

Minutes of the Zoning Board of Appeals

March 15, 2017

6:00 P.M.

Regis Barrett, Chairman called the meeting to order.

MEMBERS PRESENT: Regis Barrett, Chairman
Earl Bloam
Dean Bredenbeck
Wally Parker
Craig Farkas

ABSENT: None

ALSO PRESENT: Jim Maciaszek, Assistant Building Commissioner

Motion by Parker, second by Bredenbeck to approve the minutes of January 18, 2018. **Vote Resulted:** *To approve:* Yes: Barrett, Farkas, Bloam, Parker, Bredenbeck No: None. **(Approved)**

These two items were discussed and voted on together. A request from Andrew Clark for a 1 foot variance to the maximum height of a fence in a front yard at 10407 Biddulph Rd. 1117.05(c)(1) P.P. #433-02-017. Docket# 3-2018-2a. Also a request from Andrew Clark for a 13 foot variance to the maximum distance from the front of a building for a fence at 10407 Biddulph Rd. 1117.05(c)(1) P.P. #433-02-017. Docket# 3-2018-2b. Mr. Clark explained he needs the fence in the front of his home to keep his service dog safe in case a visitor open the front door and the dog could run out into the street. Bredenbeck asked Mr. Clark what size of service dog he had. Mr. Clark replied he has a lab. Bloam verified that it was a service dog for Mr. Clark. Mr. Clark stated yes it was his service dog. Bredenbeck asked Mr. Clark to verify the height of the fence going in front of the home. Mr. Clark stated it will be a four foot high white picket fence. Bredenbeck asked if four foot was high enough the dog will not jump over. Mr. Clark answered yes that is high enough. Barrett explained that because of how Mr. Clark's house is laid out and the set back from the road he really does not see a problem with this. Jim Maciaszek, Assistant Building Commissioner stated that the building department does not have any issues with these requests. After further discussion, a **MOTION** by Barrett, second by Bredenbeck to **APPROVE** the request from Andrew Clark for a 1 foot variance to the maximum height of a fence in a front yard at 10407 Biddulph Rd. 1117.05(c)(1) P.P. #433-02-017. Docket# 3-2018-2a Also a request from Andrew Clark for a 13 foot variance to the maximum distance from the front of a building for a fence at 10407 Biddulph Rd. 1117.05(c)(1) P.P. #433-02-017. Docket# 3-2018-2b. **Vote Resulted:** *To APPROVE:* Yes: Barrett, Farkas, Bloam, Bredenbeck, Parker. No: None. **(APPROVED)**

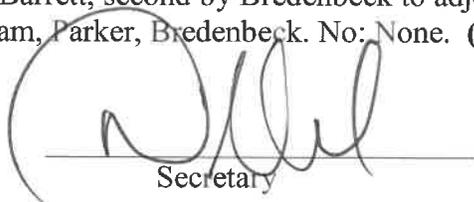
These items where discussed and voted on together; A request from Tom O'Neil representing Menard Inc. for an 8 foot variance to the maximum accessory structure height of 20 ft. for a Menards Home Improvement Store located at 7700 Brookpark Road. 1121.03(f)(1) P.P. #433-19-001. Docket# 3-2018-1a. A request from Tom O'Neil representing Menard Inc. for an 8 foot variance to the maximum fence height of 6 ft. for a Menards Home Improvement Store located at

