

Tryon Board of Planning and Adjustment
Minutes
February 9, 2023
3:00 P.M.

Chairman John Walters called to order at 3:00 pm at the Tryon Town Hall with four other members present.

MEMBERS PRESENT: John Walters, Wanda May, Daniel Gerst, Warren Carson, Luis Ebratt

STAFF PRESENT: Tim Daniels and Jordan McKeown

Gas Station Sign Text Amendment

Tim Daniels explained to the board that there is currently nothing in the ordinance that pertains to gas stations signs. The owner of the gas station came to him about updating the fuel island. Daniels proposed adding a section (Section I) to the ordinance to help clarify regulations specifically for gas station signage to the 499 signs permitted by zoning district section. This would require adding a line to the matrix. The board will need to decide if they want to approve recommendation for illumination, external illumination, no illumination, and specification for the fuel island or to not recommend the addition.

Wanda may asked if there was somewhere in the ordinance already that regulates the brightness of outdoor lighting. Daniels responded that the ordinance only states that brightness should not spill onto adjacent property. May also asked if the amendment allows for the fuel island to be backlit. Daniels explains that the amendment would allow for the fuel island to either back lit or eternally lit.

John Walters adds that the way the amendment is worded would currently allow for the fuel island to be 100% back lit. May and Walters agree that they do not want it to be 100% lit. They suggest reducing the percentage allowed to be back lit.

Daniels stated that the definition used by the town to define a sign includes not just the text but any designs and colors. That is why Daniels made the percentage 100%, so they could have the same color or racing stripes wrap around the island to match. Daniels states if the board wanted to limit the back lighting to letters only or something along those lines the amendment could be changed to say so.

Warren Carson asked for May and Walters to clarify what their objections are.

Walters suggested that only text and logo be back lit.

May agreed that was a good idea and asked Daniels to provide a picture as an example to go along with the amendment recommendation.

Board members looked at an image of a fuel island found on google to get an idea of what the update could be like.

May motioned to approve the amendment recommendation with the addition that only text and logo can be illuminated.

Luis Ebratt seconded the motion.

Gerst and Walters are in favor.

Carson opposed the motion.

Non-Conforming Sign

Daniels and the town lawyer, William Morgan, have discussed the issue of the Stott's ford signs being nonconforming. Morgan gave Daniels some example ordinances from other towns. Daniels explains that is common in other town ordinances to allow for nonconforming signs to be replaced with an exact duplicate.

Daniels is proposing to the board to approve the recommendation to add to the ordinance to allow for a nonconforming sign to be replaced be an exact duplicate. The updated ordinance would read; the new sign should be of the same height, square footage, total sign surface area and cant substantial change location. So long as the new sign does not increase the nonconforming conditions or create any new nonconforming conditions.

Nonconforming signs shall not be expanded or reestablished after being discontinued for 90 days or be established after damage or destruction. Nonconforming signs cannot be reconstructed if construction estimated expense exceeds 50% of the appraised replacement cost. Morgan also suggested that the last line of the ordinance should be removed for legality purposes.

Wanda stated that she thinks making an exception and allowing for a nonconforming sign negates the whole reason for having regulations in the first place.

Louis agrees that they should be brought into compliance.

Daniels pointed out that if Stott's is told that they need to be in compliance they will not be able to have any stand-alone signs because stand-alone signs are not allowed in the central business district.

May suggested allowing central business to have monument signs or rezone Stott's to be general business to allow for stand-alone signs.

Daniels expressed concern with differentiating between a free standing sign and a monument sign.

Louis motions to not approve the changes to the ordinance and leave the ordinance as is.

Gerst second the motion.

May and Walters are in favor.

Carson opposed the motion.

Town Updates

Daniels informs the board that the town is looking at putting in an electric vehicle charge downtown. Some of the possible locations for it are the parking spots by the fire department, depot parking lot, or near Morris/ Nina statue. The Morris/ Nina statue is the ideal location but depot maybe the site selected so a prime spot isn't being taken up.

Daniels also informed the board that he is working on getting more estimates on the generator move to the water plant. The tower is still being looked at nothing has been applied for, it is still in the research phase.

Meeting Adjourned

Meeting was adjourned at 4:00 PM.

Prepared by:

Approved by:

Jordan McKeown
Billing Clerk

John Walters
Chairman