

**BOARD OF ZONING APPEALS MEETING
December 16, 2010**

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff</u>
Mr. Bralley	Mr. Campbell	Ken Gillie
Mr. Dyer	Mrs. Rich	Christy Taylor
Mrs. Evans	Mr. Snipes	Emily Scolpini
Mr. Heiltzheimer		Allen Spencer

Secretary Evans called the meeting to order at 10:00 a.m.

I. ITEMS FOR PUBLIC HEARING

- 1. Variance Application Number PLVAR201000170, filed by Site Enhancement Services, requesting a variance from Article 10, Section P, Item 2 of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 120 Collins Drive, otherwise known as Grid 1705, Block 002, Parcel 000002 of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to erect 239 sf of wall signage where 182 sf is allowed.***

Nine (9) notices were mailed to property owners within three hundred feet; One (1) respondent was unopposed; Zero (0) respondents were opposed.

Open the Public Hearing.

Present on behalf of the request Mr. Shawn Smith. Mr. Smith stated I am here on behalf of the proposed Olive Garden that is going to be on Piedmont and Collins Drive between Applebee's and First Citizens Bank. Based on Code you are allowed two (2) square feet per linear footage of building frontage. In this particular location, we have ninety-one (91) feet of elevation, which is our primary frontage that faces Piedmont Drive. This allows us one hundred, eighty-two (182) square feet of wall signage. I want to give you a little bit of a background of how an Olive Garden is designed. Typically, they tend to do LEED certified buildings. I do not believe this location is one (1), but I am not one hundred percent (100%) sure. The materials they use are environmentally sound. If you are familiar with an Olive Garden, it is generally the slate stone. They have to order the field stone to place the sides accordingly. The request before you would be for a pro-typical building. They put the building up, and then they put the field stone on. They save that area for the sign spacing. We are requesting to have an additional sign on the rear elevation, which faces Collins Drive our primary entrance at the back of the building. I would like to pass out a couple art packets that will show you the request in itself and what we can have per Code. The way this property is situated within the area, if you will look at page two (2), it shows how this building is going to be situated with the front entrance facing Piedmont and the primary entrance coming in from Collins Drive. The only way to access this property is from the rear. The signage that we are proposing on the front and the sides do get exposure to the outlined area, however if you navigate that area you can almost drive through the Lowe's parking center and drive completely through and there is no exposure to oncoming traffic. If you notice on page three (3) the setback of the building is approximately one hundred fifty (150) square feet. That is why we are requesting the sixty-five (65) on the rear. Based on the building setback the signs should be visible and allow a greater area for when you are navigating that area. I have a call out on the front setback of one hundred, twenty-five

(125) feet from the setback. We are placing a free standing sign on Piedmont Drive just to identify the property. The wall sign on the front is fifty (50), which is a smaller sign typical for that elevation. If you will notice in the packet, the previous elevation over the door, the way that it is designed that sign should be held there. The request before is that basically we would like an additional wall sign on the rear based on the building setback, the way the traffic flow patterns are, and really the design of the pad itself, which does not have access on Piedmont. The additional wall sign will allow additional visibility to motorist when they travel the area to give them a greater understanding of where this location is and be able to navigate successfully in and out of this property without any traffic hazards. I would be happy to answer any questions if you have any.

Mr. Dyer asked do you do this for a lot of Olive Garden's?

Mr. Smith responded yes.

Mr. Dyer asked is this a standard size sign? Is this something you use at just about every other location?

Mr. Smith responded this is their pro-typical size sign, yes.

Mr. Dyer stated in proximity there is going to be signage all over this Olive Garden.

Mr. Smith stated we are not a sign company, so I do not install those.

Mr. Dyer asked do you know how many signs this company has done?

Mr. Smith responded locally?

Mr. Dyer stated no, nationally. I am assuming this company that you are representing has done this for a lot of Olive Gardens.

Mr. Smith stated I understand what you are saying. There are three (3) national sign vendors and they have probably done forty-five hundred (4500) Olive Gardens or more.

Mr. Dyer asked do you have any idea how many times they have to go and ask for a Special Use Permit to use the standard signs? Is this fairly common?

Mr. Smith responded it is often. I am with Darden, so I have all of their concepts. I go around nationally. It is fairly common because of the building design itself. Typically you will have a building or a company will come in and say "we want more signage, so we can have more visibility." In this case they are thirty-six (36) inch letter height. It is a stacked letter set, and how it is designed within the architecture of the building itself. Olive Garden takes a lot of time in designing these buildings really around their signage. It is not a box design, so you do not have somebody coming in and saying "I would like to have seven hundred (700) square feet of signage." Generally, I would say maybe forty percent (40%) of the time or maybe thirty-five percent (35%), we would have to come in and ask for additional signage. Signage is important because of the stacked letter set for them. With the stacked letter set you have to have continuity to allow them to identify the building. Additional lettering height does give you that reach for the motoring traffic. I hope that answered your question.

Mr. Dyer stated partially. One (1) of the criteria we have to establish before we can grant a variance is that we have to find that there is some undo hardship on the property owners, something that would justify granting the variance. What would you consider the hardship if this variance were not granted?

Mr. Smith responded I think what is unique about this particular location is the curb cuts to the rear of the property and the access to the rear of the property. It is not typical for most businesses. If you place this building and spin it, then you would have the back of the building facing Piedmont. It is kind of unique in its sense of how you access this property. The undo hardship, I would think, is that you do not have that curb cut on Piedmont to allow access. Ideally your primary traffic is coming from the rear of your building.

Mr. Dyer stated the architectural design of this building is four (4) sided. In other words, we do not have one (1) money side and three (3) walls of painted cinderblock. The architectural element tends to go on all four (4) sides of the building. I noticed that on some of these signs, the actual sign itself is larger. I know there were three (3) of one (1) size and one (1) of the other. The larger sign is the one (1) you want facing Collins Drive. Is that correct?

Mr. Smith responded correct.

Mr. Dyer asked because of the setback, and the size of the building?

Mr. Smith responded correct, and if you take that span to actually kind of give you some numbers, the reason you have the smaller sign on the front elevation, if you will look at it, the way that building is designed, the architecture is a bump out. They do not put a larger sign on there, because it does not fit architecturally. It is a better visual aspect to have a smaller sign on the front. Everywhere in the United States you would see a fifty (50) square foot sign on the front of an Olive Garden. That is there standard, and they try not to, and they will not deviate from that. I have seen them leave locations, because they could not get that. That is there typical. On the rear elevation, it is approximately ninety (90) feet; so a sixty-five (65) square foot sign is approximately three point five (3.5%) percent of that entire façade area that would be devoted to signage. On the sides, it is roughly three point two (3.2%) percent on either side. On the front elevation, it is two point five (2.5%) percent of that area is denoted just for signage.

