

**MEETING DATE: 04-14-16**

# **BOARD OF ZONING APPEALS**

**Z16-11**

**795 Miner Drive**



**CITY of MEDINA**  
**Board of Zoning Appeals**  
**April 14, 2016 Meeting**

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**Case No:** Z16-11

**Address:** 795 Miner Drive

**Applicant:** Stuart Friedman

**Subject:** Variance request from Section 1147.12 (B) of the Planning and Zoning Code allow two ground signs to be 32 feet in area and 7.5 feet high which exceeds the code requirements of 20 square feet in area and 6 feet high.

**Zoning:** R-4 Multi-Family Residential

**Submitted by:** Justin Benko, Associate Planner

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**Site Location:**

The property extends from the the west side of Miner Drive south of Birch Hill Drive to the eastside of State Road. The property is adjacent to R-4 zoning to the north, I-1 zoning to the west and south, and R-2 zoning to the east.

**Project Introduction:**

There are currently 16 apartment buildings and 1 office building at the nearly 6 acre site. The site has undergone significant upgrades over the past year that are nearing completion. The applicant has submitted a variance to allow for 2 new ground signs that exceed the size and height code requirements that are consistent with the rebranding of the apartment complex.

Please find attached to this report:

1. Sign rendering
2. Aerial site photograph
3. Letter from Applicant

JB

**Considerations:**

§1107.08(b) of the Medina Planning and Zoning Code describes the responsibilities of the Board of Zoning Appeals as such: Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provisions of this chapter, the Board shall have the power, in a specific case, to interpret any such provision in harmony with its general purpose and intent so that the public health, safety, and general welfare may be secured and substantial justice done.

When a sign variance is requested, as in this case, a practical difficulty must exist. There are seven factors that the BZA should consider when evaluating whether or not a practical difficulty exists. These factors are outlined below, along with a discussion of how these factors apply to the application in question. 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 conforming signage would not obstruct vision of motorists.

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

Conforming signage would not be blocked from the sight of passing motorists due to existing trees or other obstructions.

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.***

Due to the size of the site, the larger signs may appear appropriate in scale. The location of the State Road entrance sign is proposed at 15 feet off of the right of way and the Miner Drive entrance sign is proposed at 11 feet off of the right of way. The proposed locations exceed the minimum required setbacks by more than 115%. The increased setbacks may help the signs to appear more appropriate contextually with the site.

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

The variance may not adversely affect the character of the neighborhood. The sign for the Miner Drive entrance is proposed for 11 feet from the inside edge of the sidewalk.

The property is zoned R-4 residential. R-4 zoning limits the sign area to 20 square feet. The sign proposed for the State Road entrance is adjacent to I-1 properties to the west and south. Signs in the I-1 district are able to be 40 square feet in area; therefore, the sign may appear more consistent with the neighborhood.

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

The variance sought may not be the minimum necessary for the ground signs. The brick posts could be reduced so that the sign meets the code height requirements.

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

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.

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 1147.12(b).

To: The City of Medina

CC:

From: Stu Friedman

Date: March 24<sup>th</sup>, 2016

Re: ***Monument Signs***

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The Applicant is requesting a variance to construct two (2) free-standing, ground, monument signs in excess of the requirements of Chapter 1147.12.B of the Code. One sign would be placed precisely in the same position as the current sign at the Miner Road entrance of the property. It will become a two-sided sign and be well landscaped. The other sign at the State Road entrance will replace the existing sign but be relocated closer to State Road to increase visibility of the re-branded apartment complex.

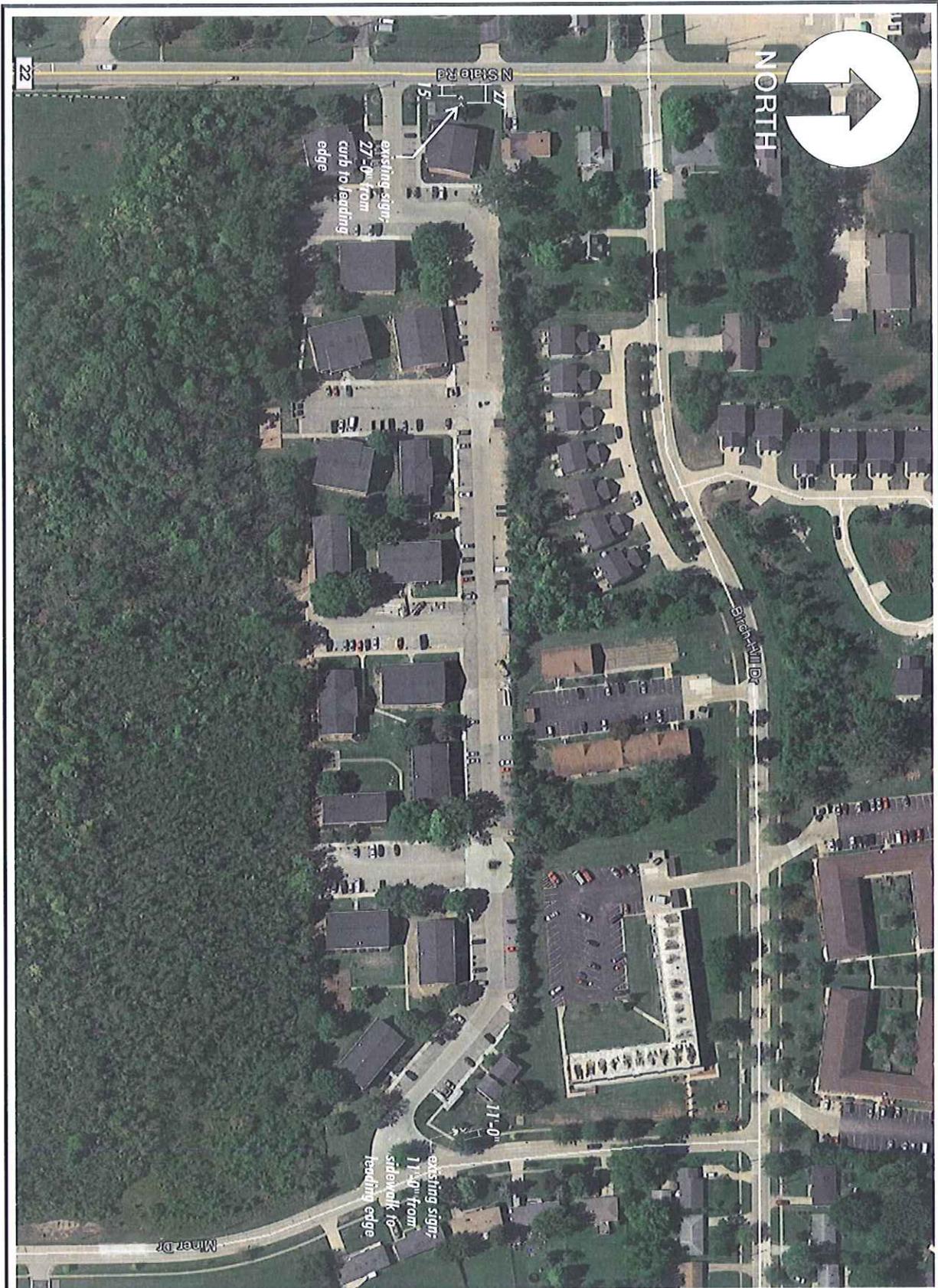
This large property is zoned Residential but has different aesthetics at each entrance. Especially at State Road, the surrounding context is institutional and signs along the corridor and the proposed sign would comply with those criteria. It would be in context with those signs. Given the size and scope of the development and the upgrade and more than \$2 million investment is worthy of a sign that is only slightly larger than required by the existing code but would be compliant along State Road if it's zoning district matched the surrounding properties at that western entrance.

