

**ACTION REPORT**  
**Board of Zoning Appeals**  
**EXECUTIVE CONFERENCE ROOM, SUITE 107G**  
**May 19, 2009**  
**7:00pm**

1. Call to order and pledge
2. Introduction of Board members
  - *The Board selected Walter Rekuc to preside of the meeting, as both the Chair and the Vice Chair were absent.*
3. Approval of April meeting minutes
  - *Result: Approved, 4-0\**
4. V09-006, 400 North Fields Pass, Andy Jensen  
Request:
  1. To allow encroachment into the 50' undisturbed stream bank buffer
  2. To allow encroachment into the 25' impervious setback (Subdivision Regulations, Article 6, Section 5.a.i, ii)
  3. To allow encroachment into the 40' side corner minimum yard (Article 6, Section 1.3.c)
  4. To allow a septic tank and septic tank drain fields to encroach into the 50' Undisturbed stream bank buffer and 25' impervious setback (Subdivision Regulations, Article 6, Section 5.a.iii)
  - *Result: Deferred until June meeting, 4-0*
5. **V09-007**, 15950 Freemanville Road, Phillip Ott  
Request: *To allow a nonconforming structure to be enlarged (Article 4, Section 3.1.D.1)*
  - *Result: Deferred until June meeting, 4-0.*
6. **V09-008**, 5304 Windward Parkway, Panera Bread, Danny Lankford  
Request: *To allow a place of business to exceed the maximum number of allowed wall signs (Article 33, Section 26. 1.H)*
  - *Result: Approved, 3-1*
7. *Other business*
  - a. *Changes to Variance consideration*

*Suggested changes: Section 11.D should read: "Relief to the Sign Ordinance may only be granted where existing foliage or structures bring about a hardship whereby a sign meeting maximum letter size, square footage and height requirements cannot be read from an adjoining public road."*

- *Result: Approved, 4-0*

8. *Adjournment*

*\*Scott Kilgore, Sandy Jones, Todd Chernick were absent*