Mr. Dyer stated on the package that you gave us; I am assuming the rear of the building is on Collins Drive. That shows the same size sign as what I have on the rest of the building, the five and a half by eleven by eleven (5'5" x11'11").

Mr. Smith stated yes, sir.

Mr. Dyer asked I thought that was the larger sign?

Mr. Smith responded it is. It is sixty-four point five (64.5) square feet. That is correct.

Mr. Dyer asked is there one (1) smaller sign, and three (3) standard signs?

Mr. Smith responded the front is the standard sign.

Mr. Dyer asked the ten by four foot six and a half (10'x4'6 ½"), that is the standard sign?

Mr. Smith responded for the front elevation, yes.

Mr. Dyer stated so what we are looking at is the five foot five inch by eleven foot eleven inches (5'5" x 11'11") on the three (3) other sides.

Mr. Smith stated correct.

Mr. Dyer asked what would happen if they put the four foot, six and a half by ten (4'6 1/2" x 10') on the two (2) sides?

Mr. Smith responded you would still be over, because fifty (50) times four (4) is two hundred (200) and you are allowed one hundred eighty-two (182) square feet.

Mrs. Evans asked is there any way that you could put a sign at the entrance and do away with a couple of other signs on the sides, so you would have a sign on the front, a sign on the back, and a sign at the entrance on Collins Drive?

Mr. Smith responded with one hundred eighty-two (182) square feet and the amount of signage that we do, I mean typically this would be our standard request. You have the sixty-five (65) and the fifty (50), and we really do not have any other. At that point, we would be making custom signs. That would entail the manufacturer and Darden themselves, who own Olive Garden, to incur an additional cost to redo a mold, go back into manufacturing, order more field stone, and get the contractors back out there. It increases a lot of cost to fill that stone area, because when they put it in the cabinet area is denoted and saved for stone. They would have to do fill area. There are additional costs that would be incurred. They would be much happier and prefer to do it this way.

Mr. Dyer asked to your knowledge, do they have a standard sign already, the mold already made for a standard sign that is smaller?

Mr. Smith responded they have one (1) for the fifty (50).

Mr. Dyer stated but even at fifty (50) times four (4) that would be two hundred (200) and that is going to exceed the limit.

Mr. Smith stated correct.

Mr. Dyer asked Staff the area for the wall sign is based upon the front elevation, right?

Ms. Blair responded correct.

Mr. Dyer asked and it is based upon the square footage of the front elevation?

Ms. Blair responded it is based on the linear footage of the store front.

Mr. Dyer asked so, it does not even include the height?

Ms. Blair responded not unless it exceeds a certain elevation.

Mr. Dyer asked what is the elevation supposed to exceed before you get credit for more?

Ms. Blair responded I think it is two hundred (200).

Mr. Dyer asked something two hundred (200) feet tall?

Mr. Smith responded no, two hundred (200) feet in length.

Mr. Dyer asked which of these elevations did you use to calculate? Is the building basically square?

Ms. Blair responded we use the main entrance.

Mr. Dyer stated which is on Collins Drive, which would be elevation A. Actually, that is the shorter of the two (2) elevations we have. I have one (1) that says ninety-six foot eight and a half inches (96' 8 1/2"). We do have a unique situation here, because of the fact that on Piedmont Drive the buildings that are orientated on Piedmont Drive are not accessed on Piedmont Drive. That was done for traffic control reasons. To the best of my knowledge, that is the only place in the City where we have that situation where your building is orientated towards a street that is not the street you access it off of.

Mr. Gillie stated no.

Mr. Dyer asked where else?

Mr. Gillie responded we have quite a few of them actually. We have the Pilot station and others out on 58, there is the Wendy's across from it with the frontage road, and you have got what used to be Toyota.

Mr. Dyer stated but those face on frontage roads. The front of the building is orientated to where the driveway is.

Mr. Gillie stated the Pilot station has no access off of 58, and it is fronted towards 58.

Mr. Dyer stated actually the Pilot station is fronted on, the front of the building faces the road you turn off on, it does not face 58.

Mr. Gillie stated it still does not have access at that point.

Mr. Dyer stated what I am saying is that any type of retail business like this has a money side, and that is the side you invest the greatest amount on architectural detail and signage. In this situation, the money side is not the side you drive into. In other words, in this situation you are actually asked to drive into the building through the back door.

Mr. Gillie stated that is their choice. If you look at the design of Outback, Applebee's, Kick Back Jacks, all of them have the same situation that is applicant faces.

Mr. Dyer stated what I am saying is, it was their prerogative to turn this building around, and have the money side facing Collins Drive, and have one (1) of the least attractive sides face one (1) of the busiest streets in Danville. I do not think that benefits anybody aesthetically. I have a great deal of sympathy with this situation, because their access point is basically an off-street, side street. The other thing I would like to point out and one (1) thing that I find is that this is in fact what is referred

to as architecturally a four (4) sided design, because with a lot of buildings, what you get is you get one (1) façade that is actually architecturally designed. The three (3) other sides are basically painted cinderblock. This is definitely not the situation here. It is quite obvious that they are spending a great deal of money in making this building attractive from all four (4) perspectives. To be honest with you, I think that the sign is part of the architectural design. I am inclined to believe that in this situation, that there are extenuating circumstances, and the variance should be appropriate.

Mr. Gillie asked should we go back to Outback, Kick Back Jacks, and the old Ryan's, IHOP, all of those other places and tell them to come back?

Mr. Dyer responded no, that is their prerogative. They felt like they did not need it. To best of my knowledge, none of those buildings are four (4) sided designs. That was their choice. I would not have a problem if they were to come back to us and say "we want to put another sign in the back."

Mr. Gillie asked within Code or just come in to you and say "we want something more?"

Mr. Dyer responded no, because the other point I would like to make is that when the Code is developed it is very difficult to take into consideration every possible conceivable application. I think when the Code was enacted, when they restricted the size of the signs, they were assuming that there would be one (1) sign on the front of the building. I think they thought that was restricting one (1) size on one (1) façade of the building.

