

# **CITY of MEDINA**

# Board of Zoning Appeals Regular Meeting Minutes April 13, 2023

Meeting Date: April 13, 2023

Meeting Time: 7:00 PM

Present: Brandilyn Fry, Robert Henwood, Bert Humpal, Paul Roszak, Mark Williams, Andrew Dutton (Community Development Director), and Sarah Tome (Administrative Assistant)

## **Approval of Minutes**

Mr. Williams made a motion to approve the minutes from March 9, 2023 as submitted.

The motion was seconded by Ms. Fry.

Vote:

Fry  $\underline{\underline{Y}}$  Henwood  $\underline{\underline{Y}}$  Humpal  $\underline{\underline{Y}}$ 

Roszak Abstain

Williams <u>Y</u>

Approved <u>4-0</u> with Mr. Roszak abstaining

The Court Reporter swore in all attendees.

### **Applications**

1	Z23-05	Jara Barreto	716 North Court Street	VAR
Δ.	ZZ3-U3	Jaia Daileto	/ 10 NOI til Coult Street	VAN

Mr. Dutton stated that the applicant was requesting an Area Variance to Section 1155.05(a)(1) to allow a dumpster enclosure within a required setback at 716 North Court Street. He noted that the current site was a vacant building. He added that the site incorporated a mix of zonings, including C-3 (General Commercial), C-1 (Local Commercial), and R-3 (High-Density Urban Residential).

Mr. Dutton stated the applicant was proposing to demolish the existing building on the site and construct a 4,505 sq. ft. urgent care facility. He noted that the current site included a dumpster enclosure located approximately 4.5 ft. from the south property line. He stated that the proposed trash enclosure was positioned 15 ft. from the northwest corner of an adjacent property. Mr. Dutton noted that trash enclosures must meet the applicable setback for

accessory structures, which was 20 ft. He added that the applicant had received Site Plan approval from the Planning Commission earlier in the evening.

Present for the case was Jara Barreto of OLIO Development Group, 1062 Ridge Street in Columbus. Ms. Barreto stated that they were planning on demolishing the vacant building and constructing a new urgent care facility. She noted that they had tried different locations for the dumpster enclosure, but were unable to find a location that did not affect parking on the site.

Mr. Humpal opened the public hearing. There were no questions or comments from the public.

There was a discussion as to the location of the dumpster enclosure. Mr. Williams inquired if it was possible to move the enclosure an additional 5 ft. so as to comply with the setback requirements. Ms. Barreto stated that an urgent care facility required close parking for their patients and that the chosen site was the best location for the enclosure. Ms. Fry stated that she believed moving it 5 ft. would restrict the view from several parking spaces. Mr. Dutton noted that the dumpster enclosure was located 15 feet from the corner of the property

Mr. Roszak made a motion to approve the variance, stating that the variance was not substantial. He added that the essential character of the neighborhood would not be substantially altered and that the adjoining properties would not suffer substantial detriment.

Mr. Henwood seconded the motion.

#### Vote:

Henwood	<u>Y</u>
Humpal	<u>Y</u>
Roszak	<u>Y</u>
Williams	<u>N</u>
Fry	<u>Y</u>
Approved	<u>4-1</u>

2.	Z23-06	Scott Farnsworth	850 North Court Street	VAR
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Mr. Dutton stated that the applicant was requesting an Area Variance to Section 1147.14(d) to allow more wall signs than permitted and Section 1147.14(g) to allow a temporary sign to be displayed longer and to be larger than permitted. He noted that the site was part of a larger property incorporating Giant Eagle. Mr. Dutton noted that the application included a number of instructional signs, signs on the ATM, and signs on the building.

Mr. Dutton stated that the Code allows for one primary sign on the primary building frontage, as well as a secondary sign on a secondary frontage, for a total of two wall signs. He added that this site had three possible frontages, permitting the applicant to choose two signs for two of these frontages. Mr. Dutton stated that the applicant was proposing four total wall signs, one on each side of the building.

Additionally, Mr. Dutton stated that temporary signs were restricted to 12 sq. ft. in area and could be displayed for 15 consecutive days during the year. He added that the applicant was proposing a temporary sign that was 32 square feet in area that would be displayed for the duration of the construction on the site.

Present for the case was Scott Farnsworth of Archer Sign Corporation, 1917 Henry Avenue Southwest, in Canton. Mr. Farnsworth stated that Chase Bank was especially pushing for the sign on the eastern side of the building. He stated that the bank's motivation for having signage on all elevations of the building was because of its location, which allowed for visibility of the building on all sides. Mr. Farnsworth noted that the customer had eliminated some of their originally proposed signage, including a sign on the top of the ATM and Chase branding on directional signs. He reiterated that he believed the four wall signs were necessary given the location of the property.

Mr. Humpal opened the public hearing. There were no questions or comments from the public.

Ms. Fry asked if a ground sign was included in the proposal. Mr. Farnsworth stated that there was not.

Mr. Farnsworth stated that they were willing to lessen the amount of time the temporary sign would be displayed, limiting it to May through November.

Mr. Williams stated that he felt that the eastern sign had the least presentation value. Mr. Humpal noted that buildings in the area did not have signs on their eastern elevations. There was a discussion as to the number and placement of wall signs. Board members stated they were comfortable with signs located on the north, west, and south faces of the building.

Mr. Henwood made a motion to approve the variance to allow three wall signs, to be located on the north, west, and south faces of the building, and to allow the temporary sign to be displayed longer and to be larger than permitted. He added that the eastern sign was excluded from the approval. Mr. Henwood stated that the variance would not adversely affect the character of the building, lot, or neighborhood, and that it was consistent with the general spirit and intent of the Ordinance.

Mr. Williams seconded the motion.

#### Vote:

Humpal	<u>Y</u>
Roszak	<u>Y</u>
Williams	<u>Y</u>
Fry	<u>Y</u>
Henwood	<u>Y</u>
Approved	<u>5-0</u>

Adjournment				
Having no further business, the meeting was adjourned.				
Respectfully submitted,				
Sarah Tome				
Bert Humpal, Chairman				