



# CITY of MEDINA

## Board of Zoning Appeals

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### Board of Zoning Appeals

Meeting Date: May 9, 2019

Meeting Time: 6:00 pm

Present: Bert Humpal, Mark Williams, Sam Livingston, Rob Henwood, Jonathan Mendel, (Community Development Director), Sandy Davis (Administrative Assistant)

Absent: Brandilyn Fry, Paul Roszak

Mr. Williams made a motion to approve the minutes from the April 11, 2019 meeting as submitted. The motion was seconded by Mr. Henwood.

Vote:

Livingston	<u>Y</u>
Humpal	<u>Y</u>
Williams	<u>Y</u>
Henwood	<u>Y</u>
Approved	4-0

Mr. Williams made a motion to approve the minutes from the April 25, 2019 Special Meeting as submitted. The motion was seconded by Mr. Henwood.

Vote:

Livingston	<u>Y</u>
Humpal	<u>Y</u>
Williams	<u>Y</u>
Henwood	<u>Y</u>
Approved	4-0

Announcement: Mr. Mendel stated the Bowman Lane lot area that was presented at the Special Meeting on April 25<sup>th</sup>, some of the dimensions have changed to be accurate. Mr. Mendel stated the request will need to come back to the Board of Zoning Appeals for approval as the dimensions are substantially different since they were specifically in the motion that was approved.

The Court Reporter swore in all attendees, board, and staff.

New Business:

1. Z19-11    320 S Court                      Charles Marshall    VAR

Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is a Variance request from Section 1147.10(b) & (f) of the Planning and Zoning Code to permit a 560 square foot, 16 foot tall billboard on the building roof when a billboard is strictly prohibited and also a Variance request from Section 1147.14(d) of the Planning and Zoning Code to permit four 36 square foot wall signs when only two are permitted.

Mr. Mendel stated the property is located on the east side of the 300 block of South Court Street.

Mr. Mendel stated the applicant seeks variances from Sections 1147.10(b) & (f) and 1147.14(d) to brand the subject property and replicate the signage on the building during its period of significance (~1950-1970).

Mr. Mendel stated the proposed billboard sign is 16 feet tall and 560 sqft in sign area and located on the building's roof. Mr. Mendel stated billboard and rooftop signs are specifically prohibited. Mr. Mendel stated the applicant proposes four 36 sqft wall signs on the elevator penthouse where only two such signs are permitted.

Mr. Mendel stated the Board shall weigh the following factors to determine whether an area variance should be granted:

1. ***Construction of a conforming sign would obstruct the vision of motorists or otherwise endanger public health.***

Mr. Mendel stated construction of conforming signage could be designed for the subject property, but may not provide the prominence for such a uniquely located site. Mr. Mendel stated neither the proposed signage nor conforming signage would obstruct the vision of motorists or endanger public health.

2. ***A conforming sign would be blocked from the sight of passing motorists due to existing buildings, trees, or other obstructions.***

Mr. Mendel stated conforming signage could likely be designed for the subject property, but due the size, orientation, location and prominence of the property the proposed signage may provide better visibility.

3. ***Construction of a conforming sign would require removal or severe alteration to significant features on the site, such as removal of trees, alteration of the natural topography, obstruction of a natural drainage course, or alteration or demolition of significant historical features or site amenities.***

Mr. Mendel stated conforming signage could require the removal of parking spaces and/or be blocked by the existing building on the Court St. frontage, where the main pedestrian and vehicle entrance to the site is located.

4. ***A sign that exceeds the allowable height or area standards of this Ordinance would be more appropriate in scale because of the large size or frontage of the premises or building.***

Mr. Mendel stated the proposed signs are consistent with signage that was on the building during its period of significance (1950-1970). Mr. Mendel stated the size and prominence of the building and site, coupled with the unique location within the center of the City, could make the proposed signs appropriate given the specific nature of the subject site's location, history, orientation and prominence for the immediate neighborhood and the City in general.