Mr. Gillie stated being the guy who wrote the Code, I can tell you no. That is not at all what we were thinking. We wrote it so that you could have a certain number of square footage, and we specifically left it open to this is your total number that you are allowed. It is up to you how you choose to put it. If they want to have all of their maximum on one (1) side, that is their choice. If they want to break it up and put it on two (2) sides, three (3) sides, four (4) sides, that is their choice. We gave a maximum number and said based on the linear frontage of your building; you have X to work with. It is up to you how you work that X into the formula. I would disagree with you respectfully, because I did write that part.

Mr. Dyer asked what is the reasoning behind restricting the size of the sign, having any restrictions on the size of the sign?

Mr. Gillie responded one (1) is to control visual clutter, so we do make some sort of limitation on it. You could have a building that is twenty (20) foot wide having one thousand (1000) square feet of signage, and then you have someone who has a thousand (1000) foot long lot. We tried to balance it out and equal it out the best we could. The way we found that was most fair and the way that most other localities did was to use that linear footage total where your front entrance is. We took the two (2) square foot per linear. We actually went greater than what we used to have and gave more options. The Code used to restrict it to a certain linear footage on the front and any other remaining wall had a total of fifty (50). If you had three (3) walls, you had to fit fifty (50) on those three (3). We felt that was unfair, so we went with a straight number and said "You figure out how you want to market yourself. This is our total limit."

Mr. Dyer asked in other words, it was aesthetics? You did not want someone to come by and see a huge sign on a little bitty building. If I have a four (4) sided building and I have four (4) signs, one (1) sign on each side of the building. How many of those signs can I see at any one (1) time?

Mr. Gillie responded how many can one (1) person see or multiple people within the City? You can have multiple people on multiple sides.

Mr. Dyer asked how many of those signs can you see at any one (1) time?

Mr. Gillie responded we are concerned with the good of all people. You may have you on one (1) side of the building, you on another side, and you on another. We have got to think of everyone.

Mr. Dyer stated yeah, but if you are going to do that you have got to multiply the number of people that are going to be looking at any one (1) sign at any given time by the number of people and the size of the sign. What I am saying is for aesthetic reasons we have decided to limit the size of signs. When I am looking at the building, how many of these signs can I see at any one (1) time?

Mr. Gillie responded it depends on your angle. You could possibly see two (2).

Mr. Dyer stated exactly, the most you could see is two (2). There is absolutely no way that you could see three (3) of these signs at any one (1) time.

Mr. Gillie stated if you have something behind it that is reflective, it is possible.

Mr. Dyer stated aesthetically, all I am seeing at any one (1) time is basically half of what you have determined is aesthetically acceptable. In other words, if these signs are in essence of fifty (50) square feet a piece, at any one (1) time all I can see at the most is one hundred (100) square feet of signage.

Mr. Gillie stated they could have two hundred (200) square feet signs on just those two (2) walls, and you are seeing your maximum.

Mr. Dyer stated no, I am talking about specifically this application. What they are proposing is basically three (3) signs of fifty (50) square feet and one (1) that is about sixty-five (65) square feet. If I am looking at the sixty-five (65) square foot sign and a fifty (50) square foot sign at any one (1) time the most I am seeing is one hundred fifteen (115) square feet, which is significantly less.

Mr. Gillie stated it is three (3) at sixty-five (65) and one (1) at fifty (50) is what they are asking.

Mr. Dyer stated at any one (1) time, the most I could see would be one hundred thirty (130) square feet of signage. You have already acknowledged through the Code that aesthetically up to one hundred ninety-two (192) square feet would be appropriate.

Mr. Gillie asked should we allow four hundred (400) square foot and put one hundred (100) on each wall, because that would be the maximum visible from two (2) sides?

Mr. Dyer responded no.

Mr. Hiltzheimer stated on one (1) side of the building, you can only see one (1) sign that is it.

Mr. Gillie stated if you are at a corner, you could see two (2).

Mr. Dyer stated the most you can see is two (2) sides.

Mr. Gillie stated I am just trying to see the logic you are going with that is all.

Mr. Dyer stated the logic I am saying is that first of all I do think that it is a unique location to a point where they are being asked to access the building that does not face the front of the building. That was a planning decision from the City. The City decided that you were not going to have curb cuts.

Mr. Gillie stated the State. That was not a City decision. That was a State decision.

Mr. Dyer stated the State on Piedmont Drive. A decision was made somewhere along the line that you were not going to have curb cuts along Piedmont Drive. Obviously Piedmont Drive is a significant economic engine for this City. Probably half (1/2) of the restaurant business is located on Piedmont Drive. I think that we should A, be encouraging that and B, we should acknowledge the fact that it is unique. You do not seem to indicate that you feel that is any different. In other words, what is the difference between Outback and Texas Steak House? You do not seem to see any difference between the way those two (2) buildings are accessed.

Mr. Gillie stated restaurants on Piedmont Drive: you have Bojangle's also accessed on a side street or rear, you have IHOP.

Mr. Dyer stated but it faces the street that you access it from.

Mr. Gillie stated IHOP faces Piedmont. Ryan's when it was in operation faced Piedmont. Outback faces Piedmont. Kick Back Jack's faces Piedmont. The proposed Olive Garden, Red Lobster faces Piedmont. Everything faces that direction. That is their choice to face it.

Mr. Dyer stated everything on Piedmont; I am not saying that this is unique.

Mr. Gillie stated you just did. You are saying that this is a unique situation. It is clearly not, because we have at least five (5) others that have the same situation.

Mr. Dyer stated no, not unique to the point it is zoned, but the way retail establishment is on Piedmont Drive is unique because of the fact that you are entering this property off of a street that is not where the building is fronted on. I recognize that there are other businesses in the area on either side and on down the road. They did not come to us and ask for a sign variance. I would not say that I would not have the same attitude about any of them if they would have come and asked for a sign variance. Olive Garden has come and asked for a sign variance.

Mr. Gillie stated Lonestar came and asked for a sign variance and they were denied.

Mr. Dyer stated I was not on the Board at that time, and I can only speak for myself.

Close the Public Hearing.

Mr. Dyer stated as you are aware we are required to find that this application meets four (4) pre-requisites before we can grant the variance. The first (1st) of which is that the strict application of the ordinance would produce undo hardship on the property owner. I feel that undo hardship is placed upon the property owner, because of the fact that they are being asked to enter the property off of a

side street. I feel like they should be granted additional square footage to compensate for that. The second (2nd) criteria is that the hardship is not generally shared by other properties in the vicinity within the same zoning district. The reason for criteria number two (2) is that the properties within the vicinity of the same zoning district, what I am trying to say is that because of the fact that they have gone to the point of designing this four (4) sided building with design elements on all four (4) sides. I do not think any of the adjacent properties have done that. I am not sure how to articulate what I want to say. Similar properties in the same zoning district do not present a four (4) sided design in which the signage is an element of that design, and therefore this property is unique in that characteristic therefore merits granting the variance. Criteria number three (3), the authorization of a variance would not be a substantial detriment to adjacent property owners. I would say that those property owners have the same rights to make an appeal to the Board as the applicant at this time therefore granting this variance is not a detriment to any of them. The criteria that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a regulation to be adopted (by City Council), Planning Staff has already acknowledged that they do meet that criteria. That is my four (4) reasons.

