

MEETING DATE: 2-8-18

BOARD OF ZONING APPEALS

Z17-11

970-998 N. Court



CITY of MEDINA
Board of Zoning Appeals
February 8, 2018 Meeting


Case No: Z17-11 continued from September 14, 2017 & November 9, 2017 & December 14, 2017

Address: 970-998 N. Court Street

Applicant: North Coast Signs representing North Point LLC

Subject: Variance request from Section 1147.14 (C) of the Planning and Zoning Code to allow an 80 sqft, 15 foot tall and one support permanent pole sign for a shopping center less than 50,000 sqft in floor area where only a 40 sqft, 6 foot tall ground sign is permitted and to permit an electronic message center as part of the sign when an electronic message center is not permitted.

Zoning: C-3 General Commercial

Submitted by: Jonathan Mendel, Community Development Director 

Background:

At the September 14, 2017 Board of Zoning Appeals meeting, the applicant requested a variety of sign variances to permit a new ground sign to replace the existing multi-tenant sign for North Point Plaza due to its removal as part of the Route 42/North Court St. widening project. The Board of Zoning Appeals reviewed the request and discussed the merits of the proposed sign against the sign variance review criteria. During the discussion, the applicant requested to continue the review in order to reevaluate the extent and scope of the requested sign plan and variances. The applicant provided alternative plans and narrative argument, which were reviewed by the BZA.

The applicant returned at the November 9, 2017 meeting and there was discussion and review of revised plans and exhibits. After lengthy discussion, the applicant requested and was granted an additional continuance to permit time to consult with owner.

The applicant returned to the December 14, 2017 meeting to further discuss the request and had additional discussion with the BZA. The applicant again requested a continuance to the January 11, 2018 meeting to consult with the property owner. At the January 11, 2018 meeting, the applicant/property owner requested a further continuance

to the February 8, 2018 meeting citing the inability of the property owner to attend the January 11, 2018 meeting. The BZA granted the continuance to the February 8, 2018 date.

For the February 8, 2018 meeting, the applicant has provided an alternative sign plan, which is included in the packet. As for staff commentary, the project plan/scope has not changed significantly, so below are the seven sign variance review criteria for additional review.

Please find attached to this report:

1. Revised sign design exhibit received January 25, 2018
2. Z17-11 December 14, 2017 packet
3. Z17-11 December 14, 2017 meeting minutes

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.*
2. *A conforming sign would be blocked from the sight of passing motorists due to existing buildings, 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.*
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.*
5. *The exception shall not adversely impact the character or appearance of the building or lot or the neighborhood.*

6. *The variance sought is the minimum necessary to allow reasonable use, visibility, or readability of the sign.*
7. *The variance will be consistent with the general spirit and intent of this Ordinance.*

Revised sign design
exhibit received January
25, 2018

96x98.5"=65.67'SQ.

PHONE: 330.723.2376
FAX: 330.722.2843
NICK OR JIM
@SIGNANDLIGHT.COM



NORTH COAST
SIGN & LIGHTING
SERVICE INC.

96" (8')

RECEIVED
JAN 25 2018

BT:

HARBOR FREIGHT TOOLS	
Buehler's	STATE LIQUOR AGENCY
SUBWAY	MEDINA AUTO TITLE
STATE OF OHIO LICENSE BUREAU	STATE OF OHIO TESTING FACILITY
DIGITAL READER 6" TEXT SHOWN	

98.5" (8'2.5")

48" (4')

72" (6')

NOTES: - NEW PYLON SIGN



JOB: - NORTH POINTE PLAZA
ADDRESS: - PEARL RD MEDINA
CONTACT: - JOE
PHONE: - ?
FAX: -
EMAIL: - JIMGLORINI@ATTNET
DATE: - 9 JAN 2018

ALL DRAWINGS ARE THE PROPERTY OF NORTH COAST SIGN & LIGHTING SERVICES, INC. AND ARE TO BE USED FOR CONCEPTUAL PURPOSES ONLY UNTIL SIGNED AND DATED BY PROJECT MANAGER AND CUSTOMER. ANY OTHER USE IS PROHIBITED.

CUSTOMER APPROVAL SIGNATURE: _____

LANDLORD APPROVAL SIGNATURE: _____

Z17-11 December 14,
2017 packet

MEETING DATE: 12-14-17

BOARD OF ZONING APPEALS

Z17-11

970-998 N. Court



CITY of MEDINA
Board of Zoning Appeals
December 14, 2017 Meeting


Case No: Z17-11 continued from September 14, 2017 & November 9, 2017

Address: 970-998 N. Court Street

Applicant: North Coast Signs representing North Point LLC

Subject: Variance request from Section 1147.14 (C) of the Planning and Zoning Code to allow an 80 sqft, 15 foot tall and one support permanent pole sign for a shopping center less than 50,000 sqft in floor area where only a 40 sqft, 6 foot tall ground sign is permitted and to permit an electronic message center as part of the sign when an electronic message center is not permitted.

Zoning: C-3 General Commercial

Submitted by: Jonathan Mendel, Community Development Director 

Background:

At the September 14, 2017 Board of Zoning Appeals meeting, the applicant requested a variety of sign variances to permit a new ground sign to replace the existing multi-tenant sign for North Point Plaza due to its removal as part of the Route 42/North Court St. widening project. The Board of Zoning Appeals reviewed the request and discussed the merits of the proposed sign against the sign variance review criteria. During the discussion, the applicant requested to continue the review in order to reevaluate the extent and scope of the requested sign plan and variances. The applicant provided alternative plans and narrative argument, which were reviewed by the BZA.

The applicant returned at the November 9, 2017 meeting and there was discussion and review of revised plans and exhibits. After lengthy discussion, the applicant requested and was granted an additional continuance to permit time to consult with owner.

As for staff comment, the project plan/scope has not changed from the November 9, 2017 meeting, so below are the seven sign variance review criteria for additional review.

Please find attached to this report:

1. Z17-11 November 9, 2017 packet
2. Z17-11 November 9, 2017 draft meeting minutes

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.

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5. *The exception shall not adversely impact the character or appearance of the building or lot or the neighborhood.*
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7. *The variance will be consistent with the general spirit and intent of this Ordinance.*

Z17-11 November 9,
2017 packet

MEETING DATE: 11-9-17

BOARD OF ZONING APPEALS

Z17-11

970-998 N. Court



CITY of MEDINA
Board of Zoning Appeals
September 14, 2017 Meeting


Case No: Z17-11 continued from September 14, 2017

Address: 970-998 N. Court Street

Applicant: North Coast Signs representing North Point LLC

Subject: Variance request from Section 1147.14 (C) of the Planning and Zoning Code to allow an 80 sqft, 15 foot tall and one support permanent pole sign for a shopping center less than 50,000 sqft in floor area where only a 40 sqft, 6 foot tall ground sign is permitted and to permit an electronic message center as part of the sign when an electronic message center is not permitted.

Zoning: C-3 General Commercial

Submitted by: Jonathan Mendel, Community Development Director 

Background:

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The applicant has developed an alternative plan and narrative argument which is included in the packet. As for staff commentary, the project plan/scope has not changed significantly, so below are the seven sign variance review criteria for additional review.

Please find attached to this report:

1. Revised narrative and sign comparison exhibit received October 25, 2017
2. Z17-11 September 14, 2017 packet
3. Z17-11 September 14, 2017 draft meeting minutes

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.

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6. *The variance sought is the minimum necessary to allow reasonable use, visibility, or readability of the sign.*
7. *The variance will be consistent with the general spirit and intent of this Ordinance.*

Revised narrative and sign
comparison exhibit received
October 25, 2017



WWW.SIGNANDLIGHT.COM OFFICE@SIGNANDLIGHT.COM

Reference:
North Pointe Plaza
970-990 N. Court St.
Medina, OH 44256

RECEIVED
OCT 25 2017

BY:

Do to the widening of State Route 42 / N. Court St. and the establishing of a new right-of-way line and set back requirements, the existing tenant sign will have to be moved. The current sign code will only permit a 40 sq. ft. tenant sign for a plaza of this size. The literal application of the provisions of the code will result in unnecessary hardship to the businesses in the plaza.

