

**MEDINA TOWNSHIP
BOARD OF ZONING APPEALS
ORGANIZATIONAL MEETING
PUBLIC HEARING
JANUARY 16, 2008**

Acting Vice Chair William West called the organizational meeting of the Medina Township Board of Zoning Appeals to order at 7:30 p.m. Board members West, Becker, and Dufala were present. Board members Karson and Morel were absent. Alternate members John Bostwick and Steve Euse sat in for a full Board.

Please note that the Trustees have not appointed those whose term expired or alternate members to the Board of Zoning Appeals. Therefore, all members sit until re-appointed or other members are named to the BZA.

ORGANIZATIONAL MEETING

Election of Officers

Secretary Ferencz called for nominations for Chairman.

Mr. Dufala made a motion to nominate Mr. Ed Morel as Chairman of the BZA for the calendar year 2008. It was second by Mr. Bostwick. The nominations were closed. ROLL CALL-Dufala-yes, Becker-yes, Bostwick-yes, Euse-yes, West-yes.

Acting Vice Chair West then called for nominations for Vice Chairman.

Mr. Bostwick made a motion to nominate Mr. William West as Vice Chairman of the BZA for the calendar year 2008. It was second by Mr. Becker. The nominations were closed.

ROLL CALL- Bostwick-yes, Becker-yes, Dufala-yes, Euse-yes, West-abstain.

Set hearing dates/Confirm hearing posting

The Board unanimously agreed to set the 3rd Wednesday of the month at 7:30 for the BZA to hold their public hearings on an as needed basis. Legal notice shall be placed in the Medina Gazette with posting to be placed on the Townhall marquee.

The organizational meeting was closed at 7:38 p.m.

PUBLIC HEARING

Vice Chair West called the public hearing of the Medina Township Board of Zoning Appeals to order at 7:38 p.m. Board members West, Becker and Dufala were present. Alternate members Bostwick and Euse sat in for a full Board. Vice Chair West introduced the Board members and explained the public hearing procedure to those present.

Continuances

Dr. Noreika variance request-3609 Medina Rd.

This request was tabled per the applicant's request last month due to the fact the owner, (Dr. Noreika) being out of town.

Vice Chair West reviewed the file. Secretary Ferencz read the application. The applicant is Mr. Dave Sterrett from Medina Signs. The owner, 4IS LLC (Dr. Noreika). Property requesting the variance-3609 Medina Rd. Present Zoning-BG. Variation Requested: Two signs on the same face of wall building. Owner is requesting that the "E" remain on the building to identify the building as it has since constructed. The business that occupies the building is applying for a business ID wall sign per Section 506 I. 1.

The explanation for the variance request: The big "E" on the wall does not identify the business that occupies the building. It does however; serve as a landmark ID for the entire strip. Because many of the business's customers are eye patients, they have difficulty finding the building. The big "E" sits very high on the face of the wall. It is illuminated in the night time-the new proposed wall sign is non-illuminated.

Dr. Noreika and Dave Sterrett from Medina Signs were sworn in. Dr. Noreika stated he appeared before the Township two years ago when he was developing this building into an ophthalmology office. Many of his patients have had trouble identifying the building. Most of his patients are elderly and poorly sighted. They are ending up at the wrong building and it is a true inconvenience for his patients. Dr. Noreika stated it was not his intent to make this a Las Vegas strip but to identify the building on Rt. 18.

Dr. Noreika stated he has practiced in the area for over 25 yrs. and some of his patients come from a distance and are not familiar with Buehler's or other businesses as landmarks to get to his building. The big "E" sign has been successful marking the building, but some patients have told him the E could stand for exercise or exports and not its original intent.

This is the only marker on the building and it is above the second floor of the building. Mr. Dufala asked if the "E" could be moved and the proposed sign put beneath the "E". Dr. Noreika stated he could but the "E" adds some interest to the building given its location on Rt. 18 and especially in the evening as the "E" is lighted. He would like to put the name up to emphasis the eye care service he offers and making sure his patients know where to go.

Mr. Becker asked if the "E" was built into the brickwork. Mr. Sterrett stated no it was surface mounted on the brickwork of the building. Mr. Dufala asked what the square footage was of the "E" and the new sign together. Mr. Sterrett stated the proposed sign is 46.66-sq. ft. ZI Ridgely stated the "E" is 12 sq. ft. The total square footage of both signs would be 58 sq. ft.

Mrs. Strogin Chair of the Zoning Commission was sworn in. She stated the issue is the Zoning Resolution only permits one sign. When Dr. Noreika came in for his signage, the "E" was to be his only sign. It was not designated as a monument sign for the whole complex. Mrs. Strogin asked if Dr. Noreika was opened in the evening. Dr. Noreika stated yes, on Tuesday and Thursday evenings. She added that the proposed sign was much more attractive and visible to read and did identify Dr. Noreika's particular business more than the "E" which was not in the line of site, does not stick out in the day and especially given only one sign is permitted per the Zoning Resolution.

Mr. Bostwick asked about the "E"s on the windows? Dr. Noreika stated that the "E"s were stickers on the insides of the windows and could be removed. He added that he respectfully disagreed with Mrs. Strogin's comments as patients are looking for the "E" and they have received feedback on the uniqueness of the sign. Dr. Noreika stated he had too much invested to make the area look gaudy.

Mr. Becker stated he liked the new sign and did not feel the "E" was probably all that affective in indentifying the building. Dr. Noreika interjected that there is an unattractive louver under the "E" and did not know if the community would like that as an alternative if the "E" were removed.

The Board then reviewed the Duncan Factors.

1. Will the property yield a reasonable return or a beneficial use without the variance request? The Board stated yes.
2. Is the variance substantial? Vice Chair West stated going from 1 to 2 signs could be determined as substantial but the request is only 9 ft. over the entitled square footage allowed based on the 50 ft. of linear frontage this business has.
3. Whether the essential character of the neighborhood would be substantially altered or adjoining property owners suffer a substantial detriment if the variance is granted? The Board stated no.
4. Will the granting of the variance adversely affect the delivery of governmental services? The Board stated no.
5. Did the property owner purchase the property with the knowledge of the zoning restrictions? The Board stated yes.
6. Whether the problem can be solved by some other manner other than the granting of the variance? The Board stated no.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes.

Mr. Dufala made motion to approve a variance for a second wall sign and a 9 ft. variance for the total square footage of both wall signs not to exceed 59 sq. ft. for the property located at 3609 Medina Rd. (Dr. Noreika-Excellence in Eyecare). The window signage must be removed before second sign is erected. It was second by Mr. Bostwick. ROLL CALL-Dufala-yes, Bostwick-yes, Euse-yes, Becker-yes, West-yes.

Minutes

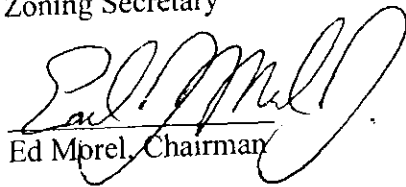
The minutes to the BZA's December 19, 2007 were approved as written.

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Having no further business before the Board, the hearing of Board of Zoning Appeals was officially adjourned at 8:00 p.m.

Respectfully Submitted,

Kim Ferencz
Zoning Secretary


Ed Morel, Chairman