7700 Brookpark Road. 1121.04(b)(5) P.P. #433-19-001. Docket# 3-2018-1b. A request from Tom O'Neil representing Menard Inc. for a 96 space variance to the minimum of one (1) parking space for each 400 square feet of floor area for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.02(c)(c)(2) P.P. #433-19-001. Docket# 3-2018-1c. A request from Tom O'Neil representing Menard Inc. for a 120 square foot variance to the maximum of 2 square feet of signage for each one lineal foot of building frontage for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(c)(2) P.P. #433-19-001. Docket# 3-2018-1d. A request from Tom O'Neil representing Menard Inc. for a 9 additional sign variance to the maximum of one (1) identification sign on each building face for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(c)(2) P.P. #433-19-001. Docket# 3-2018-1e. A request from Tom O'Neil representing Menard Inc. for a 64 foot variance to the maximum freestanding sign height of 16 ft. for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(d) P.P. #433-19-001. Docket# 3-2018-1f. A request from Tom O'Neil representing Menard Inc. for 1 additional sign variance to the maximum of one freestanding sign per lot for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(e)(2) P.P. #433-19-001. Docket# 3-2018-1g. A request from Tom O'Neil representing Menard Inc. for a 90 square foot variance to the 60 square feet maximum area of a single pole sign for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(f)(2)(c) P.P. #433-19-001. Docket# 3-2018-1h. A request from Tom O'Neil representing Menard Inc. for a 340 square foot variance to the 60 square foot maximum area of a single pole sign shall for Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(f)(2)(c) P.P. #433-19-001. Docket# 3-2018-1i. Tom O'Neil explained the need for each variance in detail as explained is the submitted application. Bredenbeck stated that the land in the back of Menard's seems to be subsiding down to the railroad tracks and asked if there was a plan to fill it. Mr. O'Neil stated that there is a substantial retaining wall that they feel is very solid. Bredenbeck said yes on the north boundary on the west side, but he was speaking of the east side of the north boundary. Mr. O'Neil stated based on the fence line and the property line they have set far enough back to blend that area that does not have the retaining wall. Bredenbeck verified that the old Kmart concrete slab will be removed. Mr. O'Neil stated that would be removed and recycled. Bredenbeck stated he was ok with all variances but the eighty foot high sign on a high point of the property. He does not understand what the hardship is for this height of a sign. Barrett explained that they have already reduced the height to the sign from one hundred feet to eighty feet. Bloam added that there is a bunch of trees over there and you will need to be higher than the tree line. Mr. O'Neil explained yes that is one of the problems is the tree line blocking the sign. He also stated the opinions can differ but they feel having that sign along 480 will draw people to the store. Bredenbeck explained that he feels that Menard's is not like a gas station an impulse buy, people plan to go to hardware stores. He also stated in the past, before the technology we have now, companies' used search light to advertise and he does not feel this eighty foot sign was necessary in this age. There was more discussion about this sign and the old K-Mart sign. Jim Maciaszek, Assistant Building Commissioner stated that the building department does not have any issues with these requests. Victor Ardito, from the audience, asked how high the sign the sign out front is. Everyone answered sixteen feet monument style. Victor stated that he does not feel like that front sign is tall enough. There was discussion about why this sign is that high and how it will be lite. After further discussion, a **Motion** by Bloam, second by Parker to **APPROVE** the request from Tom O'Neil representing Menard Inc. for an 8 foot variance to the maximum accessory structure height of 20 ft. for a Menards Home Improvement Store located at 7700 Brookpark Road. 1121.03(f)(1) P.P.

#433-19-001. Docket# 3-2018-1a. A request from Tom O'Neil representing Menard Inc. for an 8 foot variance to the maximum fence height of 6 ft. for a Menards Home Improvement Store located at 7700 Brookpark Road. 1121.04(b)(5) P.P. #433-19-001. Docket# 3-2018-1b. A request from Tom O'Neil representing Menard Inc. for a 96 space variance to the minimum of one (1) parking space for each 400 square feet of floor area for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.02(c)(c)(2) P.P. #433-19-001. Docket# 3-2018-1c. A request from Tom O'Neil representing Menard Inc. for a 120 square foot variance to the maximum of 2 square feet of signage for each one lineal foot of building frontage for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(c)(2) P.P. #433-19-001. Docket# 3-2018-1d. A request from Tom O'Neil representing Menard Inc. for a 9 additional sign variance to the maximum of one (1) identification sign on each building face for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(c)(2) P.P. #433-19-001. Docket# 3-2018-1e. A request from Tom O'Neil representing Menard Inc. for a 64 foot variance to the maximum freestanding sign height of 16 ft. for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(d) P.P. #433-19-001. Docket# 3-2018-1f. A request from Tom O'Neil representing Menard Inc. for 1 additional sign variance to the maximum of one freestanding sign per lot for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(e)(2) P.P. #433-19-001. Docket# 3-2018-1g. A request from Tom O'Neil representing Menard Inc. for a 90 square foot variance to the 60 square feet maximum area of a single pole sign for a Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(f)(2)(c) P.P. #433-19-001. Docket# 3-2018-1h. A request from Tom O'Neil representing Menard Inc. for a 340 square foot variance to the 60 square foot maximum area of a single pole sign shall for Menards Home Improvement Store located at 7700 Brookpark Road. 1129.03(f)(2)(c) P.P. #433-19-001. Docket# 3-2018-1i. **Vote Resulted: To APPROVE:** Yes: Barrett, Farkas, Bloam, Parker. No: Bredenbeck. **(APPROVED)**

There being no further business, **Motion**

by Barrett, second by Bredenbeck to adjourn. **Vote Resulted: To Adjourn:** Yes: Barrett, Farkas, Bloam, Parker, Bredenbeck. No: None. **(Meeting Adjourned)**


Secretary


Chairman