



TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
(928) 634-7943 FAX (928) 634-0715

REGULAR MEETING OF THE TOWN OF JEROME

DESIGN REVIEW BOARD

DATE: Monday, December 11, 2017 TIME: 7:00 pm

PLACE: JEROME CIVIC CENTER

600 Clark St., JEROME, ARIZONA 86331

MINUTES

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Design Review Board and to the general public that the Design Review Board will hold the above meeting in Council Chambers at Jerome Town Hall. Members of the Design Review Board will attend either in person or by telephone, video or internet conferencing. The Design Review Board may recess the public meeting and convene in Executive Session for the purpose of discussion or consultation for legal advice with the Town Attorney, who may participate telephonically, regarding any item listed on this agenda pursuant to A.R.S. § 38-431.03 (A)(3).

ITEM 1: CALL TO ORDER/ROLL CALL

Chair Mark Venker called the meeting to order at 7:00 p.m.

Mr. Dabney called roll. Present were Chair Mark Venker, Vice Chair John Schroeder, Brice Wood and Mike Parry. Staff present were Kyle Dabney, Zoning Administrator and Joni Savage, Deputy Clerk/Minute Taker.

ITEM 2: APPROVAL OF MINUTES: Minutes of November 13, 2017

Vice Chair Schroeder made the motion to approve the minutes of November 13, 2017 and was seconded by Mr. Wood. The minutes were unanimously approved.

ITEM 3: PETITIONS FROM THE PUBLIC — This time is NOT for discussion on Agenda items. Please make comments when that item is on the floor. Please complete a request form with your name and subject and submit to the Chair. When recognized by the Chair, please come to the front and state your name. Please observe the three minute time limit per speaker pursuant to the Town Code. The DRB may not discuss or take action on any comments under this agenda item other than to ask questions.

Chad Hembrough, a Jerome resident, has a concern of district sign placement and he doesn't want them in public parks or otherwise scenic areas. He wants the separation of advertising, directions and recreation and doesn't want them to take away from the outdoors and natural beauty of Jerome.

(A point-of-order should have been called, but wasn't.)

Mr. Wood said he agrees with him, it is a lot of signage, but asked if he had a specific thing in mind.

Mr. Hembrough said specifically the neighborhood district signs. He believes the horseshoe pit and by the Lower Park across from the Chamber of Commerce. He asked, "Any other questions?"

Vice Chair Schroeder responded by saying we haven't seen any proposals for these signs that you're referring to.

Chair Venker said they have been discussed in Council meetings.

Vice Chair Schroeder replied eventually they will have to make it to us, but this is the first I've heard of it. He will definitely look into it.

ITEM 4: NAME AND LOGO CHANGE FOR EXISTING SIGNS

APPLICANT: JASON DOMANICO

CONSTRUCTED: 1910

ADDRESS: 417 HULL AVE.

ZONE: C-1

OWNER OF RECORD: FLAT IRON BUILDING II LLC

APN: 401-06-018

The applicant is seeking approval for new signs to replace existing signs. This is for a change on the business name and logo.

Mr. Dabney explained this is where Passion Cellars was. He wants to keep the unit that he is in and he is creating a new brand, so he wants to change the sign.

Chair Venker said just for clarification. It says Echo closing, but that's not at all relevant.

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Mr. Dabney clarified that this sign would just replace the Passion Cellars sign and yes Echo is closing.
Chair Venker said he had no objections to the signage and asked if there were any thoughts.

Mr. Parry moved to approve the name and logo change for existing signs as presented. Vice Chair Schroeder seconded. The motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 5: INSTALLATION OF A DRIVEWAY GATE

APPLICANT: LIZ GALE

CONSTRUCTED 1952

ADDRESS: 105 DOUGLAS RD

ZONE: AR

OWNER OF RECORD: GALE FAMILY TRUST

APN: 401-03-029C

The applicant is seeking approval to install a driveway gate to prevent tourists from driving up to the home.

Mr. Dabney explained the location and said he has looked at the application and location. The only place he could see it going to or coming from was the State Park museum area. He hasn't seen anything like this in Jerome other than on Lower Bell Road. There are no real neighboring properties. He recommends approval, he sees no problem with it.