5. ***The exception shall not adversely impact the character or appearance of the building, lot or the neighborhood.***

Mr. Mendel stated the proposed signs should not adversely impact the character or appearance of the building, site and neighborhood due to the historical nature and prominence of the subject site for the City of Medina.

6. ***The variance sought is the minimum necessary to allow reasonable use, visibility, or readability of the sign.***

Mr. Mendel stated conforming signage may not provide sufficient visibility and readability, due to an existing building and site orientation.

7. ***The variance will be consistent with the general spirit and intent of this Ordinance.***

Mr. Mendel stated sign regulations are established in the Planning and Zoning Code to promote clarity in sign communications; to balance sign communications; to promote a harmonious relationship between sign types, sign locations and land uses; and to protect the public health, safety and welfare from the hazards resulting from indiscriminate placement.

Mr. Mendel stated the BZA must weigh the above seven factors for the requested variance and determine if a practical difficulty exists that would merit variances from Section 1147.10(b) & (f) and 1147.14(d).

Present for the case was Charles Marshall, representative of owner, Beacon Farmer's Exchange.

Mr. Marshall stated they proposed the renovation of this building was approved by the State of Ohio Historic and the Federal Government National Park Service for Historic

Tax Credits. Mr. Marshall stated some of the photos submitted for the tax credits showed evidence of the billboard. Mr. Marshall stated the National Park Service has defined this as a very significant character of the building and would like it to be put back up. Mr. Marshall stated he knows the billboard does not meet the sign code but it is something the National Park Service wants put back on. Mr. Marshall stated they changed the FE logo, from what was originally there on the penthouse. Mr. Marshall stated it originally had Purina Dog Chow and other names. Mr. Marshall stated that was not added for copywrite reasons. Mr. Marshall stated he installed the red and white checkboard on the south side but it was too cold to be installed during the winter. Mr. Marshall stated they would like to keep it plain and simple. Mr. Marshall stated he likes the billboard design because it is simple. Mr. Marshall stated the sign is only addressing the building.

Mr. Marshall stated the billboard is 40 ft. long and starts 2 feet above the parapet so they are not blocking the parapet, and the sign height is 14 ft. which is exactly what was there before. Mr. Marshall stated the angle iron supports for the sign were still in the roof system. Mr. Marshall stated the sign was perfectly angled towards the square. Mr. Marshall stated now there is glass in the front and you can look down Court Street.

Mr. Marshall stated the sign will have a steel frame and angle supports on the back, south side. Mr. Marshall stated it will only have one face towards the square. Mr. Marshall stated it will be made of all-weather material with steel behind because of the wind.

Mr. Humpal asked if the checkboard considered part of the sign. Mr. Mendel stated no, in this case it is just an architectural decoration and not a sign.

Mr. Henwood suggested considering the two variances separately. Mr. Humpal stated he agrees. Mr. Henwood stated he is comfortable with the billboard and it is required for the tax credits. Mr. Henwood stated it does not get in the way of motorist vision and will not change the character of the neighborhood because it was something that was there before.

Mr. Williams stated he has no problem with the three signs due to the size of the building. Mr. Williams stated as for the billboard, just because it is historical does not mean it was a good idea then and he does not think it is a good idea now. Mr. Williams stated he does not like the character of it himself but he does not hate it enough to cause a fuss about it.

Mr. Marshall stated the only reason for the billboard is for the tax credits. Mr. Marshall stated the only reason the building is being renovated is because of the tax credits and they are contingent upon what is being required by the Park Service.

Mr. Williams asked the original content of the billboard. Mr. Marshall stated he does not know and he has not found a photo of the billboard in the archives.

Mr. Williams asked if there is any documentation reference from Federal or State Government with him this evening with regards to their dealings and their references. Mr. Marshall stated he has from the consultants who helped complete the application

which contains a couple statements for the National Park which stated "Medina Farmer's Exchange Company building scope of work has been approved by the National Park Service for compliance with the Secretary of Interior's Standards for rehabilitation, including the reinstatement of a roof mounted billboard at its historic location".