HARDSHIP:

1. The recent addition of (2) buildings located on N. Court St. in the front of the shopping center block the view of the stores in the shopping plaza. The buildings will also block the view of the new tenant sign which will be set back even further.
2. The Ohio Auto Title, License Services and Drivers Exam store fronts are located in a remote area around the side of the plaza facing south, well out of the sight of drivers looking for their location. This puts them at a particular disadvantage.

The granting of this variance for an 80 sq. ft. tenant directory sign with a small digital reader sign will not be materially detrimental to the public welfare or be injurious to this property or to the abutting property owners. The proposed tenant sign is designed in style and in proportion to the shopping center building architecture.

The granting of this variance will benefit the community by helping prospective clients find the stores in the plaza and the B.M.V. and by stimulation commerce along the entire commercial North Court corridor.

Z17-11 September 14, 2017
packet

MEETING DATE: 9-14-17

BOARD OF ZONING APPEALS

Z17-11

970-998 N. Court St.



CITY of MEDINA

Board of Zoning Appeals

September 14, 2017 Meeting


Case No: Z17-11

Address: 970-998 N. Court Street

Applicant: North Coast Signs representing North Point LLC

Subject: Variance request from Section 1147.14 (C) of the Planning and Zoning Code to allow an 80 sqft, 15 foot tall and one support permanent pole sign for a shopping center less than 50,000 sqft in floor area where only a 40 sqft, 6 foot tall ground sign is permitted and to permit an electronic message center as part of the sign when an electronic message center is not permitted.

Zoning: C-3 General Commercial

Submitted by: Jonathan Mendel, Community Development Director 

Site Location:

The property is located near the intersection of North Court St. and Northland Dr. on the east side of the 900 block of North Court St.

Project Introduction:

The subject site is a 40,000 square foot, multi-tenant shopping center at the site that consists primarily of retail and office uses. There is a legal nonconforming shopping center sign at the site which will be removed as part of the State of Ohio widening of N. Court Street. The applicant seeks a variance from several parts of Section 1147.14(c) to replace the existing sign with a new sign. Since this shopping center is less than 50,001 sqft, it is not allowed a shopping center pole sign under Section 1147.14(c) and is only permitted one 40 sqft, 6 foot tall ground sign. Additionally, an electronic message center (EMC) sign is not permitted for shopping center signs. The variance request is to permit to have an 80 sqft, 15 foot tall, one support pole sign and including an electronic message center.

Please find attached to this report:

1. Sign rendering and site plan dated August 22, 2017
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.

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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.

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

Conforming signage may not be blocked from the sight of passing motorists due to existing buildings, 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 severe alteration to significant site features.

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 proposed sign is not more appropriate in scale than a conforming sign.

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

The existing sign is a legal non-conforming sign that will be removed as part of the N. Court Street widening. The new sign could be considered as continuing the status quo of the immediate 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 to meet the applicant's purposes as the requested variance includes three separate noncompliant details – 80 sqft instead of 40 sqft max, one support design when two supports are required and include an electronic message center although it is not permitted.

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 1147.14(c).

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96x120"=80'SQ.

96" (8')



15' OVERALL HEIGHT

120" (10')



20"VO
 24"VO
 12"VO
 12"VO
 12"VO
 16"VO

60" (5')

72" (6')

EXTEND GRASSY AREA

NOTES: - NEW PYLON SIGN

JOB: - NORTH POINTE PLAZA
 ADDRESS: - PEARL RD MEDINA
 CONTACT: - JOE
 PHONE: - ?
 FAX: -
 EMAIL: - JMIGLIORINI@ATT.NET
 DATE: - 1 AUGUST 2017

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CUSTOMER APPROVAL SIGNATURE: _____
 LANDLORD APPROVAL SIGNATURE: _____

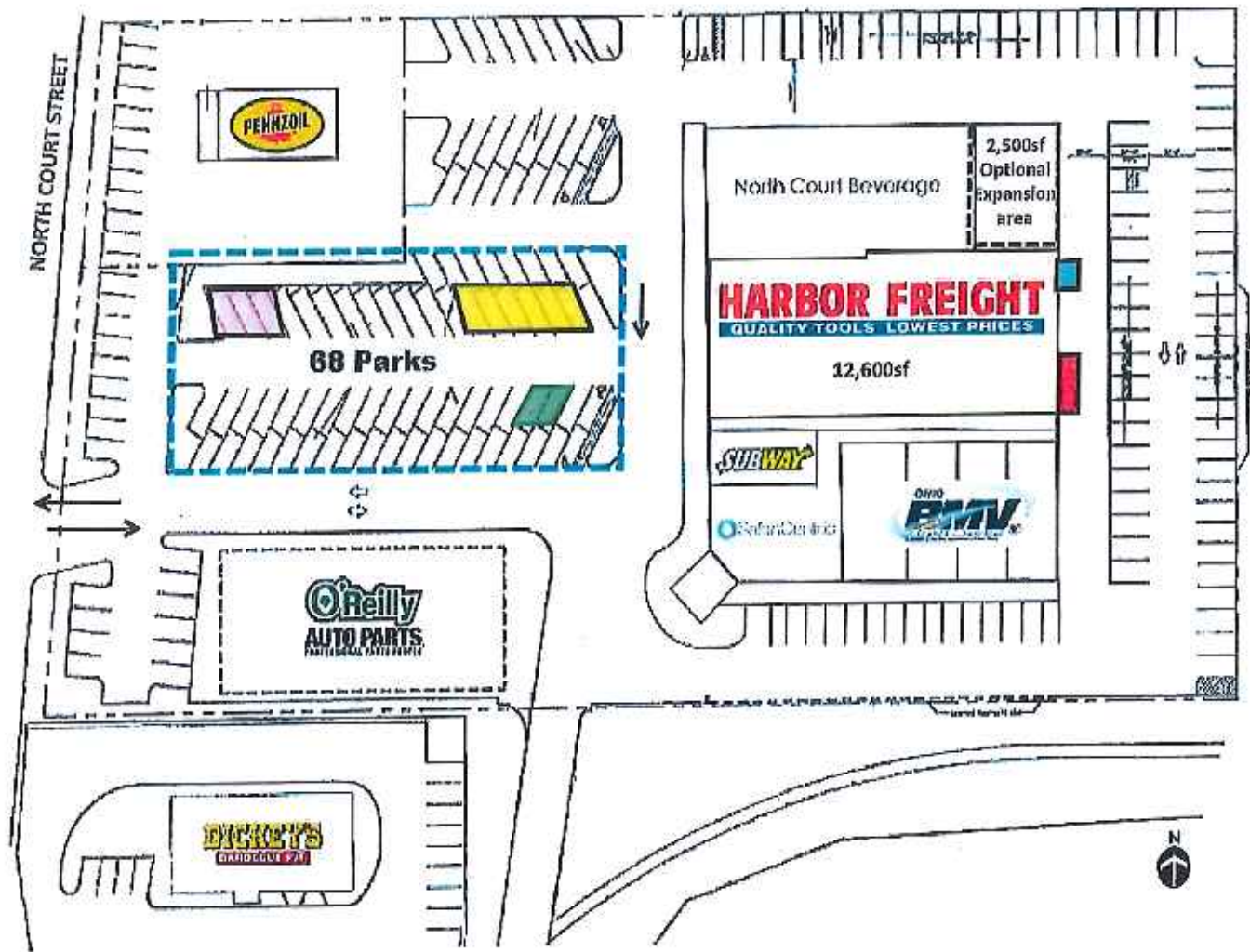
RECEIVED
 AUG 22 2017

BY:

