

Board of Zoning Appeals

August 10, 2017

Members present: Chairman, Phil Rooney; Brett Gies, Kerry Trombley

The meeting was called to order at 6:00 p.m. by Mr. Rooney. Mr. Rooney introduced the members to the audience and the general rules were reviewed.

Mr. Adkins introduced case and city's recommendation.

CASE# 56209-BA-17

Address: 339 S. Blanchard Street

Zone: C-2, General Commercial District

Filed by Dean Smith, on behalf of Ann Whithaus, regarding a new sign at 339 S. Blanchard Street. The applicant is seeking to replace an old pylon sign with a new 4 x 6 foot pylon sign approximately 8 inches from the right-of-way. Per section 1161.12.19(A)(1) of the City of Findlay Zoning Ordinance, the required setback is 10 feet.

The applicant is looking to replace a nonconforming sign with another nonconforming sign that will be approximately 8 inches from the right-of-way. Per city ordinance, the code is written to rid nonconforming signage throughout the city. Currently, the existing pole on site is approximately 4 feet from the right-of-way. Once the cabinet for the prior nonconforming sign was removed, the sign lost its grandfathered status. We recommend that the sign edge meets the required 10 foot set-back and conform to the zoning code.

Dean Smith, 2020 Greendale Avenue, Findlay, Ohio, was sworn in and appearing on behalf of Ann Whithaus.

Mr. Smith entered documents pertaining to the case and explained the type of signage he wants to erect. He then stated how important the sign is due to the building location and the distance from the street. Mr. Smith stated that financially he could not move the pole to the requirement due to cost and that all signs along Blanchard Street are in a similar location. He also stated that he understood there are zoning laws but the cost would be too great to move the pole.

Mr. Trombley asked when they removed the cabinet.

Mr. Smith stated prior to leasing he was unsure of when the cabinet was removed and the building was allegedly vacant for a year and a half.

Mr. Rooney asked what eight inches from the right-of-way exactly meant.

Mr. Richard explained that the edge of the sign will be eight inches from right-of-way when the cabinet is placed onto the pole.

Mr. Gies asked if the pole was approximately four feet from the right-of-way.

Mr. Richard responded that a survey pin was located north of the location and the pole will be approximately four feet from the right-of-way.

Mr. Rooney stated that in order for the sign to come into compliance, the pole would need to be moved back ten feet.

Mr. Richard responded with a yes.

Mr. Smith stated that if the pole would be moved back ten feet, it would be in the center of the parking lot.

There was a written communication from Cathy Weygandt 204 Greenlawn Avenue. Mr. Richard read the letter into the record.

"To the Board of Zoning Appeals,

I read the notice for a hearing of case # 56209-BA-17, in regards to a new sign for a new business at 1121 W. Main Cross. This applicant is seeking to override the zoning law of a setback of 10', by having a sign placed 8' from the right-of-way.

Please consider that much consideration and thought has gone into the over-all plan for Findlay's growth and future. Granting variances for non-conforming signs will not enhance this process. Up and coming cities have ordinances and regulation for a controlled growth, that encompasses both businesses' and the citizen's objectives. We need to adhere to the plans already laid out, for a controlled, aesthetically-pleasing community.

Business plans prior to even considering a location should encompass looking at the current standards and adhering to them. A proper and orderly growth in our town will benefit everyone.

Businesses will come to Findlay regardless; being ranked "Top Micropolitan Community" 3 years in a row defined that! Just say "no".

After the letter was read, Mr. Trombley asked if there was any other signage on site.

Mr. Richard explained that he understood the applicant's concern about other signage along Blanchard Street, but new signage must be compliant. He then stated that due to the flood the proper research was not conducted of the other signage along Blanchard Street.

There were no other written or verbal communications to report, nor were there any one in the audience to oppose the request.

Mr. Rooney opened the board to further discussion.

Mr. Trombley stated that it is understood that because there was an existing pole and the new tenant thought that the cabinet could just be put back up on the existing pole.

Mr. Rooney asked if when updates were made to the zoning code, were there any updates to the setback for signage.

Mr. Richard responded that it has always been ten feet since the 90's. He also explained that there are multiple cases where the franchise have eliminated their cabinet making the sign abandoned and they should have been removed at the time of abandonment.

Mr. Trombley read through the requirements stated in the code book of granting a variance and asked Mr. Smith what other alternatives does he have.

Mr. Smith stated that he could put a sign on the building but it is not in view from the street and stated he is open to offsetting the sign if needed, but there are not any other options feasibly available to him.

Mr. Trombley then asked if the height and size of the sign are in compliance with the zoning code.

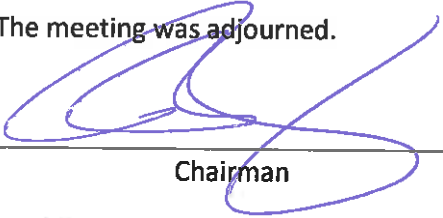
Mr. Richard answered yes.

Mr. Trombley further discussed the precedence that could be set by approving the variance.

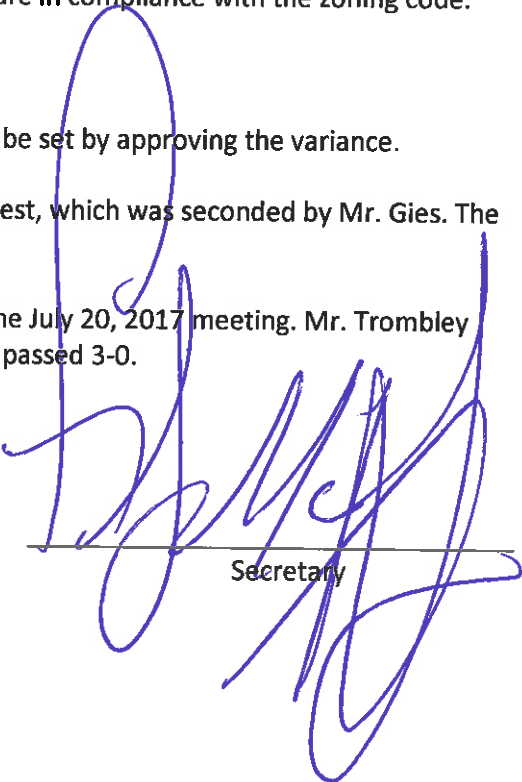
Mr. Trombley called for a motion to approve variance request, which was seconded by Mr. Gies. The motion was approved 3-0.

Mr. Rooney made a motion to approve the minutes from the July 20, 2017 meeting. Mr. Trombley seconded the motion. The motion to approve the minutes passed 3-0.

The meeting was adjourned.



Chairman



Secretary