Similarly, the Miner Road sign won't be out of character either. There is a large nursing facility almost across the street, vacant property to the south and another multi-family to the north. So, again, there is less context for residential although there are a few single family homes across the street. However, we feel that the character, again, of a sizable development of scale is meritorious of a sign in a commercial district. The property is essentially a commercial development.

Therefore, we humbly request a variance to construct a sign of approximately 32 square feet with support provided by 8 foot high stone columns. Thank you in advance for your consideration of this request.

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2016  
MAR 28 2016

BY: .....



NOTE: due to printer limitations, colors shown may not exactly match specified. Refer to material charts for true colors.

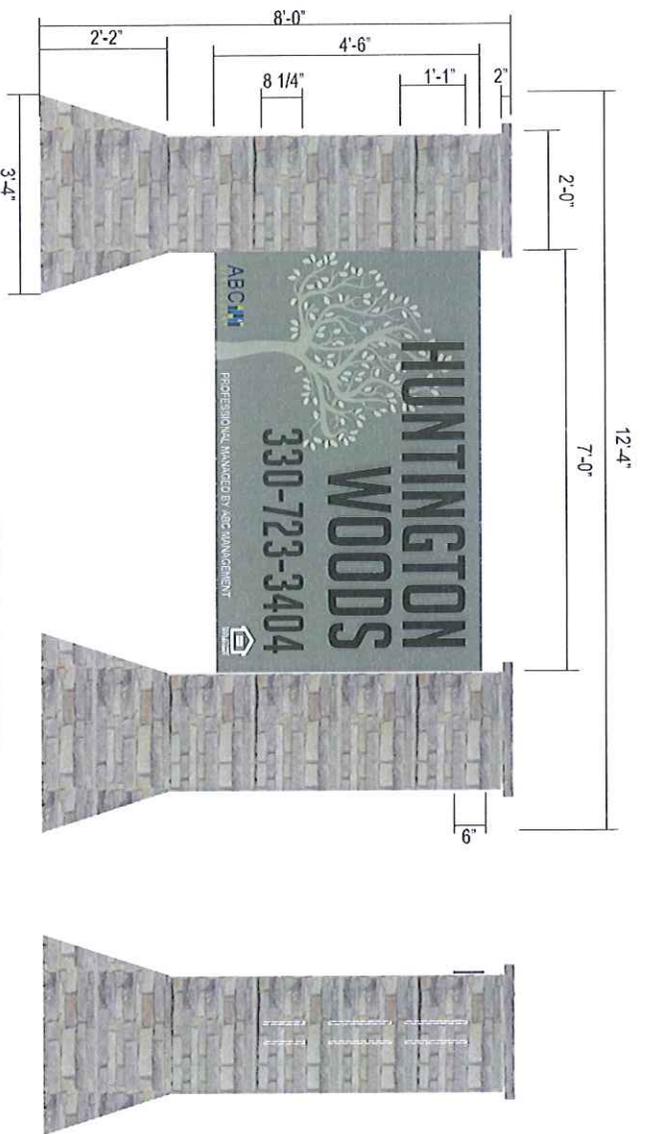


# Brilliant Electric Sign Co., Ltd.

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COMPANY NAME	<i>Huntington Place</i>	SALESMAN	<i>LR</i>	DATE	<i>3-29-16</i>	REVISION	DESIGN NO.
LOCATION	<i>795 Miner Road, Medina, Ohio</i>	DESIGNER	<i>DM</i>	SCALE	<i>NTS</i>		COPYRIGHT © <i>2016</i>
FILE NAME						<i>I:/murph/huntington place SP</i>	



not to scale