

AGENDA FOR THE BOARD OF ADJUSTMENT MEETING

September 30, 2011

- I. **ATTENDANCE** - The Chair will call the meeting to order at 1:00 p.m. in the Council Chambers, 200 East Main Street, September 30, 2011.
- II. **APPROVAL OF MINUTES** - The Chair will announce that the minutes of the September 9, 2011 special meeting will be considered at this time.
- III. **PUBLIC HEARING ON ZONING APPEALS**

- A. **Sounding The Agenda** - In order to expedite completion of agenda items, the Chair will sound the agenda in regard to any postponements, withdrawals, and items requiring no discussion.
 1. **Postponement or Withdrawal of any Scheduled Business Item** - The Chair will announce that any person having an appeal or other business before the Board may request postponement or withdrawal of such at this time.
 2. **No Discussion Items** - The Chair will ask if there are any other agenda items where no discussion is needed...that is, (a) The staff has recommended approval of the appeal and related plan(s), (b) The appellant concurs with the staff's recommendations. Appellant waives oral presentation, but may submit written evidence for the record, (c) No one present objects to the Board acting on the matter at this time without further discussion. For any such item, the Board will proceed to take action.
- B. **Transcript or Witnesses** - The Chair will announce that any applicant or objector to any appeal before the Board is entitled to have a transcript of the meeting prepared at his expense and to have witnesses sworn.
- C. **Variance Appeals** - As required by KRS 100.243, in the consideration of variance appeals before the granting or denying of any variance the Board must find:

That the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the Board shall consider whether:

- (a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
- (b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
- (c) The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulations from which relief is sought.

1. **V-2011-27: JOHNNY TEMPLE** - appeals for a variance to increase the allowable square footage and height for three directional signs, as well as allow a greater amount of text for the signs in a Professional Office (P-1) zone, on property located at 101 Yorkshire Boulevard (Council District 7).

The Staff Recommends: Disapproval, for the following reasons:

- a. All three of the directional signs that are the subject of this appeal are larger than three square feet, which is the maximum size allowed by Article 17-7(e)(4) of the Zoning Ordinance. Since no request has been made to transfer unused sign square footage to these signs (via an Administrative Appeal), there is no assurance that the total permitted sign area for the subject

property will not be exceeded, which would be contrary to the restrictive provisions of Article 17-8(a) of the Zoning Ordinance.

- b. Detailed justification for the requested height increases has not been supplied by the appellant, which is considered a significant shortcoming because two of the three directional signs proposed are to be taller than existing directional signs that have served this property for a number of years.
 - c. Two of the three signs at issue have non-directional text and logos that exceed the 25% limit as specified by Article 17-3(b)(6) of the Zoning Ordinance.
2. **V-2011-58: JAMES HICKEY** - appeals for a variance to reduce the required side yard from 3' to 9" for retention of a home addition; and a variance to reduce the required rear yard from 10' to 0' for retention of a deck in a Planned Neighborhood Residential (R-3) zone, on property located at 3606 Windgate Way (Council District 4).

The Staff Recommends: Postponement, for the following reasons:

- a. Because the deck encroaches into the adjoining property to the rear, an additional variance for that property is required to reduce the rear yard to zero feet. The appellant has described such a variance in his request; however, there is no indication in the application materials (such as a letter of permission from that property owner) that he has the right to ask for that variance.
 - b. Notification to property owners within a 200-foot radius around that property must be provided if a variance is requested for that property (356 Big Bear Lane), as well as legal notice in the newspaper. A one-month postponement will allow time to provide the necessary letter of permission from the adjoining property owner, as well as notification letters to surrounding property owners, for the variance request.
3. **V-2011-62: DONALD and DEBRA CORN** - appeal for a variance to reduce the required side yard from 8' to 2' for reconstruction of a residence in a Single Family Residential (R-1C) zone, on property located at 1408 Oak Hill Drive (Council District 1).

