

**MEDINA TOWNSHIP
BOARD OF ZONING APPEALS
ORGANIZATIONAL MEETING/PUBLIC HEARING
FEBRUARY 20, 2013**

ORGANIZATIONAL MEETING

Acting Chair Morel called the organizational meeting of the Board of Zoning Appeals to order at 7:00 p.m. Permanent Board members West, Dufala, Stopa, Blakemore and Morel were present. Alternate BZA member Gray was in attendance and Williams absent.

Election of Officers

Secretary Ferencz called for nominations for Chairman.

Mr. West made a motion to nominate Mr. Ed Morel as Chairman of the BZA for the calendar year 2013. It was second by Mr. Stopa. The nominations were closed.

ROLL CALL-West-yes, Stopa-yes, Dufala-yes, Blakemore-yes, Morel-yes.

The meeting was turned over to Chair Morel. Chair Morel then called for nominations for Vice Chairman.

Mr. West made a motion to nominate Mr. Mike Stopa as Vice Chairman of the BZA for the calendar year 2013. It was second by Dave Dufala. The nominations were closed.

ROLL CALL- West-yes, Dufala-yes, Blakemore-yes, Morel-yes, Stopa-yes.

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.

PUBLIC HEARING

Doraty Administrative Appeal-Tabled. Secretary Ferencz stated she requires every month that if this item is to be tabled, that the applicant or his agent submit the request in writing and fax it to the zoning office.

VARIANCE REQUESTS

Heartland Community Church-3400 Weymouth Rd.

Chair Morel reviewed the file. The applicant is Lettergraphics, Inc. The property owner is Heartland Community Church. The address of the property is 3400 Weymouth Rd.

Present Zoning: RR. Previous variance requests-yes.

Variance being requested of Section 605 I. 1. Reason for variance request: At the time the variance was granted for the letters on the building it was a simple oversight to exclude

the cross. The addition of this religious symbol allows passersby to easily identify the purpose of the building.

The design of the cross harmonizes nicely with the lettering and should be an appropriate and necessary addition to the face of the building.

The applicant, Chris Butdorf from Lettergraphics was sworn in. He stated that when the original wall sign was submitted, there was not a harmonious agreement by the church elders, that a cross should be part of signage. Now, due to the large setback of the building off the road, the speed of the traffic etc. the members felt that adding a cross would make the building easily identifiable as a place of worship.

Chair Morel asked how many acres did the church sit on? Mr. Butdorf stated 42 acres. Chair Morel asked about the previous variances granted to the church. ZI Ridgely stated back in November 2011, the Board granted a variance for a wall sign of 100.65 sq. ft. The current sign on the building is 180.65 sq. ft.

Mr. West asked what was the size of the sign being requested this evening?

Ms. Strogan, Chair of the Zoning Commission was sworn in. She stated it depended on how the Board was going to consider the sign. If the Board were compelled to incorporate it into the existing sign the size would be large. If the Board did not do that but considered it a second wall sign, it would be an additional wall sign at 15 sq. ft.

The Board agreed to consider the request for a second wall sign of 15 sq. ft.

Mr. West commented that he had difficulty understanding the cross was an oversight as part of the original sign request. Mr. Butdorf said the members of the church board were not in agreement to have a cross as part of the sign at the time of the original sign submission.

Chair Morel stated he could understand the variance request as the church building sat very far back from the road and this was a large parcel of land. The amount of signage and the amount of acreage does not seem like sign pollution.

Mr. Blakemore asked if a church forgot a steeple and then requested one...A steeple is a sign of a church... Then what?

Chair Morel stated a steeple was not a sign it was more a construction issue.

Ms. Strogan stated a steeple is considered a construction structure. The code allows for steeples to be 15ft. above the 35 ft. maximum building height requirement. A steeple is not necessarily related only to a church building.

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 the amount of square footage is not but a request for a second wall sign is.
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 yes.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes given the acreage and setback of the building.

Mr. Dufala made a motion to grant a variance of Section 605 I. 1 for an additional wall sign to consist of 15 sq. ft. (a cross) and to be placed above the existing wall sign for Heartland Community Church located at 3400 Weymouth Rd. It was seconded by Mr. Blakemore.

ROLL CALL-Dufala-yes, Blakemore-yes, Stopa-yes, West-yes, Morel-yes.

Medina Auto Mall-3205 Medina Rd.

