

MEETING DATE: 12-8-16

BOARD OF ZONING APPEALS

Z16-28

108 Public Square



CITY of MEDINA
Board of Zoning Appeals
December 8, 2016 Meeting

Case No: Z16-28

Address: 108 Public Square

Applicant: Dragan Tomic – Amuze Euro Bistro

Subject: Variance request from Section 1147.15 (C) of the Planning and Zoning Code allow a second 22.9 square feet wall sign to be installed on the side of the building

Zoning: C-2 Central Business District

Submitted by: Justin Benko, Associate Planner

JB

Site Location:

The storefront is located on the north side of Public Square, west of Marie’s Café and east of 4 Ladies and More.

Project Introduction:

The applicant received conditional sign approval from the Historic Preservation Board for a wall sign that has been installed on the front of the building. An identical wall sign was installed on the side of the building that was not granted approval. The applicant is seeking conditional sign approval for the wall sign on the side of the building at the December 8, 2016 Historic Board meeting. Planning and Zoning Code Section 1147.15(C) allows for one wall, awning or canopy sign. A second wall sign is permitted on a secondary frontage; however, the east facing wall fronts a parking lot and not a street. The applicant is seeking a variance for the second wall sign.

Please find attached to this report:

1. Sign rendering
2. Aerial site photograph

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

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. The wall sign would be visible across an open, private parking lot.

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.***

The variance request does not affect the size of the sign. The sign is identical to the approved sign on the front of the building.

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

The second wall sign may not adversely affect the character of the building or neighborhood. Due to the location, the wall sign is really only visible to pedestrians and vehicles using the adjacent parking lot.

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

The variance sought is the minimum necessary because a second wall sign is not permitted at this site.

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 1147.15(c).

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