

**MEDINA TOWNSHIP
BOARD OF ZONING COMMISSIONERS
REGULAR MEETING
FEBRUARY 19, 2013**

REGULAR MEETING

Chairperson Strogin called the regular meeting of the Medina Township Board of Zoning Commissioners to order at 7:44 p.m. Board members Overmyer, Kuenzer, Apana, Szunyog and Strogin were in attendance. Alternates Commission members Borrer and Johnson were also in attendance.

The Zoning Commission minutes from their January 15, 2013 meeting were approved as amended.

The Zoning Commission minutes from their September 25, 2012 workshop meeting were approved as written.

Trustees would hear site plans/signage reviews on February 28, 2013 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

Medina Auto Mall-3205 Medina Rd.

Mr. Charles Klinkenberg from Illes Architects and Mr. Lou Katenstein represented Medina Auto Mall. Mr. Klinkenberg stated this project was approved last year and is moving along well. They were however, still waiting on the stone for the facing of the Cadillac portion of the building. He continued that the sign package has to be purchased under the contract from the dealership and there was not a lot of latitude as to what can be done in regards to the sizes of signs.

Mr. Klinkenberg continued that on the east side of the building is a request for a sign to reflect the wording "Certified Service." On the original drawing there was a sign on the building, which just read "Service". The Pennzoil lube stop sign and the service sign have been removed and would be replaced with a sign that reads "Certified Service". Chair Strogin asked what was the square footage of the two signs that were removed? Mr. Klinkenberg stated the total size of the signage was 42 sq. ft. Chair Strogin asked if there was a variance for that signage to which Mr. Klinkenberg stated he did not know. He added the service sign has been up there since the mid 80's. Mr. Klinkenberg stated that part of the GM program is to provide a sign that reads, "Certified Service".

Chair Strogin questioned that there must be different sizes for the signs. Mr. Klinkenberg stated they had to purchase the entire sign package from GM as they request.

Mr. Klinkenberg stated the "Certified Service sign measures 17.88 sq. ft. He added they have filed for a variance request before the BZA tomorrow evening.

Chair Strogin stated that Medina Auto Mall already has a wall sign and only one wall sign is permitted so the Commission would need to deny the signage request. The applicant has filed a variance request for this second wall sign to be heard by the BZA tomorrow evening.

Mr. Overmyer made a motion to deny the additional wall sign request for 17.88 sq. ft. on the east side of Medina Auto Mall located at 3205 Medina Rd. as it is not in compliance with Section 605 I. 1 of the Medina Township Zoning Resolution as presented. It was seconded by Mr. Kuenzer.

ROLL CALL-Overmyer-yes, Kuenzer-yes, Apana-yes, Szunyog-yes, Strogin-yes

Kat Lotus Nail Bar and Beauty Lounge-2763 Medina Rd. Plaza 71

Mr. James Briola from Northcoast Sign and Lighting represented Kat Lotus Nail Bar and Beauty Lounge. The use has been previously approved by the Zoning Commission.

Mr. Briola stated the first request is for a wall sign to consist of 15 sq. ft. The business has 15 ft. of linear frontage.

Ms. Szunyog made a motion to approve a wall sign for Kat Lotus Nail Bar and Beauty Lounge to be located at 2763 Medina Rd. not to exceed 15 sq. ft. as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Szunyog-yes, Overmyer-yes, Apana-yes, Kuenzer-yes, Strogin-yes.

The second request is for a tenant panel on the existing pylon sign. The sign size is 2 feet 11 inches.

Mr. Kuenzer made a motion to approve a tenant panel to be placed on the existing pylon sign for Kat Lotus Nail Bar and Beauty Lounge to be located at 2763 Medina Rd. not to exceed 2' 11" as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Kuenzer-yes, Overmyer-yes, Szunyog-yes, Apana-yes, Strogin-yes.

The last request is for a canopy directional sign to be 4 sq. ft. in size.

Mr. Apana made a motion to approve a canopy/directional sign for Kat Lotus Nail Bar and Beauty Lounge to be located at 2763 Medina Rd. not to exceed 4 sq. ft. as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Apana-yes, Overmyer-yes, Kuenzer-yes, Szunyog-yes, Strogin-yes.

MGD Flooring-3812 Pearl Rd. Suite C

Ms. Carol Green represented MGD Flooring. She stated that they would be adding 1,200 sq. ft. to their operation. She added that Enterprise Cars has moved and MGD Flooring wants to take over the space they formerly occupied. Ms. Green continued the plan was to open up the wall to make more showroom space for their business which would connect with their current space.

Chair Strogin stated she did not recall that MGD Flooring was on both ends of the floor. Ms. Green stated yes they were. It was discovered that there was no record of any approval for the "middle" space (Suite B-formerly occupied by KG Liquidators) that MGD Flooring was also located in. Chair Strogin stated that would need to be addressed this evening as well.

Chair Strogin asked the entire square footage of this business? ZI Ridgely stated the square footage occupied previously by KG Liquidators was 1,520 sq. ft.