The Staff Recommends: Approval, for the following reasons:

- a. Granting the requested conditional use permit should not adversely affect the subject or surrounding properties, as the new home will be located in the same location as the prior single family residence.
- b. The relatively narrow width of the lot, and location of the prior residence and associated improvements (driveway and detached garage), are special circumstances that contribute to justifying a side yard reduction.
- c. Strict application of the Zoning Ordinance would force the appellants to reduce the width of the new residence to about 22', which would be marginally functional and would greatly limit design options.
- d. The appellants are making a reasonable effort to construct a new residence on a small lot, with no evidence of any intent to circumvent a requirement of the Zoning Ordinance.

This recommendation of approval is made subject to the following conditions:

- 1. The new residence shall be constructed in accordance with the submitted application and site plan.
 - 2. All necessary permits shall be obtained from the Division of Building Inspection prior to construction.
4. **V-2011-63: JENNIFER V. BERRYMAN** - appeals for a variance to reduce the required setback for a free standing identification sign from 20' to 0' in a Planned Neighborhood Residential (R-3) zone, on property located at 3050 Kirklevington Drive (Council District 4).

The Staff Recommends: Approval, for the following reasons:

- a. Granting the variance should not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity. The required sight triangle can be met if the sign is located at or near the property line due to the large amount of right-of-way along the right-in/right-out intersection of Kirklevington Drive and Bates Creek Road. Additionally, other signs of similar stature, orientation and location exist along this portion of the Bates Creek Road corridor; thus, no change to the character of the area will be experienced.
- b. Granting the requested variance will not result in an unreasonable circumvention of the requirements of the Zoning Ordinance, as the right-of-way in this location has been appropriately sized to allow for traffic visibility; and if situated behind the 20 setback line, it could infringe on other easements or a FEMA Special Flood Hazard Area.
- c. The site restrictions of utility poles, easements and the Special Flood Hazard Area associated with

Tates Creek along the Bates Creek Road frontage of the property significantly limit the placement of a freestanding sign for the apartment complex located on the property. These significant restrictions constitute a special circumstance that contributes to justifying this request to eliminate the required setback.

- d. Strict application of the Zoning Ordinance would limit the ability of the appellants to construct a sign along the Bates Creek Road frontage of the subject property due to the site constraints and prevent the construction of a freestanding sign as permitted in Article 17 of the Ordinance.

This recommendation of approval is made subject to the following conditions:

1. The sign shall be erected in accordance with the submitted application and site plan, with allowances to alter the location, per condition #4.
 2. All necessary permits shall be obtained from the Division of Building Inspection prior to construction of the sign.
 3. An encroachment permit shall be obtained from the Department of Public Works prior to construction.
 4. The Division of Traffic Engineering shall verify that the proposed sign will not obstruct the sight triangle, as required by Article 3-3 of the Zoning Ordinance. If the sign does obstruct the sight triangle, the location shall be modified accordingly.
5. **V-2011-64: SPEEDWAY SUPERAMERICA, LLC** - appeals for a variance to reduce the required perimeter setback from 50' to 20' along Nicholasville Road; and from 50' to 10' along the eastern property line in a Planned Shopping Center (B-6P) zone, located at 2490 Nicholasville Road (Council District 4).

The Staff Recommends: Approval, for the following reasons:

- a. Granting the requested variances should not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity. The overall design of the gas station/convenience store will be improved, which should benefit the general public on a very heavily commercialized segment of Nicholasville Road.
- b. The relatively small size of this B-6P lot, and its isolation from the shopping center on the south side of Larkin Road, are special circumstances that contribute to justifying the requested variances.
- c. Strict application of the 50' perimeter setback requirement of the Zoning Ordinance would likely prevent any substantial redevelopment of the property, which is unreasonably restrictive and a potential hardship for the appellant given some of the existing site conditions relating to traffic flow and circulation.
- d. Given the location of this B-6P lot, and the history of setback reductions that have previously been granted by the Board, it is clear that the appellant is attempting to improve how the property functions as a permitted business use, with no intent to circumvent any requirements of the Zoning Ordinance.