Mr. Schroeder certainly understands the need for it. He thought tourists would want to drive up to the house.

Ms. Anne Gale said for 50 years she has had to open the chain, get out of her car, get back in and then put the chain back. She would just like to be able to stay in the car and use a remote.

Vice Chair Schroeder responded, "I think that's fair enough."

Mr. Dabney wanted to point out that there is a typo in the zoning ordinance for set-backs. It would put the gate on top of the house. He went with the state requirements.

Mr. Parry likes it (the design), but he's disappointed she didn't use "powder boxes."

Vice Chair Schroeder moved to approve the installation of a driveway gate as presented.

Chair Venker asked for clarifications sake, it's just the two pillars with a gate and then the lanterns affixed on top, are those light bulbs, are they shining outward. He's not seeing any dimensions for those and that's why he is asking.

Ms. Gales' representative, Arnie Warren, said they only shine out, not up to the sky. And they match the existing ones on the house.

Ms. Gale clarified they don't light up the sky.

Vice Chair Schroeder moved to approve the installation of a driveway gate as presented. Mr. Wood seconded. The motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 6: INSTALLATION OF A NEW SIGN

APPLICANT: LIZ GALE

CONSTRUCTED 1899

ADDRESS: 309 MAIN ST.

ZONE: C-1

OWNER OF RECORD: EXITER CIRCLE LLC

APN: 401-03-022B

The applicant is seeking approval to install a new sign.

Mr. Dabney explained this is obviously a violation of the zoning ordinance. In section 509E the ordinance states that there are to be no internally lit signs, however in the recent past (2014) there was one approved directly behind this building.

Vice Chair Schroeder asked, "Are you referring to the Haunted Hamburger?"

Mr. Dabney replied, "I am, but I would advise not to use the name."

Vice Chair Schroeder said 2014 is not that recent.

Mr. Dabney continued by saying that an amendment had been made to the ordinance. He recommends approval because of the previous decision made by the board. He is not pointing anyone out, but the previous sign was

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approved and he has a very hard time saying no to something that is identical to the one behind it.

Mr. Wood mentioned the new planters and seating in the front of the building. He approves the sign.

Vice Chair Schroeder said, "Since it is a clear violation it should go to the Board of Adjustment and they should give them a variance. I don't like going against the ordinance for the second time. I wasn't on this board in 2014, but that one should have gotten a variance."

Mr. Parry recalls (referring to the 2014 submission) that the drawings that had been submitted didn't show the dimensions to that sign. At the time the board had thought it was flat.

Mr. Wood said, "I knew what we were getting; it's a subtle question. It is not plastic and it is not an animated sign. We do allow for illumination of signs. I don't feel that it is in violation."

Chair Venker said he would piggyback on what Mr. Wood said. "If you look at the spirit and intent of the verbiage in the code, I would interpret that to suggest the goal is to eliminate as much light pollution as possible—a back-lit sign being some kind of plastic sheet with an outward projection of light. What this is is sort of "halo lighting"; it's not outward projecting, blinding or garish. With that said, I do have concerns about all three sides being part of the signage. Considering total signage space, and if we are interpreting the code to protect that outward light projection, I would think having signage on the sidewalk side and not on the street side of things. Signage on left and right, but not on the center spine of the building that would be projecting out as opposed to projecting toward the walking traffic that would benefit from the sign."

Mr. Wood said, "Forgive me, I don't think I understood this. I thought it was one face."

Mr. Parry stated, "It's three sides."

Mr. Wood said that asks the question, how many signs should be on the street. And with the painted sign already, it now becomes one too many.

Mr. Dabney said it was already one too many. He also looked at some other things that might help with this. In his analysis of state statutes and the International Building Code, it is going along with our zoning ordinance. He referred to section H106 thru 112 and it discusses internally lit signs. What he gathered was he wants to piggyback on Chair Venker's statement; he believes the writers of the zoning ordinance were trying to prevent that glowing and also a fire hazard.

