



BOARD OF ZONING APPEALS REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS

March 19, 2026

10:00 AM

A. CALL TO ORDER

B. ROLL CALL

C. NEW BUSINESS

1. Variance Application PZ26-00222 filed by Blackwell Automotive Inc. requesting to exceed the maximum size for a freestanding sign by allowing 130 square feet of architectural elements at Parcel 78405 (4878 Riverside Drive).

D. MINUTES

1. Minutes from February 19, 2026 Meeting

E. ADJOURN

STAFF REPORT

DATE: March 19, 2026
TO: Board of Zoning Appeals
FROM: Renee Burton, Division Director of Planning
RE: Variance Application PZ26-00222 filed by Blackwell Automotive Inc. requesting to exceed the maximum size for a freestanding sign by allowing 130 square feet of architectural elements at Parcel 78405 (4878 Riverside Drive).

SUMMARY

The applicant, Blackwell Automotive Inc., is requesting a variance to erect a monument sign at Parcel 78405 (4878 Riverside Drive), the site of Blackwell Kia. The overall size of the proposed sign is 130 square feet, consisting of five (5) square feet of message space and 125 square feet of architectural elements. The zoning ordinance permits one (1) freestanding or monument business identification sign for a single-occupant commercial building, with a maximum of seventy-five (75) square feet message area and a maximum of one hundred (100) square feet of architectural elements. The architectural elements of the proposed sign exceeds the allowable 100-square-foot maximum. Therefore, the applicant is requesting a variance to install the sign as proposed without a size reduction to meet the Code.

A variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and the request meets each of the following five (5) review standards (Article 13, Section F.2.a.-e.):

a. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance.

The hardship arises from the applicant's design choices rather than any physical constraint related to the property. A sign could be ordered that meets the regulations and permitted for installation. This application DOES NOT meet this standard.

b. Granting the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area.

The proposed monument sign will not create any substantial detriment to surrounding properties. This application DOES meet this standard.

c. The property's condition or situation is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.

The circumstances necessitating this variance are specific to this property and its proposed sign design. This application DOES meet this standard.

d. Granting the variance will not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property.

Approval of this variance will not alter the permitted uses on the property or change its zoning classification. The request will result in a use that is not otherwise permitted.

Installation of a sign with architectural elements beyond the allowable 100sf is beyond what is permitted in any zone in the City. This application DOES NOT meet this standard.

e. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A.4 of § 15.2-2286 at the time of the filing of the variance application.

The applicant cannot request special use, special exception, or rezoning to allow the proposed sign. Therefore, this application DOES meet this standard.

Therefore, this variance request meets three (3) of the five (5) criteria needed to grant a variance.

ATTACHMENTS

1. Application
2. 4878 Riverside Dr Aerials Map
3. 4878 Riverside Dr Owners Zoning Map



CITY OF DANVILLE

Community Development Board of Zoning Appeals

VARIANCE APPLICATION

We cannot accept Board of Zoning Appeals (BZA) applications unless the following steps are completed by the twentieth (20th) day of the prior month. BZA meetings are on the third Thursday of each month. This timeline assures the city can meet Virginia public notice laws.

PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ26-00222 BZA Meeting Date: 03/19/2026
Date Received: 02/19/2026 Received By: PB
Parcel ID: 78405 Address: 4878 Riverside Drive

A variance shall be granted if evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and:

i. The property interest for where the variance is requested was acquired in good faith and any hardship was not created by the variance applicant;

ii. Granting the variance will not be of substantial detriment to adjacent property and nearby properties in the surrounding geographic area;

iii. The subject property's condition or situation is not of such general or recurring nature as to make reasonably practicable the formulation of a general regulation to be adopted as an ordinance amendment;

iv. Granting the variance does not result in a use that is not otherwise permitted on such property or change the zoning classification of the property; and

v. The variance application relief or remedy sought is not available through a special exception process that is authorized in City Code Chapter 41, Article 6 or the process for zoning ordinance amendment in City Code Chapter 41, Article 4 at the time of variance application filing.

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 4878 Riverside Drive / 78405
Applicant: Blackwell Automotive Inc. DBA Blackwell Kia
Applicant's Address: [REDACTED]
Applicant's Phone Number: [REDACTED]
Variance Request Description: Allow the new 20ft Kia Pole Sign w/ 130sq-ft of Total sign
Applicant's E-mail: [REDACTED]

1. Explain how you did not create the hardship you need a variance to overcome:

DANVILLE, VA

We did not create the hardship. A new style monument sign is being measured by zoning as 130sqft of signage. ~~most of this sign could be measured as pole. The log is small.~~

Explain how granting the variance will not negatively impact your neighbors and properties close by:

New sign is smaller than existing sign.

Will not impact neighbors or properties close by

3. Explain why the hardship on your property is unique and not something that affects similar properties in the same zoning district.

Just need approval for 130sqft of total signage

where zoning codes allow only for 100sqft of signage

4. Explain why granting the variance will not result in a use that is not otherwise allowed on the property or a change in the property's zoning classification.

Highway Retail. Approving 136sqft of sign will not result in a use that is not otherwise allowed.

5.

The relief or remedy sought by the variance application is not available with a Special Use Permit.

Not available with a Special Use Permit.

Perme advised that a variance be requested

The BZA may impose conditions regarding the location, character, and other features of proposed buildings and use it deems necessary in the public interest and may require a performance guarantee or bond to insure compliance.