Mr. Williams stated he feels this is bullyish from the Federal and State Government because they are not the City of Medina. Mr. Williams stated he does understand the economic benefits and is very happy to see the building re-used as a historic structure in the City.

Mr. Humpal asked if the sign will be illuminated. Mr. Marshall stated yes, with ground mounted lights on the roof shining up at the billboard. Mr. Marshall stated the lights will be hidden by the parapet wall. Mr. Marshall stated all the lighting on the building was designed so the general public cannot see the light fixture itself at night. Mr. Marshall stated it will be lit all night with a photocell rather than a timer.

Mr. Mendel stated the code does not state any required dark period.

Mr. Jim Briola, Northcoast Sign & Lighting presented the proposed materials. Mr. Briola stated it is an acrylic with an aluminum laminate and it will be through bolted which will go right through the frame. Mr. Briola stated the graphics are 3M premium vinyl.

Mr. Henwood stated he is not as comfortable with all four signs on the elevator house. Mr. Henwood asked why the applicant cannot comply with the two signs requirement. Mr. Marshall stated the National Park Service and the State specifically mentioned the billboard but he would acquiesce to delete the FE logo on the elevator house on the penthouse. Mr. Henwood stated two FE's are fine but they would need to pick which 2 are most valuable. Mr. Marshall stated he would remove all of them and just leave the checkerboard as it was what was there with the penthouse originally. Mr. Marshall stated the FE logo is something that came with the building on a plywood sign on the top which was rotten on the west elevation of the penthouse. Mr. Marshall stated there is an FE on the billboard which is sufficient and states the logo that was on the building.

Mr. Humpal asked if the code would allow another variance on the penthouse. Mr. Mendel stated the applicant is permitted two on the penthouse on facades which have a public entrance, west and south facades of the elevator penthouse.

Mr. Marshall stated they have not submitted the sign package for the entire building which he thinks will meet the sign code. Mr. Marshall stated there were 3 signs on the west elevation that hung out the front of the building and they were neon. Mr. Marshall stated the requirement is they must reproduce in the exact location and size and type of those signs. Mr. Marshall stated he does not want to jeopardize the other signage on the building by putting two FE logos on. Mr. Marshall stated he is trying to get the next sign package approved by meeting all the signage regulations. Mr. Mendel stated he has not seen the sign package for the individual tenants yet. Mr. Mendel stated they building does not have to have any signage. Mr. Mendel stated the code is not a mandatory thing.

Mr. Mendel stated the west side has more ability to have more tenant signage. Mr. Mendel stated if the applicant wishes to remove the request for any of the signage on the elevator penthouse, it is fine. Mr. Humpal stated the applicant could remove it now and do 2 FE's without a variance later.

Mr. Marshall stated he would like to remove all four FE's. Mr. Mendel there is only one variance to be reviewed for the billboard as the second variance has been removed by the applicant.

Mr. Henwood made a motion to approve a variance request from Section 1147.10(b) & (f) of the Planning and Zoning Code to permit a 560 sq. ft., 16 foot tall billboard on the building roof at 320 S. Court Street as submitted based on the finding that it does not impact the vision of motorists or endanger public health and safety and it would not adversely impact the character or appearance of the building, lot, or neighborhood and it is prescribed by the Federal Rehabilitation Standards required for the State and Federal tax credit project.

The motion was seconded by Mr. Livingston.

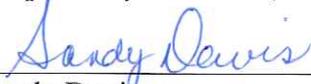
Vote:

Humpal	<u>Y</u>
Williams	<u>Y</u>
Livingston	<u>Y</u>
Henwood	<u>Y</u>
Approved	4-0

Mr. Mendel announced the parking garage at City Hall will be coming back to the Board of Zoning Appeals for review. Mr. Mendel stated the revised plans went out for bid and have an approximate 4 week timeframe for approval. Mr. Mendel stated part of the bid package is the parking spaces be 9 x 18 and the minimum allowed by code is 9 x 19.

Having no further business, the meeting was adjourned.

Respectfully submitted,

  
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Sandy Davis

  
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Bert Humpal, Chairperson