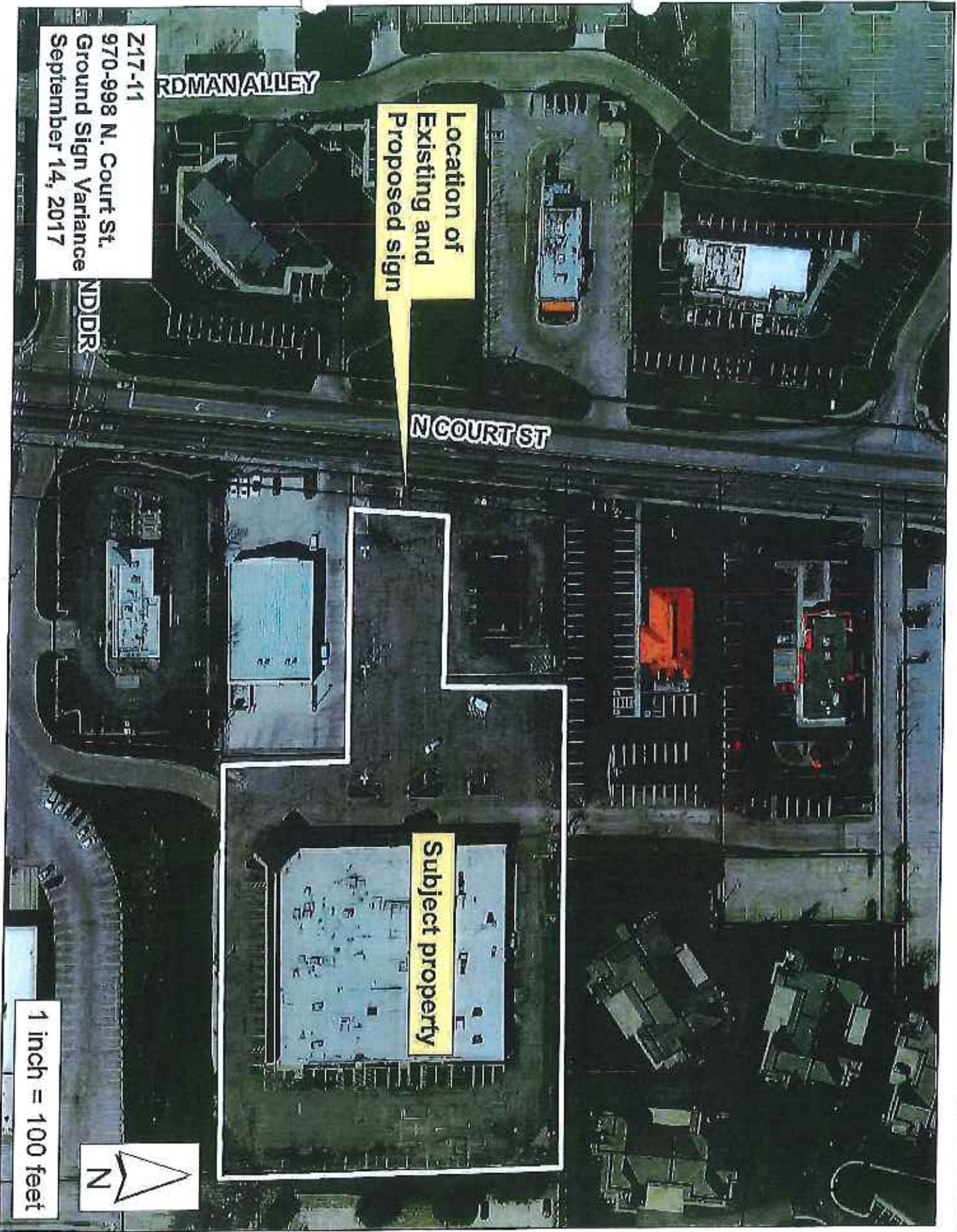
EXHIBIT "A"
SITE PLAN

RECEIVED
AUG 22 2017

BY:



-  Sidewalk/Parking Lot Sales Area
-  Cart Corral
-  Trash Container
-  Temporary Shelter for hiring
-  Temp Storage Container



Location of Existing and Proposed sign

N COURT ST

RDMAN ALLEY

NDDDR

Subject property

Z17-11
970-998 N. Court St.
Ground Sign Variance
September 14, 2017

1 inch = 100 feet



Z17-11 September 14, 2017
draft meeting minutes



CITY of MEDINA

Board of Zoning Appeals

Board of Zoning Appeals

Meeting Date: September 14, 2017

Meeting Time: 5:30 pm

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

Absent: None

The Court Reporter swore in all attendees.

Minutes: Mr. Roszak made a motion to approve the minutes from the August 10, 2017 meeting as submitted. Mr. Henwood seconded the motion.

Vote:

Klink	<u>Y</u>
Williams	<u>abstain</u>
Rozsak	<u>Y</u>
Henwood	<u>Y</u>
Humpal	<u>abstain</u>
Approved	3-2 abstentions

Old Business: None

New Business:

~~1. Z17-09 Lorraine Mion 821 E. Washington Street~~

~~VAR~~

~~Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is a variance request from Section 1145.06(a) of the Planning and Zoning Code to allow a 22 foot wide driveway where 20 feet maximum is permitted and 2,707 sqft of driveway where 1,860 sqft is the maximum permitted~~

~~Mr. Mendel stated the property is located on the north side of E. Washington Street at the intersection of Washington St. and Guilford Blvd.~~

3. Z17-11 Medina North Point LLC 970-988 N. Court VAR

Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is a variance request from Section 1147.14 (C) of the Planning and Zoning Code to allow an 80 sqft, 15 foot tall and one support permanent pole sign for a shopping center less than 50,000 sqft in floor area where only a 40 sqft, 6 foot tall ground sign is permitted and to permit an electronic message center as part of the sign when an electronic message center is not permitted.

Mr. Mendel stated the property is located near the intersection of North Court St. and Northland Dr. on the east side of the 900 block of North Court St.

Mr. Mendel stated the subject site is a 40,000 square foot, multi-tenant shopping center at the site that consists primarily of retail and office uses. Mr. Mendel stated there is a legal nonconforming shopping center sign at the site which will be removed as part of the State of Ohio widening of N. Court Street. Mr. Mendel stated the applicant seeks a variance from several parts of Section 1147.14(c) to replace the existing sign with a new sign. Since this shopping center is less than 50,001 sqft, it is not allowed a shopping center pole sign under Section 1147.14(c) and is only permitted one 40 sqft, 6 foot tall ground sign. Mr. Mendel stated an electronic message center (EMC) sign is not permitted for shopping center signs. Mr. Mendel stated the variance request is to permit to have an 80 sqft, 15 foot tall, one support pole sign and including an electronic message center.

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

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Mr. Mendel stated the proposed sign is not more appropriate in scale than a conforming sign.

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

Mr. Mendel stated the existing sign is a legal non-conforming sign that will be removed as part of the N. Court Street widening. Mr. Mendel stated the new sign could be considered as continuing the status quo of the immediate neighborhood.

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

Mr. Mendel stated the variance sought may not be the minimum necessary to meet the applicant's purposes as the requested variance includes three separate noncompliant details – 80 sqft instead of 40 sqft max, one support design when two supports are required and include an electronic message center although it is not permitted.

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.

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, sign contractor from North Coast Sign & Lighting. Mr. Briola stated the BMV is on the south side of the plaza facing south and has limited visibility. Mr. Briola stated the sign being proposed is 15 ft. tall and half the square footage of the existing sign. Mr. Briola stated they used the color of the building in the sign skirt and background header to tie it to the building.