[Handwritten Signature]
Applicant's Signature

2-19-26
Date

Commonwealth of Virginia

City of Danville

The foregoing instrument was acknowledged before me this 19 day of February 20 26

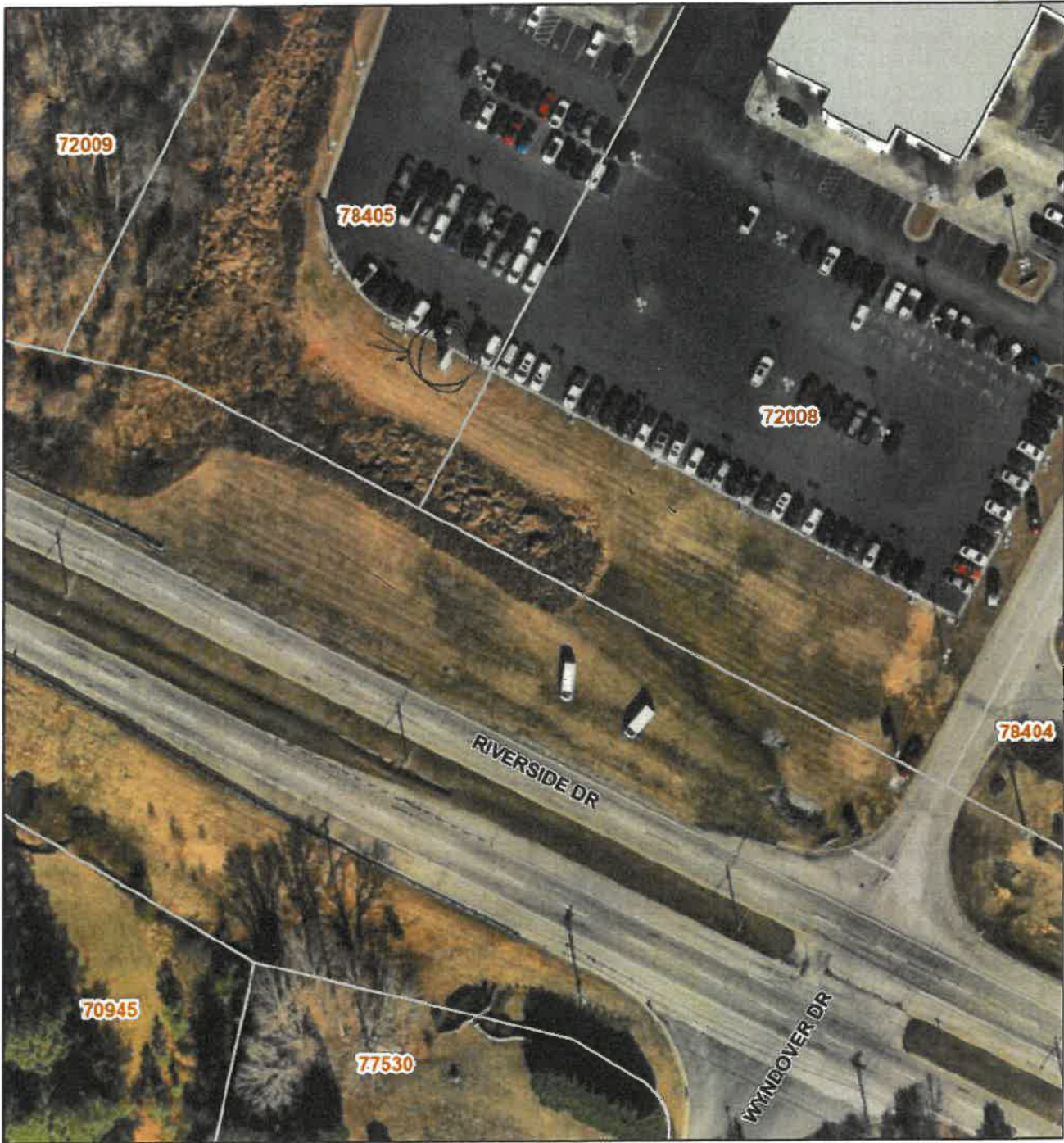
by Torrey J Blackwell

[Handwritten Signature]
Notary Public

Registration No.: 7184073

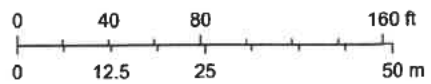
Expires: 09/30/2028





January 8, 2026


1:1,128



Street Names

House Numbers

Parcel Numbers

 Buildings

© OpenStreetMap (and) contributors, CC-BY-SA



Design Proposal - R2 (C1)

PROJECT ID:	MW2-57422
CLIENT:	VA037 Blackwell Kia
ADDRESS:	4874 Riverside Dr Danville, VA 24541
DATE:	11-25-2024
CONTACT:	Mathew Warren
DESIGNER:	Cayli Lambert

