

Chairman Joe Weinstein convened the Board of Zoning Appeals meeting at 6:00 p.m. Present were Bob Juve, Chris Esker, Russ Hose, Dave Robinson, Mark Blewitt and Joe Weinstein. Lee Kleinbeck was absent. Lori Salser, Zoning Inspector was present.

NEW BUSINESS:

PUBLIC HEARING * 6:05 P.M.
LANDOWNER: ALAN EDERER
APPLICANT: ALAN EDERER
PROPERTY LOCATION: 30 ROTHROCK ROAD
VARIANCE: ART. V, SEC. 501-5-2 & SEC. 501-5-3

Weinstein swore in all persons who wished to speak.

Weinstein swore in Salser for the evening.

Salser stated that this application falls under Art. V. The request is to permit two advertising signs and two identification signs. All four sign will be placed on the copula. All signs meet the square footage requirement and will be 19'5" square feet each. The variance is for the number of signs. Salser stated that we permit one advertising sign and one identification sign. The applicant is requesting two advertising and two identification signs. Identification signs are limited to 20 square feet. Advertising signs are limited to 50 square feet or 15% of the wall area on which the sign is placed (minus windows and doors). If the applicant had two tenants, the applicant would not need a variance.

Salser entered into the permanent record the complete file, the Zoning Resolution & Map and the Comprehensive Land Use Plan.

Alan Ederer stated that this building is 64 feet wide (facing Rothrock), and is 75 feet 4 inches in depth. This building has been up for six months. Mr. Ederer stated that people are unable to find the building. Mr. Ederer stated that the name of the street might change. Mr. Ederer thanked Lori for her help.

Salser stated that the variance was for the number of signs, not the size.

Weinstein asked for additional comments from the floor. None were offered.

Robinson moved to close the public hearing, Juve, second. Weinstein called for the vote. Juve, aye, Esker, aye, Hose, aye, Robinson, aye, Blewitt, aye. The motion carried.

Weinstein stated that what the applicant was requesting really is within the standards set by the Zoning Resolution and the request meets the practical difficulty standard.

Robinson moved approval of the application as submitted, Esker, second. Weinstein called for the vote. Juve, aye, Esker, aye, Hose, aye, Robinson, aye, Blewitt, aye. The motion carried.

PUBLIC HEARING * 6:00 P.M.

APPLICANT: ELLET SIGN COMPANY

LANDOWNER: AKRON HOSPITALITY GROUP LLC DBA RADISSON

LOCATION: 200 MONTROSE WEST AVENUE

VARIANCE: ART. V, SEC. 501-5-3

Weinstein opened the public hearing.

Weinstein swore in all persons who wished to speak.

Salser stated that the zoning district is PDD, Highway/Service. This falls under the UDC as well as Art. V of the Zoning Resolution.

Salser stated that this request falls under Section 501-5-3 Advertising Signs and the requests are as follows:

- 1) The Zoning Resolution permits 50 square feet and the applicant is proposing 73.5 square feet.
- 2) The second request is for the sign to be placed 10 feet from the road right-of-way and the Code requires 25 feet from the road right-of-way.
- 3) The third request is for the overall height of the proposed sign is 24'8" and the Code requires no higher than 15 feet above the ground.

Salser entered into the permanent record the complete file, Zoning Resolution & Map, the UDC & the PDD, and the Comprehensive Land Use Plan.

Weinstein asked if there was currently a sign at this location. Salser stated yes.

Tom Yankovich (Ellet Sign Company) stated that his client is changing the logo to the most current corporate standards. We are replacing the existing 5 feet height by 8 feet wide ground sign. It is at a ten-foot setback. The difficulty is that the hotel is located at the top of the hill at the end of the cul-de-sac and visibility is not good. The size of the sign was determined by the letter height of the logo. The height of the sign was determined by the grade with clear visibility. The sign at the entrance was classified as identification and was one of the first businesses on the hill. Other signs now block this sign.

Weinstein stated that at the view (as shown by Mr. Yankovich) could be seen with a ground sign.

Mr. Yankovich stated that they would be eliminating the wall sign on the north elevation of the building.

