

MINUTES OF THE BOARD OF ARCHITECTURAL REVIEW  
August 22, 1979  
7:45 p.m.

The regular meeting of the Board of Architectural Review was held this date in the conference room of the Department of Community Development.

<u>Present</u>	<u>Absent</u>	<u>City Officials Present</u>
John Farmer Ashlin Smith Ed Lay Warren Martin	Ruth Wadlington Theo VanGroll Charlotte Ramsey	Satyendra Singh Huja Ronald Higgins

The meeting was called to order by John Farmer. The minutes of the last regular meeting held on July 25, 1979 were approved and seconded with the following correction: under report of Department of Community Development #6, change the last date stated, from 1970 to 1870.

Ashlin Smith and Ed Lay presented the report of the committee appointed on July 25, 1979 to study possible amendments to the zoning ordinance in Article XVIII, Signs as it relates to the ADC District, and in Article XVI, Historic Preservation and Architectural Design Control District. The report consisted of a list of 9 questions put to the members of the Board of Architectural Review and to representatives of the Department of Community Development for discussion. The questions and summary comments are as follows:

I. Signs

- A. Should the overall size of wall signs per establishment be reduced from 12 square feet to 8 or even 6 square feet? It was agreed that reduced square footage of wall signs in the present ADC District would be an agreeable change. The preference stated was 6 square feet. Concern, however, was expressed by Warren Martin about reduced sign footage if and when the Downtown Mall becomes a part of the ADC District. Should this restriction apply to the Mall? If not, how can this be handled in the sign ordinance?
- B. Should each establishment be allowed only 1 sign per frontage, even if that sign is less than total footage allowed? It was agreed that 1 sign should be sufficient per establishment per frontage.
- C. Should a sign be allowed to hang from a sign? Under existing size limitation of 12 square feet, 5 signs on a post would be possible. This method of consolidation was endorsed as a much needed change.
- D. How should space between signs hanging from signs be counted? It is recommended by the study committee that when a single establishment hangs a shingle from its main sign the space between those units be counted as sign footage and that the space between signs of different establishments not be counted as sign footage. According to city officials, this question does not need consideration because it is answered by the existing sign ordinance under Section 31-171, sign Area Calculations (a).

- E. Should the back of a free standing or projecting sign count in total footage of that sign if it is not painted? According to city officials, this question does not need consideration either because it is answered by the existing sign ordinance under Section 31-171(a) and (c).
  - F. Should each parcel or owner of a parcel be required to choose the use of either free standing or projecting signs or wall signs? If this were so, when more than one establishment is involved all establishments would have to use the same kind of signs. The view of city officials on this question is that since such a requirement could deal only with future situations its effect would be very limited. The intent of this question could therefore be better expressed and enacted by the B.A.R. drawing up a list of criteria by which its members judge signs to be appropriate to historic preservation and the ADC District. Such a list could then be presented to each sign applicant for guidance.
  - G. Does the new ordinance (Section 31-170.1) dealing with replacement or consolidation of existing signs support the purposes of the ADC District? Does it, indeed, help to eliminate excessive signage? The ensuing discussion brought out that the ordinance as presently expressed does not apply to existing establishments as it should. The current terminology, i.e. "existing signs", needs to be defined or changed.
- II. Should there be a statute of limitation dealing with the time allowed between the granting of a certificate of appropriateness and the completion of work? Based on the lowest length of time, a member can serve on the Board of Architectural Review, three years is recommended as a reasonable time limitation for completed work. A need for this kind of protection in the ADC District is evident as Article XVI in the zoning ordinance has changed considerably in the last five years.
- III. If the requirements of any city ordinance (off-street parking, for instance), violate the spirit of the ADC ordinance, what recourse should there be for the B.A.R. or for the applicant? Is a request for a variance to the Board of Zoning Appeals the only answer? If so, on what grounds could such a variance be granted? According to city officials, the Board of Zoning Appeals is the only answer. Any such problems that might arise in the ADC District could possibly be covered by Article XXI, Board of Zoning Appeals, Section 31-234.1.a.

At the next meeting of the Board of Architectural Review, the Department of Community Development will present recommendations for changes in the Sign Ordinance or the ADC Ordinance or both in line with the questions and discussions of this meeting.

In addition to this, a clarification of semantics will be presented to show that the sign ordinance as it applies to the ADC District also includes outside of that district; (1) landmarks, (2) structures in existence before 1870, and (3) significant structures built after 1870. An example of the violation of the intent of the applicability is found in Case No. 79-85, Sign for Lionbridge Antiques. This sign was ultimately allowed to remain its present size under the provisions of Section 31-170.1 of the Sign Ordinance because it was not clear in Section 31-180 that a building in existence before 1870 was protected as well as the ADC District.

