

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &
BUILDING CODE APPEALS**

**Meeting of
December 4, 2019
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, Richard Baldin, David Houlé, Thomas Smeader

Administration: Assistant Law Director Daniel J. Kolick

Building Department Representative: Brian Roenigk

Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

NEW APPLICATIONS

1) PSE CREDIT UNION/Jim Briola with North Coast Sign & Lighting Service, Inc., Representative

Requesting a variance from Zoning Code Section 1272.04 (g), which prohibits a changeable copy Sign in a Local Business Zoning District and where the applicant is proposing one 30 SF two-sided changeable copy Monument Sign; property located at 12700 Prospect Road, PPN 392-12-004, zoned Local Business.

The Board stated that they do not allow changeable copy signs in Strongsville. They considered that there are too many businesses that would want them, and they have already turned down many requests for this same request in the past. The Board indicated that the business is doing rather well, and so there is no hardship for the Board to examine as a reason to approve the request. They concluded that even if the business was doing poorly they would still not allow a changeable copy sign because of the precedent it would set in the City.

2) DANIEL AND ERIKA CATANZARITE, OWNERS

Requesting an 875 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,875 SF Floor Area is proposed in order to construct an Attached Garage; property located at Webster Road, PPN 398-29-001, zoned R1-100.

The Board examined where this parcel is located. They indicated that this is located on 5 acres, and specified that this is a luxury class house. The Board found no issues with the variance request during the caucus.

3) ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP, Representative

a) Requesting a variance for a second Ground Sign from Zoning Code Section 1272.12 (e), which permits one Ground Sign and two Ground Signs are proposed;

- b) Requesting a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height (West) is proposed;
- c) Requesting a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height (North) is proposed;
- d) Requesting a variance from Zoning Code Section 1272.12 (c), which permits one Wall Sign and where three Wall Signs (North 24.5 SF, South 26 SF and West 24.5 SF) are proposed;
- e) Requesting a variance from Zoning Code Section 1272.12, which does not permit a Drive-Thru Menu Board Ground Sign and where one 40 SF Drive-Thru Menu Board Ground Sign is proposed; property located at 9175 Pearl Road, PPN 395-16-004, zoned Motorist Service (MS).

The Board discussed where the signs and menu board would be located. They debated the amount of wall signs they are requesting, but stated that the overall square footage of the signage they are requesting is about 40% less than they are allowed by the Code. The Board noted that the speaker on the menu board will be facing the apartment building, and then discussed what conditions they may request in order to approve the variance such as facing the speaker down from the canopy rather than out toward the apartments. They indicated that the sound spill from speaker was one of the main concerns of the apartment owners. The Board considered that there may be some other way to muffle the sound and they should discuss it with the applicant. They also mentioned that the wordage on item (d) is incorrect because it should read two wall signs are permitted instead of one since it's a corner lot.

4) PATRICIA PELL, OWNER

Requesting a 5' Rear Yard Setback variance from Zoning Code Section 1253.11 (b) (3), which requires a 15' Rear Yard Setback and where as a 10' Rear Yard Setback is proposed in order to construct a 116 SF Sunroom; property located at 16290 Commons Oval, PPN 395-21-105, zoned R1-75 (cluster).

The Board discussed where this is located, and noted that there is a HOA. They indicated that this property backs up to common land, and it is heavily wooded. The Board specified that the next door neighbor has a sunroom, and mentioned that there are many in the area. The Board found no issues with this variance request during the caucus.

PUBLIC HEARINGS

5) BRADLEY PLEASANT, OWNER

Requesting a 19' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 17' Rear Yard Setback is proposed in order to install a 360 SF Patio; property located at 18329 Saratoga Trail, PPN 397-20-001, zoned R1-75.

The Board indicated that this request is due to a change in the Zoning Code since the house was built. They noted that they have a letter of approval from the HOA. The Board Chairman specified that he will be abstaining from the vote since he is a trustee for the High Point development. They stated that they will need all 3 members to vote in favor of it for it to be approved since Mr. Rusnov is not in attendance. The Board mentioned that they will advise the applicant of that. They also mentioned that it is likely to not make much difference though since this variance is only due to a change in the Code, and doesn't cause any issues that they could see during caucus.

6) JAMES AND TERESA LUCAS, OWNERS

Requesting a 23' Rear Yard Setback variance from Zoning Code Sections 1268.12 and 1252.16 (e), which requires a 36' Rear Yard Setback and where a 13' Rear Yard Setback is proposed in order to install a 448 SF Patio; property located at 19720 Stoughton Drive, PPN 393-30-118, zoned PDA-2.

The Board indicated that they have the HOA approval letter. They specified that this application does not seem to pose any issues that they could see during the caucus. The Board noted that there is a common area behind the house, and stated that they do not believe that his patio will be protruding into that space.

7) UNION HOME MORTGAGE/Vince Dilonna with Blink Signs, Representative

Requesting a variance from Zoning Code Section 1272.14, which prohibits parking lot pole light signage and where three 12 SF parking lot pole light signs are proposed; property located at 8241 Dow Circle West, PPN 395-13-028, zoned Research-Development (RD).

See item 9.

8) UNION HOME MORTGAGE/Vince Dilonna with Blink Signs, Representative

Requesting a variance from Zoning Code Section 1272.14, which prohibits parking lot pole light signage and where three 12 SF parking lot pole light signs are proposed; property located at 14843 Sprague Road, PPN 395-13-027, zoned Research –Development (RD).

