

Board of Zoning and Building Appeals
REGULAR MEETING December 20, 2012
7:30 P.M. • Town Hall • 2nd Floor
27 East Main Street • Hudson, Ohio

MINUTES

Vice Chairman Lewis called to order the Regular Meeting of the Board of Zoning and Building Appeals of the City of Hudson, at 7:30 pm. in the 2nd Floor Meeting Room of Town Hall, 27 East Main Street, Hudson, Ohio.

Present: Mr. Dohner, Mr. Jahn, Mr. Lehman (came in late), Mr. Lewis, Mr. Wise
Absent: None

Officials Present: Kris McMaster, Associate Planner, Mark Richardson, Interim Community Development Director and Aimee W. Lane, Assistant City Solicitor

Meeting minutes were taken by Nora LaLomia, Board Clerk.

Except where otherwise noted, the following applied to the cases heard at this meeting, the applications were routinely referred to the City of Hudson Board of Zoning and Building Appeals, assigned their respective docket numbers and placed in a newspaper of general circulation in the area.

Mr. Lewis introduced Kris McMaster, Associate Planner, Mark Richardson, Interim Community Development Director and Aimee W. Lane, Assistant City Solicitor.

Mrs. Lane placed staff and all those persons in the audience wishing to speak under oath.

PUBLIC HEARING
APPEALS DOCKET 2012-20

Mr. Lewis stated this case was called to consider Appeals Docket No. 2012-20. The applicant is Jeannie Biller, Sign Vision Co. Inc., 987 Claycraft Road, Columbus, OH 43230 and owner is Albrecht, Inc., 17 S. Main Street, P.O. Box 1714, Akron, OH 44309 for the property located at 5783 Darrow Road in District 7 [Outer Village Commercial Corridor].

The request is a variance to the requirement permitting one (1) building sign per ground floor occupant frontage to allow two (2) building signs per ground floor occupant frontage pursuant to Land Development Code Section 1207.17(d)(1), "Signs in Nonresidential Districts-Maximum Number and Area of Permanent Signs Attached to Buildings".

Mrs. McMaster gave an overview of the variance request and reviewed the staff report.

Mr. Jahn inquired as to what constituted a projecting sign. Mrs. McMaster responded it is a sign on an angle that is attached to a wall, like in downtown.

Mr. Jahn questioned how the square footage of a sign with letters was calculated. Mrs. McMaster explained a box is drawn around the letters of the sign area to determine square footage.

Mr. Lewis questioned whether the signs under consideration were about the same size. Mrs. McMaster replied they were additional signs for the canopy and the other one was just replacing the red acrylic in the channel letters which has been approved by the Architectural and Historic Board of Review ("AHBR").

Mr. Lewis asked about the 100 square feet limitation and whether the replacement sign would be of the same square footage. Mrs. McMaster replied there was no change in the square footage. Mr. Richardson explained the sign would not be removed, just replacing the red acrylic letters as a maintenance matter. Mr. Lewis asked about the sign on the canopy on the drive-through, whether that was also a replacement sign counted in square footage. Mrs. McMaster replied that was not considered part of the 100 square feet. Mr. Richardson explained the 100 square foot area applied to one sign's area. He said in this particular case the building has more than 100 square feet available to it and there is a sign on the west and south side of the building which are both allowed. He said any sign, including the sign under consideration, could be 100 square feet. He said the total area was still going to be under the maximum size area. Mrs. McMaster said the signs for the canopy were directional signs and there was no square footage requirement for those signs.

Mr. Dohner commented that if the applicant wanted to reduce the CVS sign, and add the new sign and it all fit, they would not need to be here. Mrs. McMaster said that was correct.

Joel Frezel, was present on behalf of the CVS sign company, MC Sign. He said they believed there was a hardship or practical difficulty because the clinic was within the CVS store. He said it was important for identification to know there was a Minute Clinic located within that facility. He said it was a non-illuminated sign and was tasteful in design with the building.

Mr. Wise asked whether any of the locations ever had to combine the signs. Mr. Frezel replied, no, CVS Pharmacy was their trademark.

