# TOWN OF ELIZABETHTOWN ZONING BOARD OF ADJUSTMENT JANUARY 18, 2022 at 7:00 P.M. – VIRTUAL - ZOOM

- OPENING, CALL TO ORDER AND ROLL CALL
- OATH OF OFFICE TO BE ADMINISTERED FOR ZBA BOARD MEMBERS: Bobby Kinlaw, Maurice Williams, Lee Hauser, Elizabeth Cole, Lorenzo McDowell and County Appointments for ETJ Representation - Yvette Ross and Alternate Member Judy Bowen (ATTACH. #A)
- APPROVAL OF LAST MEETING MINUTES FOR ZBA: 9/3/2015 (ATTACH. #B)

AGENDA ITEM #1: Public Hearing – (Quasi-Judicial Procedure) - Business Identification Sign Variance from Minimum Set-Back Requirements of Zoning Ordinance – Case #VA-202185

With the meeting being Virtual, any written comments by the public for a hearing must be received 24 hours prior to the start of the hearing. Written comments will need to be addressed to Town Clerk Juanita Hester's email address of jhester@elizabethtownnc.org or placed in an envelope and left in the Town's drop-box located at the Elizabethtown Municipal Building, 805 W. Broad Street.

Meeting notice information was mailed to the property owners within 200 feet of subject site with the request for them to call into the Town office on January 18<sup>th</sup> to find out if the meeting would be remote or in-person and if they wished to speak at the Public Hearing, to please so advise.

Town Attorney Goldston Womble may swear in the witnesses for the Quasi-Judicial Hearing for the Variance Request.

Chairman Bobby Kinlaw will open the Public Hearing and follow the below procedure:

#### PUBLIC HEARING PROCEDURE:

- a) Open the hearing and call upon Director of Planning and Development Rusty Worley to present the information; and
- b) Solicit relevant public comments and information from those who have signed up to speak; and
- c) Close the hearing after receiving or not any public comments.

A copy of the Variance Request Application from Presbytery of Coastal Carolina is provided as well as the image of the new sign for the property at 807 W. King Street (ATTACH. #C).

Attached are sections from the Town's Zoning Ordinance outlining the Business Identification sign requirements (**ATTACH. #D**). The Variance Request is for a Variance of 10 Feet from the 15 Foot Set-Back Requirement.

The notice of the meeting and public hearing was duly published in the "Bladen Journal" on 12/31/2021 and 1/7/2022 and posted as well on "BladenOnline. (ATTACH. #E). Meeting notice will be amended to reflect Zoom Call. The Town has placed signage on subject property noting the Public Hearing Date, Time and Location. Copy of the Certification of Notice to property owners within 200 feet of subject site is provided (ATTACH. #F).

Pursuant to Section 4.10.2.2. of the Town's Zoning Ordinance, when unnecessary hardships would result from carrying out the strict letter of the Zoning Ordinance, the Board of Adjustment shall vary any of the provisions of the Ordinance upon a showing of all of the following:

- Unnecessary hardship would result from the strict application of the Ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
- The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- The requested variance is consistent with the spirit, purpose, and intent of the Ordinance, such that public safety is secured and substantial justice is achieved.

#### AGENDA ITEM #2: Approval or Disapproval of Variance Request

The concurring vote equal to four-fifths of the members of the board present at a meeting and not excused from voting (a quorum being present), shall be necessary to grant any variance. A quorum shall consist of the number of members equal to four-fifths of the regular board membership (excluding vacant seats).

REQUEST: Chairman Kinlaw will entertain a motion and a second to approve or disapprove the Variance Request from Presbytery of Coastal Carolina.

MEETING ADJOURNED

# TOWN OF ELIZABETHTOWN OATH OF OFFICE

I,	, do solemnly swear that I will support the Constitution
of the United States;	that I will be faithful and bear true allegiance to the State of
	to the constitutional powers and authorities which are or may
	e government thereof; and that I will endeavor to support,
maintain and defend	I the Constitution of said State, not inconsistent with the
Constitution of the U	nited States, to the best of my knowledge and ability; so help
me God.	

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# TOWN OF ELIZABETHTOWN BOARD OF ADJUSTMENT MEETING September 3, 2015

The Elizabethtown Zoning Board of Adjustment held a meeting on September 3, 2015 at 6 p.m. in the Council Chamber for the purpose of considering a request from Mr. Verlin B. Gorham for a variance to construct a new 910 sq. ft. garage at his home located at 112 Biggs Avenue.