Ms. Gale said, "I totally understand what you're talking about, the three faces of the sign. I had talked to Mr. Dabney and he said that counted as one sign, so I wasn't trying to slip something past you. The current sign has two sides as does every sign on that sidewalk. She also has "Mile High" painted on the front of building.

Mr. Wood apologized to her, he didn't understand.

Ms. Gale wanted them to know her intent was not to pass something through. She said, "I stated to Mr. Dabney, 'It is a three-faced sign,' and Mr. Dabney responded, 'No, it is one sign.'"

Mr. Venker said there is signage verbiage in the code regarding total surface area. He agreed all of the signs are double-sided. He doesn't think that is the issue; it is the purpose and intent and it is the quaintness of all the signs in town. When he talks about the three sides, that outward projecting sign is the one that is a little over the top, whereas a sign that sticks out with front and back feels like a single sign as opposed to a box projecting out. Again, you do already have it facing out. He believes it would be excessive signage. It is a single building; however, it is a grill and an inn. However, this sign only says for the grill. He's not so concerned with the sign on the front of the building. He would be willing to approve this signage if it were just sidewalk-facing and not outward projecting.

Mr. Parry asked what is the maximum square footage of a sign.

It was determined by several in attendance that it was 16 square feet.

Ms. Gale reiterated that it is 16 square feet. She mentioned "Mile High" painted on the building and stated that the idea of the sign is to obviously try to get signs to people in the lower parking lot. However, she gets there point. She asked, "If that were to go away (Mile High painted on building) would you reconsider the three-sided sign or does that just not sit well."

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would want to see it) a strip sign with two lights on either side.”

Ms. Gale responded, “Well, two reasons: one, you’ve let my competition have four signs that say, ‘Haunted Hamburger’ on his building. He applied and got it approved. Honestly, I was happy with my sidewalk signs, and then you know, progress or competition and honestly you let him do it. I liked my little signs flapping in the wind, but on the other hand when A) someone puts up an illegal district sign that has ‘Haunted Hamburger’ pointing up the stairs and then B) decides to outfit his own building with very distinct signs that can be seen from every angle, it leads me to bump up my sign in the design category.” She asked, “Is that sign that says Haunted Hamburger (referring to the one attached to the stairs in Upper Park) going to be coming down? And also, I don’t think this is coming out of the blue.”

Mr. Wood agreed with her and he doesn’t like to see unapproved signs. He mentioned the turnover in Town Hall and the inconsistency. He would like to eliminate unapproved signs and have a lot less clutter.

Ms. Gale wanted to clarify that she believes it is unapproved, but she cannot say that for sure.

Ms. Savage added that she had researched the sign in question and she could not find anywhere where any board had approved it. The only mention of it was in a Council meeting where Anne Bassett had questioned it and there didn’t seem to be any resolution regarding it.

Ms. Gale said she would hope to have equal application at least. She is not trying to go against the spirit of the Town in any way. She understands the lack of ability to enforce things. She stated, “Other things have happened in this town and I say, ‘Oh well, if I had a big bank of lawyers would you listen to me more readily? However, I don’t have a big bank of lawyers.”

Mr. Wood commented, “All you have to do is threaten.”

Ms. Gale said that was not her intent.

Mr. Dabney added it is extremely difficult to keep up with. It is extremely difficult to enforce with the turnover of the boards. He talked about the interns work over the summer. For him to go out and enforce the sign ordinance, he would have to be a sign officer and that is all he would do, it’s that bad.

Vice Chair Schroeder stated, “Like I said before, I don’t doubt that this sign will fit in, but just to follow procedure, I believe it needs a variance and there is a process for it. I wasn’t on the board in 2014 and I never would have approved it. What I can do is follow the Town code and that is my job. I believe it should go to the Board of Adjustment.”

Mr. Wood said he would have to agree. He thinks everyone is trying to do the right thing. He agrees with Chair Venker about the look of the signs on Main Street; there is a charm to it. Although the buildings are historic, all of the signs express the individual character of the shop or business and they are different. He has to withdraw his support; he didn’t understand that it was three sides. He would find a two-sided sign a better answer. He thinks it pushes the code too far.

Ms. Gale asked if she conceded to a two-sided sign would that be something they could agree to.