Mr. Wise asked what other consideration or alternatives were looked at. Mr. Frezel replied they could use window signs located within the store but it would not provide the type of identify that was needed. He said by the sign being on the building it provided identification for the clinic and the signage would not be blocked by a car or van parked in front of the building.

Mr. Wise asked if there was regulation regarding a banner type of signage, like with a temporary sign. Mrs. McMaster said they could do a temporary sign in a window. She said a banner sign has restrictions on length of time it is posted and the size. She said it would not be permanent.

Mr. Jahn asked whether there were other CVS stores in the area that have Minute Clinics signs. Mr. Frezel replied, no, he was not aware of any with one sign. He said mostly the signs he was aware of were like this one except some have illuminated letters. Mrs. McMaster said internal illuminated signs were a Code issue so that is why they did not have internal illumination.

Mr. Jahn asked why it was not being lit with exterior lights. Mr. Frezel said he was not aware of why they were not requesting a light.

Mr. Jahn asked why they were not combining the Minute Clinic sign with the CVS sign. Mr. Frezel said because CVS was their trademark in all their signage.

Mr. Jahn thought it would be better identified if it was combined. He asked whether they could move the whole sign up and put the Minute Clinic below. Mr. Frezel replied you would have to put CVS up above the gooseneck lights and then have to put Minute Clinic underneath and it would be too much signage in one area.

Mr. Jahn asked whether there were other plans of how to inform the public in other ways about the Minute Clinic. Mr. Frezel responded he was only there for the sign.

Mr. Dohner was not convinced it was a hardship and compared it to McDonalds. Mr. Frezel said they were remodeling their sign and they use very simple identification just like this. Mr. Dohner did not think reducing the sign by 17 or 18% and putting Minute Clinic below it would be confusing. His concern was showing how much of a practical difficulty it is to have a Minute Clinic sign than a CVS Pharmacy sign. Mr. Dohner referred to signage for Acme who asked for its logo and a sign to be an added for Charter One Bank and the option was presented to work out something with Charter One or reduce the main sign. He said this was the same position now and suggested to reduce the sign and put it in one location, reduce either Minute Clinic or CVS. He thought it seemed like a viable option. Mr. Frezel explained that would involve a new sign, to reduce the entire fascia from where the existing letters are now. He thought Acme and Charter One was a lot different than a health care facility which was something people need as a benefit to the community.

Mr. Lehman entered the meeting. Although by agreement, Mr. Lewis proceeded to preside over the meeting until its conclusion.

Mr. Frezel said the variance request was to have a second sign and even if it was put underneath it would still be two separate signs. Mrs. McMaster confirmed it still would be two signs. She thought the square footage may be able to fit.

Mr. Lewis asked the size of the letters of Minute Clinic. Mr. Frezel responded they were 18" and the lower case letters were 14".

Mr. Lewis asked whether the sign was designed to attract people from the street or to let people know from the parking lot. Mr. Frezel replied it was designed to fit in the area available. Mr. Lewis asked what would be the typical sign band width from the street. Mr. Frezel replied the band width would be between 18" and 24". Mr. Lewis asked whether this area was less than optimal. Mr. Frezel said 18" was typical. Mr. Lewis asked whether this sign was large enough to attract people from the street. Mr. Frezel replied, yes. Mr. Lewis asked whether there would be gooseneck lights put over the Minute Clinic sign. Mr. Frezel said any lighting would be soffit-lighted lights, not gooseneck. He was not aware of any plans to light the Minute Clinic sign.

Mr. Lewis closed the public hearing.

Several Board members thought it seemed misguided not to have that whole message in one sign and a bad marketing plan. Mrs. McMaster said the square footage was based on the store frontage and CVS has the frontage, not Minute Clinic.

Mr. Wise thought it did not meet the Code and it was another discussion as to whether it interfered with their trademark. He suggested moving the Minute Clinic to underneath CVS or come up with a different concept. He did not think it was an undue hardship and thought there were other remedies.

