



CITY of MEDINA

Board of Zoning Appeals

Organizational Meeting

Board of Zoning Appeals

Meeting Date: January 14, 2016

Meeting Time: 6:00 pm

Election of Officers:

Mr. Klink made a motion to retain Bert Humpal as Chairman and to retain Mark Williams as Vice Chairman. The motion was seconded by Mr. Bigam.

Vote:

Klink	<u>Y</u>
Bigam	<u>Y</u>
Williams	<u>Y</u>
Humpal	<u>Y</u>
Approved	4-0

Mr. Humpal swore in new Alternate's Paul Roszak and Rob Henwood, and reappointed Mark Williams for board member.

Present: Bert Humpal, Kris Klink, Mark Williams, Jim Bigam, Paul Roszak, Rob Henwood, Jonathan Mendel, (Community Development Director), Justin Benko (Associate Planner), Sandy Davis (Administrative Assistant)

Absent: Mark Pinskey

Minutes: Mr. Bigam made a motion to approve the minutes from the November 12, 2015 meeting as submitted. Mr. Williams seconded the motion.

Vote:

Bigam	<u>Y</u>
Klink	<u>Y</u>
Williams	<u>Y</u>
Humpal	<u>Y</u>
Approved	4-0

Announcements: None

Old Business: None

New Business:

1. Z16-01 229 Harding St. Razor Carwash VAR
Mr. Benko gave a brief overview of the case. Mr. Benko stated this is a variance request from Section 1147.14(C) of the Planning and Zoning Code to allow a second wall sign to be installed on the side of the building.

Mr. Benko stated the building is located on the north side of Harding Street, west of N. Jefferson Street and east of N. Court Street.

Mr. Benko stated Razor Carwash is located on the east edge of the AMF Medina Lanes Bowling Alley parking lot. Mr. Benko stated a new owner purchased the carwash and is making upgrades to the site. Mr. Benko stated there is currently a wall sign fronting the parking lot facing west. Mr. Benko stated the Planning and Zoning Code Section 1147.14(C) allows for one wall sign, awning or canopy sign. Mr. Benko stated the applicant is seeking a variance to allow for a second wall sign at the property fronting Harding Street façade which has not been taken down to date; had the applicant not installed the wall sign on the west facing wall, the proposed sign would have been compliant in sign area.

Mr. Benko stated when a sign variance is requested, as in this case, a practical difficulty must exist. Mr. Benko stated there are seven factors that the BZA should consider when evaluating whether or not a practical difficulty exists. Mr. Benko stated these factors are outlined below, along with a discussion of how these factors apply to the application in question. Mr. Benko 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.*

Construction of a conforming sign would not obstruct vision of motorists. The variance request is for a secondary wall sign.

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

Mr. Benko stated conforming signage would not be blocked from the sight of passing motorists due to existing trees or other obstructions. The wall sign would be visible primarily by motorists traveling on N. Broadway Street.

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.*

Conforming signage would not require removal or severe alteration to any significant features on the site.

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. Benko stated the variance request does not affect the size of the sign. Mr. Benko stated the previous owner had the wall sign for the carwash fronting Harding Street, which has yet to be removed, but did not have signage on the west façade. Mr. Benko stated the applicant received a permit for a wall sign for the west façade. Mr. Benko stated the second wall sign may be appropriate because it would be a continuation of the wall sign fronting Harding Street and would be visible by motorists traveling on N. Broadway Street.

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

Mr. Benko stated the second wall sign may appear consistent with the building and the neighborhood. Mr. Benko stated there is a second tenant space in the carwash building with a wall sign facing west; the applicant was granted a sign permit for their west facing carwash wall sign. Mr. Benko stated the existing wall sign fronting Harding Street has yet to be removed. Mr. Benko stated replacing that sign with a new channel letter sign will be a significant improvement on that side of the building.

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

Mr. Benko stated the variance sought may be the minimum necessary for the second wall sign.

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

Mr. Benko 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. Benko stated the BZA must weigh the above seven factors for the requested variance and determine if a practical difficulty exists that would merit a variance from code section 1147.14(c).

Present for the case was Jim Briola from North Coast Sign & Lighting and also Brad Kennard, owner of Summit Laserwash.

Mr. Briola stated the main reason for the variance request is because the sign on the front of the building is set far back from N. Court Street and there are many other signs in that area and parking which makes it very difficult to see that far back, especially when it is parallel to the road. Mr. Briola stated the applicant is hoping the sign will give the carwash more visibility. Mr. Briola stated Brad has investment a large amount of money for equipment and improvements to the building.

Mr. Kennard stated he is converting one of the self-serve bays into an in-bay automatic. Mr. Humpal asked if the neighbors were notified. Mr. Benko verified that they were notified.

Mr. Klink asked if the letters that are up now and facing west are illuminated. Mr. Kennard stated yes. Mr. Klink asked if the proposed south facing letters will be illuminated. Mr. Briola stated they will also be illuminated.

Mr. Humpal asked for the appropriateness of the ground sign and the building sign on Harding Street. Mr. Benko stated they code allows a ground sign and also a wall sign.

Mr. Humpal asked the height limits of the ground sign. Mr. Benko stated he does not have the measurements of the ground sign. Mr. Benko stated the sign panel has been there quite a long time. Mr. Mendel stated it is probably over six feet tall but is a pre-existing non-conforming sign. Mr. Mendel stated the wall sign being proposed does not have an effect on that unless the board decided to make it part of the request.

Mr. Williams asked the maximum allowable height of the ground sign. Mr. Benko stated it is six feet.

Mr. Briola stated the existing ground sign is non-illuminated panels with two posts and has at least three business names.

Mr. Williams asked if the two vinyl signs are coming down and similar signage will replace them. Mr. Briola stated that is correct.

Mr. Williams stated he has no problem with the sign request.

Mr. Klink stated he has a concern about the house across the street having the illuminated sign shining into the windows. Mr. Briola stated he can put a dimmer on the sign.

Mr. Klink made a motion to approve a variance to Section 1147.14(C) of the Planning and Zoning Code to allow a second wall sign to be installed on the side of the building subject to a dimmer being added to the sign on the south side of the building. Mr. Klink stated the approval is based on the finding that the exception shall not adversely impact the character or appearance of the building or lot, or neighborhood.

Mr. Williams seconded the motion. Mr. Klink amended his motion to include that the sign will be dimmed at 11:00 pm. Mr. Williams seconded the amended motion.

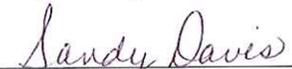
Vote:

Humpal	<u>Y</u>
Klink	<u>Y</u>
Rozak	<u>Y</u>
Bigam	<u>Y</u>
Williams	<u>Y</u>
Approved	5-0

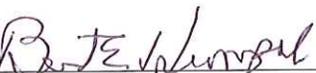
Mr. Bigam announced that he is resigning from the board effective this evening. Mr. Bigam thanked the city for allowing him to serve.

Having no further business, the meeting was adjourned.

Respectfully submitted,



Sandy Davis



Bert Humpal, Chairman