Ms. Szunyog made a motion to approve the change of use or MGD Flooring located at 3812 Pearl Rd. Suite C as presented. It was seconded by Mr. Overmyer.
ROLL CALL-Szunyog-yes, Overmyer-yes, Apana-yes, Kuenzer-yes, Strogin-yes.

It was so noted that this brings the first floor use for MGD Flooring into compliance and to consist of a total of 2,720 sq. ft.

Young Scholars Preschool and Kindergarten-5020 Burgundy Bay Blvd.

Ms. Sharon Swan represented Young Scholars Preschool and Kindergarten. Ms. Donna Grey an elder from Medina Presbyterian Church was also present. Ms. Swan stated Young Scholars has been located in Sharon Township for the past 17yrs. and now wants to locate in the Medina Presbyterian Church. This location would consist of 4 classrooms.

Chair Strogin stated that the Medina Township Fire Chief and the Building Dept. of Medina County needed to be contacted for approval as well.

Ms. Swan stated the parents would drop off/pick up their children. A system would be worked out with the church so there would not be traffic issues. The times of the different classes would be staggered as well to help facilitate the flow of traffic..

Mr. Kuenzer made a motion to approve the change of use for Young Scholars Preschool and Kindergarten to be located inside Medina Presbyterian Church at 5020 Burgundy Bay Blvd. It was seconded by Mr. Apana.
ROLL CALL-Kuenzer-yes, Apana-yes, Szunyog-yes, Overmyer-yes, Strogin-yes.

Ms. Swan stated she was also present to request signage. The sign would be a directional sign so parents would know where to enter and exit.

Mr. Apana made a motion to approve a directional sign for Young Scholars Preschool and Kindergarten to be located at 5020 Burgundy Bay Blvd. not to exceed 4 sq. ft. as presented. It was seconded by Mr. Kuenzer.

ROLL CALL-Apana-yes, Kuenzer-yes, Overmyer-yes, Szunyog-yes, Strogin-yes.

Steve's Dakota Grill-2809 Pearl Rd.

Mr. Ron Levitt, owner/operator of Steve's Dakota Grill was present. He stated that Steve's Dakota Grill would be changing its name to Timber Lodge mid next moth. The name change was for this location only (there are other Steve's Dakota Grills). He added his lease was up with Steve's Dakota Grill and they (Mr. Levitt) would be moving in a different direction. There would be no change in menu or the building. Mr. Levitt stated they also wanted to change their current marquee to a digital ground sign. The current sign would be retrofitted to fit the new sign.

Mr. Kuenzer made a motion to approve the name change from Steve's Dakota Grill to Timber Lodge located at 2809 Pearl Rd. and to change the static reader board sign to a digital ground sign as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Kuenzer-yes, Overmyer-yes, Szunyog-yes, Apana-yes, Strogin-yes.

Heartland Community Church-3400 Weymouth Rd.

Mr. Dave Ambrose lead pastor and Mr. Dave Nelson property manager represented Heartland Community Church. Mr. Ambrose stated they would like to add a cross above the existing lettering identifying the church on the front on the building. The variance granted for the lettering on the church was for 100.56 sq. ft. The total square footage for the sign is 180.56 sq. ft.

Chair Strogin stated the Commission could not approve the proposed wall sign (cross) for 15 sq. ft. as it does not meet the zoning code requirements. The applicant has filed to be heard in front of the BZA tomorrow evening.

Mr. Overmyer made a motion to deny the addition of a cross above the lettering on the building for Heartland Community Church located at 3400 Weymouth Rd. as it is not in compliance with Section 605 I. I of the Medina Township Zoning Resolution, which only permits one wall sign and exceeds the square footage granted by variance by the BZA for the second wall sign. It was seconded by Kuenzer.

ROLL CALL-Overmyer-yes, Kuenzer-yes, Szunyog-yes, Apana-yes, Strogin-yes.

MISC.

The Board reviewed the proposed language on various proposed text amendments to the Zoning Resolution.

Mr. Overmyer made a motion to set a public hearing for a proposed text amendment of Section 706 Non-Conforming Lots of Record. The existing Section 706 language to be deleted:

~~Non-Conforming Lots~~

~~The lot area, width and frontage requirements established in each of the zoning districts shall apply to all lots, unless such lot was separately owned and was either a parcel of record or included in a recorded land contract at the time this Resolution took effect and cannot practicably be enlarged to comply with the current requirements. Such lots may be used for any activity permitted in that zoning district, provided the lot and buildings comply with all required front, side and rear yard requirements and all other requirements of the applicable zoning district and this Zoning Resolution. Lots which cannot comply with the front, side and rear yard requirements of the applicable district may be considered for a variance by the Board of Zoning Appeals.~~

and replace with the following wording:

Section 706 Non-Conforming Lots of Record

A. In any district in which single family dwellings are permitted, a single family dwelling and customary accessory buildings may be erected on any legal lot of record at the effective date of the adoption or amendment of this Resolution, notwithstanding limitation imposed by other provisions of this Resolution, provided all such lots are approved by the Medina County Health Department for on-site sewer and water facilities if applicable. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the current regulations for the district in which such lot is located. Variances of requirements listed in this Resolution other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in Appendix I.

