

**BOARD OF ZONING APPEALS AGENDA  
MINUTES OF MEETING  
February 9, 2015**

**MEMBERS PRESENT:** Carl Zani, Eric Moulton, Dick Mickley, Barbara Taylor, Harry McMannis, Alex Kessler, Scott Zwiezinski.

**OTHERS PRESENT:** City Zoning Administrator Derek Hutchinson, City Planner Greg DeLong, and Clerk of Council Kristina Jones.

**CITIZENS PRESENT:** Cassandra Gilson, Ruby Anderson, Ronnie Schilling, Catherine Cunningham, Mike White, Craig Kertesz

**MEETING CALLED TO ORDER:** The meeting was called to order at 7:00 p.m.

**APPROVAL OF MINUTES:** The minutes from January 12, 2015 were as submitted approved.

**AGENDA ITEMS:**

**To hear a variance request to permit a free standing ID sign height at 8 feet 1.6 inches tall vs. a maximum height of 5 feet and to permit 3 business signs including one wall sign at 258.5 square feet, two attached free standing signs, one at 4 square feet and one electronic reader board at 25.45 square feet vs. one ID sign permitted, for property located at 833 N. Maple Street in the R-5 zoning district. Filed by Cassandra Gilson of SignMaster.**

**Comments of Zoning Inspector and/or City Planner:** Mr. DeLong said the Board back on September 8, 2014 approved a sign variance request for a freestanding identification sign. The applicant is now requesting an even larger and taller sign, therefore the new variance request. It appears that the findings under Section 1129.13 were not met.

Mr. Moulton asked how this possible approval affects the prior approval. Mr. DeLong stated that if the Board approves the variance request tonight, that the previous approval will become null and void.

Mr. DeLong also mentioned that the Board may wish to make separate motions as there are more than one variance request.

**Comments of Requester:** Ms. Gilson spoke on behalf of SignMaster. She said this is for one sign with a reader board and for a wall sign. It was asked where the wall sign would be placed. Ms. Gilson said there is a large brick wall parallel with Maple Street. Mr. Kertesz is the project manager, he said there will be no interior lighting on the wall sign but there will be light shining on the sign from the ground. The lights and message boards are able to be put on a timer to turn off and on at certain times.

Mr. Kessler asked if the neighbors were notified about the signs. Mr. DeLong said yes, they were notified.

**Comments of Citizens:** None.

**Discussion by BZA Members:** Mr. Mickley moved to approve the variance with the condition the lights be turned on by 6am and off by 10pm, seconded by Mr. Moulton. Question put, stood:

Mr. Kessler YES;                      Mr. Mickley YES;                      Mr. McMannis NO;                      Mr. Zani YES;  
Mr. Moulton YES;                      Ms. Taylor NO;                      Mr. Zwiezinski NO

The variance was denied 4-3.

**To hear a variance request to permit a total lot coverage of 25.5% vs. maximum of 25% lot coverage on property located at 796 Arabian Circle in an R-2 zoning district. Filed by Catherine Cunningham on behalf of Pulte Group.**

**Comments of Zoning Inspector and/or City Planner:** Mr. DeLong said based on 1129.13 it appears that there is a hardship.

**Comments of Requester:** Ms. Cunningham spoke on behalf of Pulte Group. She said that the variance is due to the size of the home and the home owner requesting a full basement install. Ms. Cunningham said that it is only over two-tenths of a percent over the 25% lot coverage. They are requesting that they use a half of percent just in case the measurements are not exact. If the variance is granted, they are ready to build. Mr. Zwiezinski asked would they run into the same issue if they moved to another lot. Ms. Cunningham said yes, if you look at the dimensions, and some of the lots are even smaller than the currently lot.

Mr. DeLong stated that Pulte has recognized potential lot coverage issues and they have proactively updated their preliminary and final plats. During the update they have removed a couple of lots so they can widen the remaining lots to accommodate a larger home.

**Comments of Citizens:** None.

**Discussion by BZA Members:** Mr. Moulton moved to approve the variance, seconded by Mr. McMannis. Question put, stood:

Mr. Mickley YES;                      Mr. McMannis YES;                      Mr. Zani YES;                      Mr. Moulton YES;  
Ms. Taylor YES;                      Mr. Zwiezinski YES;                      Mr. Kessler NO;

The variance was approved 6-1.

Ms. Taylor said she has had residents complaining to her that the signs on the side of the pavilion are too big and they want to know why they are that big. She asked Mr. DeLong and Mr. Hutchinson. Mr. DeLong said he will refer her question to the Administration for an answer. Mr. Zwiezinski said he has heard the same complaints and they would like to know why that happened and what code they were passed under.

**ADJOURNMENT:** The meeting was adjourned at 7:30 p.m.