



CITY of MEDINA

Board of Zoning Appeals

Board of Zoning Appeals

Meeting Date: August 8, 2019

Meeting Time: 6:00 pm

Present: Bert Humpal, Paul Roszak, Rob Henwood, Brandilyn Fry, Jonathan Mendel, (Community Development Director), Sandy Davis (Administrative Assistant)

Absent: Mark Williams

Mr. Roszak made a motion to approve the minutes from the June 13, 2019 meeting as submitted. The motion was seconded by Mrs. Fry.

Vote:

Rozsak	<u>Y</u>
Humpal	<u>Y</u>
Henwood	<u>Y</u>
Fry	<u>Y</u>
Approved	4-0

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

Old Business: None

New Business:

1. Z19-14 Beacon Farmer's Exchange 320 S. Court Street VAR

Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is a Variance request to Section 1147.14(d) of the Planning and Zoning Code to allow three 26.67 sq. ft. projecting signs when projecting signs are not permitted. Mr. Mendel stated the property is zoned C -2, Central Business and is also regulated by the Transitional Corridor Overlay District and it is also a local historic landmark.

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

Mr. Mendel stated the proposed variance involves three 26.67 sqft projecting signs for three tenants of the development. Mr. Mendel stated these are proposed on the front

(west) façade of the building. Mr. Mendel stated the proposed signs are not permitted wall signs under the zoning code and are generally allowed to be 4 sq. ft. maximum.

Mr. Mendel stated the applicant has provided three configurations for the projecting signs. Mr. Mendel stated one configuration has a sign extending over the S. Court St. public right-of-way. Mr. Mendel stated if the requested variance was approved for the three signs configuration with the sign over S. Court St, the sign extending over the ROW would still require review and approval of a revocable use permit by the City of Medina City Council in order to install the sign.

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 has been 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 has been designed for the subject property, but, due the size, orientation, location and prominence of the property, the proposed projecting signs could provide more visibility to passing motorists.

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 has been proposed and did not require the removal or alteration of significant site features, etc.

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 the 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 1147.14(d).

Mr. Mendel stated he passed out comments from Main Street Medina regarding the variance request. Mr. Mendel stated he did not receive any comments from the Community Design Committee. Mr. Mendel stated Chairman Humpal asked Mr. Mendel to solicit comments from both organizations to take into consideration in reviewing the variance. Mr. Mendel stated the Historic Preservation Board, earlier this evening, did review the sign package and provided some commentary. Mr. Mendel stated the Historic Preservation Board felt the signage over the private property would be good from a historic preservation perspective and the triangle or centralized configuration may be more amenable than the three signs stacked in height.

Present for the case was Jim Briola, North Coast Sign & Lighting and also Patty Stahl, 4114 Beck Road, Medina, Ohio, part owner and first floor tenant of 320 S. Court Street.

Mrs. Stahl referred to the rendering with the projecting sign over the right of way. Mrs. Stahl stated this was the original signage locations in the period that we are replicating. Mrs. Stahl stated this building qualified for historic tax credits so the signage has been approved by the State Historic Preservation Office and meets their requirements. Mrs. Stahl stated this is the design they would like to use from a functionality standpoint. Mrs. Stahl stated Carnivore and Keller Meats are on the first floor and the Tap Room is

downstairs. Mrs. Stahl stated the sign configuration makes sense from a directional standpoint. Mrs. Stahl stated the entrance is centered on the west end of the building with a door that allows upstairs and downstairs access upon entering. Mrs. Stahl stated upstairs is Carnivore and Keller Meats and downstairs is the Tap Room.

Mrs. Stahl stated the same pole is still on the building where the original projecting signs were hung.

Jim Briola stated the original signs were cabinet signs with exposed neon letters. Mr. Briola stated these signs were designed to recreate the same idea with internally illuminated cabinet signs with red neon around the border on each sign. Mr. Briola stated it is to reflect the same 1950's and 1960's signage. Mr. Briola stated the neon will not be moving. Mr. Roszak asked if it will be a soft light internally. Mr. Briola stated it will be a very soft light on the interior because it has to co-exist with the neon and one cannot be brighter than the other. Mrs. Fry asked if neon is permitted by code. Mr. Mendel stated in this context, yes, if it is approved as part of this sign package, it is inclusive to the variance being requested.