Mr. Dohner said they had not shown a strong enough reason why a variance should be granted. He thought there were other options the applicant could come up with to give them the same identification

Mr. Wise said there were other temporary signs there and if the clinic had a separate entrance, then it would be a little different such as a separate tenant within the facility.

Mrs. McMaster said she spoke to them about other options but they thought this was their best option.

Mr. Lewis questioned if the Board went forward with a motion and the vote was a denial what would be next. Mrs. Lane explained if there would be a vote and the variance denied and the applicant came back with a similar application it would not be able to be heard. She said in some instances an applicant can withdraw and go back and see if something else could be done.

Mr. Frezel asked if the variance was denied, and unless a substantial change was made to the application, the Board would not have to hear a new variance application? Mr. Richardson said a substantial change could be made which would not involve a second sign. Mr. Frezel said he could not come back for a similar variance for a specific period of time. Mrs. Lane clarified that he could not ever come back for a similar variance if it was denied tonight. Mrs. McMaster said the request was to have a second sign. Mr. Frezel asked whether it could be withdrawn or continued. Mr. Lehman suggested a continuance rather than withdrawal. Mrs. Lane thought a withdrawal would require a new permit fee. Mrs. McMaster confirmed that.

Mr. Lewis said it seemed that both Minute Clinic and CVS in any combination the volume would have to be 100 square feet. Mrs. McMaster said that was correct and then the BZBA request would be for more square feet than the Code permitted rather than a second sign. Mr. Richardson thought it would be the separation and graphics and since there was no architectural feature, he believed it would be one sign.

Mr. Lewis suggested the option to continue and come back with a proposal. Mr. Frezel inquired if he asked for a continuation, anything done on that single elevation was going to need 9" to 12" separation, so would that add more square footage to the overall sign. He questioned the architectural issues and aesthetically how it would look.

Mr. Jahn asked whether the existing CVS sign was going to be changed. Mr. Richardson replied just the red acrylics were going to be replaced.

Mr. Lewis stated if the applicant did come back with options that seek a variance it would probably be a similar discussion as this meeting.

Mr. Frezel said he would prefer a continuance so he could confer with his client.

Mr. Dohner moved to continue this matter to the next scheduled meeting at the request of the applicant. He then amended the motion to be continued to a later meeting. Mr. Jahn seconded the motion.

Roll Call

Aye: Mr. Dohner, Mr. Jahn, Mr. Wise, Mr. Lewis

Nay: None

Abstain: Mr. Lehman

Motion carried.

APPROVAL OF MINUTES

Mr. Lehman moved to approve the Minutes of June 21, 2012 as submitted. Mr. Wise seconded the motion.

Roll Call

Aye: Mr. Jahn, Mr. Wise, Mr. Lehman

Nay: None

Abstain: Mr. Lewis

Motion carried.

Mr. Lehman moved to approve the Minutes of October 18, 2012 as submitted. Mr. Dohner seconded the motion.

Roll Call

Aye: Mr. Dohner, Mr. Jahn, Mr. Lehman

Nay: None

Motion carried.

OTHER BUSINESS

Mr. Lehman moved to accept the 2013 Meeting Schedule as presented. Mr. Dohner seconded the motion.

Roll Call

Aye: Mr. Dohner, Mr. Jahn, Mr. Lewis, Mr. Wise, Mr. Lehman

Nay: None

Motion unanimously carried.

Mrs. McMaster commented there would probably not be a January meeting. She said there would be no City Council liaison assigned to the Board until a replacement has been appointed for Mr. Jeffers.

ADJOURNMENT

Mr. Dohner made a motion to adjourn the meeting. Mr. Lehman seconded the motion and all members present were in favor.

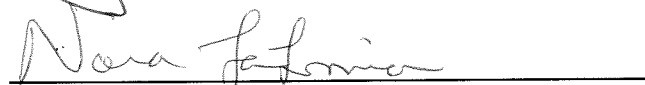
Hearing no further business, Vice Chairman Lewis adjourned the meeting at 8:30 p.m.



Dave Lewis, Vice Chairman



John Dohner, Board Member



Nora LaLomia, Board Clerk