

**MEDINA TOWNSHIP  
BOARD OF ZONING COMMISSIONERS  
REGULAR MEETING  
October 20, 2015**

**REGULAR MEETING**

Chairperson Alliss Strogin called the meeting of the Medina Township Board of Zoning Commissioners to order at 7:00 p.m. Sitting on the board were Commission members Jim Apana, Chuck Johnson, Jimmy Traynor and Mac Overmyer. Others in attendance were Zoning Secretary Laurie Shoemaker, Zoning Inspector Elaine Ridgley, and Trustees Bill Ostmann and Ray Jarrett.

Chairperson Strogin stated we had a public meeting for text amendment changes scheduled at 7:00pm with the regular meeting to follow. Chairperson Strogin Closed the regular meeting for Zoning Commission at 7:04pm. Chairperson Strogin then opened the public hearing for text amendment changes at 7:05pm.

Chairperson Strogin stated, for the record, the Gazette did get the ad in the paper correctly this time and asked Ms. Shoemaker to put it in the file. Chair Strogin explained they are proposing to make text amendments to the current zoning text.

1. Modify the existing definition of Patio/Courtyard to include fire pits and outdoor kitchens.
2. Add new subsection D. to Section 404.4 to require new site plan review with changes in ownership or use.
3. Delete the word “banners” from Section 603 (E).
4. Add language to Section 605 Accessory Signs Requiring a Permit B. Add language “One double sided sign shall be permitted at each entrance to a residential development.”
5. Add language to Section 605 Accessory Signs Requiring a Permit D. Add language “Allowed signage on canopies is one (1) square foot per one (1) linear foot of canopy, not to exceed sixteen (16) square feet.
6. Add language to Section 605 Accessory Signs Requiring a permit – I.1 to permit buildings facing more than one (1) adjacent right-of-way may have one (1) wall sign facing each adjacent right-of-way.

Chair Strogin wanted to clarify reasons for the changes:

The reason for adding “fire pits and outdoor kitchens” to the definition of Patio/Courtyard. She said some of these fire pits and outdoor kitchens are huge, they are solid structures, and the board needs to know where they are going and that they are within the right guidelines.

Section 404.4 Supplemental Regulations - The board would like to add D. “Change of ownership, change of use to require new site plan permission.” Chair Strogin explained this has been on the application guidelines and has been there for the last 30 odd years. Someone mentioned that this should be in the zoning text so it doesn’t get missed.

Article 6, Sign Regulations, Section 603 General Requirements E. Movement – Chair Strogin explained that the word “banners” was left in the text by mistake years ago. The entire section stays the same except for the elimination of the word “banners”.

Section 605 Accessory Signs Requiring a Permit B. Subdivision Signs –Add “One double sided sign shall be permitted at each entrance to a residential development.” Chair Strogin explained the reason for adding that language is that any subdivision that has over 50 units requires a second means of ingress and egress. The board has been allowing only one sign which forces the developer to go the board of appeals for a second sign. They have been fairly successful in receiving the variance so it might as well be added to the zoning text to save the developer having to ask for a variance for a second subdivision sign.

Section 605 Accessory Signs Requiring a Permit - D. Service Station Signs –Add “Allowed signage on canopies is one (1) square foot per one (1) linear foot of canopy, not to exceed sixteen (16) square feet.” Chair Strogin explained the reason for adding this language is because there was never a size limit or signage on canopies. The last few gas stations that have gone in have wanted signage on the canopies. It was decided to address this issue in the zoning text.

Section 605 Accessory Signs Requiring a Permit - I. Wall, Roof and Awning Signs – Add “Buildings facing more than one (1) adjacent right-of-way may have one (1) wall sign facing each adjacent right-or-way.” Chair Strogin explained that this was in the zoning text for many years but she and the board got talked into taking that out and allowing for only one sign on the building. This led everyone on a corner lot to go to the Board of Appeals for a variance. The zoning commission board wanted to add this back into the zoning book to make it easier for business owners.

Chair Strogin explained those are the text the board plans to add/change/delete, and asked the audience or the board if anyone had any questions. Nobody responded. The board agreed to vote on the text changes all at once.