Mr. Dyer made a motion to approve the request for Variance Application PLVAR201000170. Mr. Hiltzheimer seconded the motion. The motion was by a 3-1 vote.

Mr. Gillie stated Staff would like to put you on notice that we will probably appeal that decision, because we feel that was created law.

Mr. Dyer stated it did not pass, because we did not get four (4) votes.

Mr. Gillie stated yes, you did.

Mr. Dyer stated she was no.

Mr. Gillie asked oh, you voted no?

Mrs. Evans responded I voted no.

Mr. Gillie stated I am sorry. I thought you voted yes.

Mrs. Evans stated no, I voted no. The reason being, Mr. Smith...

Mr. Smith stated you do not have to tell me.

Mrs. Evans stated no, I want to tell you. The City of Danville has been waiting for Olive Garden for thirty (30) years. They will have no problem finding it.

Mr. Smith asked is it a super majority?

Mr. Gillie responded there are seven (7) members on the Board.

Mr. Dyer stated there are seven (7) members on the Board, two (2) of whom are absent. We are required to have four (4) positive votes. I do not know if you were informed of that before the meeting.

Mr. Gillie stated majority is necessary. Was he informed of the majority being necessary? No, I do not believe we told him a majority was necessary.

Mr. Dyer stated in other words, if there are absent members. The only problem I have with this whole deal right here is that we do have three (3) members here that are absent. All we needed was one (1) of those three (3) votes to pass this variance application.

Mr. Bralley stated I thought we had four (4) votes.

Mr. Dyer stated no, we have four (4) members present. We had three (3) members vote for it and one (1) vote against it.

Mr. Hiltzheimer stated three (3) against one (1).

Mr. Gillie stated I thought you voted for it as well. I apologize for that.

Mr. Dyer stated I mean this fellow is coming here from out of town. I guess since we voted on it, we cannot withdraw it anyway. I think it is unfair that we cannot get full participation on this Board and the fact that when we only have four (4) members present we have to have a unanimous decision.

Mr. Gillie stated that will be noted on the record.

Mr. Smith stated the typical quorum is four (4) and you get the majority vote.

Mr. Dyer stated that actually occurred at the Planning Commission meeting where they are not required to have four (4) votes, correct? They are only required to have three (3) or the majority of the folks who are present.

Mr. Gillie stated we will investigate it further and let you know if there is any change. If it is approval, Staff will probably be appealing it.

Mr. Smith stated well I am not going to get it permitted just yet.

Mr. Gillie stated ok.

Mr. Smith stated just to let you know, we do have permits for the three (3).

Mr. Gillie stated that is one (1) of the other reasons we recommended from Staff's perspective is that you have Code and you have permits. You can put up what is already permitted.

Mr. Smith stated ideally though if you gave us a second frontage, we would not ask for additional, like five hundred (500) square feet. This is it. This is what you would get. Even if you were allowed one thousand (1000) square feet of signage, this is what you would have. Just so you know that.

Mr. Gillie stated our concern is that everybody else is going to come and say "hey, they got it, so let us all ask for it." I can see that happening.

Mr. Dyer stated well there was. Anybody is welcome to ask for it, Kenny. Anybody in the City can come in at anytime and ask for a variance permit for anything.

Mr. Gillie stated correct.

Mr. Dyer stated it is up to us to determine what is appropriate.

Mr. Gillie stated up to this point, this Board has determined that it has been inappropriate until today. Now you have put Staff at a very bad footing, because we are going to have to tell people "Well, just go ask. You never know what they are going to give you or not."

Mr. Dyer stated that is true. That is the truth. Anybody can come in here and ask for a variance for anything, and it is up to this Board to determine what they feel like is appropriate. Just because you or Staff does not feel like it is appropriate, if that is all that counted we would not have this Board. We would not be sitting here if we did not have the authority to grant this variance. We thought it was appropriate to grant the variance, and we have the authority to grant this variance. It did not pass. I do not know what the situation is. We are here to do what we feel is in the best interest of the City of Danville. I felt like granting this variance was in the best interest of the City of Danville.

Mr. Gillie stated it is not what is in the best interest of the City. It is what is legal and meets the criteria of the law. If you want to do what is in the best interest, then the Planning Commission is the appropriate place. I can get you on that Board, because we have a vacancy. I am not sure if you are aware of that or not.

Mr. Dyer stated my application has been in there for twenty (20) years.

Mr. Gillie asked Planning Commission?

Mr. Dyer responded yes, absolutely.

Mr. Gillie stated we can go see Ms. Crane afterwards and talk to her about that.

Mrs. Evans asked may I object?

Mr. Bralley asked could you speak a little louder?

Mr. Dyer stated Mr. Bralley has a hard time hearing.

Mr. Gillie stated I apologize.

Mr. Bralley stated I am sorry, but I have not heard anything. I know how I voted though. Thank you.

Mr. Gillie stated we will speak louder.

Mr. Smith asked so you will let me know?

Mr. Gillie responded we will let you know.

- 2. Variance Application Number PLVAR201000131, filed by Powers Signs, Inc., requesting a variance from Article 10, Section N, Item 1a of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 114 Market Street, otherwise known as Grid 2709, Block 019, Parcel 000001 of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to erect a 75 sf ground sign where 16 sf is allowed.***

Mr. Gillie stated in front of you as part of your notification packet, you will see an email from the applicant. The applicant has asked that this item be tabled until January, so they can be here to discuss it. It is up to the Board whether they want to do that or not, but I wanted to present that to you.

Mr. Dyer made a motion to table Variance Application PLVAR201000131 per applicant's request until the January meeting. Mr. Hiltzheimer seconded the motion. The motion was approved by a 4-0 vote.

- 3. Variance Application Number PLVAR20100000196, filed by Roman Eagle Memorial Home, requesting a variance from Article 3M: Section H, Item 5 of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 2526 North Main Street, otherwise known as Grid 2810, Block 003, Parcel 000009 of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to allow three (3) curb cuts on a single right-of-way where two (2) is the maximum number allowed.***

Twenty-eight (28) notices were mailed to property owners within three hundred feet; Seven (7) respondents were unopposed; Zero (0) respondents were opposed.