Mr. Williams asked why the EMC. Mr. Briola stated to make the public aware of the offerings of the tenants in the building. Mr. Briola stated the BMV is interested in putting some information on the reader board. Mr. Briola stated the BMV has little visibility. Mr. Humpal

asked who would have control over the operation of the reader board. Mr. Briola stated he thinks it will be the owner of the plaza via telephone modem from his office. Mr. Briola stated he will organize this with the tenants.

Mr. Williams stated it is clear why the code states EMC signs are not permitted in that district. Mr. Williams stated with that level of information on an EMC board would be a distraction to drivers. Mr. Williams stated he will not vote for that. Mr. Roszak stated he agrees with that as does Mr. Humpal. Mr. Roszak stated the code size requirement is 40 sq. ft. in this district.

Mr. Mendel stated the threshold of 50,000 sq. ft. shopping center for a larger sign is because of a shopping center having more tenants. Mr. Mendel stated 80 sq. ft. is designed to allow for readability of individual tenant sign panels on a larger frame.

There was a discussion regarding the prohibition against single pole signs.

Mr. Briola stated the proposed sign is 15 feet tall and the existing sign is 25 feet tall and double the square footage.

Mr. Briola stated the proposed sign is in scale with the plaza.

Mr. Klink asked if the size of the sign would be reduced if the EMC portion was not approved. Mr. Briola stated it is 18 inches in height and 96 inches in width and could probably be done.

Mr. Roszak stated he is uncomfortable with the height. Mr. Henwood stated he is as well.

Mr. Williams stated he would be inclined to approve the size variance because the need for a new sign is through no action of their own but due to the widening of Rt. 42.

There was a brief discussion about visibility of the businesses from Rt. 42.

Mr. Roszak stated he feels the request promotes a highway feel and scale. Mr. Roszak stated he would prefer the sign be lower in height and longer in length.

Mr. Briola stated he can do some alternate designs to scale to show the relationship to the plaza.

Mr. Briola requested the board table the application in order to allow the applicant to return to the board with alternative ideas.

The application was tabled by the applicant.

~~4. ZI7-12 Andrei Kluczarov S. Progress 028-19A-15-249 VAR~~

~~Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is a variance request from Section 1145.09(a)(3)A to permit a portion of gravel area in a paved parking area where total hard surface is required.~~

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 NICK OR JIM
 @SIGNANDLIGHT.COM



NORTH COAST
 SIGN & LIGHTING
 SERVICE INC.

96x120"=80'SQ.



NORTH POINTE PLAZA
HARBOR FREIGHT TOOLS
 Buehler's STATE LIQUOR AGENCY
 SUBWAY STATE OF OHIO LICENSE BUREAU TESTING FACILITY
 AUTO TITLE
 DIGITAL READER 6" TEXT SHOWN

15' OVERALL HEIGHT

120" (10')

NORTH POINTE PLAZA 20"VO
HARBOR FREIGHT TOOLS 24"VO
 Buehler's STATE LIQUOR AGENCY 12"VO
 SUBWAY STATE OF OHIO LICENSE BUREAU TESTING FACILITY 12"VO
 AUTO TITLE 12"VO
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 DATE: - 1 AUGUST 2017



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CUSTOMER APPROVAL SIGNATURE: _____

LANDLORD APPROVAL SIGNATURE: _____

EXHIBIT "A"
SITE PLAN

RECEIVED
AUG 22 2017

BY:

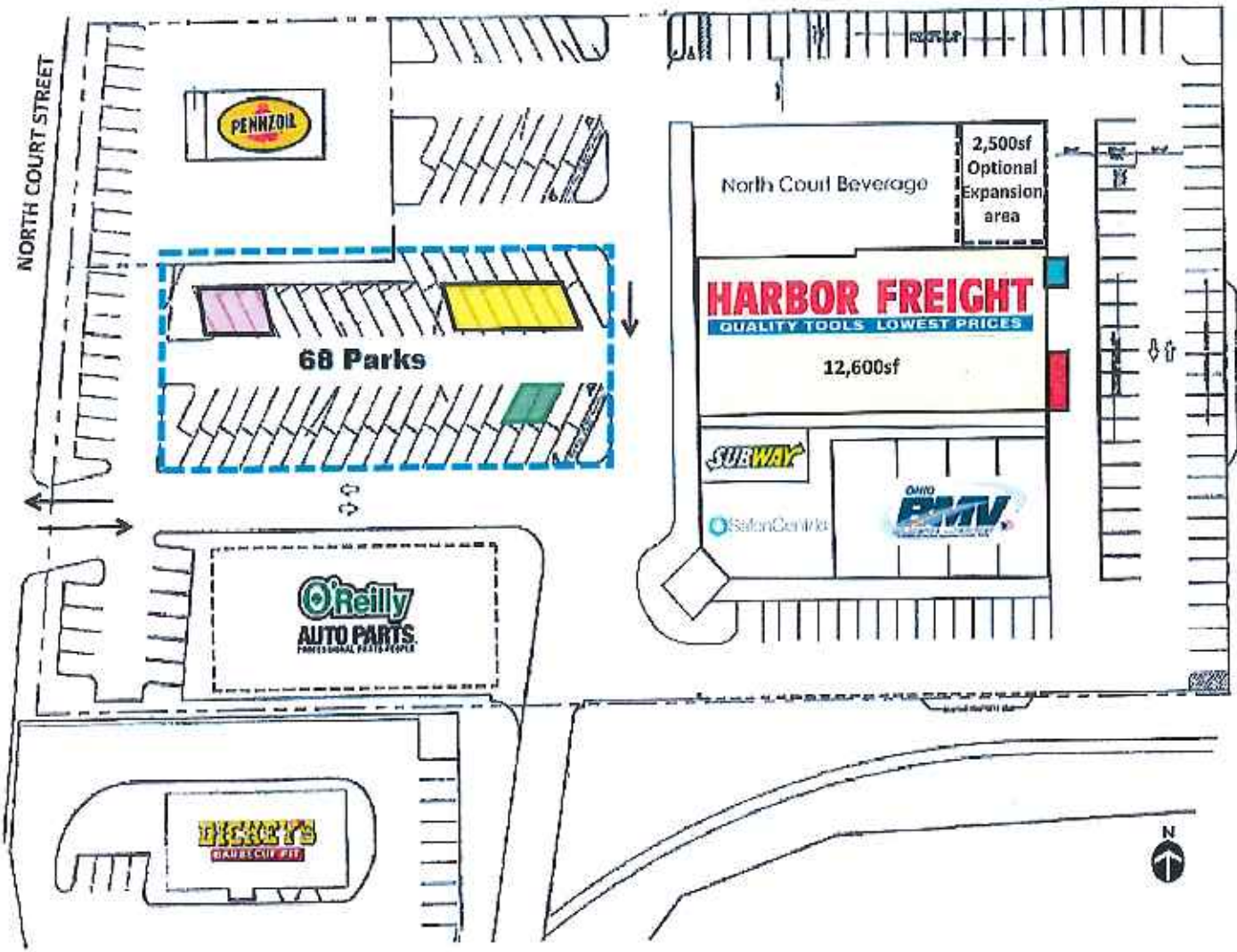


-  Sidewalk/Parking Lot Sales Area
-  Cart Corral
-  Trash Container
-  Temporary Shelter for hiring
-  Temp Storage Container

SECRET
AUG 22 2017

EXHIBIT "A"
SITE PLAN

BY:



-  Sidewalk/Parking Lot Sales Area
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-  Temp Storage Container

PHONE: 330.723.2376
FAX: 330.722.2843
NICK OR JIM
@SIGNANDLIGHT.COM



NORTH COAST
SIGN & LIGHTING
SERVICE INC



JOB: NORTH PONTE PLAZA
ADDRESS: - PEARL RD MEDINA
CONTACT: - JOE
PHONE: - ?
FAX: -
EMAIL: - JIMGLORINI@ATT.NET
DATE: - 30 AUGUST 2017

NOTES: - NEW PYLON SIGN

ALL DRAWINGS ARE THE PROPERTY OF
NORTH COAST SIGN & LIGHTING
SERVICES INC. AND ARE TO BE USED
FOR CONCEPTUAL PURPOSES ONLY
UNTIL SIGNED AND DATED BY PROJECT
MANAGER AND CUSTOMER. ANY OTHER
USE IS PROHIBITED.