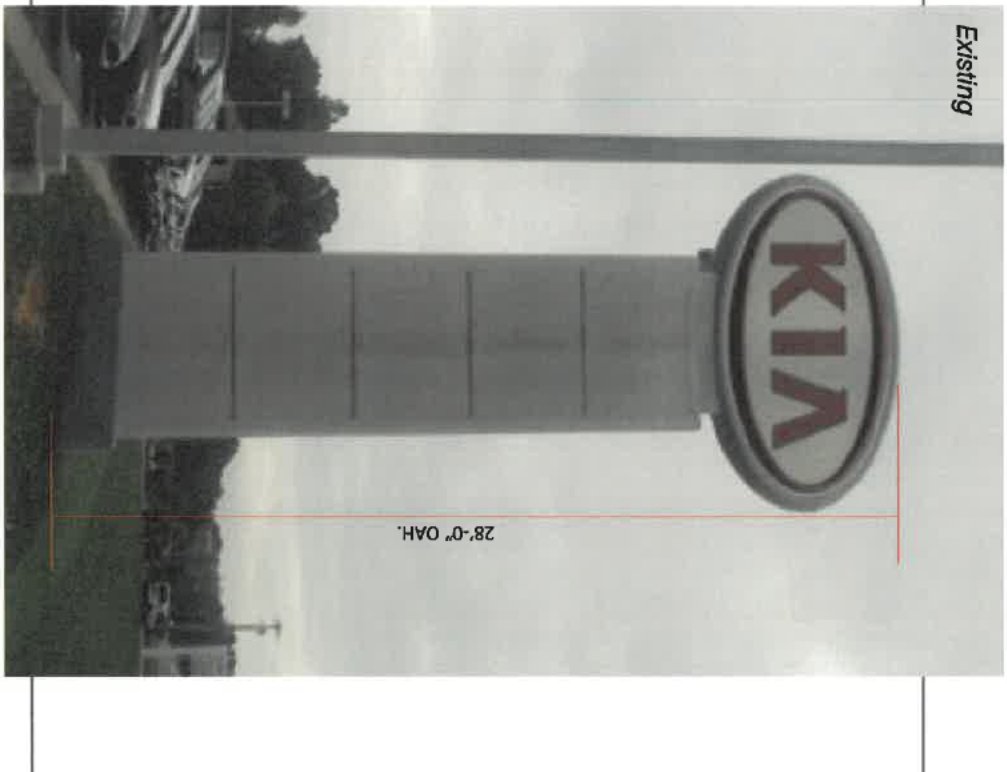
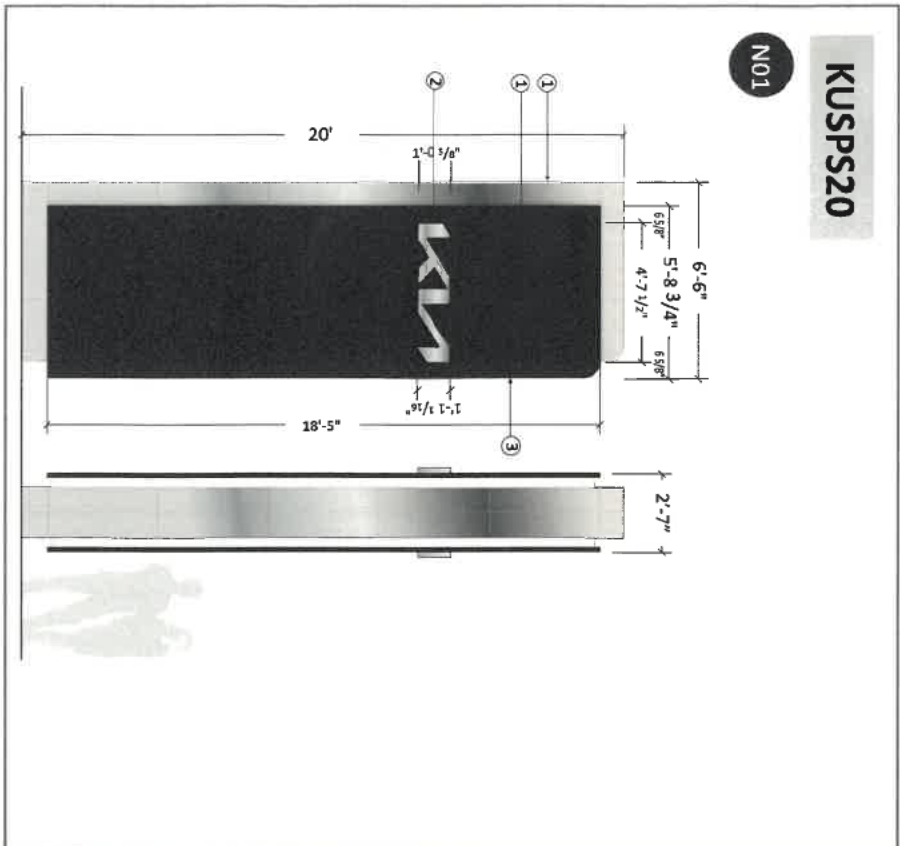
Pattison
 1.866.635.1110
pattisonid.com



Kia NEW LOGO MONOLITH

KUSPSS20

N01



Project ID
MW2-57422

VA037
Blackwell Kia
4874 Riverside Dr
Danville, VA 24541

Sign Item

N01

Date: 11-25-2024
Scale: Noted
Contact: M. Warren
Designer: C. Lambert

Revision Note

2025 - Comparison of proposed to existing sign

Information Required for Production

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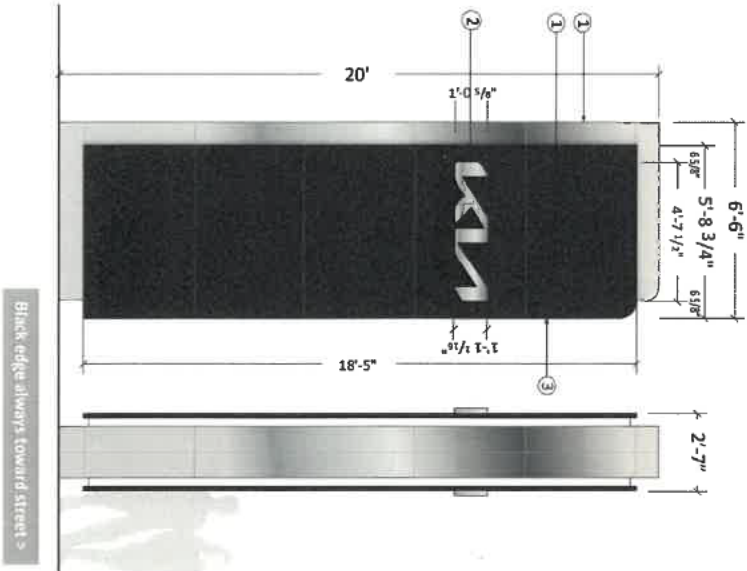
It is the Customer's responsibility to ensure that the sign installation location is suitable to accept and support the installation of the sign. Pettison ID will provide professional engineering services and drawings as required. Any non-compliant Kia logo or must be removed.