**Present:** Chairman Charlie Hilton, ZBA Board Members Mollie Glenn, Yvette Ross, Brenda Carper, Mark Gillespie, Attorney Goldston Womble, Attorney Whitley Ward, Town Manager Eddie Madden, Planning Technician Billie Hall and Deputy Clerk Sarah Baysden. Absent: Board Member Andrew Robinson.

Town Manager Eddie Madden welcomed the group and briefly explained the purpose of the meeting.

Oath of Office for New Board Member: New Zoning Board of Adjustment Member Mark Gillespie was sworn in by Deputy Clerk Sarah Baysden.

**Approval of Minutes**: Chairman Hilton asked for a motion to approve the June 14, 2012 Zoning Board of Adjustment meeting minutes. A motion was made by Board Member Yvette Ross, seconded by Board Member Mollie Glenn (Unanimous).

#### <u>PUBLIC HEARING: Quasi-Judicial Procedure – Variance Request – Garage at 112 Biggs</u> Avenue

**Chairman Charlie Hilton**: This evening's meeting is the Zoning Board of Adjustment meeting which is considered to be a quasi-judicial hearing. Therefore, anyone wishing to speak will be sworn in by Deputy Clerk Sarah Baysden. I would like to recognize Mrs. Baysden at this time to administer the Oath of Office.

**Deputy Clerk Sarah Baysden**: Those that will be sworn in tonight are Chairman Charlie Hilton, Planning Technician Billie Hall, Mr. Verlin B. Gorham, Board Members Brenda Carper and Yvette Ross. Please place your left hand on the Bible and state your name. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

A motion was made by Board Member Yvette Ross, seconded by Board Member Mollie Glenn, to open the Public Hearing (Unanimous).

**Chairman Charlie Hilton**: A Variance Request is presented on the agenda this evening which is Case #VA-073015-6975 in which Mr. Verlin Gorham is requesting a Variance to build a

#B

garage located at 112 Biggs Avenue. I call upon Planning Technician Billie Hall to present this Zoning Board of Adjustment matter.

Planning Technician Billie Hall: Mr. Verlin B. Gorham is requesting a variance to construct a new 910 sq. ft. garage at his home located at 112 Biggs Avenue, and further identified as Bladen County Tax Parcel Number 1312-20-70-6957. The parcel is zoned R12 which allows an accessory building; however, the topography of the land does not allow the garage to be constructed behind the front line of the building as required in Elizabethtown Zoning Ordinance Article 5. District Regulations, Section 5.2 Table of Permitted Uses, Note 11 Accessory Buildings and, therefore, requires a variance. You will find included in your packet of material, a site plan, floor plan, picture showing topography of the property and a panoramic view of the property indicating the proposed location of the garage.

**Board Member Brenda Carper:** Due to the slope of the lot, there should be no problem with approving this request.

Board Member Yvette Ross: I went and looked at the site.

**Chairman Charlie Hilton:** I looked at the site. Let me note that a variance from the terms of this ordinance shall not be granted by the Board of Adjustment unless and until it shall make a finding:

- A) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district; and
- B) That literal interpretation of the provisions of this ordinance would deprive the applicant of a right commonly enjoyed by other properties in the same district under the terms of this ordinance; and
- C) That the special conditions and circumstances do not result from the actions of the applicant; and
- D) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

**Chairman Charlie Hilton:** With no further comments, may I get a motion to close the Public Hearing? The Board is asked to approve or disapprove the presented variance request.

Board Member Mark Gillespie, seconded by Board Member Mollie Glenn, moved to close the Public Hearing (Unanimous).

At this time, Board Member Mark Gillespie, seconded by Board Member Yvette Ross, moved to approve the Variance Request from Mr. Verlin B. Gorham for construction of a garage at 112 Biggs Avenue (Unanimous).

#### UNOFFICIAL

**Attorney Goldston Womble:** Actually the Zoning Board of Adjustment's decision was the final say; therefore, Mr. Gorham's request was approved and does not need to go before the Town Council.

Chairman Charlie Hilton: Are there any other matters to be discussed? None were noted.

Board Member Mark Gillespie: I make a motion to adjourn.

Board Member Mollie Glenn: I will second that motion.

Chairman Charlie Hilton: All those in favor, please raise your hand (Unanimous).

Meeting was adjourned.