Steve Robinson (Copley-Fairlawn School) stated that the Township received a letter from Edward Myracle, Superintendent of the School stating that he was in support of this request.

Weinstein asked for additional comments from the floor. None were offered.

Robinson asked Salser go over the three variances for the Board.

Robinson moved to close the public hearing, Juve, second. Weinstein called for the vote. Juve, aye, Esker, aye, Hose, aye, Robinson, aye, Blewitt, aye. The motion carried.

Robinson stated that the applicant did not meet the practical difficulty test. We are looking at three substantial variances.

Weinstein stated that the applicant failed to establish practical difficulties to allow for any of the three variances that the application be denied, Robinson, second. Weinstein called for the vote. Juve, aye, Esker, aye, Hose, aye, Robinson, aye, Blewitt, aye, Weinstein, aye. The motion carried.

PUBLIC HEARING * 6:10 P.M.

APPELLANT: PARAG GANDHI, RADISSON HOTEL

AGENT: ELLET SIGN COMPANY, THOMAS YANKOVICH

LOCATION: 200 MONTROSE WEST AVENUE

ADMINISTRATIVE APPEAL

Weinstein opened the public hearing.

Weinstein swore in all persons who wished to speak.

Salser stated that high-rise pole pylon signs are permitted in two districts: the PDD and C-5 (Conditional).

Salser stated that this appeal was from her decision from a balloon test for a high-rise pole sign that was done at 65 feet in overall height and the appellant wants the sign to be at 80 feet in overall height.

Tom Yankovich stated that the fly test was done on February 22nd. The reason we are here is due to the spring and summer foliage. The pictures he presented show good visibility at 65 feet in height. Trees surround this sign. Mr. Yankovich showed pictures that we taken last summer during a fly test that the inspector was not present. The fly test was done at 60, 70 and 80 feet.

We tried to obtain permission to cut back the trees and they were told that they were not allowed.

Salser stated that she wasn't aware that ODOT told them that they could not remove or trim the trees.

Salser stated that since the trees cannot be trimmed it would be almost impossible to see a sign at 65 feet in height.

Weinstein asked Salser if she would reconsider her decision to allow a higher sign?

Salser stated absolutely.

Weinstein stated that we could table this for future consideration.

Robinson moved for a five minutes recess so that Mr. Yankovich could talk with his client, Juve, second. Weinstein called for the vote. Juve, aye, Esker, aye, Hose, aye, Robinson, aye, Blewitt, aye. The motion carried.

Salser stated that at 65 feet with the vegetation the way it could be this summer, it would be unsafe for her to require the height of 65 feet. Salser stated that she would like the opportunity to talk to ODOT.

Salser stated that she was requesting the Board of Zoning Appeals to release the Administrative Appeal for your hold and she would approve this at 80 feet if she were forced to by ODOT under her requirement of not having a visual obstruction or a safety concern.

If ODOT tells the zoning inspector that the trees could be trimmed then the sign would remain at 65 feet in height.

Weinstein suggested that the applicant withdraw the Administrative Appeal given the fact that the decision upon which this appeal was based is going to be changed. Weinstein stated that if the applicant disagrees with the zoning inspector's modified decision that the applicant not be required to pay another Administrative Appeal fee.

Weinstein moved with the applicant's concurrence (applicant shook his head yes) that we accept the applicant's withdrawal of the Administrative Appeal given the change in circumstances and pending a modified decision on this issue by the zoning inspector with a recommendation to the Board of Trustees that if the applicant needs to file an application for an Administrative Appeal in the future from the modified decision of the zoning inspector that the fee for the filing of the application be waived given the fact that the applicant has already paid the fee for this Appeal, Esker, second. Weinstein called for the vote. Juve, aye, Esker, aye, Hose, aye, Robinson, aye, Blewitt, aye. The motion carried.

The minutes of February 24th were approved as read.

The next meeting date is April 20th.

With no further business to come before the Board, the meeting was adjourned at 7:20 p.m.

APPROVED BY: SUBMITTED BY:

Joe Weinstein, Chairman Sue Schultz, Secretary