CUSTOMER APPROVAL SIGNATURE: _____
LANDLORD APPROVAL SIGNATURE: _____

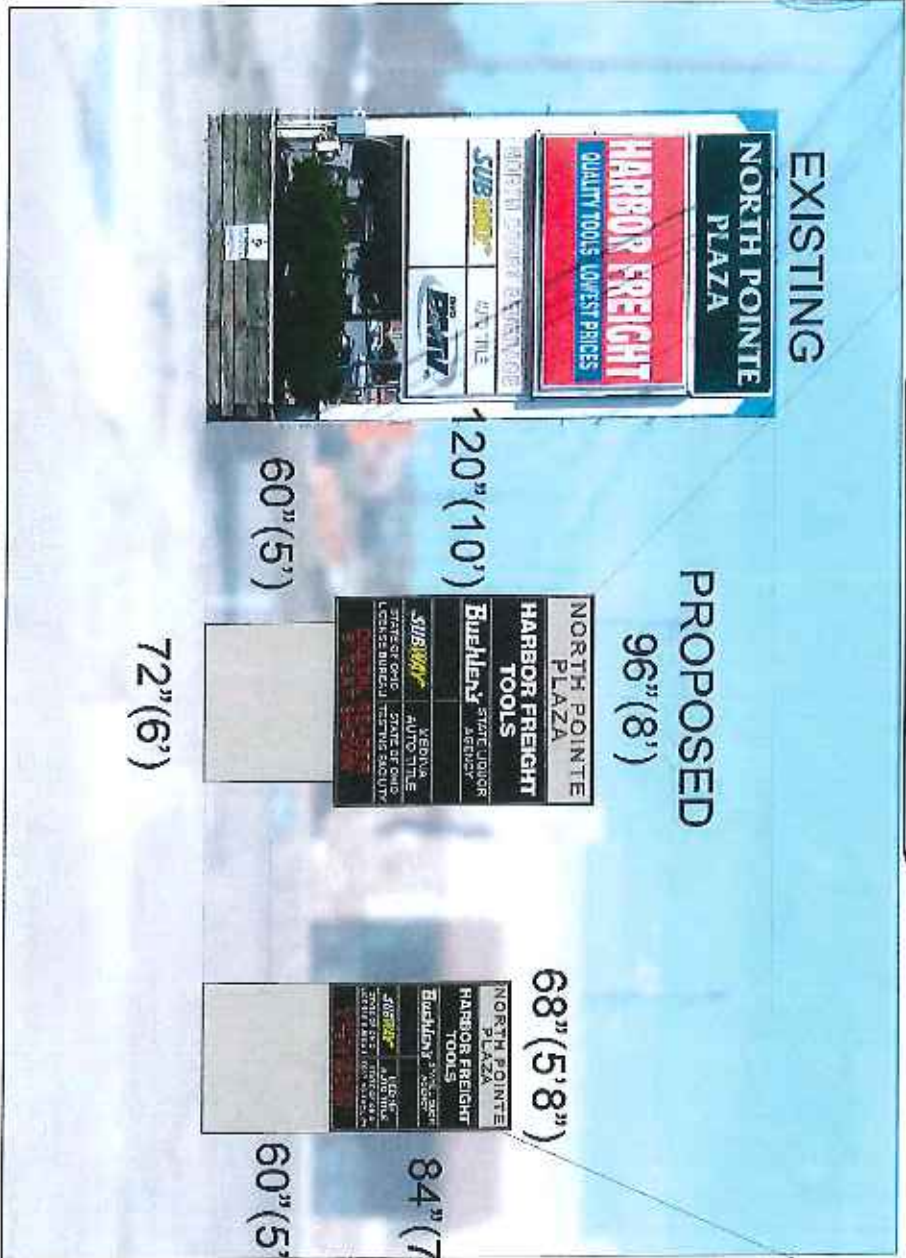
96x120"=80'SQ.
15' OVERALL HEIGHT

PHONE: 330.723.2376
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68x84"=39.67'SQ.
12' OVERALL HEIGHT

REVISED
OCT 25 2017



JOB: -NORTH POINTE PLAZA
ADDRESS: - PEARL RD MEDINA
CONTACT:
PHONE: - ?
FAX: -
EMAIL: - JIMGLORINI@ATT.NET
DATE: - 23 OCTOBER 2017



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CUSTOMER APPROVAL SIGNATURE: _____
LANDLORD APPROVAL SIGNATURE: _____

Location of Existing and Proposed sign

N COURT ST

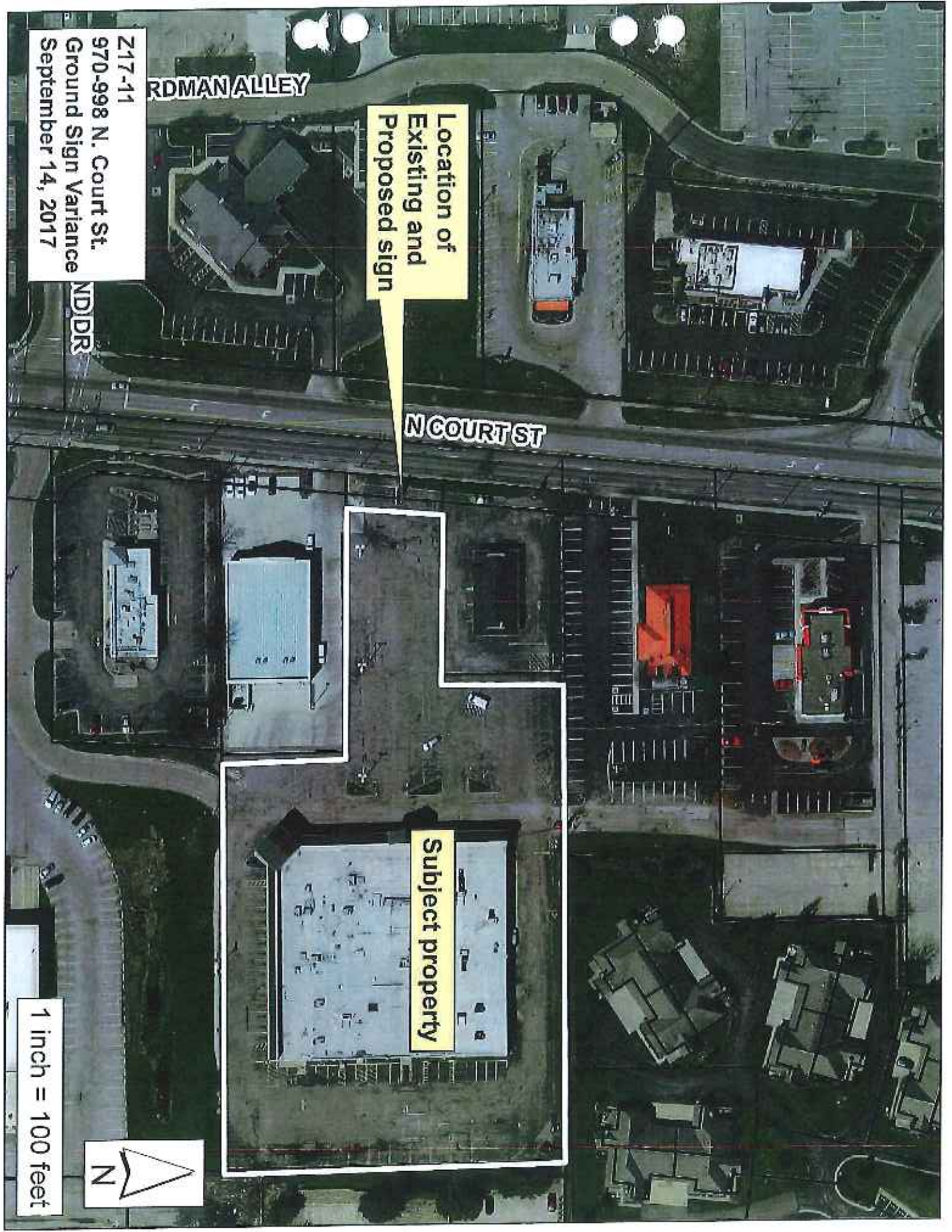
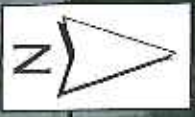
RD MAN ALLEY

ND D DR

Subject property

Z117-11
970-998 N. Court St.
Ground Sign Variance
September 14, 2017

1 inch = 100 feet



NORTH COAST
SIGN & LIGHTING
SERVICE INC.



