

**MEDINA TOWNSHIP  
BOARD OF ZONING APPEALS  
PUBLIC HEARING  
MARCH 20, 2013**

Chair Morel called the public hearing of the Board of Zoning Appeals to order at 7:30 p.m. Permanent Board members West, Dufala, Stopa, Blakemore and Morel were present. Alternate BZA member Gray was in attendance and Williams absent. All Board members were introduced and Chair Morel explained the hearing procedure to all those present.

**VARIANCE REQUESTS**

**Fiesta Jalapenas-4136 Pearl Rd.**

Chair Morel reviewed the application. The applicant is Steve Runyon representing Fiesta Jalapenas. The property owner is Jerry Prather. The address of the property is 4136 Pearl Rd. Present Zoning: BI. Previous variance requests-no. Variance being requested of Section 605 I.1. Asking for a second wall sign, due to no ingress, egress off Pearl Rd. and no identification on the north side of the building. Customers do not know where to enter. Second sign-10.66 sq. ft. Reason for variance request: Customers cannot find the entrance as our address is Pearl Rd. and the entrance is off of Grande Blvd. through Home Depot's entrance. There is no identification on the north side of the building to let customers know where to enter and many obstacles blocking the view. This will not be any detriment to the township or public if anything it will help traffic flow to help people find where they are going.

The applicant, Mr. Steve Runyon was sworn in. He stated he felt the variance was justified from a traffic flow aspect to be able to find the restaurant. We are the last business on that stub street off of Grande Blvd.

Ms. Stogin, Chair of the Zoning Commission was sworn in. She stated that when this commercial subdivision was developed, ODOT would not permit any curb cuts off of Rt. 42. That is why Bob Evans, Quaker Steak and Lube and Fiesta Jalapenas do not have any access off of Rt. 42 (Pearl Rd.) She added she did not know if a sign on the north side of the building is really going to solve the issue in directing individuals to this restaurant. Fiesta Jalapenas runs large advertisements in the local paper with a caveat as to where they are located. This is probably more helpful then a second sign.

Ms. Stogin continued that Quaker Steak and Lube is now opened and appears to be drawing a large crowd so this should indirectly help Fiesta Jalapenas.

Mr. West asked if the existing signage for Fiesta Jalapenas was within the zoning regulations? It was stated that it is. There were no variances granted.

Mr. Runyon stated that Quaker Steak and Lube also has obstacles in the way with Fiesta Jalapenas signage. There is a dumpster and a storage POD on the lot. The Board stated the POD was temporary. Mr. Runyon stated the dumpster has an enclosure around it and is an obstacle to view the signage for Fiesta Jalapenas.

Chair Morel stated he was normally not in favor of extra signage but stated this restaurant is at the end of the stub street and over a little crest of a hill. If you have never been to this establishment it is difficult to find. The proposed sign is only 10 sq. ft.

Mr. Dufala asked why the proposed sign did not reflect the name of the restaurant? Mr. Runyon responded they wanted to have the name but because of the logo it would end up being too small and illegible.

Mr. Dufala stated the Board gave Quaker Steak and Lube extra signage because the building sat vacant for 5 yrs. and he did not want to see this establishment go out of business. The rest of the Board members agreed.

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? Chair Morel stated Ms. Stogin gave another way (advertising with directions) that could possibly help the situation for patrons to find the restaurant.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes there are special circumstances for this location.

Mr. Dufala made a motion to grant a variance of Section 605 I. 1 for an additional wall sign not to exceed 11 sq. ft. on the north side of the building for Fiesta Jalapenas located at 4136 Pearl Rd. It was seconded by Mr. West.

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

Minutes

The February 20, 2013 meeting minutes of the BZA hearing were approved as written.

MISC.

-BZA Workshop presented by Attorney Todd Hunt-March 27, 2013-Sharon Twp. 6:30-8:30 pm.

-Comprehensive Plan Open House-March 25, 2013-Weymouth Community Center 5:00-8:00 p.m.

Having no further business before the Board, the meeting of the Board of Zoning Appeals was officially adjourned at 7: 55 p.m.

Respectfully Submitted,

Kim Ferencz  
Zoning Secretary

  
Ed Morel, Chairman