This recommendation of approval is made subject to the following conditions:

1. The reconstruction shall take place in accordance with the submitted application and site plan, or as amended by the Planning Commission.
 2. All necessary permits shall be obtained from the Division of Building Inspection prior to demolition and construction.
 3. The final design of the access points, traffic circulation and parking layout shall be subject to review and approval by the Division of Traffic Engineering.
 4. All variances shall be noted on the amended development plan for the subject property as approved by the Planning Commission.
 5. The relocated access point on Nicholasville Road shall be subject to the review and approval by the Kentucky Transportation Cabinet.
 6. A 10' wide landscape buffer shall be maintained along the easterly property line, in conjunction with a 6' tall solid privacy fence or wall, with a minimum of one tree to be provided for every 30' of border.
6. **V-2011-65: DR. RICHARD LOZANO** - appeals for a variance to increase the allowable projection of a covered porch into the required front yard from 8' to 10' in a Single Family Residential (R-1C) zone, on property located at 157 Cherokee Park (Council District 3).

The Staff Recommends: Approval, for the following reasons:

- a. Granting the requested variance should not adversely affect the subject or surrounding properties, as the 2-foot variance is only to allow a front porch to be constructed that will be in character with the

residence and will be in character with other open porches along the street that also are less than 40 feet from the right-of-way.

- b. Granting the requested variance will not allow an unreasonable circumvention of the Zoning Ordinance, as the setback required by the R-1C zone is 30 feet from the right-of-way, which is the same setback as the proposed porch.
- c. The special circumstance that justifies the requested variance is the platted 40-foot building line for the Cherokee Park subdivision, which is 10 feet greater than the setback required by the existing zoning. If the setback along Cherokee Park were 30 feet from the right-of-way, the porch could be constructed without encroaching into the required front yard and a variance would not be needed.
- d. Strict application of the Zoning Ordinance would require that a porch be constructed that would be somewhat out of scale with the existing residential structure and therefore could not match other existing porches along the streetscape of Cherokee Park.
- e. The requested variance is not the result of a desire on the part of the appellant to circumvent the requirements of the Zoning Ordinance. It is merely the result of a desire to construct a useable outdoor space that is in character and in scale with the existing residence.

This recommendation of approval is made subject to the following conditions:

1. The porch shall be constructed in accordance with the submitted application, site plan and elevation drawings.
2. Any applicable permits shall be obtained from the Division of Building Inspection prior to construction of the porch.
3. Granting the requested variance is only for the purpose of allowing an increase in depth for the covered, but otherwise open, front porch.

7. **V-2011-66: PHILLIP and JENNIFER DOBBS** - appeal for variances to reduce the required side yards from 25' to 10' for construction of two single family residences on two adjoining lots in the Agricultural Rural (A-R) zone, located at 1218, 1224 and 1228 Centerville Lane (Council District 12).

The Staff Recommended: Approval, for the following reasons:

- a. Granting such a variance should not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity. The proposed residences will be situated very close to the center of the property, and there are many residences on nonconforming lots in the Centerville Rural Settlement that have side yards of less than 25'.
- b. Granting the requested variances will not result in an unreasonable circumvention of the requirements of the Zoning Ordinance, as the lot is atypical for the Agricultural Rural (A-R) zone, and lots of this size typically do not have a side yard as large as 25'.
- c. The narrow width of these lots in the Agricultural Rural (A-R) zone is a unique and special circumstance that contributes to justifying the request.
- d. Strict application of the Zoning Ordinance would limit the ability of the appellants to construct a reasonably sized home on the subject property without an unorthodox orientation on this lot, and would perhaps be contrary to the stated goal of the Rural Land Management Plan to stabilize and enhance housing in historic rural settlements of Fayette County.

This recommendation of approval is made subject to the following conditions:

1. The property shall be developed in accordance with the submitted site plan, with allowances to alter the driveway locations and house building plans within the approved setbacks.
2. All necessary permits shall be obtained from the Division of Building Inspection prior to construction.
3. The consolidation plat shall be certified prior to the issuance of any building permits.

8. **V-2011-67: BFD PROPERTIES, LLC** - appeals for a variance to reduce the required setback for a free standing identification sign from 10' to 4' in a Professional Office (P-1) zone, on property located at 2134 Nicholasville Road (Council District 4).