Chair Morel reviewed the application. The applicant is Charles Klinkenberg (Illes Architects). The property owner is Medina Auto Mall. The address of the property is 3205 Medina Rd. Present zoning-BG. Previous variance requests-yes. Variance requested of Section 605 I.1. We are rescinding the 74 sq. ft. sign to correct. Second wall sign-also correct Cadillac mistake sq. ft. from 74 to 79.75.

Reason for the variance request: I would like to rescind the original incorrectly measured sign of the 74 sq. ft. to 79.75 sq. ft. as now accurately submitted with actual shop drawing.

The applicant Mr. Charles Klinkenberg was sworn in. He stated the drawing before the Board was what was submitted to the BZA and Zoning Commission last year. These signs are a package sign unit from General Motors. There is only one sign package

available. Mr. Klinkenberg continued that when he first came before the BZA for a variance; the Medina Auto Mall building was divided into two sections. Each section of the building was to have its own branding approved i.e. Cadillac and Buick. The Buick sign met the code requirements but the Cadillac sign did not and was granted a variance of 74 sq. ft. for a second sign in October 2012. Mr. Klinkenberg stated when they received the formal shop drawings, the Cadillac sign actually measured 79.75 sq. ft. due to the way a sign is measured under the zoning code. The original variance requested was for 74 sq. ft. and not the maximum sign square footage permitted of 80 sq. ft. Mr. Klinkenberg commented that when he was before the Commission to receive approval they did try to find the smallest size sign for Cadillac but still needed a variance because the dealership had to buy the sign package as designated by General Motors.

Secretary Ferencz stated if it was the Board's desire to grant the variance before them this evening, the first variance would need to be rescinded and a motion made to grant a variance for a second sign for the Cadillac branding.

Mr. West made a motion to rescind the variance granted October 2012 and approve a variance for a second wall sign for the Cadillac branding not to exceed 80 sq. for Medina Auto Mall located at 3205 Medina Rd. It was seconded by Mr. Stopa.

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 yes.
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 the sign was a package deal required by General Motors.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes.

ROLL CALL-West-yes, Stopa-yes, Blakemore-yes, Dufala-yes, Morel-yes.

Chair Morel reviewed the second application. The applicant is Charles Klinkenberg (Illes Architects). The property owner is Medina Auto Mall. The address of the property is 3205 Medina Rd. Present zoning-BG. Previous variance requests-yes. Variance requested of Section 605 I.1. Requesting sign "Certified Service" on existing wall 17.88 sq. ft. for replacement of existing signage. We have removed 41.32 sq. ft. of existing signs and are requesting 17.88 sq. ft. saying "Certified Service."

The applicant Mr. Charles Klinkenberg was sworn in. He stated on the east side of the building was a sign that read "service" that was an original vintage 1980's blue General Motors sign. On the very end of the building; legal or not legal existed 40 sq. feet of signage that will be removed. He continued that there are four programs in the General Motors reimbursement program; one is for each branding and for certified service. Therefore the nomenclature was changed from "service" to "certified service" That is why the variance request for a sign that reads "certified service".

Mr. Klinkenberg added that this side of the building is 260 sq. ft. in length.

Mr. Blakemore asked if these signs were required by General Motors? Mr. Klinkenberg stated these were reimbursable programs. If this dealership meets all the requirements of GM they are given low interest rates, better floor plans and are moved up the list of car availability.

Chair Morel stated that may be true, but the Township's regulations trump whatever GM and other dealership requirements may be and does not compel the Township to grant any variation from the code requirements.

Mr. Stopa made a motion to approve an additional wall sign (3 total) for Medina Auto Mall located at 3205 Medina Rd. not to exceed 18 sq. ft. on the east side of the building reflecting "Certified Service" as presented. It was seconded by Mr. West.

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 yes the request for a second sign is 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.
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 either they follow the package requirements or are penalized.
6. Whether the problem can be solved by some other manner other than the granting of the variance? Yes, the dealership could say no to the reimbursement program but would be penalized for doing so.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes.

ROLL CALL-Stopa-yes, West-yes, Dufala-yes, Blakemore-yes, Morel-yes.

Minutes

The August 15, 2012 meeting minutes of the BZA hearing were approved as written.

Having no further business before the Board, the meeting of the Board of Zoning Appeals was officially adjourned at 8: 28 p.m.

Respectfully Submitted,

Kim Ferencz
Zoning Secretary


Ed Morel, Chairman