B. A nonconforming lot or lots of record which do not comply with the area or width or both of the current Medina Township Zoning Resolution may be considered for replat or combination so long as any change in the area, width or both of new nonconforming lots or lots resulting from said replat or combination does not create any lot less compliant with the current legal lot regulations. Any new nonconforming lot or lots created as a result of this section must also comply with conditions as set forth in Section 706 A.

It was seconded by Mr. Kuenzer.

ROLL CALL-Overmyer-yes, Kuenzer-yes, Apana-yes, Szunyog-yes, Strogin-yes.

Mr. Overmyer made a motion to set a public hearing for a proposed text amendment to modify the existing definition of Sign, Temporary, which currently reads:

~~“Sign, Temporary” is a sign or advertising display constructed of cloth, canvas, fabric, plywood or other light material and designed or intended to be displayed, for a short period of time.”~~

To now read, **“Sign, Temporary” is a sign affixed to a building, structure or placed on the ground constructed of cloth, canvas, fabric, plywood or other material and designed or intended to be displayed for a limited period of time”**

and;

To add a definition- **“Sign, Inflatable” is a static air or gas filled structure.**

It was seconded by Ms. Szunyog.

ROLL CALL-Overmyer-yes, Szunyog-yes, Kuenzer-yes, Apana-yes, Strogin-yes.

Mr. Kuenzer made a motion to set a public hearing for a proposed text amendment to delete Section 605 K-Portable Signs in its entirety:

~~K. Portable Signs No portable or temporary sign, including a sign on a temporarily placed vehicle for advertising purposes, shall be placed on the front or face of a building or on any premises, except in the following instances for no more than 14 days and shall be at least ten (10) feet from any road right of way.~~

- ~~1. Going out of business sale or grand closings.~~
- ~~2. Grand Openings.~~
- ~~3. Public or institutional events.~~

~~Such signs shall require a deposit in the amount as shown on the schedule of fees, Appendix V, given to the Zoning Inspector by the business advertising the event or the director in the case of a public or institutional event. Failure to remove the portable sign on the 15th day results in forfeiture of deposit to the Township.~~

and replace with the following:

Section 605

K. Temporary Signs-Shall be limited to one temporary sign per property, not to exceed 32 sq. ft. including a sign placed on vehicles for advertising purposes, which may be placed on a building or on any premises for not more than 14 days, three (3) times per calendar year (Jan.1st-Dec. 31st). The sign shall be at least 10 ft. from any road right of way except as otherwise specified in this code. The 14-day periods may be contiguous if the property owner so desires.

It was seconded by Mr. Overmyer.

ROLL CALL-Kuenzer-yes, Overmyer-yes, Szunyog-yes, Apana-yes, Strogin-yes.

Mr. Apana made a motion to set a public hearing for a proposed text amendment to add the following Section under 605 Accessory Signs Requiring A Permit

N. Inflatable Signs

1. Inflatable signage shall only be permitted in commercial districts. Movement of all or any part of an inflatable sign is prohibited.

2. Frequency:

Inflatable signs shall be limited to one per property and limited to maximum of 28 days per calendar year (Jan. 1st-Dec.31st).

3. Inflatable signs shall require a permit secured by a deposit with the zoning inspector in the amount shown on the “schedule of fees” appendix V. Failure to remove the inflatable sign within 24 hrs. of the expiration of the permit shall result in the forfeiture of the deposit to the Township.

4. Location:

a. All inflatable signs are to be ground-mounted. They are prohibited from rooftops.

b. Inflatable signs shall be set back from any road right of way and property lines a minimum of 10 ft. plus the height of the sign. (Ex. A 14 ft. tall inflatable would be set back 24 feet).

c. Inflatable signs and their components placed in parking lots shall not reduce the number of available parking spaces below the required minimum.

d. Inflatable signs shall not be placed so as to hinder access by emergency vehicles or services.

e. No inflatable sign shall be placed within 660 feet of a Federal Interstate.

5. Size:

a. Height shall be measured vertically from the ground to the inflatable sign’s highest point; width shall be measured horizontally as the distance between

the inflatable sign's widest points. Area shall be determined by multiplying the inflatable sign's height times its width.

b. Inflatable signs shall not exceed 14 feet in height, nor shall they exceed 75 square feet in area.

It was seconded by Mr. Overmyer.

ROLL CALL-Apana-yes, Overmyer-yes, Kuenzer-yes, Szunyog-yes, Strogin-yes.

These public hearings are to be held on March 19, 2013 at 7:30 pm. with the regular meeting of the Zoning Commission to follow directly after.

Chair Strogin stated the Commission would open the public hearing on the proposed text amendments on March 19, 2013, but due to the legal constraints of the ORC will continue the public hearing until they receive the recommendation of the Medina County Planning Commission.

Having no further business before the Board, the meeting was officially adjourned at 9:15 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary


Alliss Strogin Chairperson