A final suggestion for clarification came from Ed Lay. His concern was with Article XVI, Section 31-127.2.b, and more specifically the term Virginia

Historic Landmarks Commission. Delete "Virginia" if not more.

There being no further business to come before the board, the meeting was adjourned at 10 p.m.

Respectfully submitted,

Ashlin Smith, Secretary

CITY OF  
CHARLOTTESVILLE  
VIRGINIA

MEMO

TO: Satyendra S. Huja, Director of Community Development

FROM: Carl F. Muse, Chief of Inspections *CFM*

DATE: August 15, 1979

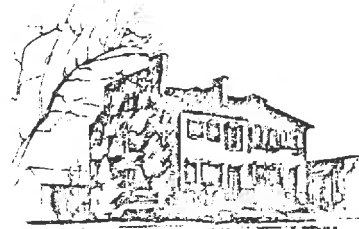
RE: Lionbridge Sign - West Main Street

This office checked with the City Attorney and was told that the Ordinance is unclear as to the applicability of the different sections, and on being notified that the Architectural Review Board had approved a Certificate for this Sign, the permit was issued August 2, 1979.



**BERNARD M. CAPERTON, ANTIQUES**

1113 WEST MAIN STREET • CHARLOTTESVILLE, VIRGINIA 22903



11 August 1979

Dear Mayor Brunton:

I would like to bring to the attention of the City Council and the Planning Department some difficulties in the new sign ordinance as it would apply to my property on West Main Street.

First: As the ordinance now stands, I can attach to the front of my buildings a sign for each of the four businesses inside, and each sign can be twelve square feet large. Or, I can have three free-standing signs in the front yard - one conforming, and two non-conforming signs - but they can be only six square feet in total size since they can be read from both sides. However, I can turn them parallel to West Main Street, and they can, again, be twelve square feet in size. I have never wanted signs hanging on the building itself. They are much less offensive hanging perpendicular to the street - and this probably holds true for most of the old buildings in town.

I don't object to the size requirements, but to the free standing sign restrictions. The ordinance is encouraging people to plaster the signs on the buildings, which is wrong esthetically.

Second: I have three free-standing signs in front of my building now - two of them non-conforming since they have been there since 1971. I cannot move any of these sign posts without losing the right to use them - not even for better placement. I rent space to three other businesses in my building, so I have had to put my sign on the building over my entrance so that my tenants can have the free-standing signs. This is very unsatisfactory - tenants are always going to want a free-standing sign. And if I rent the cottage in back to a business, which I probably will do within a year or two, they will not be able to have a sign on the street. It's unfortunate, but signs are necessary to a business, and to renting to a business. But I will be able to plaster a twelve square foot sign on the side of the building or the cottage for that business, which would not be very attractive.

To summarize these points: I can plaster any number of signs - twelve square feet in size - on the front or side of my buildings. Esthetically that is bad. I cannot add free-standing signs in front, or change the positions of the three existing signs. I can place a twelve square foot sign parallel to the street, but only a six square foot sign perpendicular to the street!

A thought just occurred to me: I believe I could move my conforming sign, but of the three, which is my conforming sign?

**BERNARD M. CAPERTON, ANTIQUES**

1113 WEST MAIN STREET • CHARLOTTESVILLE, VIRGINIA 22903



It seems to me that the Architectural Review Board should be given more freedom to grant variances as they deem proper. I do believe six square feet is sufficient in most cases, certainly at my building. But there might be cases where a larger sign is necessary. And, certainly, free hanging signs are usually more acceptable than signs on the buildings themselves. This is really in poor taste and unsound judgment. The Board was created to look into these situations, and they should be given more discretion in these cases.

There are still a few old houses on West Main Street in crying need of restoration. These places can only be used for shops and offices, and no one is going to invest in them if there are a lot of silly restrictions. I have a large investment in my property, and I have to keep it filled with businesses or offices to make it pay. But I will have difficulty renting the spaces if my tenants can't tell people where they are. Perhaps I would be wise to sell the place to a fraternity, and only one conforming sign would be necessary!

What could the city do to improve the looks of my building? It could move the bus stop a block west to the front of Sears parking lot. This would eliminate crowds, trash, and the unsightly buses sitting there. A more attractive trash can would be helpful. A curb on 12th Street with "no parking" on it would be more attractive than the "no parking" sign that was just put there. And elimination of the telephone pole with underground wires when the West Main Street project gets started. Some of these make more sense than restrictive sign ordinances.

Thank you for your bent ear.