Open the Public Hearing.

Present on behalf of the request was Mr. Bryan Bradner and Mr. Mark Howell with Dewberry and Mr. Dan Setliff, Director of Roman Eagle Memorial Home. Mr. Bradner stated I have two (2) boards. I have one (1) for the actual parking lot that will be under construction soon, and I also have an aerial. I have copies of the aerial that I can pass out. Thank you for allowing us to speak with you this morning. Our variance is to allow three (3) curb cuts when only two (2) are allowed by Code. I want to get you oriented, tell you a little bit about the project, and then Mr. Setliff is going to come up and talk a little bit in more detail about why this is important for Roman Eagle and the uniqueness of the situation.

Pointing to the aerial board, Mr. Bradner stated of course this is Roman Eagle, and this is North Main here. Roman Eagle owns about seventy (70) acres, and that includes the frontage along North Main. It also includes the area behind it that goes off of the board. As you recall several years ago, Roman Eagle did some improvements in the front of the building, which kind of enhanced the entry way, and also reconfigured a little bit of the parking. This is the 05 aerial, so that was done after the aerial. As you can see on the handouts, the improvements are superimposed on there. Over here to the north is the proposed parking lot. The curb cut that we are requesting to actually be allowed or remain is this northern most curb cut. It is actually in existence today.

Mr. Dyer asked is this actually the little gravel parking lot?

Mr. Bradner responded yes.

Mr. Dyer asked but you are proposing to pave it, curb and gutter, and all that good stuff?

Mr. Bradner responded yes, and two (2), these three (3) structures here have since been demolished. They are no longer there. This right here is Bubba's, just to get you orientated. In our opinion, the uniqueness that Roman Eagle has here is obviously they are a large land owner in this area. They have a lot of frontage on North Main. Mr. Setliff will speak to you here in just a bit. We feel like we are not requesting a new curb cut. It is basically just to utilize the one (1) that is already there. As I understand from Staff, this is on a separate lot as designated by these orange lines. If this were a separate use for Roman Eagle, a separate business, two (2) curb cuts would be allowed. I would like for you to consider the scenario there. We do not see a difference, because the parking lots would still be inner-connected. The only difference would be per Code, it requires you to have a separate business here. We feel like for the circulation of traffic, for the amount of elderly folks that visit Roman Eagle every day, we feel like it is necessary for that to remain.

Mr. Setliff stated good morning, I appreciate everyone coming out this morning. I noticed at seven o'clock (7:00) that it said the City of Danville would be closed. I did this late last night, and sent it to them with the understanding that we would not be having this meeting. I do appreciate everyone coming out. I would quickly like to review what I have given you in writing. From what I understand, and I am not an expert at this. This is the first (1st) time I have ever been here. In order for a variance to be granted it has to meet four (4) criteria. We do believe that the strict application of this ordinance would produce an undo hardship on Roman Eagle. As he indicated, Roman Eagle is requesting that an existing curb cut be left open. Actually with the parking lot here, we are closing an existing curb cut on the southern side of this that is in existence right now. That is proposed to be closed. Our primary use for this at this point would be for parking related to Roman Eagle. We do, as what I have indicated in what I passed out, intend to develop this land for a purpose related to Roman Eagle's mission. We are in the process of engaging a professional marketing and feasibility study for the process, not just this, but in the rear. Ultimately Roman Eagle plans to provide a continuum of service, but specifically related to this; we have a lot of elderly visitors that do come to Roman Eagle having three hundred twelve (312) residents. When they come into the parking lot, if this is closed as proposed, then they are going to have to come into the parking lot, and I can assure you many times if you have ever visited Roman Eagle it will be full. They are going to have to back out, or they are going to have to attempt to turn around. That particularly for older people, is more difficult and can create congestion, and also increase the amount of traffic coming in and out at this north entrance. It is also unique in that the distance from this entrance to this one (1) is in excess of five hundred fifty (550) feet. There are businesses all along North Main Street as you are aware. We do not feel that this in any way creates any safety hazard. In fact, contrary to the intent of the ordinance, we believe that by having the congestion unnecessarily here would make for unsafe conditions, and also many of these elderly pedestrians and other visitors would be walking in this area, so you would have people coming in and out, people trying to back out. We do feel that this would actually be safer, and certainly more convenient for visitors to Roman Eagle. It should be noted that if we close this and this is already closed, with this parcel of land when we do develop it there would be no access to it from North Main Street. We would have to come back, and I would assume that the City would allow the two (2) curb cuts for a property that would be a separate entity. It would be sponsored by Roman Eagle, but it would be completely separate. We would have to come back again I guess and request that they both be re-opened. We believe that would be in our best interest, as well as the City's, that this be granted. I should also note that the speed limit through here is thirty-five (35) mph. I have been

the administrator at Roman Eagle for thirty-four (34) years and there has never been an accident that I am aware of here. I really do not see how it would create any hardship. I know that you have many businesses up and down North Main Street. Whether or not we have another building sitting here or not, I think really is immaterial, and we certainly respectfully request that the variance be granted. I will be happy to along with Brad to answer any questions that you may have.

Mr. Dyer asked are you all being required to consolidate these lots at this time in order to put the parking lot in?

Mr. Bradner responded no.

Mr. Dyer stated I thought that you were not allowed to have a parking on a lot unless you have an associated use.

Mr. Gillie stated you can in certain zoning districts. This is one (1) of the districts that allows for parking lots as a use. He is not required to consolidate. He has to do a cross access easement to eliminate the need for the landscape buffer between the two (2), but that is something that is easily taken care of.

Mr. Dyer asked there is an existing parking lot there. Is that grandfathered in?

Mr. Gillie responded the gravel area is non-conforming.

Mr. Dyer stated because there was a house used there.

Mr. Gillie stated it was used as a used car dealership last. It was a house that had been converted over.

Mr. Dyer asked what is the status of the current curb cut that is there?

Mr. Gillie responded according to our Code, he would need to close that curb cut off. They are asking for the variance to keep that curb cut there.

Mr. Dyer stated what I do not understand is if they are not being required to consolidate this lot with the property that already has two (2) curb cuts on it, then why are they not allowed this third (3rd) curb cut if in fact this is a separate piece of property.

Mr. Gillie stated because it is not being used as a separate parking lot. They are building a parking lot over and on top of that property modifying the entrance to what is going to be their new configuration, which is on the drawing back there. We have an additional curb cut that is out there that does not serve any purpose. That is why by Code they should eliminate that curb cut. They are asking not to eliminate that curb cut.

