following votes: Ayes: Rigler, Harris, Boone, and Ozuna. Nays: None. Absent: Wright, Turbeville and Hawkins.

After no further business, the meeting was adjourned at 10:13 a.m.