PHONE: 330.723.2376
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NICK OR JIM
@SIGNANDLIGHT.COM

*EXISTING SIGN
13' WIDE X 22' HIGH
286 SQ. FT.*

*NEW SIGN
96x120"=80'SQ.*

15' OVERALL HEIGHT



NORTHBOUND

SOUTHBOUND

JOB: - NORTH POINTE PLAZA
ADDRESS: - PEARL RD MEDINA
CONTACT: - JOE
PHONE: - ?
FAX: -
EMAIL: - JMGILIORINI@ATT.NET
DATE: - 30 AUGUST 2017

NOTES: - NEW PYLON SIGN



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CUSTOMER APPROVAL SIGNATURE: _____

LANDLORD APPROVAL SIGNATURE: _____

Z17-11 November 9,
2017 draft meeting
minutes



CITY of MEDINA

Board of Zoning Appeals

Board of Zoning Appeals

Draft

Meeting Date: November 9, 2017

Meeting Time: 6:00 pm

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

Absent: None

The Court Reporter swore in all attendees.

Minutes: Mr. Henwood made a motion to approve the minutes from the September 14, 2017 meeting as submitted. Mr. Klink seconded the motion.

Vote:

Klink	<u>Y</u>
Williams	<u>Y</u>
Rozsak	<u>Y</u>
Henwood	<u>Y</u>
Humpal	<u>Y</u>
Approved	5-0

Old Business:

1. Z17-11 970-998 N. Court Medina North Point LLC VAR
Mr. Mendel stated this is a continuation from September 2017. Mr. Mendel stated this is for the North Point Shopping Center. Mr. Mendel stated as part of the North Court Street expansion, the existing ground sign on the site will be removed and will need to be replaced. Mr. Mendel stated the code requires that replacement must be compliant with the zoning code. Mr. Mendel stated the shopping center is not big enough to have a shopping center sign which is allowed under code so the maximum allowable size is 40 square feet and 6 feet tall. Mr. Mendel stated the applicant is proposing variances to allow something closer to a shopping center size sign.

Mr. Mendel stated this was at the September 14, 2017 meeting where there was discussion regarding the merits of the proposal in relations to various criteria. Mr. Mendel stated it was continued to allow for the applicant to provide changes after the commentary from the board at the September meeting.

Mr. Mendel stated he put together a packet which outlines the applicant's revised artwork, a narrative, and also included was the September 14th packet and the September 14th draft minutes for reference.

Mr. Mendel stated there are the 7 criteria for consideration of sign variances. Mr. Mendel stated the comments and conditions are the same as the September 14th staff report.

Present for the case was Jim Briola, North Coast Sign & Lighting. Mr. Briola stated they put together a rendering to scale which shows the large sign that is existing, the permitted sign size, and the proposed size. Mr. Briola stated the proposed sign is less than half the size of the existing sign.

Mr. Briola stated there are new buildings in the front of the lot in the plaza that were not there when the existing sign was installed and they will block the view of the new sign to a certain extent because of the setback requirement. Mr. Briola stated the drawing shows to scale exactly how far the sign will be setback from the road and the relations to the existing sign.

Mr. Briola stated the BMV has a disadvantage because they are out of the view of traffic going south on N. Court Street. Mr. Briola stated this is another reason for requesting a larger sign, to help people to find the BMV and Auto Title testing.

Mr. Briola stated the sign being proposed is very much in scale with the building. Mr. Briola stated he lives very close to this area and also has concerns about the signage and how it looks but he feels it is going to be very attractive. Mr. Briola stated he is not trying to just sell a sign.

Mr. Williams asked why the electronic message center is being requested. Mr. Briola stated Harbor Freight would use it show advertise their sales and community events could be posted on it. Mr. Williams stated he has heard that argument but has yet to ever see it happen except the High School. Mr. Williams stated his objection is the same as it was in September. Mr. Williams stated that is a lot of information on a sign in a place where people are already paying attention to many different things. Mr. Williams stated this concerns him greatly.

Mr. Briola stated he would like to point out that Walgreens has a digital reader sign and they are closer to the square and their sign is very close to Court Street and that is one sign for one business.

There was a brief discussion of where the new right-of-way line is located after the road widening. Mr. Mendel stated the proposed sign will be located within the private property.

Mr. Humpal asked if there are other digital reader signs along this corridor. Mr. Mendel stated there is one at Dunkin Donuts and Walgreens. Mr. Mendel stated typically if you are proposing a conforming ground sign, you can have the option of getting a conditional sign approval through the Planning Commission for an electronic message center. Mr. Mendel stated for this site, they are going under shopping center requirements which are not permitted to have electronic message centers. Mr. Mendel stated a shopping center sign will have more information on it than a single business message center sign.

Mr. Roszak stated he is not in favor of the electronic message board or the proposed height of the sign. Mr. Roszak stated he would not mind if the sign was the required height but longer. Mr. Roszak stated he does not think the proposed sign is appropriate. Mr. Klink stated he is comfortable with the height but not with the electronic sign because it is one more obstacle while driving to look at.

Mr. Henwood stated he is not comfortable with the electronic message board because they are not permitted under the regulations. Mr. Henwood stated he is concerned that with the conforming size sign the readability will start to suffer. Mr. Henwood stated he is comfortable with the size sign but is concerned about the height. Mr. Henwood stated he feels it is too tall.

Mr. Williams asked the reduction in height if the digital message center is removed. Mr. Briola stated 18 inches. Mr. Williams stated that is 1.5 ft off of 12 feet overall. Mr. Williams asked Mr. Roszak if that would be sufficient. Mr. Roszak stated he would like to bring it down to be in conformance with the code and making it longer. Mr. Roszak stated he would be in favor of a variance to make it longer with larger panels.

Mr. Briola stated if the sign is shorter the trucks and vehicles passing by would block the sign as well as parked cars and trucks.

Rob Warren, Deputy Registrar at the License Bureau commented on the case. Mr. Warren stated they are the third largest license bureau in the state and they do about 150,000+ transactions per year and have a ton of foot traffic. Mr. Warren stated about 4500 to 4800 of the customers are coming from another state so they do not know where they are at. Mr. Warren stated they still get hundreds of calls per month to ask where they are located. Mr. Warren stated he feels a conforming size sign would be miniature. Mr. Briola stated the rendering is to scale showing the sign right up against the building. Mr. Warren stated the board makes good points but they need to consider the number of people that come through their doors and a conforming sign is entirely too tiny to even see when driving by. Mr. Warren stated the scaled rendering demonstrates that a car could easily block the sign.

Mr. Warren stated they process approximately 30,000 driver's licenses per year and have approximately 40,000 people per year that walk in their doors.

Mr. Humpal asked Mr. Warren if they intend to rely on the reader board. Mr. Warren stated he knows other agencies use them for Amber Alerts and such but he is not sure how he would utilize it. Mr. Warren stated it is a new technology that maybe they could utilize in some way.