Mr. Dyer asked in other words, for lack of a better term the middle curb cut, the one (1) that is on the northern end of the main building is actually on the main piece of property, right?

Mr. Gillie responded correct. They are modifying it and expanding it over.

Mr. Dyer stated I am assuming that this second (2nd) lot here and this third (3rd) lot are being consolidated. Correct, because the curb cut actually splits it.

Mr. Bradner stated Roman Eagle owns both of those lots.

Mr. Dyer asked are they currently two (2) separate?

Mr. Bradner responded yes.

Mr. Dyer asked is it your intent to combine those two (2) lots?

Mr. Setliff responded if necessary we would, but that has not been a matter of discussion.

Mr. Dyer asked if they combined those two (2) lots would they then be allowed to keep this curb cut?

Mr. Gillie responded you still can only have two (2) curb cuts. They already have one (1). If you notice, they have one (1) at the far east side.

Mr. Dyer stated according to my map that I have here, the curb cut looks like it is half (½) new and half (½) old. That is on the main piece of property.

Mr. Bradner stated that is correct. It is going to be modified to be a thirty (30) foot entrance.

Mr. Dyer stated the far north curb cut is actually the only curb cut on these two (2) if they were to consolidate these two (2) lots.

Mr. Gillie stated the building that is on the south end of it would be over top of that property line. According to our records the building is actually constructed over top of that, which is consolidation by use. That little lot is part of the larger lot because the structure is over top of it. We have two (2) curb cuts on that.

Mr. Dyer asked where are you saying you have two (2) curb cuts on this smaller lot?

Mr. Gillie responded not on the smaller lot, the one (1) right down there.

Mr. Setliff stated I think I can show you. This is the existing parking lot.

Mr. Dyer asked is that curb cut totally on the property that Roman Eagle sits on?

Mr. Bradner responded that is correct.

Mr. Dyer stated and then we have two (2) adjacent lots to the north of that property.

Mr. Setliff stated there is an existing thirty (30) foot curb cut right here that we are proposing to close. We would like to keep this curb cut open. As I mentioned, if this were closed when we get ready to open this building there will not be any access.

Mr. Dyer asked is it not your intention even in the long run to combine these two (2) lots with this lot?

Mr. Setliff responded probably not. Until we can get the feasibility study done, I would assume as valuable as this property is, we would use it at some point in the not so distant future.

Mr. Dyer stated it would not be an expansion of the current building that would require these lots to be consolidated. It would be a free standing building.

Mr. Setliff stated yes. Architecturally I cannot say infinitely, but I would not think that it would be feasible to connect those buildings.

Mr. Dyer stated does the Code only allow two (2) curb cuts on any right-of-way regardless of the size of the piece of property? If I own four thousand (4000) feet of road frontage on Riverside Drive, I could not have but two (2) curb cuts?

Mr. Gillie responded correct. If you own that much and want to develop, we talk to you about frontage roads.

Mr. Dyer asked if I were to divide that into two hundred (200) foot lots, I could have one (1) curb cut on each two hundred (200) foot lot?

Mr. Gillie responded potentially you could have one (1) curb cut for each two hundred (200) foot lot.

Mr. Dyer stated that is where I am confused. Why are they not being allowed to have that third (3rd) curb cut if it sits solely on those two (2) pieces of property? Those properties are not consolidated.

Mr. Gillie stated our records show that the small lot to the south the building is actually over top of it, which is consolidation by use.

Mr. Dyer stated no, this is the orientation. This is Bubba's. This is the yellow house that has been torn down, and I guess you said there was a used car lot there. The lot that had the yellow house on it and the lot that had the used car lot on it, the northern curb cut is the only one (1) that is on those two (2) pieces of property.

Mr. Gillie stated you currently have two (2) curb cuts on it.

Mr. Dyer stated but they are going to close one (1). They only want one (1). In other words, all they are asking for is three (3) curb cuts and it seems to me that two (2) of those curb cuts are on the large piece of property, which leaves the third (3rd) curb cut.

Mr. Gillie stated you have three (3) points of ingress and egress to that one (1) parking lot that serves in front of Roman Eagle now. That is our purpose, to limit the number of access points coming in and out of something.

Mr. Dyer asked for any one (1) parking lot?

Mr. Gillie responded correct.

Mr. Dyer asked is there something in the Code or something you were discussing where you were encouraging people to connect parking lots, so that if you were on Piney Forrest Road and you were at Golden Corral and you wanted to go to the Security Zone place that you would not have to go back out on Piney Forest Road?

Mr. Gillie responded we did that by eliminating curb cuts and doing cross access easements between it. That is what we are trying to do here. They already have two (2) curb cuts. We are telling them to have it so everybody shares it, but you do not need that third (3rd) curb cut; because now you have got somebody that travels up Piney Forest that puts on their right turn signal. Are they turning at the first (1st) entrance, the second (2nd) entrance, or the third (3rd) entrance? It is that confusion, because now you have too many points to get in and out. If there is a single, you know people are turning in at that point. Yes, we did do that. We promote cross access.

Mr. Dyer asked I know there is a stipulation in the Code that curb cuts have to be a certain distance apart. What is that one hundred (100) feet?

Mr. Gillie responded two hundred (200) feet. I will look it up here. It is one hundred (100) feet between them, I am sorry. Twenty (20) feet from side property lines, sixty (60) foot apart on two (2) adjacent lots, and one hundred (100) feet between ones that are on individual pieces of property.

Mr. Dyer asked what would happen if this were denied and they closed the far entrance there, and then they decided they were not going to pursue this project and they ended up selling this piece of property? You would have to come in through Roman Eagle's parking lot to get to it.

Mr. Gillie responded possibly yes. They would use the one (1) shared entrance that is splitting those two (2) pieces of property and have access to it at that point, because of the proximity of the Roman Eagle parking lot.

Mr. Bradner stated if this lot were sold as a separate lot, let us just say hypothetically speaking; they would be allowed to have one (1) curb cut. If this were sold as a separate lot entirely they would be allowed one (1) curb cut.

Mr. Gillie stated if they could meet the Code requirements.

Mr. Bradner stated in other words, if they were to consolidate these two (2) parcels and this is a separate business they could have a curb cut here.

Mr. Gillie stated if they can meet the requirements. We have had cases where we had a lot that was an existing lot of record, but it was too narrow. It could not provide its own curb cut, and they had to work with adjacent property owners. The auto parts store out on 58 east had to get together and share access through a common drive entrance.

