April 8, 1996

Planning Commission Minutes

Planning Commission Members Present
John Adams, Vice Chair
Lou Ellen Kirkendall
Andrew Dixon
Barry J. Ream
Dan Dail, Council Representative

Planning Commission Members Absent
Tom Weyrick, Chair
Benjamin K. King, Secretary

Staff Present
Ted Costin, Town Manager
Joseph Shifflett, Director of Public Works/Zoning Administrator
Rick Carey, Administrative Assistant to the Town Manager

Visitors
Randy Murphey

Planning Commission Meeting

Vice Chair John Adams called the Planning Commission meeting to order at 7:03 p.m. The first order of business was the approval of April's minutes. Lou Kirdendall motioned for approval; seconded by Andy Dixon. The minutes were approved as read.

Old Business

After some discussion by Commission members to accommodate Chairman Weyrick's JMU summer session schedule, it was agreed to change the regular monthly meeting from the second Monday to the second Tuesday of the month. The motion was made by Mr. Dixon to temporarily change the meeting night through September's meeting. The motion was seconded by Mr. Ream and carried by the members.

New Business

Presenting an issue brought to him by a citizen, Mr. Dixon raised a question regarding Dr. Larry Bompiani's business sign. Mr. Shifflett answered, "It is basically a sign that falls

between the cracks." Ms. Kirkendall questioned if the sign had been classified as a free standing sign to which Mr. Dixon responded he assumed that that was how Mr. Shifflett had classified the sign. Mr. Shifflett responded he did not, and could not, classify the sign as free standing and referred the members to their definition of such a sign.

Mr. Shifflett stated that he had requested the Sign Ordinance be addressed at the time Ciro's Pizza was under construction due to perceived loopholes in the Ordinance. If Mr. Shifflett can not define a category based on the existing Ordinance his question to members was, "What do I do?" The current Ordinance allows, in special cases, a free standing sign to be erected on braces or supports which are not secured to a building.

Reading from the existing Ordinance, Mr. Shifflett noted specifications which do not apply to Dr. Bompiani's sign, i.e., the bottom of the signs must be at least 10 feet above ground level. Mr. Shifflett stated, "That sign is not 10 feet above grade level. So, therefore, it is not a free standing sign, in my opinion. That definition throws me out in left field somewhere." Mr. Shifflet added, regarding Dr. Bompiani's sign, "If we take that sign down my guys are going to leave from right there and go right there" making reference to the Town of Elkton's municipal sign.

Mr. Adams raised a safety issue of obstruction of view. Mr. Dail stated perhaps a sign ordinance should address two issues, the first being more importantly the safety issues of sign placement and size. The second concern could be one of esthetics.

Mr. Costin suggested Town employees provide the measurements of Dr. Bompiani's sign, including its setback, and have Commission members rule on its acceptability under present guidelines.

The issue remained unresolved.

Ms. Kirdendall motioned for adjournment. Mr. Dixon seconded and Mr. Adams adjourned the meeting at 7:52 p.m.

Signature - Chairman

Signature - Secretary