

Minutes of the Zoning Board of Appeals Meeting of February 17, 2011 - 7:00 P.M.

MEMBERS PRESENT: **Regis Barrett, Chairman**
 Jeanne Hartman
 Bob Kinney
 Wally Parker
 Dean Bredenbeck

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

Chairman Barrett – I would like to call the Zoning Board of Appeals meeting to order. Roll call was taken and all members were present. **A motion to approve the minutes of December 16, 2010 was made by Jeanne Hartman. Second – Bob Kinney. Vote Resulted – Yes – Regis Barrett, Jeanne Hartman, Bob Kinney, Wally Parker, Dean Bredenbeck.**

Item #1 – McDonald’s Corporation – 10700 Brookpark Road

Regis Barrett: There is a request tonight by McDonald’s for a sign variance that was denied by the Planning Commission on January 6, 2011 for a 49 foot height variance, a 55 foot set-back variance, and a 141 square foot area variance. Dave Gnatowski, area construction manager for McDonald’s USA and Dave Stiles owner and operator of the McDonald’s located at 10700 Brookpark Road were present to discuss a variance for a proposed alteration of the height of a existing nonconforming sign . Mr. Stiles: I will be investing two million dollar for a new proposed building and I am asking for a 65 foot sign variance to protect this investment. We would like more visibility of the signage. There was discussion regarding the type of sign; there is proposed a 20% decrease of the sign area. There were pictures presented to the committee by Mr. Stiles of signage and businesses on Brookpark Road. It was mentioned that there are trees and branches that hinder the view and visibility of many of the signs. Mr. Gnatowski: There are telephone poles along Brookpark Road that appear like a picket fence and tend to have a blocking effect. There was further discussion regarding the pictures presented and the lack of visibility of the McDonald’s sign. Mr. Stiles: There was a balloon boom test to verify that the requested sign will be visible from the overpass from 480. Staples, Best Buy and K-Mart have signs that are at least 50 to 60 feet tall. Regis Barrett: I would consider changing the location of the sign to the rear of the property. The 50 to 60 foot signage that was mentioned was constructed prior to the new zoning codes therefore those are grandfathered; those signs are not an issue and should not be discussed. Mr. Gnatowski: Visibility is very much an issue, also a hardship and the sign needs to be visible to the customers. Wally Parker: How much business do you think you get from 480? Mr. Stiles: Sam’s Club draws a lot of people. When you are pulling into Sam’s Club off Brookpark Road, you would not see the McDonald’s sign; Tiedeman Road you cannot see the restaurant. When you get off the 480 ramp you see the restaurants that are visible on Tiedeman, you typically won’t go down the road a half mile to see what other restaurant options you may have. Dean Bredenbeck: Maybe there is a better way to accomplish the same goal on having signage on Tiedeman heading south which would indicate and extend the business section beyond Cascade Crossing. This would need to be a coordinated effort. Have a sign on Tiedeman Road that is similar to the one on 480. The Brooklyn Chamber of Commerce maybe interested in this type of project. Mr. Stiles: We are looking into closing the restaurant the week of Easter. Wally Parker: Would you entertain the idea of placing the sign in the back of the property which would attract customers from Brookpark and Tiedeman Road? Mr. Stiles: The concern is how the restaurant is laid out with the detention pond. The plans were reviewed by the committee. Mr. Gnatowski: We believe we have a visibility issue and hardship. We hopefully showed you that, we do have a hardship. Dean Bredenbeck: There should be an even playing field for business signs which are on Tiedeman Road and Brookpark except the signs that were grandfathered; other smaller communities have ground level signs. Mr. Stiles: The train tracks block the view of the businesses going south bound on

Tiedeman Road. Mr. Gnatowski: We are trying to protect the investment and be a viable business for the community. Dean Bredenbeck: The existing customer base would stay the same; and you would like increased business. Wally Parker: If the sign was in the back of the property, it would be visible on Tiedeman and Brookpark instead of being up front on Brookpark Road. Mr. Stiles: I am trying to get my share of the business. I am not trying to get people off 480. There was discussion regarding signage on 480 issued by ODOT. Regis Barrett: Is it possible to move the signage to the rear of the parking lot. It is obvious that we would like to assist you. The proposed sign you are requesting would be four times the permitted height. Dean Bredenbeck: How important are these signs going to be in the future. If you use Google-Earth you will find the restaurant. As people use electronic means, I am not sure billboards and signs are going to be effective. Bob Kinney: Putting the signs in the rear of the property, you can place conduit in the concrete footer if that is needed. Tom Ockington: After discussing the 65 foot sign with First Energy, they were not very pleased with the proximity of it on Brookpark Road. I haven't received a written response from First Energy. Regis Barrett: I would like to entertain the suggestion by Dean for signage on Tiedeman Road which indicates there are other businesses heading south. Dean Bredenbeck: Signage would need to be in the right-of-way. Mr. Stiles: We will do another boom test in the back of the property to consider that location for the sign and come back to the Commission. Dean Bredenbeck: If the need arises, there would be a possibility that a special meeting can be set up so as to not delay the construction process. After further discussion: **A motion to table the approval of a non conforming sign variance located at 10700 Brookpark Road, by Regis Barrett, second by Bob Kinney. Vote Resulted: - Yes - Regis Barrett, Jeanne Hartman, Bob Kinney, Wally Parker, Dean Bredenbeck.**

A motion to adjourn the meeting was made by Bob Kinney, second by Wally Parker. Vote Resulted – Yes – Regis Barrett, Jeanne Hartman, Bob Kinney, Wally Parker, Dean Bredenbeck.



Barbara Stanton, Acting Secretary



Chairman, Regis Barrett