Mr. Dyer asked how can you require that? Suppose the person is just a hard guy to deal with, and says "I am not going to let you have access to your property." Let me ask you this. If they were to put a Bahamas' Snow shack on this piece of property where it actual had a separate business on there. Would all of this be moved? Would they then be allowed to have that?

Mr. Bradner stated that is kind of the point I was referring to, for a separate business.

Mr. Dyer stated if they wanted to re-open the used car lot.

Mr. Gillie responded if they cannot meet the requirements for a drive entrance in the City Code, we can deny them access to that property, and then they come to this Board asking for a variance. That could be a hardship. They have no access, because they cannot meet any of the requirements. That is when the Boards grant variances.

Mr. Dyer stated I hate to keep doing hypotheticals, but if the two (2) northern lots the lot where the yellow house was and the lot where the used car lot were combined, and I was to put a Bahamas' Snow Shack there. This would then all meet Code. Correct? The problem seems to be that these parking lots connect. If there was no connection between this parking and the adjacent parking lot?

Mr. Gillie stated the problem lies in that you have got your entrances to Bubba's. You have got your entrance to Roman Eagle. We have got multiple entrances all within a relatively short area. The Code says that you can have two (2) per business, basically two (2) per lot and you have to have certain separations between them. They are asking for the third (3rd). The business that was there before did have the third (3rd). We are not disputing that fact at all. Our Code says that you have to get rid of that one (1) and limit yourself to the two (2). They are going ahead and doing that. Could that other lot build with one (1)? I do not know, because I do not know the distance from Bubba's entrances over to where Roman Eagle's are. There are a lot of factors that we would have to consider at that point. I cannot say yes or no that would work. I know that the case we have in front of us does not comply with the way our Code is written. We are telling them that they have to get rid of that entrance. They have a shared entrance in between. The new lot that they are proposing to build can be accessed through that. They just want that additional space.

Mr. Dyer stated but those lots are not consolidated.

Mr. Gillie stated correct.

Mr. Bralley stated they are not now, but they will be.

Mr. Dyer stated well not necessarily. If something happens and they decide not to pursue the project that they are pursuing, they may find that this property is redundant and try to get rid of it.

Mr. Gillie stated that is a possibility. In most cases we do require consolidation, because of the zoning here a parking lot is a use that can go here. I cannot say no, you cannot have it. They could in effect do that on their own.

Mr. Bradner asked did you say one hundred (100) feet between entrances on the same property, and then twenty (20) or sixty (60) between adjacent properties?

Mr. Gillie responded it has to be a minimum of twenty (20) from an adjacent property line if there is not another entrance. If someone has an entrance that is maybe right at their property line, you have to be sixty (60) away from their entrance. We do key off of what is already there, if there is an entrance already in place, if not then we do the distance from the property line.

Mr. Bradner stated I think if these two (2) were a standalone lot, there is a little over one hundred (100) feet between these two (2) entrances, so I feel pretty certain that we can at least get twenty (20) feet off of the Bubba's here; which would answer the question if this were a standalone lot.

Mr. Gillie asked are you going to be sixty (60) from the other entrance too?

Mr. Bradner responded yes.

Mr. Gillie stated ok. I do not have any of that in front of me. That is a lot of hypotheticals. I cannot say "yes, we can make it all work."

Mr. Setliff stated I realize the application of the Code; but at the same time looking at this with common sense as it relates to the criteria, Roman Eagle is unique. I think most of you know we are a long term care facility with three hundred and twelve (312) residents. We have many visitors of which are elderly. When they come in here, there are twenty-two (22) spaces I think if this is left open. Many times this will be full. If this is blocked off, they have got to try while we made it wider than the standard twenty-four (24), we made it thirty (30), but they have got to back out or turn around. Particularly with the older visitors, it is difficult for them. You have people coming out, people coming over here, so it really creates more of a hazard. This right here has been in existence. I am not sure when it became a car lot, but basically there were two (2) curb cuts in this parcel since 1959 as I was told by the previous owner. I do not see how it creates a safety hazard. It is certainly unique. None of the other property owners in the vicinity have as much road frontage as Roman Eagle. I believe that the City sent out twenty-eight (28) notices to adjacent property owners, and they did receive seven (7) responses with no opposition and zero (0) with opposition. I did not make it a point to go to my neighbors across the street or to God's Pit Crew; but I am confident that they would agree and support what we are doing. We do feel that it meets the criteria. I think we have tried to address each point here. We just want to be a good neighbor. Roman Eagle does plan long term to use this as well as the other properties in the back. You may have noticed that they are completing an access road to the by-pass. What we are looking at is hopefully being able to have a continuum of care. Roman Eagle is a non-profit organization. We want to meet the needs of area seniors, and provide affordable housing for independent living. Possibly, we are thinking this might be a memory support center. All of these things would be related to Roman Eagle, but separate corporations. We would need to keep them separate one (1) for liability purposes, we would not want something to jeopardize Roman Eagle. We respectfully request that the variance be granted. Are there any other questions?

Mrs. Evans asked can you close the middle curb cut and keep the one (1) that you are proposing to close open and keep the one (1) on the far south?

Mr. Bradner asked are you referring to this one (1)?

Mr. Setliff responded personally knowing the traffic patterns it would not be practical to do that for a number of reasons. If this were closed people would have to go all of the way through this parking lot. You have large trucks that would not be able to get in through here to come back here for deliveries if this were closed. It really would not be practical. One (1) of the reasons we wanted to do this was that this was an existing entrance, it is twenty (20) feet wide, and we propose to widen it to thirty (30) feet to make it an entrance and exit. The reason we want to do that was because it was a safety hazard. People were going in and out of it regardless of the fact that it was an entrance. We felt that it would make it safer to do that. It would not be practical with the traffic, particularly with the large trucks coming in.

Mr. Gillie stated Staff looked at that option as well, and we agree that closing that entrance was not the way to go. The movement would not be practical and safe.

Mr. Setliff stated I do not think Ken will beat you up too much if you grant it. I hope not.

Mrs. Evans asked is that true?

Mr. Setliff stated just think, you might get old someday Ken.

Mr. Bradner stated and it is Christmas time.

Mr. Setliff stated I would like to say that this summary could be part of the record. Thank you very much.

Close the Public Hearing.

Mr. Hiltzheimer asked why do we not allow this thing to be grandfathered in?