Pettison
1.866.635.1110
pettisonid.com

Note: Size of signage in relation to the building is approximate. This photo mock-up is intended for location purposes only and may not accurately represent the scale of the proposed signage to the building. A site survey is required. Any non-compliant Kia logo (i.e., window vinyl, doors/entry vinyl, parking signs, directional signs, multi-tenant signs, reader board graphics, etc.) not represented in this proposal must be updated by the Dealer to the current compliant Kia logo or must be removed.

Kia NEW LOGO MONOLITH

KUSSPSS20
NO1



Specifications

- ① Cladding – 4MM Kia Black and Metallic Silver ACM
- ② Kia Wordmark – Milled Aluminum and Plastic "Sandwich" Design with 7100K LED Illumination thru edge of filler
- ③ Black edge always toward street >
- ④ Accent Lighting – 7100K LED Illumination with 7328 White Polycarbonate Lens

The existing foundation will not be used for the new sign. Dealer to provide dedicated electrical circuit prior to installation. (120 v/20 amp)

Colors

- Black Kia ACM – Kia Midlight Black
- Metallic Silver Kia ACM – Alrex Exotic Mica
- Accent Lighting Lens – 7328 White LED – 7100K White Illumination

**Logo: 5 Sq. Ft.
Total: 130 Sq. Ft.**

Customer Approval

Signature _____
MM/DD/YYYY

Project ID
MW2-57422

VA037
Blackwell Kia
4874 Riverside Dr
Danville, VA 24541

Sign Team
NO1

Date: 11-25-2024
Scale: Noted
Contact: M. Warren
Designer: C. Lambert

Revision Note
N2 (11-25-2025)

Information Required for Production

Pattison
1.866.635.1110
pattisonid.com

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REMOVALS

NOTE: Dealer to remove & scrap existing signage.



Existing red Kia wall sign and DNL (Dealer owned)



Existing Pylon Sign (Dealer owned)

Customer Approval
Signature _____
MM/DD/YYYY _____

Pettison
id
1.866.635.1110
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It is the Customer's responsibility to ensure that the sign installation location is suitable to accept and support the installation of the signage and that the sign meets all applicable regulatory requirements. A permit may be required.

Project ID
MW2-57422
VA037
Blackwell Kia
4874 Riverside Dr
Danville, VA 24541

Sign Item
Removals
Date: 11-25-2024
Scale: Noted
Contact: M. Warren
Designer: C. Lambert

Revision Note
R2 (11-25-2025)

Information Required
for Production

Note: Size of signage in relation to the building is approximate. This photo mock-up is intended for location purposes only and may not accurately represent the scale of the proposed signage to the building. A site survey is required. Any non-compliant Kia logo (i.e., window vinyl, doors/entry vinyl, parking signs, directional signs, multi-tenant signs, reader board graphics, etc.) not represented in this proposal must be updated by the Dealer to the current compliant Kia logo or must be removed.

Bisbee's
Sign



City of Danville
427 Patton Street, Suite 208
Danville VA, 24541
Phone: (434) 799-5260

Board of Zoning Appeals

October 25, 2017

POWERS SIGN INC,
807 INDUSTRIAL AVE,
DANVILLE, VA 24541

Dear Applicant(s):

On September 21, 2017 the Board of Zoning Appeals held a public hearing to consider:

Variance Application Number PLVAR20170000219, filed by Powers Signs, Inc on behalf of Steve Padgett's Danville Honda, requesting a variance from Article 10: Section P., Item 1a of Chapter 41 of the Code of the City of Danville, Virginia, 1986, as amended (City of Danville Zoning Ordinance) at 4050 Riverside Drive, otherwise known as Grid 0720, Block 003, Parcel 000002, of the City of Danville, Virginia, Zoning Map. The applicant is requesting a variance to allow a new ground sign with a 100 sf message area and 195 sf of architectural elements where a maximum 75 sf of message area and 100 sf of architectural elements is allowed.

The Board of Zoning Appeals approved the requested variance.

If you have any questions, please contact me at (434) 799-5260.