Dave Wadsworth, Medina County Clerk of Courts was present and commented. Mr. Wadsworth stated he handles the title office at the site. Mr. Wadsworth stated approximately half of their dealings are with people from outside of the county. Mr. Wadsworth stated it is very much a problem. Mr. Wadsworth stated they would use a digital sign. Mr. Wadsworth stated they do passports and are a high volume passport center and people are constantly looking for their office. Mr. Wadsworth stated they have no visibility. Mr. Wadsworth stated even with the

existing sign, they have a small panel on the sign and they are a high volume public office. Mr. Wadsworth stated it creates a hardship for his office to have a small sign. Mr. Wadsworth stated he appreciates being able to double the size of the parking lot. Mr. Wadsworth stated they will use the sign for notifications, wait times, and similar types of things. Mr. Wadsworth stated the outbuildings in the parking lot were something they never bargained on when they signed the lease. Mr. Wadsworth stated they have a three way office with the Clerk of Courts Title Office, the BMV and next to that is the State Highway Patrol testing station. Mr. Wadsworth stated the state wanted a 3 way location. Mr. Wadsworth stated this is the only location where they have that. Mr. Wadsworth stated they do not want to move but it is always a possibility and being able to get notices out would be very helpful. Mr. Wadsworth stated it is disappointing that Walgreens and Dunkin Donuts can have a digital sign but they cannot. Mr. Wadsworth stated he asks the board to reconsider that because of the high volume and high number of people coming from out of the area to find the location which is so far setback and is a hardship for them.

Mr. Williams stated he can appreciate the need for the larger sign. Mr. Williams stated the purpose of a variance is to take into account the unique nature of the property and his feeling on that is he understands the height concern and if it drops down a little bit would be better but still not in compliance. Mr. Williams stated he still feels the regulation prohibiting changeable copy signs has value. Mr. Williams stated he feels it would be distracting to drivers on N. Court St. Mr. Williams stated he personally does not have an objection to the sign size and height.

Mr. Wadsworth stated Mr. Migliorini told him there is a written document that grants permission for this sign of a sign. Mr. Wadsworth stated he could not reach him for this meeting. Mr. Humpal stated if it is now in the city code it is not relevant. Mr. Wadsworth stated he thinks it was relevant to the easement and the giving of the easement. Mr. Mendel stated he does not have any knowledge of that. Mr. Mendel stated the applicant may continue the case in order to investigate the existence of that document and provide it to the board. Mr. Mendel stated he has never heard of anything like that. Mr. Henwood stated he does not think a document like that would override the zoning regulations.

Mr. Mendel stated there may have been a variance for the sign when the shopping center was built 35 years ago but the variance goes away when the sign is removed. Mr. Mendel stated that is why we are going through this process.

Mr. Briola requested the case be tabled and continued until the property owner can make a decision on how to proceed.

The case was tabled by the applicant.

~~New Business:~~

~~1. 1/17-14 Todd Allen 771 Patriots Way VAR~~

~~Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is a variance request from Section 1123.05 of the Planning and Zoning Code to allow an addition 36 feet from the rear property line instead of the minimum 50 feet. Mr. Mendel stated the property is zoned R-2, Medium Density Residential.~~

Z17-11 December 14,
2017 meeting minutes



CITY of MEDINA

Board of Zoning Appeals

Board of Zoning Appeals

Meeting Date: December 14, 2017

Meeting Time: 5:30 pm

Present: Kris Klink, Bert Humpal, Paul Roszak, Andrew Livingston (alternate), Rob Henwood, Jonathan Mendel, (Community Development Director), Sandy Davis (Administrative Assistant)

Absent: Mark Williams

The Court Reporter swore in all attendees.

Minutes: Mr. Roszak made a motion to approve the minutes from the November 9, 2017 meeting as submitted. Mr. Klink seconded the motion.

Vote:

Klink	<u>Y</u>
Livingston	<u>Y</u>
Rozsak	<u>Y</u>
Henwood	<u>Y</u>
Humpal	<u>Y</u>
Approved	5-0

Old Business:

1. Z17-11 970-998 N. Court Medina North Point LLC VAR
Mr. Mendel stated this is a continuation from September 14, 2017 and November 9, 2017 meetings. Mr. Mendel stated the applicant requested a continuance at the September 14th meeting and also at the November 9th meeting.

Mr. Mendel stated there have been no changes to the plans or proposal that was presented to the board at the November 9th meeting. Mr. Mendel stated for this reason, he has provided the board with the packet from the November 9th meeting as well as the minutes from the September meeting and the Draft minutes of the November 9th meeting. Mr. Mendel stated he also provided the 7 criteria for sign variances as well.

Present for the case was Jim Briola, North Coast Sign & Lighting, 310 N. Broadway St., Medina, Ohio. Mr. Humpal stated he believes the case was continued in order for Mr. Briola to contact the property owner and get direction. Mr. Briola stated he was hoping the building owner would

be here this evening but was unable to make it. Mr. Briola stated he does not want to make any decision without his approval. Mr. Briola stated if the board would like to make a recommendation, he can present this to the property owner to see what he has to say.

Mr. Humpal stated it appears the board has a choice tonight to either continue the case again or if the board chooses not to do that, the board can either have a motion to reject the application or the board can have a motion setting out what terms or conditions it would approve the request.

Mr. Henwood stated if he is understanding correctly, nothing is changed. Mr. Henwood stated the message board is still on the table, the sign presented in the application is still what it is. Mr. Briola stated the last time he was here, he presented a comparison drawing showing the existing sign. Mr. Henwood stated he actually thought the drawing comparing the three signs was very compelling. Mr. Briola stated to the left is the existing sign, to the right is the allowable 40 sq. ft. sign and in the center is the sign that his client would like to have which is 80 sq. ft. with the digital reader board at the bottom. Mr. Briola stated he also brought a photo of an existing digital reader board on N. Court Street, Walgreens. Mr. Briola stated he is here to make the best case he possibly can for his client. Mr. Briola stated unfortunately, he is left here alone and he reported back to the owner and sent him an envelope with all of the correspondence and information for him to review. Mr. Briola stated he called him and did not speak with him personally but his secretary said he would try and attend the meeting. Mr. Briola stated at the last meeting David Wadsworth, the Clerk of Courts, expressed his concern about having a larger sign and also about his desire to have a digital reader board so they can present their information on what they and the other stores have to offer and also to use it as a community billboard. Mr. Briola stated that is where they stand.

Mr. Mendel stated to address the Walgreens electronic message center, electronic message centers are permitted as a conditionally permitted sign type for non-shopping center signs. Mr. Mendel stated Walgreens is an individual site and has a sign that must meet the maximum 6 ft. 40 sq. ft. sign requirements for a ground sign. Mr. Mendel stated you can request an electronic message center as part of the ground sign through review and approval by the Planning Commission. Mr. Mendel stated that is why Walgreens has the sign that they have. Mr. Mendel stated as a Shopping Center sign, the code is explicit that electronic message centers are not permitted for a Shopping Center sign so it is really not a comparable example. Mr. Briola stated that is why this is a variance request. Mr. Mendel stated that is understood, but the Walgreens sign is approved under a different type of process with a different intent. Mr. Mendel stated he has advised people in the past, what is the purpose of making the name of the shopping center necessary when you have sign square footage. Mr. Mendel asked if people care about the name of the shopping center or the businesses in the shopping center. Mr. Mendel stated this is what he has advised people in the past. Mr. Mendel asked if the sign square footage is better used for the businesses than the name of the shopping center. Mr. Mendel stated this could help to reduce the size of the signs.

Mr. Briola stated this is what the owner requested. Mr. Briola stated what Mr. Mendel just said is irrelevant at this point.

Mr. Henwood stated he disagrees, it is entirely relevant. Mr. Briola stated this is a variance and the property owner wants his name on it.