Chair Strogin asked for a motion to accept the recommendations of the Zoning Board to approve:

1. Article II – Definitions - Patio/Courtyard to include fire pits and outdoor kitchens.
2. Section 404.4 Supplemental Regulations - D. Change of ownership, change of use to require new site plan submission.
3. Section 603 General Requirements - E. Remove the word “banner”
4. Section 605 Accessory Signs Requiring a Permit - B. Add language “One double sided sign shall be permitted at each entrance to a residential development.”
5. Section 605 Accessory Signs Requiring a Permit - D. - Add language “Allowed signage on canopies is one (1) square foot per one (1) linear foot of canopy, not to exceed sixteen (16) square feet.”
6. Section 605 Accessory Signs Requiring a Permit - I. - Add language “Buildings facing more than one (1) adjacent right-of-way may have one (1) wall sign facing each adjacent right-of-way.”

Please see attached document for further details. (Attachment 1)

Mac Overmyer so moved and Jimmy Traynor seconded the motion.

ROLL CALL: Overmyer-yes, Traynor-yes, Apana-yes, Johnson-yes, Strogin-yes.

Chairperson Strogan asked Secretary Shoemaker to be sure to attach the corrections so the trustees have the exact verbiage that the zoning board is recommending they approve. Chairperson Strogan explained this is a recommending body so they are sending this on to the trustees for their review. By law, the trustees must have a public hearing and can accept, deny, or modify the recommendations.

Chairperson Strogan closed the public hearing portion of tonight's meeting at 7:20pm.

Chairperson Strogan reopened the regular meeting for the Medina Township Zoning Commission at 7:21pm

Chairperson Strogan explained that the Trustees would hear site plans/signage reviews on November 5, 2015 at 7:30pm. A letter would be sent to the applicants reminding them of the time and date. Chairperson Strogan reminded the applicants that a representative needs to be present to represent their project in case the trustees should have any questions.

Chairperson Strogan asked the board if they had the chance to review the minutes from September meeting. Chairperson Strogan asked Secretary Shoemaker to make a minor change, then Chairperson Strogan made a motion to approve the Medina Township Zoning Commission minutes from September 15, 2015 as amended. The vote was all in the affirmative.

#### **SITE/SIGN PLANS**

##### **Applebee's, 4115 Pearl Rd. - Signs**

Tony Cerny from Architectural Design Studios, 620 E. Smith Rd, Medina, on behalf of Medina Realty Holdings, LLC was present requesting the relocation of existing signs at Applebee's on Pearl Road. Mr. Cerny explained the Ohio Department of Transportation (ODOT) is in the process of making improvements to Pearl Road in front of the Applebee's store. These improvements include modifications of the existing drive servicing the facility to a right-in/right-out drive. The new drive results in a taking of additional property for the ROW that includes the removal of the existing sign. The proposed location, while not the best relative to the drives, is the best we could develop while still keeping the sign out of the revised setbacks. This location maintains visibility for the sign on Pearl while maintaining the landscape screen along the front of the parking as required by Township Zoning. The existing signage as originally approved will be reused, and it is only the revised location for the sign that needs to be addressed.

Mr. Cerny said the owners would like to reinstall the existing sign further to the south on Pearl, pretty much directly in front of the building, outside of the revised ROW. Chairperson Strogan asked where he is proposing to relocate the signs and how far back from the right of way. Mr. Cerny referred to the drawings and said they are proposing 5' back. Chuck Johnson asked where the telephone pole was in relation to the sign. Mr. Cerny said it will be behind the telephone pole. The board members referred to the drawings and Mr. Cerny said he wasn't even sure the pole would remain after the changes ODOT makes.

Chairperson Strogan pointed out an area reserved for water quality structure. Mr. Cerny said because of American modifications and EPA regulations they will need to put some sort of underground tank that will help to filter the storm water. They haven't decided what it will be but needed to reserve the space to accommodate it. When it's all said and done, you won't even know it's there. Jim Apana asked when the sign was going to be moved and Mr. Cerny says he didn't think Applebee's was going to move the sign until ODOT makes a move.

Chairperson Strogan stated, for the record, that ODOT is making substantial changes to Route 42 and are taking frontage, in some cases up to 17' of a person's business, and is forcing the businesses to relocate their signs and landscaping and things of that nature. It is not the fault of the businesses, it is the government that is causing the problem. Applebee's sign is perfectly legal where it is now but because of the additional road right of way ODOT is taking, it's forcing Applebee's to move the sign and put the sign a bit closer to the right of way that our zoning regulations require, otherwise they will lose the front of their parking. Ms. Strogan said the zoning board cannot grant variances so the board will have to deny the request due to not complying with the setback requirements for signage. Mr. Cerny has double filed to the board of appeals and will be at the meeting tomorrow night requesting a variance from 10' down to 5'.