Sincerely,

Renee Burton
Senior Planner

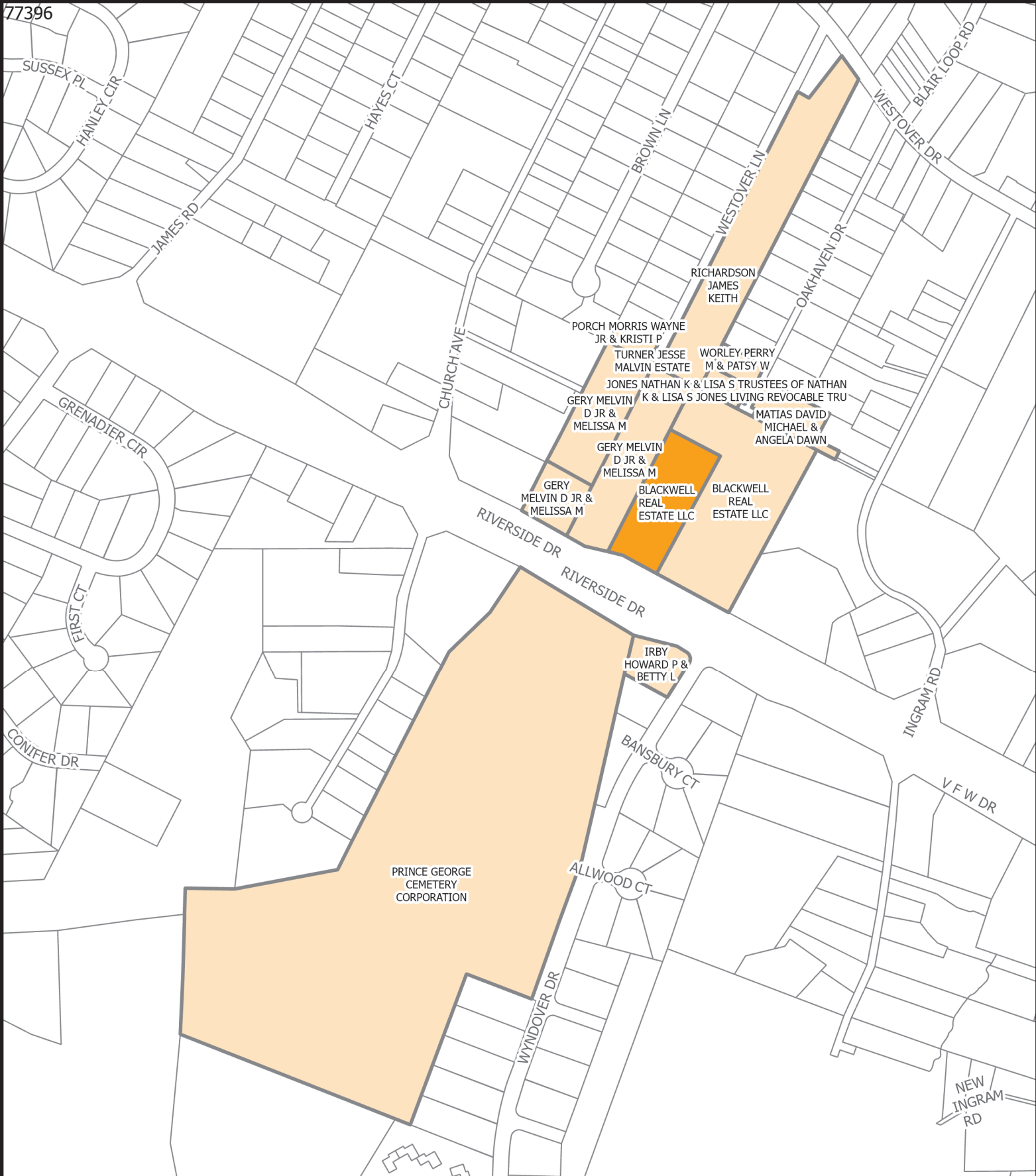


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
3/2/2026



Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
3/2/2026



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BOARD OF ZONING APPEALS MEETING

February 19, 2026

Members Present

Ann Sasser Evans
Gus Dyer
Nicole Garrison
Nicholas Piccolo
Lonnie Jones
Newton Ray
Lawrence Meder

Members Absent

Staff

Shanika Williams
Stefanie Jackson
Ryan Dodson
Cynthia Lester
Renee Burton

The meeting was called to order by Mr. Dodson for the election of officers

I. ELECTION OF OFFICERS

Mr. Dodson called for nominations for Chairman.

Mr. Meder nominated Mr. Dyer as Chairman. The nomination was approved by a 6-1 vote.

Mr. Dodson called for nominations for Vice-Chairman.

Ms. Evans nominated Mr. Meder as Vice-Chairman. The nomination was approved by 6-1 vote.

Mr. Dodson called for nominations for Secretary.

Mr. Dyer nominated Ms. Garrison as Secretary. The nomination was approved by 6-1 vote.

The meeting was turned over to Chairman Dyer

Mr. Dyer called the meeting to order at 10:00 a.m.

II. ITEMS FOR PUBLIC HEARING

1. *Appeal of Zoning Administrator Determination PZ26-00157 filed by Danville Hotel Group requesting an appeal of the Zoning Administrator determination to deny building permit due to building height at Parcel 02176 (1080 Riverside Drive).*

Mr. Dyer opened the Public Hearing

Mr. Gatewood stated. I'm president LE&D Professional and I'm here on the behalf of my client Danville Hotel Group. We submitted this appeal application based on the city's definition of what a building height is. A special use permit was applied for in early 2024, approved and granted the building maximum height was set at 55 feet, the architects took the height and kept the flat roof line at 54 feet even, there are some architect features that exceed the 55 feet margin but those are parapets and towers and other architectural features that goes with the brand of the hotel. Looking at the city's definition of building height as they define it is the tallest point on a flat roof line. Looking at the definition there is nothing pointing to a parapet or tower height.

Mr. Dyer stated. Staff the zoning code has changed right?

Ms. Williams stated. Correct.

Mr. Dyer stated. Are we dealing with the new zoning code or the old zoning code?

Ms. Williams stated. At the time of the application the old zoning code was in effect, so we were going by that definition.

Ms. Evans stated. Did Planning Commission not approve the extra height?