Chair Venker said he would err on the side of caution with Vice Chair Schroeder and he believes it would need more specific approval, a variance. He’s afraid of pushing the door open wider. He referred to the board as somewhat of a gatekeeper. If we were to approve this right now as it is it would leave the Town open to illumination without defense. In the sense that anybody in the future could come in and say “I want to do this because somebody else has done something similar.” And maybe this particular sign maker would no longer be available and things would get further along, sort of down that rabbit hole. He doesn’t know if we would have a quorum to approve the sign as is without some sort of specific approval beyond that.

Ms. Gale asked, “Are you talking about the variance for the lighting or double-sided?”

Chair Venker responded he believes it would encompass both at this rate. There is specific verbiage about lighting in our Town code, and this would technically go against that. He is not opposed to it necessarily, but in this fashion the goal of reducing light pollution is achieved. Total signage square footage for this building, your business, if we were to sit down and do the math there is more signage than what is written in the code.

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the goal of reducing light pollution is achieved. Total signage square footage for this building, your business, if we were to sit down and do the math there is more signage than what is written in the code.

Ms. Gale said, "Just to be specific, are you talking about the third side?" Her understanding is that it would be within the size restraints of the code.

Chair Venker said he would be comfortable with the light and two sides, but that third sign facing outward he would consider to be excessive. He would want to see the variance permitted so that the Town is protected by the code. He doesn't want to open this up for anybody to come in and say they can do it because it already happened. It could happen, but in a variance.

Ms. Gale reiterated, "One guy comes to town and doesn't have to get a variance for the lighting, the second person comes to town and they have to get a variance. I respect your decision, but that's how this is going."

Chair Venker responded yes.

Vice Chair Schroeder apologized and said he would have made him get a variance. He hopes she gets the variance, but he can't approve it because it is against the code.

Mr. Parry asked are we going to table this and have her get a variance.

Chair Venker said he was opposed to resubmitting; yes table it.

Mr. Dabney asked if a decision could be made.

Chair Venker said he would be willing to conditionally approve as long as there is a variance.

Vice Chair Schroeder said he would agree.

Mr. Parry thinks it needs to be tabled; he doesn't think we can conditionally approve it.

There was a discussion about having a Board of Adjustment meeting coming up in January. They discussed the possibility of conditionally approving it.

Mr. Parry said there could be changes to the drawings and he doesn't think they should conditionally approve it.

Ms. Anne Gale (Liz's mother) asked what the code is pertaining to signage behind the glass of a building.

The board discussed it and confirmed that a business could put what they wanted in the interior of the building.

Mr. Wood spoke in detail about neon signs and then talked about interior signage agreeing that behind the glass is none of our business.

Ms. Liz Gale asked for clarification about going to the Board of Adjustment.

Mr. Dabney said it was a different application.

Chair Venker said by tabling it, it would allow this to come up before them in January, immediately after that Board of Adjustment meeting.

Ms. Gale asked what the cost was.

Mr. Dabney told her \$200.

Chair Venker moved to table the new sign as presented. Vice Chair Schroeder seconded. The motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 7: FUTURE AGENDA ITEMS

Mr. Wood would like to look at signs again.

Mr. Parry mentioned signs are like a full-time job.

Vice Chair Schroeder commented the inventory had been done by the interns and asked what is the process to have illegal signs removed?

Mr. Dabney talked about the ordinance being re-written and all of the time it will take to change in the verbiage.

Chair Venker mentioned the biggest loop-hole is taking a sign down and putting it back up.

Mr. Dabney talked about temporary signs and the difficulty of tracking these. He gave an example of permitting temporary signs.

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Mr. Parry made a motion to adjourn and it was seconded by Mr. Venker. The motion carried unanimously and the meeting adjourned at 7:46 p.m.

Approval on next page.

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DATE: Monday, December 11, 2017 TIME: 7:00 pm

PLACE: JEROME CIVIC CENTER
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MINUTES

Respectfully submitted by Joni Savage on January 8, 2018.

Approved:



Design Review Board Chair

Date:

1-8-18

Attest:



Design Review Board Vice Chair

Date:

1-8-18