

**MEDINA TOWNSHIP
BOARD OF ZONING COMMISSIONERS
REGULAR MEETING/CON'T OF PUBLIC HEARING
MAY 19, 2009**

Chairperson Strogin called the regular meeting of the Medina Township Board of Zoning Commissioners to order at 7:30 p.m. Board members Overmyer, Szunyog, Jarrett, Erickson and Strogin were in attendance. Alternate Board member Jim Apana was also in attendance.

Chair Strogin closed the regular meeting of the Zoning Commission at 7:33 p.m. and opened up the continuation of the public hearing on the proposed text amendment by Bill Doraty of Article VI. Sign Regulations Section 605 1. Holiday Inflatables, at 7:34 p.m.

Chair Strogin stated the Board planned on having a work session with the Pros. Office, Mr. Doraty and his attorney Mr. Laribee this evening on this subject. Getting a date together for everyone was difficult but was finally scheduled to take place this evening at 7:00 p.m. Secretary Ferencz then received a fax from Mr. Laribee that he could not be present this evening. As a result in order to accommodate Mr. Laribee so that information would not have to be repeated, it was decided that the public hearing would be postponed one more time. Chair Strogin stated Mr. Thorne said the Commission could go ahead with the public hearing but as stated the hearing would be tabled for one month. She also asked Mr. Thorne how many times the Commission has to allow the public hearing continued because for the record all of these continuations except for one which was an error in the hearing date, has been tabled due to the applicant and/or his attorney? In any event, Mr. Thorne would be present at the Commission's meeting next month, June 16, 2009 at 7:00 p.m. with or without the presence of Mr. Doraty or his attorney for the hearing to move forward.

Mr. Jarrett made a motion to continue the public hearing for Mr. Doraty's proposed text amendment on inflatables until the Commission's next scheduled meeting June 16, 2009 at 7:00 p.m. It was seconded by Mr. Overmyer.

ROLL-Jarrett-yes, Overmyer-yes, Erickson-yes, Szunyog-yes, Strogin-yes.

The public hearing was closed at 7:40 p.m.

REGULAR MEETING

Chair Strogin reopened the regular meeting of the Zoning Commission at 7:41 p.m.

The Zoning Commission minutes to the April 21, 2009 meeting were approved as amended. The Trustees have scheduled site plan reviews to be heard on May 28, 2009 at 7:00 p.m. A letter would be sent to the applicants when the Trustees would hear their site plan/signage requests.

SITE PLANS

Carlson Funeral Home-3477 Medina Rd.

Mr. Dave Sterrett from Medina Signs represented Carlson Funeral Home. Mr. Sterrett stated the wall sign would be 43.25 sq. ft. The sign would consist of laser cut acrylic, pin mounted to the wall. ZI Ridgley stated the frontage of the building is 82.5 ft. Mr. Erickson asked what the distance of the sign would be from the wall? Mr. Sterrett stated between ½" to 1".

Mr. Sterrett stated he was also requesting a face replacement of the existing ground sign for Carlson Funeral Home as well. ZI Ridgley asked that landscaping be added under the ground sign. Mr. Sterrett stated it was not addressed in the sign plan for Carlson Funeral Home. ZI Ridgely stated that landscaping should have been required originally because the code has required that for quite sometime. Mr. Sterrett stated he could pass that information along to the owner. Chair Strogin stated that landscaping was a requirement in the signage language; and since Carlson is making changes to its signage it is the opportune time for landscaping to be incorporated.

Mr. Overmyer made a motion to approve a wall sign for Carlson Funeral Home not to exceed 44 sq. ft. to be placed on the southwest quadrant of the building as presented. It was seconded by Robert Erickson.

ROLL CALL-Overmyer-yes, Erickson-yes, Jarrett-yes, Szunyog-yes, Strogin-yes.

Mr. Sterrett stated regarding the landscaping, Mr. Carlson may say the sign is grandfathered, as it has been there 20 yrs. Chair Strogin stated because Mr. Carlson was making a change to the sign, the Commission could require that the sign meet the current regulations of the code.

Mr. Jarrett made a motion to approve the face replacement of the existing ground sign for Carlson Funeral Home not to exceed 32-sq. ft. as presented. Landscaping will be added to the base of the ground sign. It was seconded by Mr. Overmyer.

ROLL CALL-Jarrett-yes, Overmyer-yes, Erickson-yes, Szunyog-yes, Strogin-yes.

Country Baker-3597 Medina Rd.

Mr. Dave Sterrett from Medina Signs represented Country Baker. Mr. Sterrett stated this business was located in Reserve II at 3597 Medina Rd. The proposed sign would be 22.5 sq. ft. and 18" in height. The frontage of the business is 25 ft.

Mr. Sterrett added that the Country Baker sells breads and pastries as well as sandwiches, soups, wraps and coffee. There are a few tables and chairs for customers to dine. The Commission recommended she advertise those products, as they were not aware of all the items the Country Baker sells.