Charlie Hilton, Chairman

Billie Hall, Planning Technician

Juanita Hester, Town Clerk

#### ELIZABETHTOWN

Planning & Community Development 805 West Broad St. - Post Office Box 716 Blizabethtówn, NC 28337

### LAND USE APPLICATION

#### VARIANCE REQUEST

Phone: 910 - 862 Applicant's Name: Company: Address: City: Phone:	Presbytery of Coast		7- 242 - 1667 <i>Cell</i> Zip:
Address or General Loca Acreage:		LOCATION INFORMATION  Parcel ID Number: feet Zoning:	
Construction Rela Residential Addition New Construction Comp Sign Permit	ted Use Related  Conditional Use App.  liance	Zoning Related Zoning Compliance Certificate Rezoning Application Variance Request  VG INFORMATION	Tank Removal
For rezoning applic	ations, please provide the fol	llowing (please print):	List additional supporting
Requested zoni One paper copy adjacent proper	ng classification:  of a map indicating the proper ties and one digital copy of san hy zoning should be changed (	ty to be rezoned as well as the ne. (use separate sheet if necessary).	documents here and affix to backside of petition:  1.  2.  3.  4.

DATE:

Submit form to the planning department for review via currier/mail, fax 910-862-7117 or email planning@elizabethtownnc.org

□ APPROVED

AGENT:



Submit form to the planning department for review via currier/mail, fax 910-862-7117 or email planning@elizabethtownnc.org

Plauning & Community Development 805 West Broad St. - Post Office Box 716 Elizabethtown, NC 28337

# LAND USE APPLICATION

□ APPROVED

DATE:

□ DENIED

AGENT:

#### PROPOSED PLACEMENT

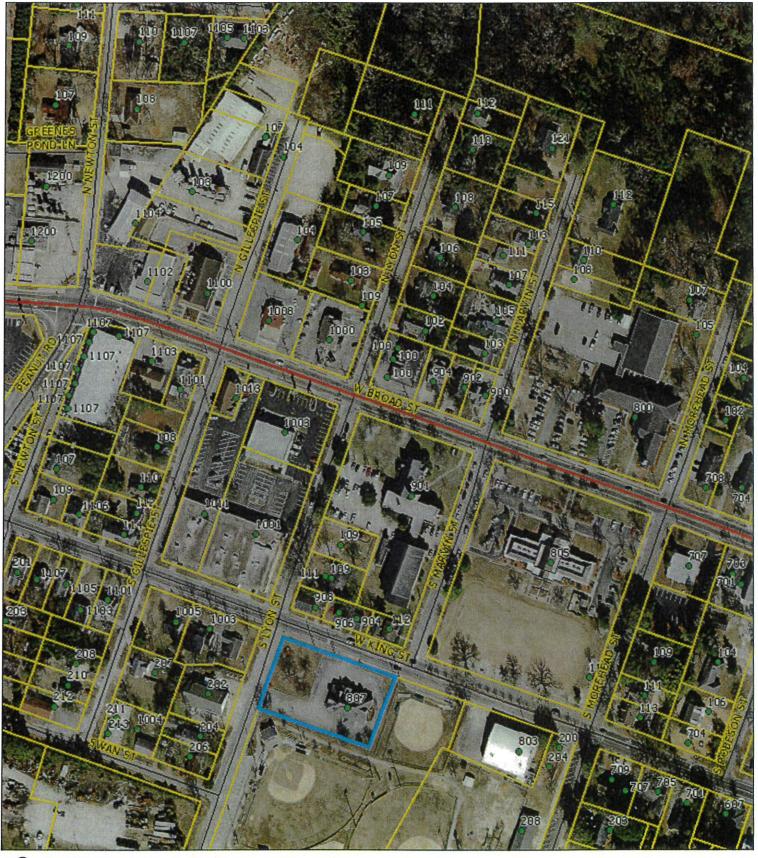
pplicant Name	<del> </del>	Parcel ID	
INSTRUCTIONS: Show a representative drawn buildings, ferices, landscaping, street right-of-war proposed placement location.	ng of the intended placem ay and any neighboring d	ent location in relation to any driv rives or street intersections within	reways, existing 150 feet of the
scale drawing of propos	SED PLACEMENT OF	unit on subject proper	<b>KT</b> W
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	PRHIMANY *STRUCTURE		
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ntended Use: Relocation of S	ign		
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	AUTHORIZATION	- Braining Asia, Nathanana Pro-Pro-Pro-Pro-Pro-Pro-Pro-Pro-Pro-Pro-	
reby affirm that I have full legal capacity to authorize the fillict to the best of my knowledge. The Authorized Signature ect property during the period of processing this Application. Planning and Development staff for a later schedule mitted and accepted by Planning and Development staff.	ing of this Application and the invites Town representative. Any application submitted to It is the applicant's re	es to make all reasonable inspection by the deadline date found to be	s and investigations of incomplete will be l
uthorized Signature: Lonettu MC	Castell	Dates	12-13-21
inted gnature: Lonette Mc	Caskell		



