

**MEDINA TOWNSHIP
BOARD OF ZONING APPEALS
HEARING
AUGUST 15, 2012**

Chair Morel called the hearing to order at 7:30 p.m. All Board members were introduced and Chair Morel explained the hearing procedure to all those present. Alternate member Williams sat in for a full Board.

Medina Presbyterian Church-5020 Burgundy Bay Blvd.

Chair Morel reviewed the application. The applicant is Medina Presbyterian Church. The property requiring the variance-5020 Burgundy Bay Blvd. Present Zoning-UR. Previous variance requests-Yes, 12 yrs. Ago. Variance Requested- Section 605 H. Ground Signs. To construct a new sign at the west side of the church property 13'. 07" off the west property line instead of the 20'. 0" zoning code dimension.

The reason for the variance request read as follows:

- A. Useable church property is a narrow finger sandwiched between the west property line and the Burgundy Bay Blvd. right of way. If we place the new sign 20' off Rt. 18 right of way and close to the Burgundy Bay right of way the sign would be 13'. 07" off the west property line.
- B. The circumstance for the request is as stated in (A)
- C. Our proposed sign location is in compliance with the zoning code other than the side yard dimension.

Our sign would be the same distance off Rt. 18, as our neighbors sign to our west side. MPC has since its beginning (20 years ago) had and still has a sign in the front and center of the property and across from Burgundy Bay Blvd. This sign is in need of major repairs or replacement. The new sign would also have electricity run to it. Our new proposed sign location is in a more visible location and it will cost \$3000.00 less to get electric to the site.

The applicant, Mr. William Sturgess was sworn in. He stated he was a member, former elder and authorized representative for the church.

Chair Morel stated the variance request seemed self-explanatory. The property gets wider as it goes further back. If the sign had to be placed 20 ft. from the side property line then it defeated the purpose of having a sign on Rt. 18. The proposed sign met all the other requirements of the zoning resolution.

Mr. Stopa asked about the previous variance that was granted to the church. Mr. Sturgess responded it was for an addition on the west side. The property is approximately 4 acres. Mr. Stopa asked about the existing ground sign. Mr. Sturgess responded the existing ground sign would be taken down.

Mr. Sturgess stated he went to meetings regarding the widening of Rt. 18. The plan was to widen Rt. 18, which would affect the church property and also putting in a bicycle path on the west side of Rt. 18. The State of Ohio has once again approved a preliminary study on the Rt. 18 widening project, which is to start in 2013, but the widening was 5-7 yrs. away if it ends up being done at all. Mr. Sturgess stated he sent a letter to the State as well as the County that if this widening project is going to be done to consider straightening out Burgundy Bay Blvd. and to line it up with the street on the other side of Rt. 18.

Chair Morel stated the proposed sign was in a much better location by the driveway then in the middle of the property.

The Board then reviewed the Duncan Factors.

1. Will the property yield a reasonable return or whether there is a beneficial use without the variance? The Board stated yes.
2. Is the variance substantial? The Board stated 7 ft. was substantial.
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, in fact, it was easier to identify where the driveway to the church is located.
4. Will the granting of the variance adversely affect the delivery of governmental services? The Board stated it would probably be easier to identify the church with the new sign placement if there was an emergency call.
5. Did the property owner purchase the property with the knowledge of the zoning restrictions? The Board stated yes, as the church applied for a variance previously.
6. Whether the problem can be solved by some other manner other than the granting of the variance? The Board stated yes.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes.

Mr. Williams made a motion to grant a 7 ft. side yard setback variance for Medina Presbyterian Church to construct a ground sign on the west side of the property located at 5020 Burgundy Bay Blvd. as presented. The existing ground sign to be removed within 30 days. It was seconded by Mr. West.

ROLL CALL-Williams-yes, West-yes, Becker-yes, Stopa-yes, Morel-yes.
The variance request was approved.

Minutes

The July 18, 2012 meeting minutes of the BZA hearing were approved as written.

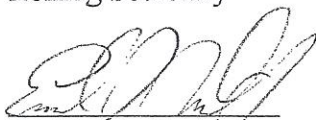
MISC.

Mr. West asked ZI Ridgely if she took any action on motion the BZA made last month remanding the decision back to her to review other reasons to prohibit the inflatable sign for Bill Doraty KIA per Judge Kimbler's opinion. ZI Ridgely stated she was speaking with an attorney regarding this matter.

Having no further business before the Board, the meeting of the Board of Zoning Appeals was officially adjourned at 7:50 p.m.

Respectfully Submitted,

Kim Ferencz
Zoning Secretary


Ed Morel, Chairperson