Mr. Gillie responded because of safety. Something that was done fifty (50) years ago does not mean it is good today. We look at the safety. One (1) of the things that we do for traffic control is to limit the number of driveways. We used to not have any regulations, and if you look at the piece to what is the south, you will see two (2) driveways side by side with maybe five (5) feet in between them. They used to just say "ok, put a driveway in that is fine" and you end up with thirty (30) of them. From a safety standpoint, if you are driving up the road, somebody puts on a turn signal, which driveway did they pick? You really do not know, so we have a lot of rear end collisions. We try to eliminate that; because the less points you have people coming in and out of a road, the less likely you are to have an accident; because it was good fifty (50) years ago does not mean it is good today. That is why we have changed the regulations in time. We just do not grandfather things like that in.

Mr. Dyer asked is that part of the Code that you do not grandfather that, because you do grandfather other things?

Mr. Gillie responded the drive entrances do not fall under that.

Mr. Dyer stated there are a lot of things that have a lot more to do with safety that are grandfathered in.

Mr. Gillie stated we try to address what we can.

Mr. Dyer stated the Building Code in particular; I mean I know some houses that do not have smoke detectors, proper insulation, or anything else. They get grandfathered in.

Mr. Gillie stated the Building Code is a State Code. We are limited to the general rule in Virginia to only do what the State allows us to. Drive entrances and the control of a road network is a function that they grant to the City. Piedmont Drive itself was constructed by the State using their funds. They have subsequently turned in over to the City, but when they turned it over there were certain controls that they put on it. Roads and things like that are our function. The Building Code and some of those related things are not.

Mr. Dyer asked I just want to get this clear. As far as the separation between the drive entrances if in fact this was two (2) separate pieces of property, what they have proposed here would be acceptable?

Mr. Gillie responded yes.

Mr. Dyer stated they have the proper distances between them, which is the main reason for the Code. They do not want drive entrances every twenty (20) feet. They felt like when the Code was developed, drive entrances of at least one hundred (100) feet apart was acceptable. That is basically what we have here.

Mr. Gillie stated we felt that two (2) for most businesses was acceptable. There are going to be exceptions where someone has four thousand (4000) feet of road frontage. Realistically the development patterns here in Danville usually get two hundred (200) to three hundred (300) foot lots, two (2) entrances fitting within that separation.

Mr. Bralley stated I recommend that we approve the proposal as requested.

Mrs. Evans stated you need to clarify on the analysis your reasons for each four (4).

Mr. Bralley stated I think I heard correct. I hope I did.

Mr. Gillie stated when you approve a variance; you are supposed to spell out how it complies with all four (4) of those criteria.

Mr. Bralley asked are you familiar with the Roman Eagle area? I think it is a wonderful idea.

Mrs. Evans stated you need to state why.

Mr. Bralley asked why?

Mrs. Evans responded yes, for each criteria.

Mr. Bralley stated since I am new on the Board, you go ahead and do what you want to do.

Mr. Dyer stated I think what Mr. Bralley would like to do and that would be to acknowledge the reasoning behind the four (4) criteria submitted by the applicant. Instead of reading them out, can we just accept this as part of the record?

Mr. Gillie responded you can enter it as part of the record and avoid reading them out.

Mr. Bralley made a motion to approve the request for Variance Application Number PLVAR20100000196. Mr. Dyer seconded the motion. The motion was 3-1 vote.

II. APPROVAL OF MINUTES

Mr. Dyer stated I recommend approval of the minutes from the October 21, 2010 meeting.

Mr. Hiltzheimer stated I cannot second (2nd) it because I do not know.

Mr. Dyer stated nobody was here except for you and me.

Mrs. Evans asked do we have to second (2nd) it?

Mr. Gillie stated the minutes of the meeting will not be approved. We can approve them at the next meeting, because it is not fair for you two (2) to vote for something you were not here for. We will just have to hold them off until the next meeting.

The October 21, 2010 minutes will be approved at the January meeting.

III. OTHER BUSINESS

Mr. Gillie stated for the new members and all members, the City now requires direct deposit for your paycheck. If you are getting a check from us, we need you to sign up for direct deposit or you will no longer receive a check from us.

Mr. Dyer stated Ken, I know at one (1) time you mentioned that there were classes we could take.

Mr. Gillie stated I was searching for them while we were talking.

Mr. Dyer asked are they still available?

Mr. Gillie responded yes.

Mr. Dyer asked what is the deal with that?

Mr. Gillie responded the Virginia Association of Zoning Officials puts on a training class for new officials, new people who are on the Board. While we were discussing some of the things I was over here searching for when the next one (1) would be. I have money in the training budget to send members off. I am going to try to get with the County. We did about ten (10) years ago, had joint City/County training where we actually had the person come here. It was cheaper for him to come here than for us to go everywhere. I am going to work with my counterpart in the County to see if we can schedule something.

Mr. Dyer asked is it still not cheaper to bring somebody here than to send four (4) of us?

Mr. Gillie responded I think it will be cheaper. We will see.

Mr. Dyer asked where are the meetings normally held?

Mr. Gillie responded usually they are held in Charlottesville.

Mr. Dyer asked is it longer than a day?

Mr. Gillie responded it depends on the level of training that they do. Usually it is a one (1) day course. Depending on if you have to go to Charlottesville, usually you have to go up the night before and stay overnight, because it is an eight to five (8:00-5:00) class. It is a rather lengthy class.

When we did the one (1) here, they did an abbreviated thing. We did it in the evening. I think we started at five (5:00) and ran until around ten (10:00).

Mrs. Evans stated I am in bed by ten (10:00).

Mr. Gillie stated I am sorry. That is why I am going to work on finding that out.

Mr. Dyer stated it would be better if they started at ten (10:00) and ended at five (5:00).

Mr. Gillie asked ten (10:00) at night and five (5:00) in the morning?

Mr. Dyer responded no, ten (10:00) in the afternoon.

Mr. Gillie stated thank you for the new members. We now have a full Board. If anyone is interested we have a vacancy on Planning Commission now and we could talk about that. We have cases for next month, so we do have a meeting next month.

Mr. Dyer asked do we know what day that is?

Mr. Gillie responded it is the third (3rd) Thursday of the month. The twentieth (20th) I think.

Mr. Gillie stated at the end of the table is Miss Scolpini. She is the new Planning Technician for the City of Danville. A Virginia Tech graduate, but we will not hold that against her.

Mr. Dyer stated I certainly will not be holding that against her.

Mr. Hiltzheimer stated I will not hold that against her either.

Mr. Gillie stated welcome Emily and that is all Staff has.

With no further business, the meeting adjourned at 11:19 a.m.

APPROVED