

MEETING DATE: 03-14-19

BOARD OF ZONING APPEALS

Z19-05

754 N. Court



CITY of MEDINA
Board of Zoning Appeals
March 14, 2019 Meeting

Case No: Z19-05

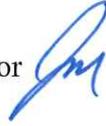
Address: 754 N. Court St.

Applicant: Medina Signs

Subject: Variance request to Section 1147.07(a) of the Planning and Zoning Code to allow a 2.5 ft. setback from the right of way when a 5 ft. setback is required.

Variance request to Section 1147.14(b) of the Planning and Zoning Code to allow a 10 foot tall ground sign when 6 feet tall is the maximum allowed

Zoning: C-3, General Commercial

Submitted by: Jonathan Mendel, Community Development Director 

Site Location:

The property is located on the east side of the 700 block of North Court Street.

Project Introduction:

The applicant seeks variances from Sections 1147.07(a) and 1147.14(b) to replace a ground sign that was removed as part of the ODOT Route 42 project.

The proposed sign is 10 feet tall and 27.25 sqft in sign area and with a 2.5 foot setback from the front (west) property line. Under 1147.07(a) and 1147.14(b), the subject property is only permitted a ground sign a maximum 6 feet tall and setback at least 5 feet from a front property line.

Please find attached to this report:

1. Aerial site
2. Applicant's narrative and proposed plans received March 1, 2019

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 may obstruct the vision of motorists. A conforming sign could obstruct the visibility into/from the property for motorists and pedestrians.

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

Conforming signage would likely be obstructed by the existing building on the subject property to northbound traffic.

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 could require the removal of at least one parking space and would still be visually blocked by the building on the subject property to northbound traffic.

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 may be more appropriate in scale with the subject site than a compliant sign due to specific site conditions.

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

The proposed ground sign may not be noticeably nonconforming given surrounding neighborhood context.

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

Conforming signage may not provide sufficient visibility and readability, due to an existing building on the subject property.

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.

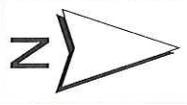
The BZA must weigh the above seven factors for the requested variance and determine if a practical difficulty exists that would merit variances from Section 1147.07(a) and 1147.14(b).

N COURT ST

Subject property

Z19-05
754 N. Court
Ground sign variance
March 14, 2019

1 inch = 50 feet



Sign Variance Worksheet

A. Construction of a conforming sign would obstruct the vision of passing motorist or otherwise endanger public health.

A conforming sign that has readable tenant panels would have to be wider and would extend into the public ROW.

B. A conforming sign would be blocked from the view of passing motorist due to existing buildings

The existing building is built up to the new public ROW - see site photo.

C. Construction of a conforming sign would require the removal of a parking space and would still not be visible from the North and South approaches.

D. A sign that exceeds the allowable height of this ordinance would be more appropriate in scale because of the small footprint available due to the position of the existing buildings.