Mr. Mendel stated for the record, that is what he has advised people. Mr. Mendel stated he is not saying it needs to be changed but it is another way to look at it. Mr. Mendel stated as Mr. Briola explained, there have been no changes and he has provided to his client the options. Mr. Mendel stated the steps for the board are as the Chair delineated.

Mr. Briola suggested that in the future maybe the board should require the property owner to be present at variance meetings. Mr. Mendel stated procedurally it is not really possible because people can act as agents for people and it happens all the time. Mr. Mendel stated requiring that would be cumbersome for sure. There was a brief discussion describing how the process would be cumbersome.

Mr. Briola stated he is in an uncomfortable position and he hopes the board understands that. Mr. Briola stated from the very beginning of applying, he tried his very best to represent the client and display what he wants.

Mr. Humpal asked Mr. Briola if he would like the board to consider alternatives or what it might accept or is it better for his client relationship for the board to reject the application.

Mr. Briola suggested the board give their recommendations and he can provide the owner with those recommendations. Mr. Briola suggested the board sending the owner a letter and let him make the decision.

Mr. Henwood asked Mr. Briola if he is able to negotiate on behalf of his client. Mr. Henwood asked if they can come to a decision about what this sign is going to be at this meeting. Mr. Henwood stated this is the third meeting of this board. Mr. Briola stated the final approval is up to the owner, obviously.

Mr. Henwood stated if the board makes a decision, that will be what he does or he won't have a sign. Mr. Henwood stated again, his question is can we negotiate with you about what this is going to be. Mr. Henwood stated if the answer is no, he understands but we need to get on with this and come to a decision.

Mr. Briola asked the board to make their recommendations. Mr. Henwood stated ok.

Mr. Henwood make a motion to disapprove the request.

Mr. Roszak seconded the motion.

Mr. Henwood stated the motion to disapprove is based on the following:

1. A message board is not permitted
2. A conforming sign would not endanger public health or safety
3. A conforming sign would not be blocked from the site of passing motorists
4. No severe alterations or site alterations would be necessary for the installation of a conforming sign

Mr. Humpal asked for a second. Mr. Roszak seconded the motion. Mr. Humpal asked for any further discussion from the board.

Mr. Klink stated he does not see himself supporting that motion. Mr. Klink stated he would like to see the board breaking this into 2 variances. Mr. Klink stated he has no issue with the sign size but he does have an issue with electronic message board. Mr. Klink stated he feels an electronic message board creates a hazard because it is one more thing motorists could be looking at to take their eyes off the road. Mr. Klink stated he believes that we need to support what we can for brick and mortar merchants in the town and he thinks supporting a larger sign is a piece of that. Mr. Klink stated he does not see himself supporting the rejection of the proposal as a combined proposal.

Mr. Roszak stated he is at a point where there has been no alterations in this design from the beginning to take into account the comments from this board in anyway. Mr. Roszak stated he goes back to the purpose of the code which is to provide unity and uniformity along the corridor of N. Court Street and he does not think this sign is doing it. Mr. Roszak stated he is not saying he is totally opposed to the variance but he thinks it needs to be more in compliant size wise, height wise at least, with the ordinance to provide that unity that the city is seeking through its code along N. Court Street. Mr. Roszak stated he looks at other signs along that corridor such as Target and Regal Cinemas which are both compliant with the city's ordinance for a much bigger complex and Regal Cinemas sign is not visible from N. Court Street. Mr. Roszak stated he thinks as a board, we need to look at this whole corridor and what is going to unify it and meet the city's goals for the corridor.

Mr. Briola suggested eliminating the digital reader board and drop the rest of the sign down. Mr. Livingston asked the measurement in square footage. Mr. Briola stated that would be 18" x 8' so it would be 12 sq. ft. Mr. Briola stated it would be 68 sq. ft. by dropping the sign down to make it lower and completely eliminating the digital reader board.

Mr. Mendel stated if you reduce it 1 ½ feet in height by removing the reader board, it would be 13 ½ feet tall rather than 15 feet tall.

Mr. Mendel stated the proposed sign is 15 feet tall with a five foot base and 10 feet for the sign area. Mr. Henwood asked about changing the sign orientation to it is not so tall, landscape orientation vs portrait orientation.

Mr. Roszak asked Mr. Briola if he has thought about a lower and longer sign as he has recommended in past meetings with mounding.

Mr. Briola stated they really have not thought about that and in order to do that they would need to change the artwork. Mr. Roszak stated that is maybe what needs to happen.

Mr. Henwood stated the idea of the way these meetings are supposed to function is the board provides comment early in the process and then the applicant comes back with revisions as opposed to coming back with the same thing.

Mr. Humpal stated he agrees the reader board should go. Mr. Henwood stated for him that is a deal breaker, the reader board has to go, it is not permitted in the district under these current regulations. Mr. Humpal stated the sign height does not bother him so much especially if it is lowered by the size of the reader board, but his thought is if the board does not come to some consensus this evening, and the board rejects the application, Mr. Briola will need to come back to the city and the owner will need to pay another fee. Mr. Humpal stated he would rather not do that. Mr. Henwood stated isn't that implication on the applicant rather than the board.

Mr. Henwood stated the part that bothers him is there is a height restriction and we are flying the face of that height restriction without any consideration to the community who included that regulation for a reason. Mr. Henwood stated he is not sure it is the Board's place to debate what that reason is, it's there. Mr. Henwood stated as a member of this board, unless he sees some movement towards conforming, he is not inclined to support the application.

Mr. Briola stated they took one step and eliminated the reader board. Mr. Henwood stated that is a good step and it should never have been part of the consideration because it is not permitted.

Mr. Henwood stated he thinks the exhibit of the 3 proposed signs is the most useful exhibit. Mr. Henwood stated he agrees that a conforming sign in terms of site and size and letter height for that corridor is probably unreasonable because it will be difficult to see in moving traffic. Mr. Henwood stated he gets that and the exhibit shows that very effectively but the applicant needs to show some attempt to comply with the regulations. Mr. Henwood stated 18 inches from 15 feet is not very compelling at all. Mr. Briola stated the base is 5 feet. Mr. Briola suggested dropping it down another two feet. Mr. Henwood stated that is heading in the right direction.

Mr. Mendel stated that would be 11.5 feet overall. Mr. Roszak stated to him that is almost double what the code currently allows. Mr. Roszak stated he is not opposed to anything over 6 feet but he thinks it must be much closer to 6 feet.

Mr. Briola stated in making the changes, the sign would still be in scale with the plaza. Mr. Roszak stated again the Target and Regal signs are much bigger square footages and are in compliance with the zoning code. Mr. Roszak stated he is not saying he would not support a variance but the way the applicant is asking for it, he is uncomfortable with.

Mr. Briola asked if they eliminate the digital reader board and drop the base 2 feet and turn the sign sideways for a height of 11 feet. Mr. Roszak stated that is still almost double what the code allows.

Mr. Livingston stated he would suggested taking the North Point Plaza and putting it on the base of the sign. Mr. Livingston stated it could be incorporated into the base which would eliminate another 2 feet in height. Mr. Briola stated if we are going to go that far, it does not make sense to refer to these drawings. Mr. Briola stated he would need to go back and redesign it.

Mr. Livingston stated the proposal is not close to the code requirements.

Mr. Mendel suggested the board rescind the motion put out there or vote on the motion.

Mr. Humpal stated he would prefer the motion be withdrawn if the applicant wishes. Mr. Briola stated ok, he will come back to the board on a continuance in January. Mr. Henwood stated he withdraws the motion. Mr. Roszak withdrew his second.

Mr. Mendel suggested the board be explicit that the application come back on the January 11, 2018 meeting date at which time a decision must be made.

Mr. Humpal agreed.

The application was tabled by the board.

The meeting adjourned at 5:57pm.

Having no further business, the meeting was adjourned.

Respectfully submitted,


Sandy Davis


Bert Humpal, Chairman