

**Board of Zoning Appeals Meeting
September 3, 2009
ZA-05-09 & ZA-06-09**

Members/Attendance: X Hank Grover
 X Jim Burgham
 X Al Franceschelli
 X Holly Grant
 X Bill Custer
 X Mike Johnston
 N/A Bill Hegarty

Also in attendance: X Bob Monus, Zoning Inspector
 X Michele Richards, Recording Secretary

Hank Grover called the meeting to order at 7:00 p.m.

1st Order of Business:

Hank Grover stated that the first order of business is to approve the minutes from the meeting held on July 30, 2009. Al Franceschelli made a motion to accept the minutes from the July 30, 2009 meeting. All board members were in favor. Motion carried.

2nd Order of Business:

Case ZA-05-09 – A request by Adams Signs representing Alex Downie Family LLC, to obtain relief from sign regulations for various signs for PNC Bank to be located at 3300 Center Road, known as parcel #35-014-0-008.07-0, Lot 10. Parcel is located in Poland Township, Poland, Ohio, in a (TC) Town Center District.

Items included in packet submitted:

1. Application for Variance
2. Zoning Permit Denial Form
3. Letter of Intent from Adams Signs
4. Letter of Intent from Ted Downie
5. Warranty Deed
6. County Map
7. Property Description
8. Site Plan
9. Aerial Map
10. Sign Drawings

**Kirstin Lemasters
Adams Signs & Graphics
1100 Industrial Avenue S.W.
Massillon, OH 44647**

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Grover asked Lemasters to present a general overview to the Board as to what they are requesting.

Lemasters referred to the packet that was distributed to the board members. She stated they are requesting to replace the signs like for like, except for sign number P002, which they are removing. Sign numbers P003 and P004 are proposed signs.

Monus explained that the current sign ordinance states one pedestal sign not to exceed thirty-six (36) square feet and six (6) feet in height; one building mounted sign not to exceed twenty-four (24) square feet with a minimum of ten (10) feet off the ground; not to exceed three (3) pedestal signs with a maximum square feet of six (6) feet, not to exceed four (4) feet in height. He stated that the Board would have to grant relief for anything beyond these regulations.

A discussion was held about the pedestal sign (sign P001). Lemasters stated that the sign is actually six feet in overall height from the ground. The sign itself is three feet tall. Grover stated that the current regulations state the sign should be no higher than six feet and this sign does meet the current zoning regulations.

Grover stated that most of the signs are just swapping one for another sign. Monus agreed, and stated that the signs were originally installed in 1999 and there have been changes in the regulations since that time.

Hank Grover asked if anyone would like to speak in favor of the request. No one responds. Hank Grover asked if anyone would like to speak in opposition of the request. No one responds.

The Board continued to discuss the sign packet presented.

Jim Burgham stated he has no objection to the replacement signs or the directional signs. He is questioning sign P003. There is a pedestal sign in the front and then this sign on the front of the building. This is the same sign that will go on the back of the building (sign P004).

Monus explained that the relief the Board would need to consider on the directional signs is the height restriction.

Jim Burgham asked Monus how far the sign can protrude out from the face of the building. Monus stated not to exceed fifteen inches.

There being no further discussion, the Board then made the following motion:

Motion

Holly Grant made a motion in Case ZA-05-09 to permit the signs as presented by PNC Bank in the packet submitted; to allow for the variance for the height requirement and for the number of signs required. Jim Burgham seconded the motion.

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Voting:

Yes Jim Burgham
Yes Holly Grant
Yes Al Franceschelli
Yes Bill Custer
Yes Hank Grover

Motion carried.

3rd Order of Business:

Case ZA-06-09 – A request by Sandra Gore to obtain relief to reduce the minimum rear yard setback to twenty (20) feet to build a home on her property located at 5714 Clingan Road, known as parcel #39-011-0-002.00-0, Lot 1. Parcel is located in Poland Township, Poland, Ohio, in a Residential-1 (R-1) district.

Items included in packet submitted:

1. Application for Variance
2. Zoning Permit Denial Form
3. Letter of Intent
4. Warranty Deed
5. County Map
6. Property Description
7. Site Plan
8. Aerial Map

Hank Grover stated that he is excusing himself from this case. Jim Burgham will chair and Mike Johnston will sit on the board.

Rich Yankel
8117 North Lima Road

Yankel is the builder and architect for the property owner. Yankel stated that the location of the house would be best suited if they could move it back slightly. It would enhance the views from the inside into the ravine and across Lake Hamilton. The primary reason to move it back is to save energy. The way that the house is designed, with the placement of the windows on the second floor as well as openings above the doors, will allow the air to circulate and relieve the house of warm air, therefore, reducing the need for air conditioning.

Jim Burgham asked if anyone would like to speak in favor of the request. No one responds. Jim Burgham asked if anyone would like to speak in opposition of the request. No one responds.

Mike Johnston asked if the house has a basement. Yankel replied yes it will. Johnston asked if the soil has been tested. Yankel stated it has not been tested. Burgham explained that the Board

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is to grant relief from the setback conditions; they are not acknowledging that the property conditions are applicable for building in that area. That is the responsibility of the builder.

Burgham explained that the Board looks toward what is the practical difficulty in awarding a variance. In this particular case, the irregular rear property line creates the practical difficulty.

There being no further discussion, the Board then made the following motion:

Motion

Al Franceschelli made a motion in Case ZA-06-09 to grant the variance regarding minimum rear setback from 40 feet to 20 feet, as per the plans submitted. Bill Custer seconded the motion.

Voting:

Yes Bill Custer
Yes Al Franceschelli
Yes Holly Grant
Yes Mike Johnston
Yes Jim Burgham

Motion carried.

Meeting adjourned at 7:46 p.m.

Submitted by:
Michele Richards/Recording Secretary

cc: Trustees (3)
Board of Zoning Appeals (7)
Zoning Commission (8)
J. Granitto (1)
File (1)