E. The exception would not adversely impact the character of appearance of the building, lot or the neighborhood.

F. The variance sought is the minimum necessary to allow reasonable use, visibility and readability of the sign -

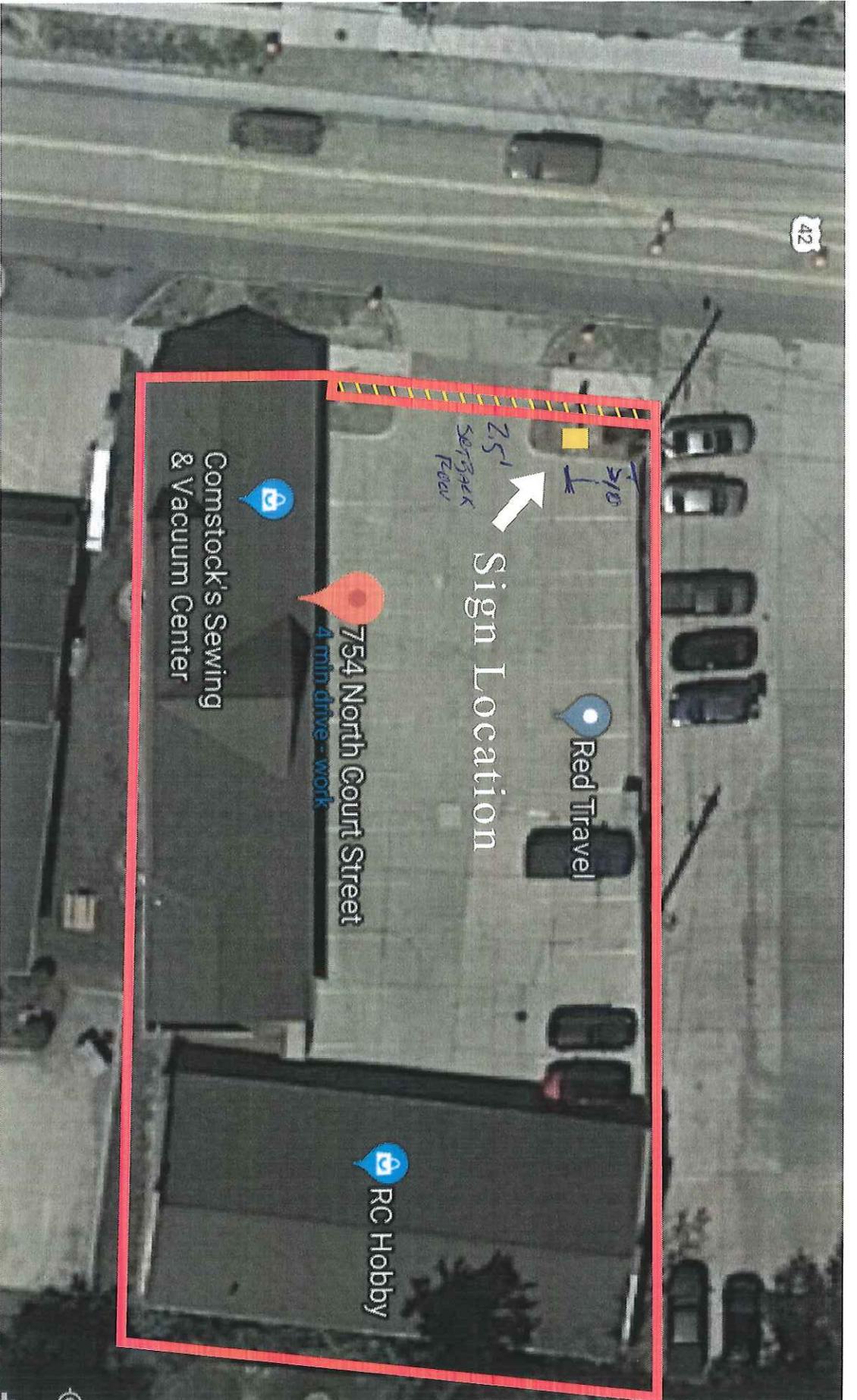
Tenant panels are to be stacked vertically.

G. The variance is consistent with the general spirit of the ordinance

Summary -

As to the overall size in area. the sign is under the allowable square footage. The height is required to stack readable tenant panels. Minimum setback from the ROW has been affected due to the road widening and new construction on Court St./Pearl Rd.

RECEIVED
MAR 01 2019



Multi - Tenant Sign - Monopole - 120" in height -> 10' from sidewalk

Customer:	Terry Comstock
Company:	Comstock's Junction
Address:	754 North Court St.
City:	Medina
State/Zip:	OH 44256
Phone:	
Fax:	



411 West Smith Rd.
 Medina, Ohio 44256
 330-723-2484
 www.medinasigns.com

Job No.:	4131	Date:	2/28/2019
Order Date:		Salesperson:	Dave Sterrett
Sign Dimensions:		Estimate:	
Comments:			



Sewing & Vacuum Center
 Hearing & Health Centers
 R/O Hobby
 Red Amore Travel Agency
 Animal Appeal Grooming
 SPACE AVAILABLE
 330-242-3001

Individual Panels
 8" x 35"



Sewing & Vacuum Center
 Hearing & Health Centers
 R/O Hobby
 Red Amore Travel Agency
 Animal Appeal Grooming
 SPACE AVAILABLE
 330-242-3001