Sincerely,

Bernard M. Caperton

cc: Department of Community Development  
Architectural Review Board  
Members of City Council

Regular Meeting of the Board of Architectural Review  
August 22, 1979 at 7:30 p.m.  
Basement Conference Room

POINTS OF DISCUSSION

1. Signs

- a. Should overall size of sign when attached to a building be reduced from 12 square feet to 8 or 6 square feet?
- b. Should each establishment be allowed only 1 sign per frontage, even if that sign is less than total footage allowed.
- c. Should a sign be allowed to hang from a sign? Under existing size limitation of 12 square feet, 4 signs on a post would be possible.
- d. How should space between signs hanging from signs be counted? It is recommended that when a single establishment hangs a shingle from its main sign that the space between those units be counted as sign footage and that the space between signs of different establishments not be counted as sign footage.
- e. Should the back of a free standing or projecting sign count in total footage of that sign if it is not painted?
- f. Should each parcel or owner of a parcel be required to choose the use of either free standing or projecting signs or signs attached to a building? If this were so, when more than one establishment is involved all establishments would have to use the same kind of signage.
- g. Does the new ordinance (Section 31-170.1) dealing with replacement or consolidation of existing signs support the purposes of the ADC district? Does it, indeed, help to eliminate excessive signage?

2. Should there be a statute of limitation dealing with the time allowed between the granting of a certificate of appropriateness and the completion of work? Three years is a recommended length of time.

3. If the requirements of any city ordinance (off-street parking, for instance) violate the spirit of the ADC ordinance, what recourse should there be for the BAR or for the applicant? Is a request for a variance to the Board of Zoning Appeals the only answer? If so, on what grounds could such a variance be granted?

Respectfully submitted by:

Ashlin Smith - Ed Lay

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POINTS OF DISCUSSION

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- N/A d. How should space between signs hanging from signs be counted? It is recommended that when a single establishment hangs a shingle from its main sign that the space between those units be counted as sign footage and that the space between signs of different establishments not be counted as sign footage.
- N/A e. Should the back of a free standing or projecting sign count in total footage of that sign if it is not painted?
- 5 f. Should each parcel or owner of a parcel be required to choose the use of either free standing or projecting signs or signs attached to a building? If this were so, when more than one establishment is involved all establishments would have to use the same kind of signage. HAND OUT !!?
- ✓ g. Does the new ordinance (Section 31-170.1) dealing with replacement or consolidation of existing signs support the purposes of the ADC district? Does it, indeed, help to eliminate excessive signage?
2. Should there be a statute of limitation dealing with the time allowed between the granting of a certificate of appropriateness and the completion of work? Three years is a recommended length of time.  
*Should be added to sec. 31-145 of ADC ORP to limit parties*
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POINTS OF DISCUSSION

*L. H. Conroy*  
*6th Sept*  
*Devin Brown*

1. Signs

a. Should overall size of sign when attached to a building be reduced from 12 square feet to 8 or 6 square feet? *See 180 a*

b. Should each establishment be allowed only 1 sign per frontage, even if that sign is less than total footage allowed.

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e. Should the back of a free standing or projecting sign count in total footage of that sign if it is not painted?

f. Should each parcel or owner of a parcel be required to choose the use of either free standing or projecting signs or signs attached to a building? If this were so, when more than one establishment is involved all establishments would have to use the same kind of signage.

g. Does the new ordinance (Section 31-170.1) dealing with replacement or consolidation of existing signs support the purposes of the ADC district? Does it, indeed, help to eliminate excessive signage? *31-170.1 - exist signs*

2. Should there be a statute of limitation dealing with the time allowed between the granting of a certificate of appropriateness and the completion of work? Three years is a recommended length of time. *145 153 145* *1.5 years*

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Respectfully submitted by:

Ashlin Smith - Ed Lay

*31-127.2*  
*delete*

*31-127.2*

NOTE:

*Do for Sept 79 B.A.R. Packet RLH*

August 16, 1979

TO: Board of Architectural Review members, etc.

## **PLEASE TAKE NOTICE**

A work session of the Board of Architectural Review will be held  
Wednesday, August 22, 1979 in the Community Development Conference Room  
inst. at 7:45 O'clock.

### Agenda

1. To discuss ways in which the sign ordinance may be modified to further support the purposes of the ADC district.

BY ORDER OF CHAIRMAN

MINUTES OF THE BOARD OF ARCHITECTURAL REVIEW

August 22, 1979

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Present

John Farmer  
Ashlin Smith  
Ed Lay  
Warren Martin

Absent

Ruth Wadlington  
Theo VanGroll  
Charlotte Ramsey

City Officials Present

Satyendra Singh Huja  
Ronald Higgins

The meeting was called to order by John Farmer. The minutes of the last regular meeting held on July 25, 1979 were approved and seconded with the following correction: under report of Department of Community Development #6, change the last date stated, from 1970 to 1870.

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Respectfully submitted,

Ashlin Smith, Secretary