# PRESBYTERY OF COASTAL CAROLINA

807





PRESENTERRY THE OF COASTAL CARO

Deceriation DECIDENTIAL IMPROVED

PIN: 131219504457 Parcel #: 41576 Physical Address: Deeded Acres: 0.9 Account #: OwnerID Deed Book:354 Deed Page: 581

Plat Book: Plat Page:

0 90 180 360 540 Feet

BLADEN COUNTY GIS

DISCLAIMER:
The information gathered from
this site is for informationa
purposes only and the map(s)
printed from this site should NOT
be used as or in place of an
actual survey.The map(s)
should NOT be used in sales
or conveyances.

December 15, 2021

Generated by https://gis.bladenco.org



**10.23.10.** All Beacons and Spotlights. Illumination system(s) shall not contain or utilize any beacon, spot, search, or stroboscopic light or reflector which is visible from any public right-of-way or adjacent property, nor shall such lights be operated outside, under any circumstances, except by authorized agencies for emergency services purposes.

**10.23.11.** Flood lights shall not be utilized as a part of a sign illumination system which are not hooded or shielded so that the light source is not visible from any public right-of-way or adjacent property, nor shall any sign otherwise reflect or emit a glaring light so as to impair driver vision.

**10.23.12.** Any sign or sign structure that is structurally unsafe as determined by the Building Inspector.

**10.23.13.** No sign shall be attached to or painted on any telephone pole, telegraph pole, power pole, or other man-made object not intended to support a sign, nor on any tree, rock, or other natural object, except as specifically authorized herein (snipe signs).

**10.23.14.** Pavement markings except those of a customary traffic-control nature, as found in the Manual of Uniform Traffic Control Devices.

#### SECTION 10.24 SIGN AREA

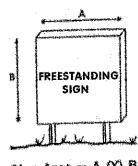
The surface area of a sign is computed as including the entire area within a parallelogram, triangle, circle, semi-circle, or other regular geometric figure, including all of the elements of the display, but not including blank masking (a plain strip, bearing no advertising matter around the edge of a sign), frames, display of identification or licensing officially required by any governmental body, or structural elements outside the sign surface. In the case of signs mounted back-to-back, only one side of the sign is to be included in the area. Otherwise, the surface area of each sign is to be separately computed. In the case of cylindrical signs, signs in the shape of cubes, or other signs, which are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces, is included in computations of area.

In the case of embellishments (display portions of signs extending outside the general display area), surface area extending outside the general display area is to be computed as part of the total surface area of the sign. If a sign is attached to an entrance wall or fence, only that portion of that wall or fence on which the sign face or letters are placed shall be calculated in the sign area.