Chairperson Strogan asked for a motion to recommend to the Township Trustees to deny the request from Medina Realty Holdings, LLC (Applebee's) for the ground sign to be located 5' from the road right of way, as it doesn't comply with Medina Township zoning setback requirements. Chuck Johnson so moved and Jimmy Traynor seconded the motion.

ROLL CALL: Johnson – yes, Traynor – yes, Apana – yes, Overmyer – yes, Strogan – yes.

**Vast Nail & Spa** – 3587 Reserve Commons Drive - Change of use

Joseph Nguyeh representing Vast Nail and Spa requesting a change of use. Chairperson Strogan stated, for the record, this was an existing structure and asked the board if they had any comments.

Chairperson Strogan asked for a motion to approve the change of use for Vast Nail & Spa, located at 3587 Reserve Commons Drive, as presented. Mac Overmyer so moved and Jim Apana seconded the motion.


ROLL CALL: Overmyer – yes, Apana – yes, Johnson – yes, Traynor – yes, Strogan – yes.

Chairperson Strogan asked if they submitted a sign application. Mr. Nguyeh thought they had but turns out it was not submitted. Mr. Nguyeh was going to contact Northcoast Sign.

Chairperson Strogin mentioned the APA training on Friday, November 13, 2015 and asked what board members were attending. With no further business to come before the board, the meeting was adjourned at 7:48pm.

Respectfully Submitted,

Laurie Shoemaker  
Zoning Secretary

  
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Alliss Strogin, Chairperson

  
\_\_\_\_\_  
Date

spinners, balloons, and/or any inflatable devices, search light or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign. \*

#### SECTION 605 ACCESSORY SIGNS REQUIRING A PERMIT

- B. Subdivision Sign - One permanent sign not to exceed 24 square feet, exclusive of decorative walls, fences or base, identifying a subdivision or neighborhood, may be permitted.

Such sign shall not exceed 6 feet in height or be located closer than 25 feet to any road right-of-way. One double sided sign shall be permitted at each entrance to a residential development.

- D. Service Station Signs - In addition to the other signs permitted by this section, gasoline filling stations may have not more than one unlighted, double-faced accessory sign per Pump Island. Such sign shall have a maximum area of 5 square feet and shall be permanently attached to the pump island. Allowed signage on canopies is one (1) square foot per one (1) linear foot of canopy, not to exceed sixteen (16) square feet.

- I. Wall, Roof and Awning Signs - In addition to the other signs permitted by this section, each business shall be permitted one accessory wall, roof or awning sign provided the following conditions are met:
1. Each business whether free standing or occupying one or more units of a multi-unit structure, shall be permitted one wall sign whose dimensions shall be based on the linear measurement of the amount of the front of the building or unit (s) utilized by the business. One square foot of sign for each linear foot of this exterior measurement is allowed up to a maximum of 80-sq. ft. per business. For instance, a business utilizing

34 ft. of the linear front of a given structure would be permitted up to a 34-sq. ft. sign regardless of the buildings overall dimensions. Owners, lessors and/or lessees of a multi-unit business structure are urged to but not required to strive for a degree of consistency in signage. Wall signs shall not project from the face of the wall more than 18 inches and shall not extend above or beyond the building wall.<sup>2</sup>

Buildings facing more than one (1) adjacent right-of-way may have one (1) wall sign facing each adjacent right-of-way.

Definitions - add "fire pits and outdoor kitchens" to the definition of Patio/Courtyard.

Section 404.4 Supplemental Regulations - add "D. Change of ownership, change of use to require new site plan submission."

Section 603 – General Requirements. - remove the word "banners"

Section 605- B - Accessory Signs Requiring a Permit - add "One double sided sign shall be permitted at each entrance to a residential development"

Section 605- D - add "Allowed signage on canopies is one (1) square foot per one (1) linear foot of canopy, not to exceed sixteen (16) square feet."

Section 605-I-1. - add "Buildings facing more than one (1) adjacent right-of-way may have one (1) wall sign facing each adjacent right-of-way."

*(this was in the code originally but removed years ago – the board agreed it should be put back in so people in this situation will not have to go to BZA every time)*