

Board of Zoning Appeals
July 16, 2009

Mr. Emch called the meeting to order at 7:00 PM.

Roll Call: Paul Emch- present, Glen Bomback- present, Sharon Moster- present, Dianne Lillibridge- present, Darren LaForce- present

Visitors: Todd Hicks

Ms. Lillibridge amended the June 23, 2009 minutes. Ms. Moster made a motion to approve the June 23, 2009 meeting minutes as amended and Ms. Lillibridge seconded. By voice vote, all board members agreed.

Mr. Emch brought the Board's attention to a variance request from Dr. Horn at 14527 North Cheshire Street. Dr. Horn's office is behind several buildings and he would like to put a freestanding sign close to the road so residents will know where his building is. Ms. Moster added that this is a very reasonable request and it is important that business owners can advertise their property, especially since his building is hard to find. Mr. Bomback expressed concern with visibility while pedestrians are walking on the side walk. Ms. Dahlhausen said the sign will have to be 8 feet high as stated in 1169.05 of the Zoning Regulations.

Mr. Hicks specified the variances being requested were for a 5 foot front setback from the 15 foot front setback and adjacent to the property line from the 5 foot side setback as required in 1169.05 of the Planning and Zoning Ordinances.

Ms. Moster made a motion to inspect the variance request property to get a better idea on where the freestanding sign will be placed and Mr. Bomback seconded. The board visited the site at 7:10 PM.

At the variance request property, the board looked at visibility for motorists pulling out of the drive or when approaching the sign and if it would be a problem with pedestrians walking. Mr. Bomback noted that other business signs were in line from the Right-of-way with the area that Dr. Horn would like to place a freestanding sign.

The board returned from the variance request property at 7:30 PM.

Ms. Moster made a motion granting a variance for a freestanding sign at 14527 North Cheshire Street from the 5 foot minimum side setback to allow the sign to be placed adjacent to the property line and Mr. Bomback seconded. Roll Call: Sharon Moster- yes, Glen Bomback- yes, Paul Emch- yes, Dianne Lillibridge- yes, Darren LaForce- yes. A variance for the side setback was granted.

Ms. Moster made a motion granting a variance for a freestanding sign at 14527 North Cheshire Street from the 15 foot minimum front setback to allow the sign to be placed no less than thirty (30) inches from the right-of-way and Mr. Emch seconded.

Mr. Bomback didn't agree with the 30 inch setback and said the original request shouldn't be any more than what was asked. Ms. Lillibridge and Mr. LaForce agreed. Mr. Emch thought the sign wouldn't be as visible coming from the south if it were the 5 feet as requested. Discussion followed. Roll Call: Sharon Moster- yes, Paul Emch- yes, Dianne Lillibridge- no, Darren LaForce- no, Glen Bomback- no Motion failed.

Mr. Bomback made a motion granting a variance for a freestanding sign at 14527 North Cheshire Street from the 15 foot minimum front setback to allow the sign to be placed no less than five (5) foot from the right-of-way and Ms. Lillibridge seconded.

Ms. Moster stated that the sign wouldn't be visible coming from the south at 5 foot and thought the sign should be closer to the road. Mr. Emch agreed.

Mr. Bomback amended his previous motion granting a variance for a freestanding sign at 14527 North Cheshire Street from the 15 foot minimum front setback to allow the sign to be placed no less than four (4) foot from the right-of-way and Ms. Lillibridge seconded. Roll Call: Glen Bomback- yes, Dianne Lillibridge- yes, Paul Emch- yes, Sharon Moster- no, Darren LaForce- yes. A variance for the front setback was granted.

Mr. Hicks expressed concern about granting a variance request when the property owner wasn't in attendance. This may set a bad precedent in the future if the Board were to deny a variance request when the property owner was in attendance.

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Ms. Moster made a motion to adjourn and Ms. Lillibridge seconded.
Meeting adjourned at 7:56 PM.

BZA President

Clerk