#2



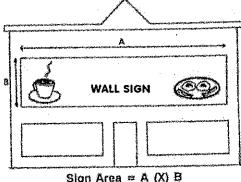
Sign Area = A (X) B



Sign Area = A (X) B



Sign Area = A(X)B



Sign Area = A (X) B



**WALL SIGN** Sign Area = A(X) B

STACKING SIGN STACKING SIGN

Sign Area = A (X) B + C (X) D + E (X) F

#### SECTION 10.25 DISTRICT SIGNS

#### 10.25.1. Residential District Signs (R-A, R-40, R-20, R-15, R-12M, R-12, and R-10).

- 10.25.1.1. Residential districts contain developments that may require signage. Such developments include, but are not limited to: Single-Family Subdivisions, Multi-Family Developments, Manufactured Home Parks, Churches, and Recreational Facilities. At any entrance to a subdivision or multi-family development, there may be not more than two (2) signs located at the entrance to a development comprised of two (2) or more lots. A single side of any such sign may not exceed sixteen (16) square feet in area, nor may the surface area of all such signs exceed thirty-two (32) square feet in area. Signs in residential districts shall not be more than four (4) feet tall.
- **10.25.1.2.** Additionally, home occupations may install one sign with an area of no greater than four (4) square feet. Home occupation signage shall be permanently fixed to the residence within which the home occupation resides.
- 10.25.1.3. For residentially zoned and used properties: Temporary signs not exceeding four (4) square feet in area, and three (3) feet in height if freestanding are allowed in all residential districts. The number of these signs is limited to one (1) per one hundred (100) feet, or fraction thereof, of lot frontage of all immediately adjacent public streets. In no event shall there be more than three (3) such signs allowed per lot. The temporary sign may be displayed up to fifteen (15) days prior to and fifteen (15) days following the specific event with which the sign is associated. Miscellaneous temporary use signs not tied or connected to a specific event may be displayed for up to sixty (60) calendar days without a zoning permit. Display for longer than 60 days will require issuance of a zoning permit.
- 10.25.1.4. For residentially zoned permitted non-residential uses: One freestanding sign or one wall sign per zoning lot of no more than thirty-two (32) square feet in area, with a maximum height of eight (8) feet if ground mounted or no higher than the roof line if wall mounted.

#### 10.25.2. Business Identification Sign Requirements.

Business identification signs shall be permitted only in the O-I, C-1, B-C, C-2, CBD, and I Districts, and shall be subject to the limitations of the table below. Marquee signs shall be permitted in the C-1, C-2, and B-C Districts (see Section 10.22.6). A-Frame signs shall be permitted in C-1, C-2, and B-C (see Section 10.22.7).

Table of E	Business Sign Requiremer	nts		
District	Number of Signs Permitted	Total Area of Signs Permitted (see Note 1)	Locational Requirements (see Note 2)	Additional Requirements
O-I	One (1) monument and wall sign per street frontage	Forty (40) square feet Wall signs shall be 10% of the wall area up to 40 square feet	Flat-mounted on building or 15 feet from property line If monument sign	The maximum height of freestanding sign is 15 feet Permitted illumination shall be non-flashing
C-1/C-2	One (1) projecting sign per street frontage or one pole or monument sign per street frontage	Two (2) square feet per linear foot of building frontage for projecting signs up to a maximum of 25 square feet or two (2) square feet per linear feet of lot frontage for freestanding signs up to a maximum of 120 square feet for monument signs and 100 square feet for pole signs.	Flat-mounted on building or two (2) feet from property line if freestanding  Projections and canopy signs shall be located so that the bottom edge of the sign is at least eight (8) feet above the sidewalk	Signs directing the public to off-street parking areas shall be limited to two (2) such signs per lot, provided further the size of each sign shall not exceed ten (10) square feet  The maximum height of a freestanding sign shall be twenty (20) feet for a pole sign and ten (10) feet for a monument sign
·	One (1) wall sign per building wall <u>AND</u>	10% of wall area up to a maximum of 100 square feet		A projecting sign may not project more than five (5) feet from the building wall
	One (1) entrance sign per building entrance, maximum size of four (4) square feet	Six (6) square feet for each entrance sign		The maximum height of an entrance sign shall be four (4) feet from ground level.
B-C	One (1) pole of monument sign per street frontage <u>AND</u>	Two (2) square feet per linear foot of lot frontage up to a maximum of 300 square feet	Flat-mounted on building or two (2) feet from property line if freestanding	The maximum height of a freestanding sign shall be thirty (30) feet for a pole sign and ten (10) feet for a monument sign
	One (1) wall sign per building wall	10% of the wall area up to a ≠ maximum of 200 square feet		Illumination shall be a fion-flashing

# MANAGER WILL NOW CONDUCT MEETING VIA ZOOM AND ZOOM CALL INFORMATION WILL BE DISTRIBUTED

## TOWN OF ELIZABETHTOWN PUBLIC HEARING NOTICE

Notice is hereby given that the Town of Elizabethtown Zoning Board of Adjustment will be conducting a Quasi-Judicial Public Hearing on January 18, 2022 at 7:00 p.m. for the purpose of considering a Sign Variance Request from Presbytery of Coastal Carolina (Variance Case #202185). All citizens wishing to present testimony and/or evidence for the Variance Request will need to sign-in prior to the meeting time of 7:00 p.m. The Zoning Board of Adjustment meeting will be held in the Town of Elizabethtown Municipal Building, 805 West Broad Street. All citizens attending the ZBA meeting are asked to wear a face covering and to practice social distancing.

