

**BOARD OF ADJUSTMENT
MINUTES
Thursday, April 22, 2004**

The Blowing Rock Board of Adjustment met on Thursday, April 22, 2004 at 7:30 p.m. Members present were Chairman Lisle Snyder, Ron Oberle, Lowell Thomas, Mark Klein, and Jim Thirtle. Staffs present were Kevin Rothrock, Planning Director, and Sherrie Pitts, Administrative Assistant.

ELECTION OF OFFICERS:

*Chairman Snyder opened the floor for nominations. Jim Thirtle nominated Lowell Thomas for chair; Mark Klein seconded the nomination. With no other nominations the floor closed. **All were in favor of the nomination.***

*Lisle Snyder nominated Jim Thirtle for vice-chair. Mark Klein seconded the nomination. With no other nominations the floor closed. **All were in favor of the nomination.***

APPROVE MINUTES:

*Lisle Snyder made a motion to approve the minutes. Mr. Thirtle seconded the motion. **All were in favor of the motion.***

PUBLIC HEARINGS:

Variance #2004-01 Blowing Rock Hospital sign back lighting:

Kevin Rothrock and Pat Gray were sworn by the clerk to the board.

Mr. Rothrock explained the Blowing Rock Hospital administrator, Ms. Pat Gray, is requesting a variance from Section 16-282(C)(12) of the Land Use Ordinance to allow illumination of the emergency area signs with backlighting. Section 16-282(C)(12) allows external lighting that illuminates only the face of the sign. Mr. Rothrock advised that in Findings of Fact each fact has to be voted on separately.

Ms. Pat Gray took the podium to answer questions from the board. Ms. Gray advised each letter in the sign would be 9 inches tall and would have a light behind it. The lights would only be used at night. The homes in the area are not close enough to the emergency area for the lighted sign to disturb residents. A spotlight is not considered adequate for marking the emergency entrance by state standard. The hospital is open 24 hours a day, seven days a week with nurse practitioners and a physician on premises at all times.

Mr. Thomas asked if the signs were easily visible traveling in either direction on Chestnut drive. Mr. Thomas asked if the state imposed fines if signs did not conform to their standards. Ms. Gray stated the lighted signs would be visible from either direction. Ms. Gray stated her first and main concern was for people not familiar with the area and in distress. She wanted to make sure lighting was adequate so the emergency area was as easy as possible to find. Someone in distress could pass the entrance if not well lit. Ms. Gray stated her concern over fines was secondary. Mr. Thomas asked if landscaping caused visibility issues. Ms. Gray advised they would have a split rail fence with foliage and they did have a small sign at the road with spotlighting.

Mr. Snyder made a motion to close public hearing. Mr. Thirtle seconded the motion.

All voted in favor of the motion.

Mr. Snyder tried to make a motion to grant the variance request, but was advised the board first needed to make a ruling on each Finding of Fact.

Mr. Thomas advised that each Finding of Fact must have 4/5th majority to approve.

The Board voted on the Findings of Fact found in Section 16-92 of the Land Use Ordinance.

- 1. If the applicant complies strictly with the provisions of the ordinance, he can make no reasonable use of his property.**

The vote was Mr. Klein, Mr. Thomas, Mr. Thirtle, and Mr. Snyder "True"

Mr. Oberle "False"

- 2. The hardship of which the applicant complains is one suffered by the applicant rather than by neighbors or the general public.**

The vote was Mr. Klein, Mr. Thomas, Mr. Thirtle, Mr. Snyder "True"

Mr. Oberle "False"

- 3. The hardship relates to the applicant's land, rather than personal circumstances.**

All members voted "True"

- 4. The hardship is unique, or nearly so, rather than one shared by many surrounding properties.**

All members voted "True"

5. The hardship is not the result of the applicant's own actions; and

All members voted "True"

6. The variance will neither result in the extension of a nonconforming situation in violation of Article VIII nor authorize the initiation of a nonconforming use of land.

All members voted "True"

*Mr. Thirtle made a motion to approve the variance. Mr. Snyder seconded the motion. **All members voted in favor of the motion.***

The board discussed the wording in the first Finding of Fact. Chairman Thomas asked to have clarification in the wording. Mr. Rothrock stated he would gather information for discussion to update and make the change in the Findings of Fact.

Adjourn

With no further business, the Board adjourned at 8:14 p.m.

Lowell Thomas, Chairman

Sherrie Pitts, Administrative Assistant