The Staff Recommends: Approval, for the following reasons:

- a. Granting such a variance should not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity. The required sight triangle is not impeded by the location of the freestanding sign, and its location allows the bottom portion of the sign to be visible.
- b. Granting the requested variance will not result in an unreasonable circumvention of the requirements of the Zoning Ordinance, because the downward slope of the property away from the roadway creates a situation where the sign cannot be completely visible from the roadway if placed at the required

setback. The only way to allow for full use of the freestanding signage permitted on the property is to reduce the sign setback, as proposed, or increase its height.

- c. The steep slope of the landscape area between Nicholasville Road's right-of-way and the existing parking lot is a special circumstance that contributes to justifying this request to reduce the required setback.
- d. Strict application of the Zoning Ordinance would limit the ability of the appellant to construct a sign that is completely visible, and not distracting to the motoring public along Nicholasville Road.

This recommendation of approval is made subject to the following conditions:

- 1. The sign may remain at a 4' setback in accordance with the submitted application and site plan.
- 2. An amended sign permit shall be obtained from the Division of Building Inspection within 30 days of action by the Board.

D. **Conditional Use Appeals**

- 1. **CV-2011-55: THE 6 FRIENDS CAFÉ** - appeals for a conditional use permit to offer live music; and a variance to reduce the required 100' distance from a residential zone to 60' in a Neighborhood Business (B-1) zone, on property located at 191 Kentucky Avenue (Council District 3).

The Staff Recommends: Approval of the requested conditional use permit, for the following reasons:

- a. Granting the requested conditional use permit should not adversely affect the subject or surrounding properties. Live music will be limited to individual or duo acoustic performers, and will only be provided on Fridays and Saturdays from 8:00 PM until 10:30 PM.
- b. All necessary public facilities and services are available and adequate for the proposed use.

The Staff Recommends: Approval of the requested variance, for the following reasons:

- a. A reduction in the 100' residential zone setback should not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity. The needed setback reduction applies primarily to the R-3 zone on the opposite side of Kentucky Avenue, which is developed as Woodland Park.
- b. The configuration of the R-3 zone boundary in the immediate vicinity of the subject property is a special circumstance that contributes to justifying a setback reduction.
- c. Strict application of the Zoning Ordinance would prevent the appellant from offering any type of live music in the outdoor patio or in any part of the existing building, which is unreasonably restrictive since there are no actual residential uses in the closest portions of the surrounding R-3 zone.
- d. The appellant is attempting to maintain a viable business use in a neighborhood-friendly manner. No building expansions are proposed, and the limited hours and low intensity of music to be provided support that there is no intent to circumvent a requirement of the Zoning Ordinance.

This recommendation of approval is made subject to the following conditions:

- 1. Live music shall be provided in accordance with the submitted application and site plan, limited to individual or duo acoustic performers on Fridays and Saturdays, from 8:00 PM until 10:30 PM.
- 2. The entertainment area shall be confined to the southwest corner of the existing building and porch.
- 3. The appellant shall coordinate with the Division of Parks & Recreation to ensure that live music does not interfere with musical or dramatic events taking place in Woodland Park.
- 4. An occupancy permit shall be obtained from the Division of Building Inspection within 30 days of action of the Board.

- 2. **CV-2011-57: JOHN C. REYNOLDS** - appeals for a conditional use permit to establish a bar in an existing building in a Neighborhood Business (B-1) zone; and a variance to reduce the required 100' setback from a residential zone to 70' along the western property line and to 50 feet along the southern property line, located at 231 Woodland Avenue (Council District 3).

The Staff Recommends: Approval of the requested conditional use permit, for the following reasons:

- a. A small bar at this neighborhood business location should not adversely affect the subject or surrounding properties. Seating will be limited to no more than 15 persons, and live music entertainment will not be provided. Adequate off-street parking is conveniently available to the rear of the building, and it is anticipated that on-street parking spaces will also be available during the evening and nighttime hours that the bar will be open.
- b. All necessary public facilities and services are available and adequate for the proposed use.

