

Minutes of a called meeting of the Town of Marion Board of Zoning Appeals held in the Council Room of the Municipal Building on March 8, 2012.

PRESENT: Chairman Cameron Wolfe, Larry Carter, Dr. Henderson Graham, Bill Buchanan and Bill Smith, Board members; Zoning Administrator/Secretary Cecil Hicks; Deputy Clerk Anita Catron, Town Attorney Mark Fenyk, and Town Manager John Clark.

DETERMINATION OF A QUORUM: The meeting was called to order with 5 members present. The board has a quorum.

MINUTES: Upon motion of Mr. Buchanan, seconded by Mr. Carter and vote of 5 AYES and 0 NOES, the minutes from the May 5, 2011 meeting were approved as written and distributed.

VISITORS: Samuel Boothe, Charles Wassum III, Alice Freeman, Isaac Freeman, Lynda Martin and Jim Barker.

REQUEST FOR VARIANCE OF 350 FEET TO INSTALL ANOTHER FREE STANDING SIGN. ARTICLE 17.1-11(d). Mr. Hicks reviewed this request from Mr. Samuel Boothe. Mr. Boothe owns the shopping center where the new Aarons store has recently opened and they require a sign in front of the business. Mr. Boothe had a sign already in place. He removed his sign and allowed Aaron's to use the sign. He now is requesting a variance to the Zoning Ordinance so that he may place another sign of the same height and size on the property. Zoning Ordinance requires signs be at least 500 feet apart and Mr. Boothe does not own 500 feet of frontage at this location.

Chairman Wolfe inquired if all adjoining property owners had been notified. Mr. Hicks stated all had been notified and advertised as required.

Chairman Wolfe then inquired if Mr. Boothe would like to add anything more. Mr. Boothe declined to speak.

Chairman Wolfe opened the floor for public comment.

Ms. Alice Freeman spoke as an adjoining property owner and as a member of Marion Planning Commission. She stated that Mr. Boothe already has the name of his business on the building, and was aware that Aarons would require a sign when he rented to this business. Also there are several banners and two illegal signs on telephone poles on either side of the building. Ms. Freeman feels that to add another sign would crowd the property. She feels that the rules and ordinances need to be followed and is opposed to the approval of the sign variance.

Chairman Wolfe asked for any further public comment, with none he then asked for questions and comments from the Board Members.

Discussion ensued. Mr. Fenyk noted that cardboard signs attached to utility poles are illegal.

Mr. Smith moved that the request for variance be approved. Mr. Carter seconded the motion. The Board approved the motion by a vote of 3 AYES, 1 NOE (Buchanan), and 1 ABSTENTATION (Wolfe).

Mr. Hicks noted that Mr. Boothe would need to purchase a sign permit for the new sign.

ELECTION OF OFFICERS: Chairman Wolfe opened the floor for nominations for Chairman. Mr. Smith nominated Mr. Cameron Wolfe. There were no other nominations. Mr. Carter seconded the motion and by a vote of 4 AYES and 0 NOES Mr. Wolfe was elected Chairman of the Board of Zoning Appeals.

Mr. Carter nominated Mr. Buchanan as Vice-Chairman. There were no other nominations. Mr. Smith seconded the motion and by a vote of 4 AYES and 0 NOES Mr. Buchanan was elected Vice-Chairman of the Board of Zoning Appeals.

Mr. Hicks stated that Mr. Carter's term will expire on 9/13/12. Town Council has determined that Board of Zoning Appeals members have unlimited terms. Mr. Carter may serve another term if he so chooses. Mr. Carter will notify Mr. Hicks before this date.

Upon motion, duly seconded and a vote of 5 AYES and 0 NOES, the meeting was adjourned.

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Chairman

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Secretary