ZI Ridgley asked if the Country Baker is going to be placed on the id sign out front? Mr. Sterrett stated he mentioned that to the owner but there was no decision at this time so it would be a separate submittal.

Mr. Jarrett made a motion to approve a wall sign for Country Baker not to exceed 22.5 sq. ft. as presented. It was seconded by Ms. Szunyog.

ROLL CALL-Jarrett-yes, Szunyog-yes, Overmyer-yes, Erickson-yes, Strogin-yes.

MISC.

Mr. Sterrett asked regarding the multi-tenant id signs, when a developer comes in for approval of such a sign and all the tenants are in place, can he get approval for everyone under one permit? Chair Strogin stated yes. Mr. Sterrett then asked, other than having editorial control of what goes on that panel why does a tenant/sign company have to pull a permit every time a tenant wants to be put up or be placed on a sign? Chair Strogin responded that the Township needs to know what has been authorized to be placed on such a sign. She continued that many times there were more tenants than panels on an id sign so the Township needs to know who legitimately is to be on the sign.

Mr. Sterrett asked if the Commission could pencil whip that function and make it a function of the Zoning Inspectors for approval? He asked if the tenant or sign/company takes picture of the current sign with the new tenant on it to prove that the new tenant complies with the size of the panel or sign could they then not have to go through the Zoning Commission and Trustees for approval? Mr. Sterrett stated the existing process seemed cumbersome to him personally. Chair Strogin stated that is why the Township encourages a site plan and signage to be submitted at one time so there were not multiple applications or fees involved.

Chair Strogin continued that an example of why the Township requires a sign to come before the boards for approval was Home Depot and all the outlots as there was not enough panels on the pylon sign for all the businesses that were going in the complex. Mr. Sterrett asked why couldn't they have applied for X amount of square footage of signage and divide it up as they saw fit? Chair Strogin stated the Commission usually does not care but there was a variance involved for the amount of signage that shopping complex could have. The idea behind Home Depot and the outlots was to give the stores that were set farther back west on Pearl Rd. some visibility i.e. signage.

Mr. Sterrett again asked if a new tenant name can be accommodated on the existing wall sign dimensions and/or panel on the id sign why couldn't a picture be taken to confirm compliance by the Zoning Inspectors; and a permit issues instead of having to come to before the boards for approval? Chair Strogin stated signage has a process it needs to follow regardless if it is "simple" or complex. It also keeps a record for the Township. Chair Strogin strongly suggested Mr. Sterrett tell his clients to apply for all their signage at the same time as their site plans to avoid multiple application, fees and meetings.

Chair Strogin stated there was an issue made by a Trustee about last Zoning Commission meeting where an electronic sign was approved for Nova Animal Hospital with conditions. Trustee Holt stated that what the Commission did was conditional zoning and the Township does not have conditional zoning. Trustee Holt also stated that she spoke with Mr. Thorne on this issue. Chair Strogin stated she then contacted the Pros. Office and gave Mr. Thorne a copy of the audio recording of the meeting where the sign approval for Nova Animal Hospital took place. Chair Strogin continued that she told Mr. Thorne it was the applicant's desire to have the sign change once a week in the early morning hours so as not to be a distraction for traffic.

Chair Strogin then read a letter from the Pros. Office on this issue dated May 12 2009 which stated:

Re: Enforceability of Conditions and/or Agreements from the Zoning Resolution

"...In regard to the Nova Community Animal Hospital issue itself, based on the DVD, which I listened to, and the discussions at the meeting, the Zoning Commission did not impose any restrictions upon the applicant. They granted the applicant specifically what she said she desired. The applicant can come back and ask for a digital sign, which rolls over more than once a day. It is simply that at the time of the Hearing the applicant particularly stated that she was only looking to change her sign once a day.

I can understand how the comments that were made, based upon the general discussion about digital signs, which ensued as a result of the application of Nova, could have been interpreted differently, but the fact remains even though there was broad discretion about what should or should not be allowed as a digital sign, the sign actually approved was simply what was requested."

Mr. Sterrett who happened to represent Nova Animal Hospital's signage request stated the owner was pleased with what was approved for her business and was looking to the Township to review their signage language in the future. Mr. Overmyer stated he thought these types of electronic/digital signs would probably be back before the Commission and felt the board should define what it meant by "movement and light" in the zoning code. Chair Strogin asked Medina City to give her their zoning regs and the City allows such signs to change once a minute. What that meant is the governmental entity could set the frequency.

Chair Strogin also stated that regarding the Mr. Doraty's comments at the last Commission meeting/hearing that he does not advertise low cost cars; she had an ad for Bill Doraty KIA advertising a car for \$7,300.00. She added that is what she meant by her comments that Mr. Doraty has a car that is in the price range for a market where everybody is looking at cost.

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Mr. Sterrett stated the City of Elyria is going to hold a workshop on electronic signage and he would forward the date to the Commission in case members were interested in attending.

Having no further business before the Board, the meeting was officially adjourned at 8:30 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary


Amiss Strogin, Chairperson