The Staff Recommends: Approval of the requested variances, for the following reasons:

- a. Reductions in the residential zone setback should not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity. Live music will not be provided, and the bar will occupy an existing building that is oriented toward Woodland Avenue, to the southeast, away from the R-3 zone behind the building and the R-2 zone on the opposite side of East Maxwell Street.
- b. The existing development pattern in this block of neighborhood businesses, and the configuration of the surrounding residential zoning, are special circumstances that contribute to justifying some reduction in the 100' setback requirement.
- c. Strict application of the Zoning Ordinance would effectively prevent a bar or nightclub from occupying the existing building, as none of the property is at least 100' away from both of the nearby residential zones.
- d. The appellant is making a reasonable effort to adaptively re-use an existing building in the midst of several other neighborhood businesses. No expansion of the building is needed to accommodate the requested use, and there is no indication that an effort is being made to circumvent a requirement of the Zoning Ordinance.

This recommendation of approval is made subject to the following conditions:

1. The bar shall be established in accordance with the submitted application and site plan.
 2. An occupancy permit, as well as any needed permits for remodeling, shall be obtained from the Division of Building Inspection prior to opening the bar.
 3. Off-street parking shall be provided to the satisfaction of the Division of Building Inspection, either through shared parking or lease agreements, or documentation that a nonconforming parking situation is being continued but not expanded.
3. **C-2011-56: MASJID BILAL** - appeals for a conditional use permit to expand an existing worship center in an Agricultural Urban (A-U) zone, on property located at 1545 Russell Cave Road (Council District 2).

The Staff Recommends: Approval, for the following reasons:

- a. Granting the requested conditional use permit should not adversely affect the subject or surrounding properties. Landscape buffers of between 6' and 8' in width will be provided along the full property perimeter, with some existing trees to be preserved in those areas. Storm water management will be handled through the use of permeable pavers, underground detention, and, if necessary, some above ground detention at the rear of the lot.
- b. All necessary public services and facilities are available and adequate for the requested conditional use.

This recommendation of approval is made subject to the following conditions:

1. The mosque shall be established in accordance with the submitted application, and an amended site plan indicating: (a) an 8' or wider landscape buffer along the northern property line and rear property line, with existing evergreens and other trees in those buffer areas to be preserved; and (b) a 6' or wider landscape buffer along the southern property line, with existing trees in that buffer area to be preserved. Site plan amendments needed in order to comply with the requirements of the Division of Engineering (with regard to storm water management) and Division of Traffic Engineering (with regard to layout of the parking areas and access/circulation) are acceptable. Should some above ground detention of storm water be required, it is recognized that some parking spaces will be lost, resulting in less than 177 off-street parking spaces to be provided.
2. All necessary permits shall be obtained from the Division of Building Inspection prior to construction and occupancy of the new building.
3. A storm water management plan shall be implemented in accordance with the requirements of the adopted Engineering Manuals, subject to acceptance by the Division of Engineering.
4. The final design of the parking areas and traffic aisles shall be subject to review and approval by the Division of Traffic Engineering.
5. The new entry and exit access points at Russell Cave Road shall be subject to approval by the Kentucky Transportation Cabinet.
6. The parking areas shall be paved, with spaces delineated, and landscaped/screened in accordance with the requirements of Articles 16 and 18 of the Zoning Ordinance.
7. Any outdoor pole lighting for the parking areas shall be of a shoebox (or similar) design, with light shielded and oriented downward to avoid disturbing adjoining residential properties.

8. All existing trees along the rear and both sides of the property, as noted on the amended site plan, shall be preserved and maintained.

E. **Administrative Review**

1. **AV-2011-59: DAVID S. KIRN** - appeals for an administrative review to allow a directional sign of 17 square feet; and a variance to increase the allowable height from 3' to 5'8" in a Professional Office (P-1) zone, on property located at 2376 Alexandria Drive (Council District 10).

The Staff Recommends: Approval of an administrative appeal to transfer 11 sq. ft. of unused signage, for the following reasons:

- a. The one allowable free-standing business sign for the subject property is to be eight square feet smaller than the 40 sq. ft. maximum allowed by Article 17-7(e)(1) of the Zoning Ordinance.
- b. Two three square-foot directional signs are allowable for the subject property under Article 17-7(e)(4) of the Zoning Ordinance, but only one such sign is being proposed.
- c. These transfers would not result in any circumvention of the Zoning Ordinance requirements or limits.

