

**BOARD OF ZONING APPEALS
JANUARY 24, 2024**

THE REGULAR MEETING OF THE GREENE COUNTY BOARD OF ZONING APPEALS WAS
HELD ON WEDNESDAY, JANUARY 24, 2024 AT 6:30 P.M.

Those present were: Lyle Durrer
 Mark Kelpé
 Charles Covington
 Arthur B. Morrill, III

Staff present were: Jim Frydl, Planning, and Zoning Administrator
 Stephanie Golon, Deputy Planning Director
 Earl Keys, Zoning Officer
 Cristy Snead, Secretary/CZO

CALL TO ORDER

Mr. Frydl called the meeting to order.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Mr. Frydl led the Pledge of Allegiance and offered a moment of silence to begin the meeting.

DETERMINATION OF QUORUM

Mr. Covington - present
Mr. Durrer – present
Mr. Kelpé – present
Mr. Morrill – present

ELECTION OF OFFICERS

Mr. Frydl opened the floor for nominations for Chairman.

Mr. Kelpé nominated Mr. Durrer as Chairman.

Mr. Covington seconded.

Mr. Morrill – Aye
Mr. Kelpé – Aye
Mr. Covington – Aye
Mr. Durrer – Aye

With a roll call vote of 4-0

Mr. Durrer was voted as Chairman.

Mr. Frydl asked Mr. Durrer as chairman to open the floor for nominations for Vice-Chairman. Mr. asked if there were any nominations for Vice-Chairman.

Mr. Covington nominated Mr. Kelpé as Vice-Chairman.

Mr. Morrill seconded.

Mr. Covington – Aye

Mr. Durrer – Aye

Mr. Kelpé – Aye

Mr. Morrill – Aye

With a roll call vote of 4-0

Mr. was voted as Vice Chairman.

Mr. asked the members if there were any nominations for Secretary.

Mr. Covington nominated Mrs. Cristy Snead as Secretary.

Mr. Morrill seconded.

Mr. Frydl called the roll call

Mr. Morrill – Aye

Mr. Kelpé – Aye

Mr. Durrer – Aye

Mr. Covington – Aye

With a roll call vote of 4-0

Mrs. Snead was voted as Secretary.

PUBLIC HEARINGS

MBG Properties XV, LLC/Stonewall Harley Davidson requests a special exception from Article 14 in the Greene County Zoning Ordinance regarding sign size for a free-standing sign. The parcel is zoned Planned Unit Development (PUD), approximately 3.46 acres, located at the corner of Seminole Trail and Buck Drive, Ruckersville VA, and is identified on County Tax Maps as 66-(A)-6J. (SPEX#23-001)

Mrs. Golon began the presentation by explaining the request and showing an aerial map, zoning map, and a plat of the parcel.

Mrs. Golon also presented the concept plan of Stonewall Harley Davidson that the applicant provided.

Mrs. Golon advised the BZA, of the location, and that the applicant wishes to request enlarging one sign instead of erecting two signs.

Mr. Frydl stated that the applicant was in attendance via Zoom.

Kurt Stanley is representing the applicant via Zoom.

Mr. Durrer stated that there was no one signed up for the public hearing.

Mr. Covington asked what the impact would be on the business if they did not have a larger sign.

Mrs. Golon stated that it could be that the sign could not be seen due to the topography.

The BZA and Mrs. Golon discussed the reason for this request, as far as if the request impacts the business.

Mr. Kurt Stanley is available now, there were some technical difficulties.

Mr. Covington asked Mr. Stanley stated this is the sign size that Harley Davidson requested, they follow a corporate standard.

Mr. Stanley stated that a 50-square-foot sign does not fit Harley Davidson's Corporate standard.

Mrs. Golon stated that the applicant stated in the justification letter that this request was for more visibility.

The BZA discussed only having one sign as opposed to two.

Mr. Durrer asked for a motion.