Mr. Roszak asked if the board is to be making a determination, if they approve this variance, on which configuration. Mr. Mendel stated the board could do that or they could say they are allowed these 3 sized projecting signs in a configuration which is consistent with these 3 options. Mr. Mendel stated it could be left open for application by the applicant. Mr. Mendel stated the board could also choose a specific configuration.

Mr. Humpal stated the letter received from Main Street Medina specifies they prefer the configuration over the right of way and the Historic Preservation Board, earlier this evening, specified the triangle configuration. Mr. Roszak stated he agrees with the historic configuration.

Mr. Humpal stated he does not want to jeopardize the historic tax credit. Mrs. Fry stated amendments can be made to the application. Mrs. Fry stated if this is what was approved, it can be amended to SHPO as she has had to do that in the past. Mrs. Fry stated just because it went in that way doesn't mean that is the only way it will be accepted by SHPO. Mrs. Fry stated if the board says no to the right of way configuration, and proposed a different configuration, they can take it back to SHPO for approval. Mrs. Fry stated the board actually has authority over SHPO if the zoning doesn't allow it.

Mr. Humpal thanked Mrs. Fry for the clarification and stated he did not understand that at all.

Mrs. Stahl stated the Historic Preservation Board did not know the Tap Room was on the lower level or that this was the original signage configuration that SHPO was leaning towards.

Mrs. Stahl stated there are HVAC units on top of the room so it would require moving the existing pole up to make the signage work which would require more structural work.

Mr. Roszak asked how visible the HVAC units will be and is SHPO aware of it. Mrs. Stahl stated SHPO approved it. Mrs. Stahl stated the AC units for the first floor were originally going on the 4th story roof but they were required to move them and put them all inside the building.

Mr. Briola stated there would need to be guy wires to the end of the pole and bolted to the building to hold the weight of the signs.

Mrs. Fry asked the allowable sq. ft. for conforming wall signs on this building. Mr. Mendel stated it is 1 sq. ft. of signage per 1 linear foot of frontage which would come out to 62 square feet for the primary west wall. Mr. Mendel stated the proposed individual signs are 26.67 sq. ft. and are acting as wall signs. Mr. Mendel stated if they were flat on the building flat against the building, they would be compliant.

Mr. Henwood stated he would be more concerned if there were more signs over the right of way but he is ok with the one sign over the right of way.

Mr. Humpal stated City Council must approve the sign hanging over the right of way. Mr. Mendel stated it is a Revocable Use Permit and there is complete discretion for the City Council on the decision. Mr. Mendel stated the signage could not be installed until the Revocable Use Permit is approved. Mr. Mendel suggested making a motion which includes an alternate configuration if the Revocable Use Permit is not granted for the sign over the right of way.

Mr. Henwood made a motion to approve a variance request to Section 1147.14(d) of the Planning and Zoning Code to allow three 26.67 sq. ft. projecting signs in the configuration with the one sign over the public right of way and the remaining two signs on the existing pole on the west façade as submitted when projecting signs are not permitted based on the finding that it does not adversely impact the character or appearance of the building or neighborhood and it is consistent with the general spirit and intent of the ordinance. Mr. Henwood stated the approval is subject to the following:

If the revocable use permit is not approved by City Council for the sign hanging over the right of way, the sign can be moved into a different configuration with the other two signs over the private property.

The motion was seconded by Mr. Roszak.

Vote:

Humpal	<u>Y</u>
Fry	<u>Y</u>
Rozzak	<u>Y</u>
Henwood	<u>Y</u>
Approved	4-0

Having no further business, the meeting was adjourned.

Respectfully submitted,

Sandy Davis

Sandy Davis

Bert Humpal

Bert Humpal, Chairperson