Bobby Kinlaw, Chairman Zoning Board of Adjustment

PUBLICATION DATES – "BLADEN JOURNAL": December 31, 2021 and January 7, 2022

POSTED - "BLADENONLINE": January 7, 2022 - January 18, 2022

#E

#### **TOWN OF ELIZABETHTOWN**

#### CERTIFICATION OF NOTICE TO ADJACENT PROPERTY OWNERS

I, Rusty Worley, Director of Planning and Development, do hereby certify to the Zoning Board of Adjustment of the Town of Elizabethtown, that in accordance with the provisions of NCGS 160A-384, the owner(s) of the property involved in the Variance Request described below and the owner(s) of the parcels of land within 200 feet of the property involved in the Variance Request described, received a notice of the proposed Public Hearing Notice by First-Class Mail.

Case Number: VA-202185

Applicant: Presbytery of Coastal Carolina

Property Owner(s): Presbytery of Coastal Carolina

Variance Request: Variance of 10 Feet from 15 Foot Set-Back Requirement

**Adjacent Property Owners:** 

OWNER NAME	OWNER ADDRESS	CITY	STATE	ZIP CODE
Mary L. Monroe	P.O. Box 1142	Elizabethtown	NC	28337
Laundry Express, Inc.	P.O. Box 637	Elizabethtown	NC	28337
Melissa McNeil	1880 Cromartie Rd.	Elizabethtown	NC	28337
Joncar LLC	P.O. Box 674	Tabor City	NC	28463
Bliss Enterprises LLC	P.O. Box 535	Elizabethtown	NC	28337
Bliss Enterprises	P.O. Box 535	Elizabethtown	NC	28337
Bliss Enterprises	P.O. Box 535	Elizabethtown	NC	28337
Bladen County	P.O. Box 1048	Elizabethtown	NC	28337
Robert L. SummerlinIII	1603 Greenwood St.	Elizabethtown	NC	28337
Trinity United Church	P.O. Box 759	Elizabethtown	NC	28337
Cross Rentals LLC	103 Turtle Cove Dr.	White Lake	NC	28337
Thomas McCullum	202 S. Lyon Street	Elizabethtown	NC	28337
Thomas McCullum	202 S. Lyon Street	Elizabethtown	NC	28337
Devane Brothers LLC	P.O. Box 5	Elizabethtown	NC	28337

Rusty Worley, Director of Planning and Developmen	t Date
I, Juanita Hester, Town Clerk for the Town of Elizab described notifications were mailed on January 7, 20 with the Public Hearing information on January 9, 20	22, and the property was posted
Juanita Hester, Town Clerk	Date

#F

# ZOOM CALL INFORMATION FOR THE JANUARY 18, 2022 ZONING BOARD OF ADJUSTMENT MEETING AT 7:00 P.M.

# TOWN OF ELIZABETHTOWN PUBLIC NOTICE

This is notice that the Elizabethtown Planning Board Meeting for January 18, 2022 at 6:00 p.m. and the Elizabethtown Zoning Board of Adjustment Meeting at 7:00 p.m. on January 18, 2022 will be conducted virtually and will not be open to on-site visitors. The virtual meetings will allow the Elizabethtown Planning Board Members and Zoning Board of Adjustment Members to conduct the important business of municipal government while protecting the health and safety of the public and town staff. Members of the public may join the meetings through Zoom from computer, smart phone or dial-in.

Please see the following information in order to connect to the January 18, 2022 Elizabethtown Planning Board Meeting at 6:00 p.m. and the Elizabethtown Zoning Board of Adjustment Meeting at 7:00 p.m.:

#### Join Zoom Meeting -

https://us02web.zoom.us/j/83262793649?pwd=TzFVMUsvbm11c2tBa2llb245SVZ1Zz09

Meeting ID: 832 6279 3649

Passcode: 692575 One tap mobile

+13126266799,,83262793649#,,,,\*692575# US (Chicago)

+19294362866,,83262793649#,,,,\*692575# US (New York)

#### Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 832 6279 3649

Passcode: 692575

Find your local number: https://us02web.zoom.us/u/ky6Yr9i9k

With these virtual meetings, written comments may be made by submitting the comments to Town Clerk Juanita Hester either by email: <a href="mailto:jhester@elizabethtownnc.org">jhester@elizabethtownnc.org</a> or by depositing the written comments in an envelope appropriately marked and placed in the Town's Drive-through Drop-Box.

Sylvia Campbell, Mayor