120. in

40 in

40 in

8.7 SF

TOTAL sf 26.7

18.0 SF

Grade

5" Post (Black)
 set in
 Concrete Footer
 24" x 48"

Multi - Tenant Sign - Monopole - 120" in height
 Sign area - 26.7 SF

Customer: Terry Comstock
 Company: Comstock's Junction
 Address: 754 North Court St.
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 Phone: State/Zip: OH 44256
 Fax:



411 West Smith Rd.
 Medina, Ohio 44256
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Job No.: 4131 Date: 1/17/2019
 Order Date: Salesperson: Dave Sterrett
 Sign Dimensions: 26.7 SF Estimate: \$0.00
 Comments:

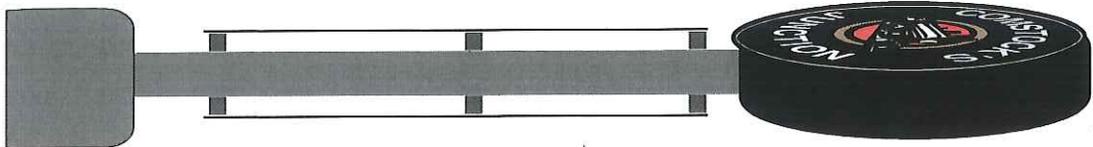