Mr. Gatewood stated. They did and we are going to council next month. Initially we did the application to revise the special use permit, I asked Ms. Burton if it is unusual to go before Board of Zoning Appeal and Planning Commission at the same time, Ms. Burton said it unusual but can be done. We are looking at every opportunity to get it approved to keep constructing the hotel.

Ms. Evans stated. Is this in case City Council doesn't approve it?

Mr. Gatewood stated. This is another avenue.

Mr. Dyer stated. I think part of the city making process prior decisions this board made and I think it would be appropriate to go through for clarity.

Ms. Garrison stated. So, everything above the roof line is it all decorative or is it a purpose for something above the roof line?

Mr. Gatewood stated. Most are extra features for the brand.

Mr. Piccolo stated. What is the height of the tower?

Mr. Gatewood stated. 65'6.

Mr. Jones stated. What does the tower do?

Mr. Gatewood stated. It is part of the building but mostly architectural feature.

Ms. Garrison stated. You knew coming in this Home2 is a standard brand correct? The height of the building and you also built the Hampton Inn behind this so at that point the city height requirements. So, when you came the first time why didn't you ask for 65 feet?

Mr. Gatewood stated. If I had known that the parapet and towers needed to have been included in that special use permit, we would have asked for 66 feet at that point. We were under the impression that the building's height went to the flat roof.

Mr. Dyer stated. So, that's what we are determining, what is the official height of the building? If you goggle what determines the height of the building, there is some controversy in the race to build the world's tallest building. The highest point of the building that's meant to be permanent is considered the height of the building, flag poles, antennas and mechanical things you don't count those. What our code says is the height of the building be determined as the surface area of a flat roof. The point the city is trying to make is we had the MOD Carwash decision, is that we had that appeal upheld by the court, we were changing the intention of the code to make the height of the building the highest point of the building the surface area of the flat roof. It is important to determine what the code doesn't say as well as what it does say. It would have been nice if the code said the height of the building should be determined by the highest permanent point of the building.

Ms. Evans stated. I thought when we did the MOD Carwash it was because they wanted to put the sign on and height of didn't have any function. This doesn't have any function, correct?

Mr. Dyer stated. The decision I made on the MOD Carwash, my interpretation of what the code intended that there were no roof mounted signs, Like Home Of Dan River Fabrics, or Agency Coffee sign going on top of a building that type of sign, I don't think it was intending to prohibiting you from mounting a sign on the surface of a wall, as long as that sign doesn't go over top of the surface of the wall.

Ms. Evans stated. That is where the Home2 sign is.

Mr. Dyer stated. We are not determining where the sign is, we are determining the height of the building. To the common definition of the height of this building is 63 ½ feet tall. The code doesn't say that there are allowances in the code for building status to be taller than the official height of the building. An example of that if you have a building with a gable roof the height of that building is not the tip of the reach of the roof, the height of that building is the mid-point of that roof. The code does allow for structure the ultimate height of the building to be taller than what it officially designated as the height of that building. They asked for what the code said, the height of the building should be determined for surface of the flat roof of 54 feet. They met the definition of the height restriction.

Ms. Evans stated. Staff we are going by old code?

Ms. Williams stated. Yes, the highest point of the building.

Ms. Garrison stated. So, it would be 65.5?

Ms. Williams stated. Yes.

Mr. Piccolo stated. The tower on the left, is there a roof or just a wall?

Mr. Gatewood stated. There is a roof on top of it.

Mr. Dyer stated. The top of the parapet wall is actually the flat roof.

Mr. Burton stated. The tower itself is actually a tower with internal use as a stairway correct, and the elevator shaft is in there so there is a use it is not just architectural features. There is a flat roof on top of that, there is a flat roof with a parapet lower section where the rooms are, then there are the tower and a flat roof.

Mr. Dyer stated. There is a closed space that is higher than 55 feet off ground.

Ms. Burton stated. That is correct, the other piece to notice is in the staff report that mentions the Mod Wash case and that determination is listed as by the Circuit Court, not by this board. This board made a determination, there was an appeal, what you have in your report is what was stated by the Circuit Court. It is not a change of code, not an amendment, it was a determination by the courts.

Ms. Garrison stated. For staff if City Council approves the new height of 65 feet, there will not be a problem with the building permit, correct?

Ms. Williams stated. Correct

Ms. Burton stated. The difference in the two decisions is the decision can happen today, and you get a permit this afternoon or wait till City Council and get approved then and get a permit.

Mr. Piccolo stated. If they are approved today, will they still have to go in front of City Council?

Ms. Burton stated. They would not have to go to City Council.

Ms. Garrison stated. Are you going to appeal the decision?

Ms. Burton stated. I can't answer that at this time.

Mr. Dyer stated. The fact there is a flat roof on the tower that exceeds 55 feet that is cut and dry. If it had not been a flat roof that exceeds 55 feet, then that's where we have to make the determination. The new code states the height of the building should be the highest point of the building that will clarify a lot of things. This is very ambiguous; there are a lot of buildings in the city that have parapet walls. How do you limit the height of a parapet wall. That has been cleaned up in the new code. Our decision today is to determine if the previous code determines the height of a building whether they were in compliance with that or not. If there is occupiable space with a roof on it and that roof is over 55 feet, then they are not in compliance.

Ms. Evans stated. Does the use go past 55 feet?

Mr. Dyer stated. Yes, that's the tower part.

Ms. Evans stated. Does the stairway stop at the highest floor?

Ms. Garrison stated. Do you know the square footage of the roof part of the tower?