Mr. Morrill made the motion in accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice, he moved to approve special exception #24-001 with the following conditions, to include one additional condition:

Mr. Keple seconded

Mr. Covington – Aye

Mr. Durrer – Aye

Mr. Kelpe – Aye

Mr. Morrill – Aye

With a roll call vote of 4-0, the motion passed.

DT Retail Properties, LLC/Dollar Tree requests a special exception from Article 14 in the Greene County Zoning Ordinance regarding sign height for a free-standing sign. The parcel is zoned B-3 (Business), approximately 1.31 acres, located at the corner of Seminole Trail and Enterprise Drive, Ruckersville VA, and is identified on County Tax Maps as 60-(A)-20B1E. (SPEX#23-002)

The applicant is requesting a 30-foot-tall sign, they are allowed a 15-foot-tall sign.

Mrs. Golon began the presentation by explaining the request and showing an aerial map, zoning map, a plat of the parcel, and photos.

The BZA discussed the difference in the height at this time and the height that they are requesting. They discussed what they felt would be appropriate other than the requested height.

Mrs. Golon explained the reason behind staff's recommendation. Mr. Morrill suggested keeping the sign height at 15 feet (upper level) at eye level 26.5 feet in total from ground level.

Jim Hurney is the applicant.

The BZA stated that the applicant should say on their sign application, 15 feet from the equivalent grade. Mr. Hurney stated that Dollar Tree would be happy with the 15 feet from the upper grade.

Mr. Morrill made the motion for the sign top to be 26 feet tall on the Seminole Trailside.

Motion # 2 Kelp read it.

Mr. Morrill seconded the motion

Mr. Covington – Aye
Mr. Kelp – Aye
Mr. Durrer – Aye
Mr. Morrill – Aye

With a roll call vote of 4-0, the motion passed with one condition.

Mr. Durrer opened the public hearing

No one wished to speak.

Mr. Durrer closed the public hearing.

Motion # 2 Kelp read it.

Mr. Morrill seconded the motion

Mr. Covington – Aye
Mr. Kelpé – Aye
Mr. Durrer – Aye
Mr. Morrill – Aye

With a roll call vote of 4-0, the motion passed with one condition.

OLD/NEW BUSINESS

Mr. Durrer asked if there is a law that the applicant be at these meetings.

The BZA and staff discussed that concern.

Review the Board of Zoning Appeals By-Laws.

Mr. Frydl stated that under old business, the BZA needs to review the by-laws.

Mr. Frydl asked if the members had any other suggestions for the by-laws.

Mr. Frydl suggested adding an alternate to the by-laws.

Mr. Morrill stated that noticed some formatting and grammar that may need to be looked at. He also said that there could be some references to, add something similar to a table of contents in the front of the by-laws. Mr. Frydl noted that staff can do a red-line to add what is suggested. Mr. Kelpé also suggested putting in the by-laws the term lengths of the members. They agreed that they do not want to re-state the code of Virginia.

Mr. Morrill suggested continuing to use the by-laws as is, then reviewing the red-line version at the next meeting that comes. The other BZA members agreed.

Mr. motioned to approve the by-law

APPROVAL OF MINUTES

Mr. Covington motioned to approve the minutes as submitted on March 22, 2022.

Mr. Morrill seconded.

By roll call vote of 4-0, the March 22, 2022, minutes were approved as submitted.

Mr. Covington – Aye
Mr. Durrer – Aye
Mr. Kelpé – Aye
Mr. Morrill – Aye

ADJOURNMENT

Mr. Covington made the motion for adjournment.

Mr. Morrill seconded.

With a roll call vote of 4-0, this meeting was adjourned.

Mr. Covington – Aye

Mr. Durrer – Aye

Mr. Kelpé – Aye

Mr. Morrill – Aye

Respectfully Submitted,
Cristy Snead, Secretary



BZA Chairman/Vice-Chairman

1-26-24
Date