MAR 01 2019

12.0 in

Side Profile

12" 2 sided cabinet

Sign Panels
1/8" plate Painted
w/replaceable name panels
x 1/8" 1st surface
vinyl applique



120.0 in

Multi-Tenant Sign - Monopole - 120" in height

Sign area - 26.7 SF

Customer:

Terry Comstock

Company:

Comstock's Junction

Address:

754 North Court St.

City:

Medina

State/Zip:

OH 44256

Phone:

Fax:



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Medina, Ohio 44256

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Job No.:
4131

Date:
1/17/2019

Order Date:

Salesperson:

Dave Sterrett

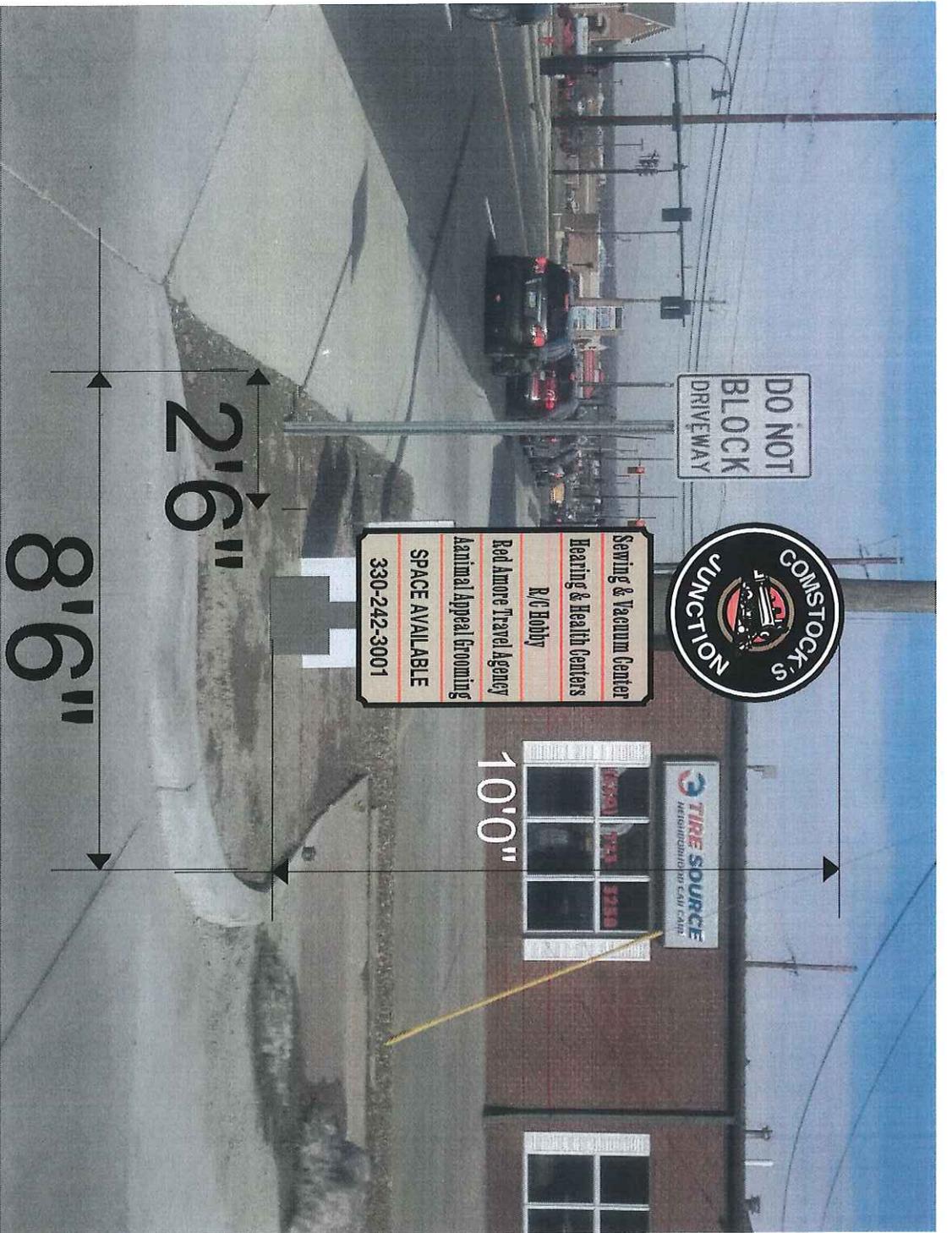
Sign Dimensions:

26.7 SF

Estimate:

\$0.00

Comments:



Multi - Tenant Sign - Monopole - 120" in height

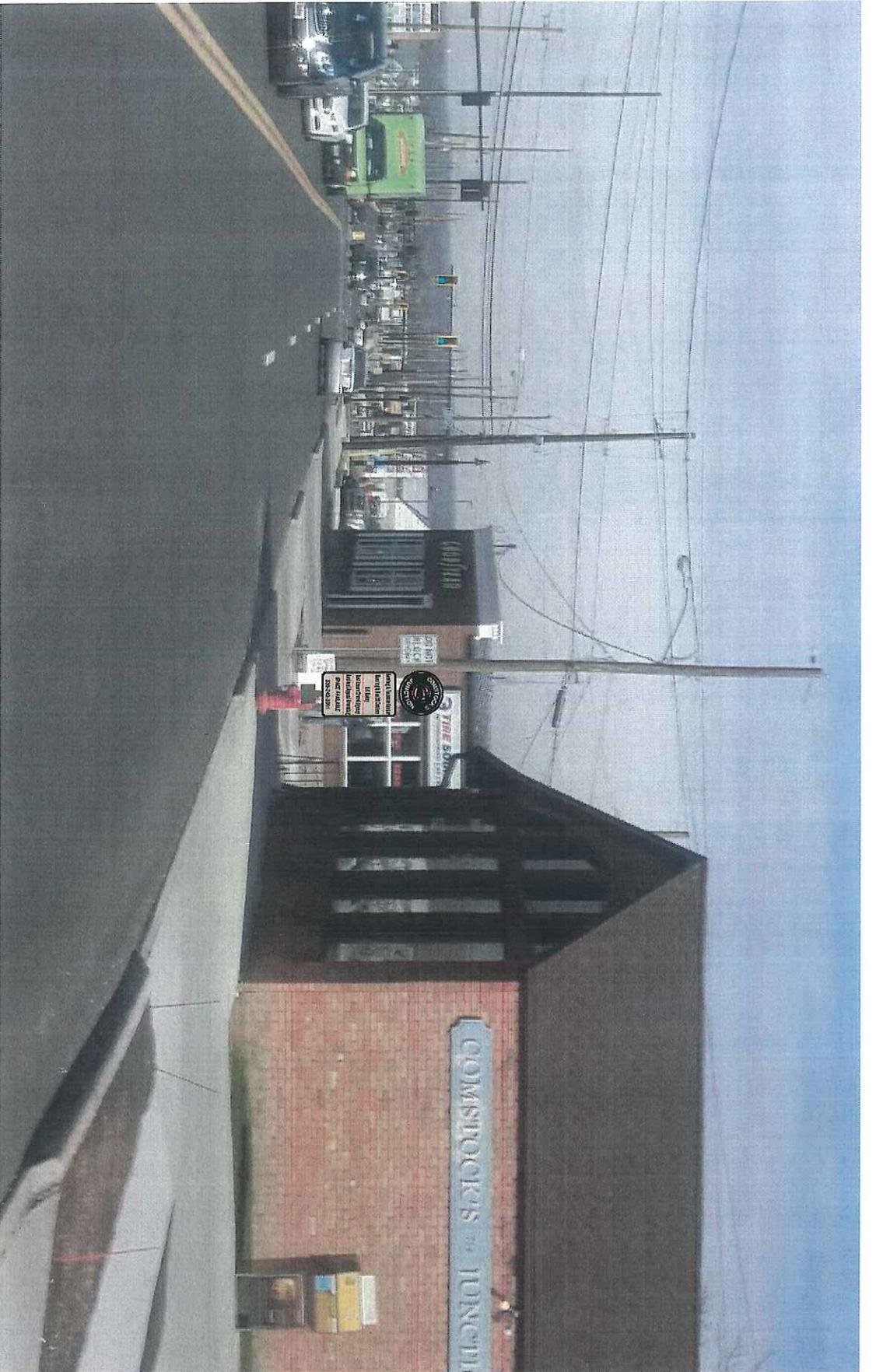


Customer:	Terry Comstock
Company:	Comstock's Junction
Address:	754 North Court St.
City:	Medina
State/Zip:	OH 44256
Phone:	
Fax:	

Medina Signs

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 Medina, Ohio 44256
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Job No.:	4131	Date:	3/1/2019
Order Date:		Salesperson:	Dave Sterrett
Sign Dimensions:		Estimate:	
Comments:			



Northbound approach proposed - photograph taken from Skidmore south driveway property

Customer: Terry Comstock
 Company: Comstock's Junction
 Address: 754 North Court St.
 City: Medina State/ZIP: OH 44256
 Phone: State/ZIP: OH 44256
 Fax:



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Date: 3/1/2019

Order Date:

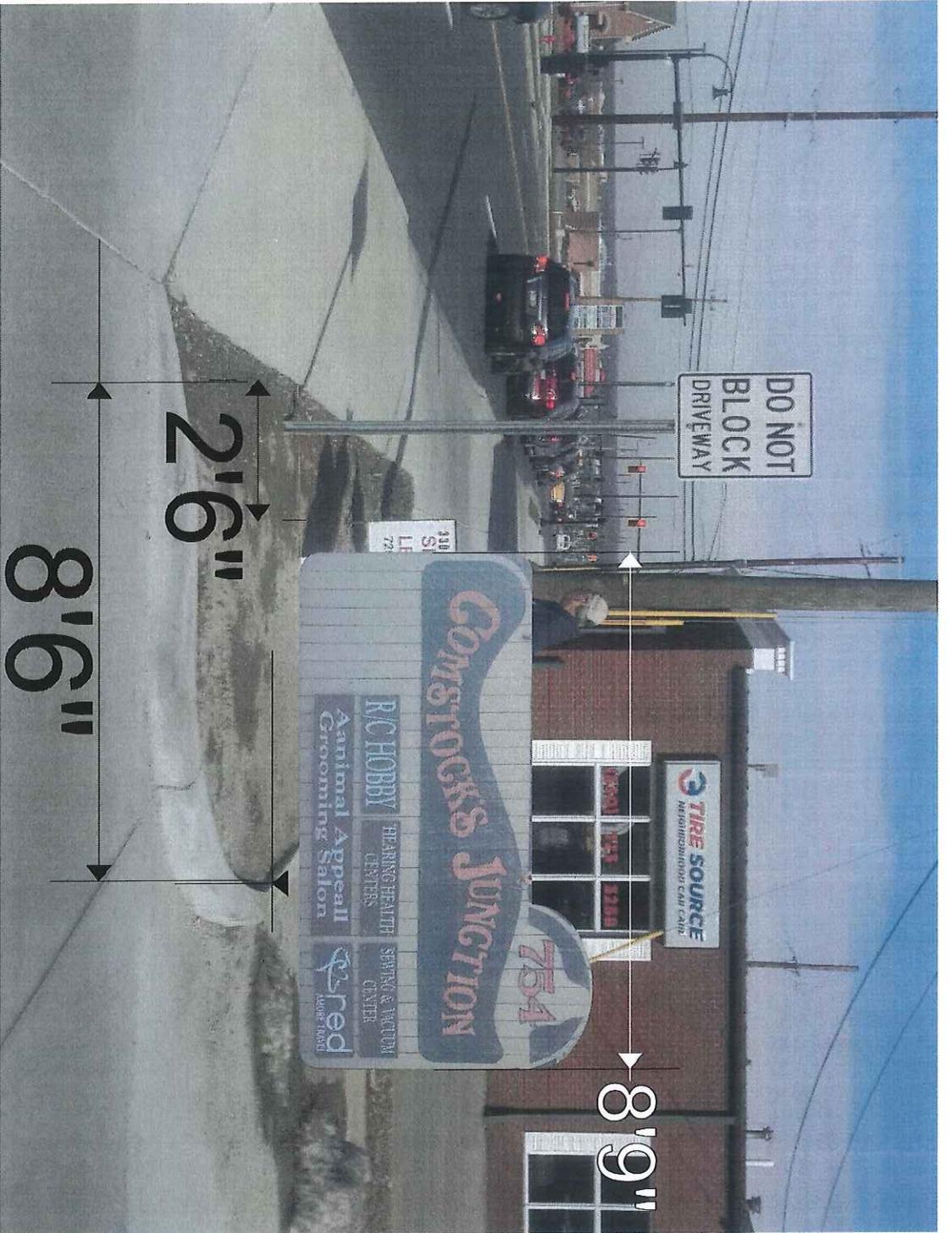
Salesperson: Dave Sterrett

Sign Dimensions:

Estimate:

Comments:

MAR 01 2019



Existing sign with 2.5' setback from ROW

Customer: **Steve Comstock**
 Company: **Comstock's Junction**
 Address: **754 North Court St.**
 City: **Medina** State/Zip: **OH 44256**
 Phone: _____
 Fax: _____

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Job No.: **4131** Date: **3/1/2019**
 Order Date: _____ Salesperson: **Dave Sterrett**
 Sign Dimensions: _____ Estimator: _____
 Comments: _____

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Prior to road improvement - Northbound approach

Customer: Terry Comstock
 Company: Comstock's Junction
 Address: 754 North Court St.
 City: Medina State/Zip: OH 44256
 Phone: Fax:



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 www.medinasigns.com

Job No.: 4131

Date: 2017

Order Date:

Salesperson: Dave Sterrett

Sign Dimensions:

Estimate:

Comments:

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 APR 01 2019



Prior to road improvement

Customer: Terry Comstock
 Company: Comstock's Junction
 Address: 754 North Court St.
 City: Medina State/Zip: OH 44256
 Phone:
 Fax:

Medina Signs

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Job No.: 4131

Date: 2017

Order Date:

Salesperson: Dave Sterrett

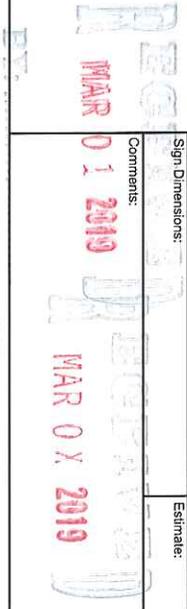
Sign Dimensions:

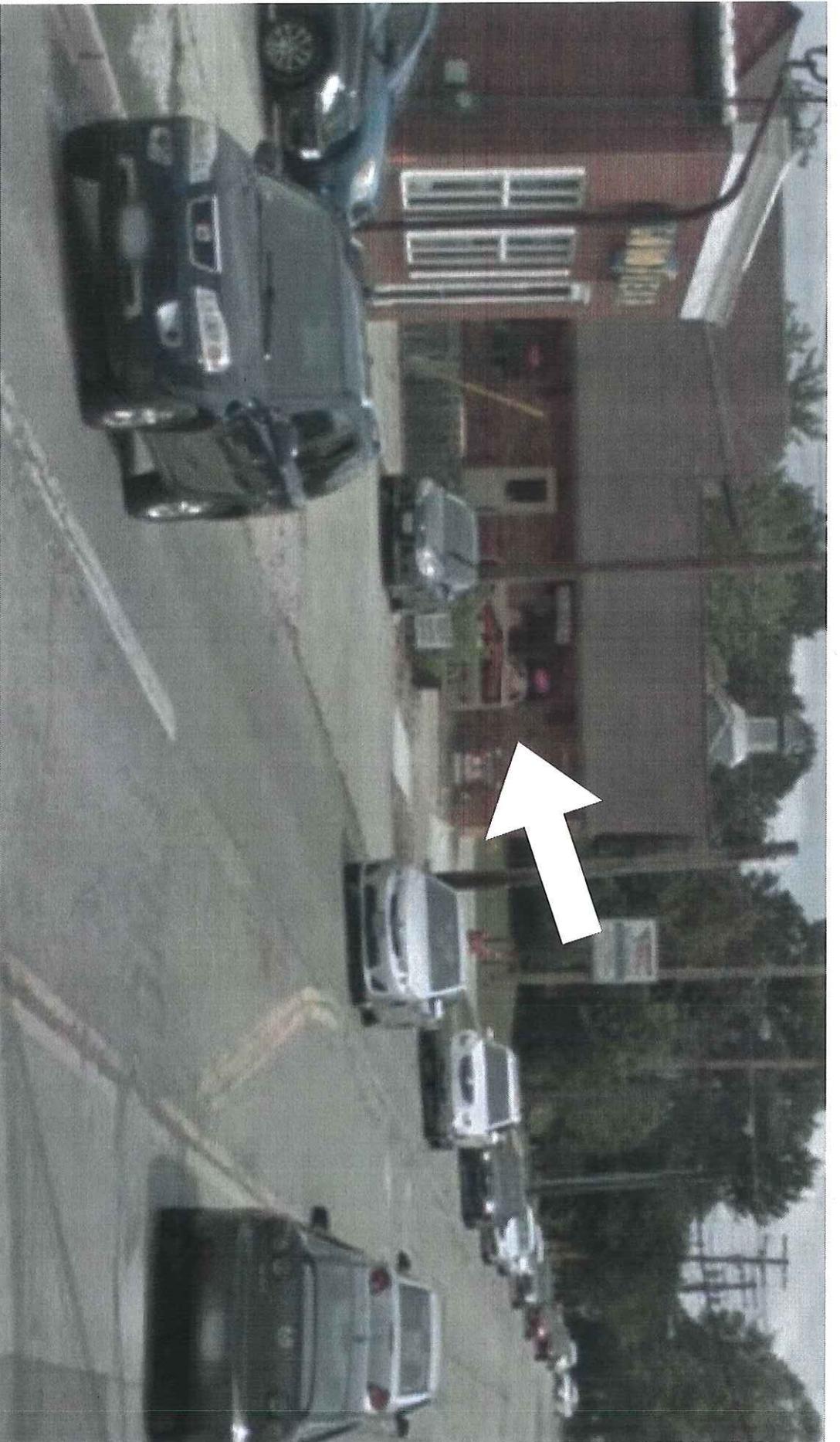
Estimator:

Comments:

MAR 01 2019

MAR 01 2019





Prior to road improvement - Intersection of Harding St. / North Court St.

Customer: Terry Comstock
 Company: Comstock's Junction
 Address: 754 North Court St.
 City: Medina State/Zip: OH 44256
 Phone: Fax:



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 Medina, Ohio 44256
 330-723-2484
 www.medinasigns.com

Job No.: 4131	Date: 2017
Order Date:	Salesperson: Dave Sterrett
Sign Dimensions:	Estimate:
Comments: MAR 01 2019	MAR 01 2019