The Staff Recommends: Approval of a variance increasing the height of this sign from 3' to 4' 8", for the following reasons:

- a. Granting such a variance should not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity. The required sight triangle will be provided if the sign is erected at the location and height proposed, and it will be setback ten feet from the right-of-way of Alexandria Drive.
- b. Granting this height variance would not result in an unreasonable circumvention of the requirements of the Zoning Ordinance, as the subject lot has extensive street frontage along two streets; and other signs of similar stature, orientation and location exist along this portion of Alexandria Drive. Therefore, no change to the character of the area will be experienced.
- c. The shape of the subject lot and the location of its only access point so far to the north of the building on the lot are special circumstances, unlike other property in this area or in this zone, which both contribute significantly to justifying this dimensional variance request.
- d. Strict application of the Zoning Ordinance would limit the ability of the appellant to construct a sign along the Alexandria Drive frontage to direct visitors to the subject property in a manner that clearly differentiates it from the nearby entrance to the Kentucky Clinic South.
- e. The variance is not a direct result of the actions of the appellant, but is more of a necessity due to the two adjacent medical facilities, which have nearby entrances off of Alexandria Drive.

This recommendation of approval is made subject to the following conditions:

1. The sign shall be located on the subject property in accordance with the submitted application and site plan, noting the reduced height and size of the directional sign requested.
 2. All necessary permits shall be obtained from the Division of Building Inspection prior to erecting this directional sign.
 3. The one free-standing sign on the property shall be limited to a maximum of 32 square feet in size.
 4. No other directional signs shall be erected on the subject site.
2. **A-2011-60: UPS** - appeals for an administrative review to allow a temporary graveled parking lot for trailers in a Light Industrial (I-1) zone, on property located at 1702/1800 Mercer Road (Council District 12).

The Staff Recommends: Approval, for the following reasons:

- a. Granting the appellant's administrative appeal should not adversely affect the subject or surrounding properties, nor should it provide a negative zoning precedent. The site will provide vehicular parking for 90 days in the short term, but will also be part of a 12-month construction project involving gravel.
- b. As proof that this can be considered a construction project site, the appellant's consultant (TetraTech), has already prepared a Stormwater Pollution Prevention Plan (SWPPP) and an Erosion and Sediment Control (ESC) Plan for this gravel parking area. Use of a geotextile filter fabric and stone sub-base are also proposed for this 3-acre site.
- c. Under those plans, Article 16-2(f) of the Zoning Ordinance will be met, since dust "will be controlled by water sprayed from a tanker truck as needed during dry weather" for this temporary parking area.
- d. All necessary public facilities and services are otherwise available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The property shall be used in accordance with the submitted application and site plan, including the submitted Stormwater Pollution Prevention Plan (SWPPP) and Erosion and Sediment Control (ESC) Plan for this gravel parking area.
2. The 3-acre subject site shall be authorized for vehicular parking from October 15 through January 15, 2012, and discontinued for such use thereafter, so long as this 3-acre site remains graveled.
3. **A-2011-61: SIS, LLC** - appeals for an administrative review to allow business signage on a brick wall that is larger than 40 square feet in a Downtown Business (B-2) zone, on property located at 165 Barr Street (Council District 3).

The Staff Recommends: Approval, for the following reasons:

- a. Granting this appeal will not adversely affect the subject or surrounding properties, nor provide any negative zoning precedent. The sign will comply with the provisions of Article 17 of the Zoning Ordinance, in that at 14.1 square feet in area, it will be well under the 40 square feet allowable for monument signs in the Downtown Business (B-2) zone.
- b. The wall to which the sign is to be affixed is necessary to properly screen an electric transformer, located only 12' from each right-of-way. As such, the sign will compliment a wall otherwise erected to enhance public safety.

This recommendation of approval is made subject to the following condition:

1. The sign shall be erected in accordance with the application and site plan submitted with this appeal.

- IV. **BOARD ITEMS** - The Chair will announce that any items a Board member wishes to present will be heard at this time.
- V. **STAFF ITEMS** - The Chair will announce that any items a Staff member wishes to present will be heard at this time.
- VI. **NEXT MEETING DATE** - The Chair will announce that the next meeting date will be October 28, 2011.
- VII. **ADJOURNMENT** - If there is no further business, the Chair will declare the meeting adjourned.