

Minutes of the Planning Commission Meeting of September 6, 2012 6:00 P. M.

MEMBERS PRESENT: Mayor Richard H. Albier, Chairman  
Katie Gallagher, Council Representative  
Ray Porterfield  
Joe Polidori  
Jim Oper

ABSENT:

ALSO PRESENT: Tom Ockington, Building Commissioner  
Barbara Stanton, Secretary

Chairman Albier called the Brooklyn Planning Commission meeting to order. Clerk, call the roll: Mayor Albier, "here", Katie Gallagher, "here", Ray Porterfield, "here", Joe Polidori "here", Jim Oper, "here".

Chairman Albier: On tonight's Agenda is approval of the minutes from August 2, 2012. A request from Cleveland Bible Baptist Church to install a thirty-five (35) square foot single-sided free standing sign in the front yard on the adjacent residential lot located at 4403 Tiedeman Road P.P. # 432-08-009. A request from Cleveland Bible Baptist Church to install a thirty-five (35) square foot single-sided free standing sign in the front yard on the adjacent residential lot located at 4455 Tiedeman Road P.P. # 432-09-001.

A motion was made by Katie Gallagher, second by Ray Porterfield to approve the minutes of August 2, 2012. **Vote Resulted:** Yes —Katie Gallagher, Ray Porterfield, Joe Polidori, Jim Oper. Mayor Albier, abstain.

Chairman Albier: The first item on the agenda is a request from Cleveland Bible Baptist Church to install a thirty-five (35) square foot single-sided free standing sign in the front yard on the adjacent residential lot located at 4403 Tiedeman Road. Pastor Folger was present. Commissioner Ockington: The signage itself is somewhat over sized for the institutional use. It will need a variance for that. The Planning Commission has the authority to vary that based on the size of the property. There are three other variances that would be required. One is the sign's location which is on a different lot then the use that is being advertizing for. The identification signs are not permitted on a single family zoned lot. The free standing signs are not permitted in a single family zoned lot. If the Planning Commission approves the request, an application would be required to the Board of Zoning appeals for the variances. The fact that the request is not on the same lot and it is a business identification sign, in the residential district and a free standing sign in a residential district; the maximum size sign for a church in a residential area is 20 square feet and the request is for a 35 square foot sign which the Planning Commission can vote on. Chairman Albier: Pastor Folger; if the Commission approves this request it will still need to go the Board of Zoning Appeals. If it is defeated you may still take the request to the Board of Zoning Appeals. Joe Polidori: Who owns the private lots? Commissioner Ockington: The church owns the properties, but it is zoned residential. Katie Gallagher: How did you choose the location for the signs and what is the current use of the properties. Pastor Folger: In both situations, it is green space. We have some single school teachers that are using the one home and the other home is housing missionaries that come home and so they have a place to stay for up to a year. They are not rental properties. We are utilizing all the properties for ministry purposes. We choose the location because in our master plan development we would change the entire front of the church and removing the sign that is currently there, along

with some expansion. Rather than change the signage at a later date we thought to have it done now. We were hoping to come back to the Planning Commission to utilize the two parcels into parking area and the signs would be identifying the church and it would be clearly marked. Ray Porterfield: Do you need more parking spaces? Pastor Folger: Currently most Sunday mornings there are about 10 spaces left. There was further discussion regarding the location of the parking area. Jim Oper: Would you consider putting parking at this time in lieu of the sign. Commissioner Ockington: Parking in a residential district is allowed as a conditional use. I would have to figure out how they could do that as a conditional use or would it need to be rezoned. It would be much easier to allow it as a conditional use. Mayor Balbier: This is zoned residential and I am concerned if we make an exception, many other businesses will want to follow suit. I received two phone calls from Council Members who are against the proposal. They received calls from residents on Tiedeman Road who are also against it. The church is a much respected part of this community. Katie Gallagher: How would someone go about rezoning a property? Commissioner Ockington: I have never run across a situation of putting a sign on a different property that was residential. It took a lot of research to find what type of variances that would be required for the signage. This is an unusual circumstance. The church can ask for the property to be rezoned or request a conditional use approval. It's contiguous with the business parcel and there is a provision in the conditional use section for using a residential lot for parking. It would be an unusual circumstance if you would leave the house on the property and pave around it. If the use of the house became some business use, that might be different. The zoning code also requires green space which there isn't much of at this time. After further discussion regarding the signage and the parking area, a motion was made by Mayor Balbier, second by Joe Polidori for the request from Cleveland Bible Baptist Church to install a thirty-five (35) square foot single-sided free standing sign in the front yard on the adjacent residential lot located at 4403 Tiedeman Road. **Vote Resulted: No** - Mayor Balbier, Katie Gallagher, Ray Porterfield, Joe Polidori, Jim Oper.

Chairman Balbier: The second item is a request from Cleveland Bible Baptist Church to install a thirty-five (35) square foot single-sided free standing sign in the front yard on the adjacent residential lot located at 4455 Tiedeman Road. After further discussion a motion was made by Mayor Balbier, second by Joe Polidori for the request from Cleveland Bible Baptist Church to install a thirty-five (35) square foot single-sided free standing sign in the front yard on the adjacent residential lot located at 4455 Tiedeman Road. **Vote Resulted: No** - Mayor Balbier, Ray Porterfield, Joe Polidori, Jim Oper. **Yes** - Katie Gallagher.

A motion was made by Mayor Balbier, second by Ray Porterfield to adjourn. **Vote Resulted:** Yes - Mayor Balbier, Katie Gallagher, Ray Porterfield, Joe Polidori, Jim Oper.

Meeting adjourned.

  
Barbara Stanton  
Secretary

  
Mayor Richard Balbier  
Chairperson