Mr. Gatewood stated. It is in the building plan.

Mr. Dyer stated. It doesn't matter what percentage is it says the highest point of the flat roof, if they are aware, it could be very sizable. The highest point of the flat roof determines the height of the building.

Mr. Piccolo stated. I don't see anything that says the main structure is where the standard is set.

Mr. Dyer stated. That doesn't show any demarcations far as it they are raised or lowered. Does it have walls on all four sides?

Mr. Gatewood stated. It does have walls on all four sides.

Ms. Burton stated. Those are the plans submitted.

Mr. Meder stated. This definitely look like this is a cap.

Mr. Dyer stated. To me that looks like a parapet wall.

Ms. Burton stated. It states roof at 57 feet.

Mr. Gatewood stated. Based on your understanding of the definition today if the building plans were modified laterally across the entire hotel with less than 55 feet, would you consider that?

Mr. Dyer stated. I'm afraid if you modify your plans now it will fall under the new code right?

Ms. Williams stated. Correct.

Mr. Meder stated. What is the height of the new code?

Ms. Williams stated. 50 but that definition of height has been clarified to the tallest point to the building.

Ms. Burton stated. They have a special use permit for 55 feet.

Mr. Gatewood stated. My understanding coming from city council was the building height was limited by the fire department.

Mr. Dyer stated. The fire department construction goes up to 117 feet; it used to be 70 feet.

Ms. Burton stated. When the previous code was created it was a very different time I guess and they could not reach the same height as they can now.

Mr. Dyer stated. That is not something that we can do, the people that write the code or amend the code can do something about it. I am sure you are going to get what you want from city council, but I can't say that for sure, looking at these plans right now, roof elevations 57.8 feet that exceed 55 feet. I have to agree with the planning department that this building exceeds the permitted height.

Ms. Evans stated. It has two roofs.

Mr. Dyer stated. The code stated the highest point of the flat roof surface.

Ms. Evans stated. When we granted 55 feet that the first roof and you have a second roof.

Ms. Burton stated. When the special use permit was granted in 2024, there was an application to grant 53 feet, special use permit was granted at 55 feet which the roof elevation is listed at 54 feet the tower height was in consideration.

Mr. Dyer stated. 25 or 26 feet there is not sufficient roof area.

Ms. Evans stated. The roof of the building remains at 54 feet; the roof of the tower is 57 feet.

Ms. Burton stated. For us the building height would be the highest point whether it the tower or roof.

Mr. Gatewood stated. I can make a call to the architect to get some clarification.

Mr. Dyer stated. Yes, ask him if there is a flat surface of a roof at 57.8 inches.

Mr. Gatewood stated. Or 65 and 13.

Mr. Dyer stated. We are concerned about the highest roof.

Mr. Gatewood stated. 13 would be the highest roof

Mr. Garrison stated. No matter 57 is over 55.

Mr. Dyer stated. Is there a flat roof surface that exceeds 55 feet in height?

Mr. Neil stated. No.

Mr. Dyer stated. On your plans it says roof elevation 57 feet 8 inches. Why does it say that?

Mr. Neil stated. We'll send in corrections.

Mr. Piccolo stated. Is there a flat roof on top of the tower?

Mr. Dyer stated. If you look down in a helicopter on top of the building, is the entire roof surface area 55 feet? At any point does any of the flat roof exceed 54 feet?

Mr. Neil stated. No.

Mr. Dyer stated. How is the roof accessed?

Mr. Neil stated. Through a hatch.

Mr. Dyer stated. There are no steps. Where we see the roof elevation is 57 inches, that isn't correct?

Mr. Neil stated. That is a typo and it should have said parapet instead. We will correct it and send the correction.

Ms. Burton stated. Please note that your decision is whether the Zoning Administrator made the correct interpretation of the plans you have in front of you, that the zoning administrator has in front of her to whether or not that's an accurate decision if this was above 55. Not getting new information from the architect the decision is not made from that because that is new information.

Mr. Dyer stated. If this is what you saw, then you made the correct decision.

Mr. Dyer closed the Public Hearing

Mr. Dyer stated. Here is the issue suppose they correct this and put parapet instead of roof is it still going to be denied by the city because the city is considering the 65 feet 6 inches height of the building?

Ms. Burton stated. When plans are rejected or don't meet the code there is a resubmittal process. It would come back to the planning staff not the board.

Ms. Garrison stated. The last submittal of plans of 65 feet, were these the same plans they looked at?

Ms. Williams stated. There was no measurement on the original plans.

Mr. Piccolo stated. Our decision is based on this plan not future or corrected plans.

Ms. Burton stated. Correct.

Mr. Dyer stated. We take into consideration that the code has changed and the code has been improved by clarifying the highest point of the permanent structure, which makes the building 63.6 inches. One thing in the packet I disagree with is the character that allow this building to be 63.6 inches, would alter the character of the neighborhood.

Ms. Burton stated. That is not in your purview today. Your purview and decision today is to oppose the decision or not.

Mr. Meder stated. It seems like our determination has to be, was it denied because they are using the parapet or the flat roof?

Mr. Dyer stated. Flat roof, when this was denied did you feel like the building was 57.8 feet tall or because it was 63.6 feet tall?

Ms. Burton stated. The decision was made that it was above 55 that's it, it doesn't matter what it was the QP is for maximum height of 55.

Mr. Dyer stated. This set of plans was brought to the city it indicates the maximum height of the flat roof is less than 55 feet will the plans be approved?

Ms. Burton stated. I review the plans as standard procedure and make determinations, does not design any bearing on this decision or board.

