

# **BRANDON DEVELOPMENT REVIEW BOARD HEARING**

**JANUARY 24, 2024**

## **VARIANCE REQUEST APPLICATION #6221**

**APPLICANT: JANET AND JOEL MONDLAK LANDOWNER: SMITH BLOCK LLC**

**BOARD MEMBERS PRESENT:** James DesMarais, Bob Clark, Ralph Either and Jack Schneider.

**OTHERS PRESENT:** Janet Mondlak, Joel Mondlak, Jeff Biasuzzi and Hillary Knapp, Secretary.

The hearing was opened at 7:00pm.

The warning was read and found to be in order.

Janet Mondlak, Joel Mondlak and Jeff Biasuzzi were sworn in.

No interested party status was requested.

**Janet:** With this application we had included a 3-page summary. There are 2 separate issues that are going on with the variance request. The primary sign in 2020 was vinyl and was in compliance at that time. We had not realized until we were cited that it was in compliance with the type of material. There are two flags that were placed at the shop this summer. We were cited for having two and the requirements are for one flag that says open. To keep it legal we are asking for a variance to keep in compliance.

For the primary sign there is no place to flush mount and it would need to hang around the doorway. We do not want a heavy sign that could fall on people. The two flags have two distinct entrances to the store fronts and would like to keep a flag at each store front. The building is in the CBD and in the middle of the business community with many signs around. The flag poles are the same they use for the 4<sup>th</sup> of July flags in town and have been there for years.

**Bob:** Did the business before (craft shop) have a flag?

**Janet:** They had a flag and a business sign.

**Jeff:** I am not a fan of the current 407 Zoning Section. For the primary sign, with the statement that there is no place on the building to mount the sign, they have a soft version of the sign and can make an argument that the material can be in compliance. The Across the Street is vinyl and does not comply in the sense of the Regulation, they could use window signs.

Flags should conform to the 15 feet and only be out during business hours. There are in compliance and do not need to say Open. Because there are two flags and not one 407(c) states there can be one of each of the 5 different signs. An argument can be made that the flags could fall into two different categories. If the rules wanted to be looked at liberally it could be:

- Across the Street (Flush)
- Flag (Antique) (Projecting sign)
- Flag (Furniture) (Open Sign)

The Town has been trying for voluntary compliance with the sign regulations.

**Janet:** If there seems to be a problem that is not where it is being taken care of, we seem to be being used as an example for those other business. I understand the signage needs to be appropriate and believe that a

variance would be the appropriate middle ground. The window washer does take care of it and keeps it clean.

**Jeff:** The Town would encourage compliance over making the businesses come before the board and have citations or violations.

Meeting was adjourned at 7:34pm.

Respectfully Submitted,

Hillary Knapp  
Recording Secretary