

Scottsville Planning Commission

Regular Meeting
Monday, December 6, 2004, 7:00 p.m.
Victory Hall
401 Valley Street
Scottsville, Virginia

Members:
Susan Carol Browning
Matthew Ewen
Richard Hansen, *Chair*
Dolores Rogers
James Svetich

Minutes

1. Call to order – Mr. Hansen called the meeting to order at 7:05 p.m.
2. Establish a quorum – All members were present, with the exception of Mr. Svetich. Also in attendance were Town Administrator Barry Clark; Town Attorney Lindsay Dorrier; Town Clerk Amy Moyer; Town Councilors James Hogan and Jeannette Kerlin; Mayor Stephen Phipps; Michael Phelan; Bo Kerlin; Larry Barnett; Tim Small; and Angela Kreider.
3. Review and approval of meeting minutes of November 1, 2004 – Upon a motion by Ms. Rogers, seconded by Mr. Ewen, the minutes were approved by voice vote.
4. Matters not on the agenda from the public – No one rose to speak at this time.
5. Public hearing on amendments to Zoning Ordinance Sections 4.14.4 and 4.14.13, regarding Real Estate Signs.

Larry Barnett, of Barnett Real Estate, rose to speak against the proposed amendments. Mr. Barnett commented that the town has a good sign ordinance now, and the current ordinance is very similar to Middleburg's. He remarked that Town Council twice directed the Planning Commission to consider further real estate sign restrictions, and the Commission twice declined to make any changes. He referenced several companies with signs similar in size and style to his; and he noted that the suggested changes would limit riders to only 6 to 8 choices, when more than 100 choices are available. Mr. Barnett then read sales and listing statistics for properties within the Town of Scottsville. He noted that the first draft limited pictures, and his signs include his picture. He stated that sellers have had no problem with the real estate signs used in town. Mr. Barnett concluded by requesting that no changes be made to the sign ordinance.

Ms. Rogers asked Mr. Barnett whether he would have to purchase new signs if post signs were disallowed. Mr. Barnett responded that he has both types of signs; he referenced situations in which the post signs have been useful. Mr. Barnett then commented on the role that BPOL taxes play in town. He stated that this action would hurt a business that

contributes to that tax, and such an action would lead to higher taxes on homeowners.

Michael Phelan noted a typographical error in section 4.14.13 (e).

There being no others wishing to speak, Mr. Hansen then closed the public hearing.

Ms. Rogers moved that the amendments to Zoning Ordinance Sections 4.14.4 and 4.14.13 be approved without any changes. The motion received no second. There was discussion of the origins of the real estate sign ordinance, as well as whether to defer the topic to the next meeting. Ms. Rogers moved that the commission discuss the ordinance tonight. Mr. Ewen seconded the motion, which was approved by voice vote.

After point-by-point discussion of the Government Services Committee's recommendations, as well as consideration of additional signage for properties with multiple road frontages, the following text was agreed upon:

4.14.4 (b) Temporary off-site directional signs *advertising an event or activity* that are not located in a residential district, are not excessive in number, do not exceed two (2) square feet in area and are located no closer than five (5) feet to a front property line, provided that the activity that the sign promotes is one permitted in the location to which the sign applies. Such signs shall display the name and telephone number of the responsible person and date and address of the event, shall be erected not more than seven (7) days before the event or activity, and shall be removed within two (2) days of its conclusion.

4.14.4 (k) Real estate signs ~~advertising an on-site~~ property for sale, lease or rent and erected on-site by a licensed real estate agent or by the property owner. The area of the sign, not including riders, shall ~~that do~~ not exceed ~~six (6)~~ 800 square feet inches. Free standing real estate signs shall have a minimum setback from adjoining streets or roads of five (5) feet and shall have a height not exceeding forty-two (42) inches above the point the supporting post is inserted into the ground; exceptions to the height restriction may be approved by the Zoning Administrator. There shall not be more than two (2) riders, each not exceeding six (6) inches in height, suspended as paddles from or otherwise attached to the primary sign. Real estate signs also may be placed on a window of the structure for sale, lease or rent. Not more than one (1) real estate sign shall be permitted on a property for sale, lease, or rent within the historic district. Not more than one (1) real estate sign per road frontage, for a total number of signs not to exceed two (2), shall be permitted on a property for sale, lease, or rent outside the historic district. The content of real estate signs shall display a standard "for sale" (or lease or rent) message and include the agent's or property owner's name and telephone number. ~~These~~ Real estate signs shall be removed from the site within ~~two (2)~~ seven (7) days of sale, lease or rental or of the attachment of a rider indicating that the property has been sold, leased or rented, whichever occurs first. A real estate sign erected for more than 180 days may, after investigation by the Zoning Administrator, be deemed abandoned and subject to the provisions of section 4.14.13. ~~Off site "open house" directional signs are permitted subject to paragraph b, above.~~

4.14.4 (l) Temporary off-site open house signs indicating the direction to a house or other structure open to the public. There shall be not more than two (2) such signs per open house, each shall not exceed two (2) square feet in area, and each shall be permitted only on the day

of the open house. Such signs shall be marked with the name and telephone number of the responsible person and date and address of the open house.

4.14.13 (e) If the owner or erector of a sign that is in violation of this ordinance has a documented record of prior violations of the provisions of this ordinance, the zoning administrator may have the offending sign removed immediately and without prior notice.

Ms. Browning moved to accept the ordinance as revised in discussion and to recommend that Town Council approve the amendments to Zoning Ordinance Sections 4.14.4 and 4.14.13. Mr. Ewen seconded the motion. A roll-call vote was conducted, and the motion passed 3-0.

6. Republic Properties status report – Mr. Clark reported that Republic Properties had submitted a site plan; the plan did not meet requirements and was rejected. He noted that a zoning text amendment or a new district would be required to allow more than the by-right number of units.
7. Zoning Subcommittee report – Ms. Browning reported that the parking ordinance review is a little behind for the intended February presentation date; one more meeting was scheduled before the holidays.
8. Comprehensive Plan Subcommittee report – Mr. Ewen reported that the results from the public meeting have not yet been compiled.
9. Adjourn – The meeting was adjourned at 8:12 p.m.