Ms. Garrison made a motion to deny application PZ26-00157. Mr. Piccolo seconded the motion. The motion was approved by a 5-1-1 vote.

2. Variance Application PZ26-00164 filed by Nexus Realty to allow mixed use at Parcel 20354 (320 North Ridge Street).

Mr. Dyer opened the Public Hearing

Mr. Nesmith stated. I am representing the owner of Nexus Realty. I am respectfully asking to continue commercial use of the first floor of this building. This property has long functions as a mixed-use structure with residential unit as well as commercial space operating in the front of the building, my intense is not to alter the character of the neighborhood, small scale commercial use that historically existed before. The commercial space was legal non-conforming due to being vacant for more than 2 years, this vacancy occurred prior to me acquiring the property. I had no control over how long the property sat vacant nor did I create the circumstance that led to the lapse of non-conforming. I purchased the property in good faith understanding it had historically supported a small commercial space, my goal is to reactivate the space compatible with the surrounding residential neighborhood, the potential use such as a salon, office space and small low impact service consistent with the intent of limiting the commercial activity to uses similar in character to the historic retail use. I am not proposing exterior alterations, expansions or changes that would negatively affect the adjacent properties. The hardship I have faced is not self-created it is from the prior vacancy that occurred before my ownership. I am seeking an opportunity to make productive use of existing commercial store front that has long been part of the building's character.

Mr. Meder stated. What business will be in there?

Mr. Nesmith stated. Beauty salon.

Ms. Garrison stated. Do you have any plans to reopen or reuse the laundry mat?

Ms. Nesmith stated. Yes, I would like to renovate that not as a laundry mat but as a retail store, office space.

Ms. Evans stated. Is there plenty of parking for what you intend to do?

Mr. Nesmith stated. Yes, there is plenty of parking to the left and on the grass and also street parking.

Ms. Garrison stated. There are 2 apartments in the back and 1 on the right?

Ms. Nesmith stated. Yes.

Ms. Garrison stated. You have 3 apartments and you are going to use the front as a salon and the laundry mat as office space?

Mr. Nesmith stated. Yes.

Mr. Dyer stated. My question to staff is what we are voting on? Are we voting just to allow them to continue to use this space as a hair salon, or are we voting to basically to change this property to multi-purpose.

Ms. Williams stated. Because the zoning district doesn't allow for mixed use, special use permit or otherwise, a variance would be required to allow residential and commercial in the same building.

Mr. Dyer stated. Are we just allowing for the salon or are we allowing it as a commercial space?

Ms. Williams stated. Commercial space.

Mr. Dyer stated. So, they can move the salon out and put the convenient store back in.

Ms. Williams stated. Yes.

Ms. Garrison stated. Can they do anything to the laundry space?

Ms. Williams stated. Yes, commercial wise.

Ms. Garrison stated. The laundry area, he doesn't know what he is going to do with it.

Mr. Dyer stated. We can approve with conditions right.

Ms. Williams stated. It can be. Mr. Dodson is there limitation to any conditions for a variance?

Mr. Dodson stated. No, especially if they are accepted by the applicant.

Mr. Dyer stated. Does the current code allow for home-based businesses?

Ms. Williams stated. Yes, home occupations. There are limitations to home occupations that don't allow traffic.

Mr. Jones stated. Will he have to come back to us if he wants to do the other part?

Ms. Williams stated. That would be contingent on if you all set up conditions.

Ms. Evans stated. Did we approve this a couple years ago?

Ms. Williams stated. Not in my tenure.

Ms. Evans stated. I think it has been to us before and not used.

Mr. Dyer stated. Jessie Brandon use to own this building for a long time.

Ms. Garrison stated. Originally it was a convenience store.

Mr. Piccolo stated. The decision made today is tied to the property not this specific building.

Ms. Williams stated. Correct.

Mr. Dyer stated. If we allow mixed uses what are the commercial uses allowed, does it follow HRC or Neighborhood Retail Commercial?

Ms. Williams stated. It is currently zoned Urban Residential; there are not many commercial used allowed in that zoning district. Conditions can be set to change it to the close commercial zoning district.

Mr. Dyer stated. What is the most restrictive commercial district?

Ms. Williams stated. That is probably going to be Community Business.

Ms. Garrison stated. Would that allow for a small office, nothing like a boutique?

Ms. Williams stated. Yes, it would allow for retail.

Mr. Dyer stated. There is a lot of parking there. Do you own two parcels?

Mr. Nesmith stated. Yes.

Mr. Dyer stated. I am more concerned now about what usage we are allowing is it mixed use? If we are allowing mixed use what are the non-residential usage we are allowing?

Ms. Williams stated. Catering services, community facilities, a contractor office that does not include storage and financial institution, fortune tellers and funeral homes, greenhouse, laundry service and offices, I am listing the ones that are permitted by right, there are some that will require a special use permit.

Ms. Evans stated. Does laundry service mean dry cleaner or is that a laundry mat?

Ms. Williams stated. It would be either. Personal Service establishments would be salons, nail shops and places of worship, public park and research development, restaurants, retail and seasonal retail.

Mr. Dyer closed the Public Hearing

Ms. Garrison made a motion to approve application PZ26-00164 granting mixed use limited to Central Business. Ms. Evans seconded the motion. The motion was approved by a 6-1 vote.



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III. APPROVAL OF MINUTES FROM DECEMBER 18, 2025

December 18, 2025, minutes were approved by a unanimous vote.

IV. OTHER BUSINESS.

With no further business, the meeting was adjourned at 10.59 AM.

APPROVED