See item 9.

9) UNION HOME MORTGAGE/Vince Dilonna with Blink Signs, Representative

Requesting a variance from Zoning Code Section 1272.14, which prohibits parking lot pole light signage and where three 12 SF parking lot pole light signs are proposed; property located at 14955 Sprague Road, PPN 395-12-001, zoned Research-Development (RD).

The Board indicated that these variance request are all for signage on multiple poles. They specified that they have monument signs on each of the buildings already. The Board mentioned that one of their monument signs changes color. They discussed whether that is an issue with the Code, and noted that there is nothing in the Code that prohibits the usage of signs changing color. The Board examined whether more signage is needed. They debated if they need more than one pole sign per parcel in order to achieve their goal for direction to each building. The Board knows that they will likely also have signs on the building, and concluded that they do not want to set new precedent with allowing more signage than necessary.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
December 4, 2019**

The meeting was called to order at 8:00 PM by the Chairman, Mr. Evans.

Present: Mr. Evans
Mr. Houlé
Mr. Baldin
Mr. Smeader

Also Present: Mr. Kolick, Assistant Law Director
Mr. Roenigk, Building Department Representative
Ms. Zamrzla, Recording Secretary

Mr. Evans – Good evening ladies and gentlemen. I would like to call this December 4th, 2019 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL: ALL PRESENT EXCEPT FOR MR. RUSNOV

Mr. Houlé – I'd like to make a motion to excuse Mr. Rusnov for just cause.

Mr. Baldin – Second.

Mr. Evans – I have a motion and a second. May I have a roll call please?

ROLL CALL: ALL AYES MOTION PASSED

Mr. Evans – I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Codified Ordinances of the City of Strongsville. We have before us minutes from November 20th, 2019, there are no corrections to be made so if there is nothing further we will submit those as they were given to us. This evening if there is anyone in our audience this evening that wishes to speak whether it is to present to the Board or to speak at a public hearing, I ask that you stand now and be sworn in by our Assistant Law Director, along with our Recording Secretary, and our Representative from the Building Department.

Mr. Kolick then stated the oath to those standing and anyone who wished to participate.

Mr. Evans – Thank you. Our meetings are divided into two portions. The first half are new applications, and then we'll move onto our public hearings.

NEW APPLICATIONS

1) **PSE CREDIT UNION/Jim Briola with North Coast Sign & Lighting Service, Inc., Representative**

Requesting a variance from Zoning Code Section 1272.04 (g), which prohibits a changeable copy Sign in a Local Business Zoning District and where the applicant is proposing one 30 SF two-sided changeable copy Monument Sign; property located at 12700 Prospect Road, PPN 392-12-004, zoned Local Business.

Mr. Evans – First on the agenda tonight is PSE Credit Union. Please have your representatives come up to the microphone and give us their name and address for the record.

Mr. Briola – Jim Briola with North Coast Sign and Lighting, 310 North Broadway St., Medina, Ohio.

Mr. Evans – Thank you Mr. Briola.

Mr. Anderson – I'm Joe Anderson, President and CEO of PSE Credit Union.

Mr. Evans – Thank you Mr. Anderson. You are requesting a changeable copy sign. Who is going to do the presentation for this?

Mr. Briola – You have the drawings so what we would like to do is take down the existing sign, and then install a new sign that is 10' from the right of way so it'll move up a little bit. We're going to put in a new faux brick base with a cement footer. On top of that we want to install the digital reader sign, and on top of that we'll have a small illuminated identification sign with the name PSE Credit on it. You can probably see that in the artwork that we provided.

Mr. Evans – Right. Alright. Mr. Anderson did you want to speak to the reason why you feel that the changeable copy sign is needed?

Mr. Anderson – Yes, thank you. First of all, I want to apologize, I didn't know there was a hearing last Tuesday. I'm new to the area. I've only been here for two and a half years. So I apologize because I would have been here then. Just a couple of things, the reason we are asking for the sign is because that building was built about 18 years ago, and if you take a look at the picture Jim provided you'll see that our sign is about 30' back from the road tucked behind trees. It's old and it needs to be replaced. In fact when I moved here two and a half years ago, and went out to the branch, I went by it a number of times not seeing it. We're a not-for-profit business. Our members own our branch, and we're trying to grow that. Of all three of our branches, and as an organization we're doing very well, but that branch underperforms big-time. It's a drag on us. That's the reason we want to get the sign. I don't want it to be obnoxious or obtrusive in the business community, and I think I sent you guys a letter. We're very involved in the community with a lot of different

1) **PSE CREDIT UNION/Jim Briola with North Coast Sign & Lighting Service, Inc., Representative, Cont'd**

Mr. Anderson Continues - things, and we want to continue to be involved with the Rib Burn-off, we advertise in the Recreation Center, and we support Strongsville athletics. The other thing I want to do is since we have that big building and that big parking lot which is underutilized, I want to hire two highly paid folks that live in the area for good positions, so I need to get that sign. I live in the community as well, and I drive down 82. I think there's a church, a United Methodist Church on the left across from Serpentine and they had some sort of digital sign there. That in a nutshell is what we're asking for.

Mr. Evans – Mr. Anderson, just so you understand you are zoned General Business and the churches are zoned as Public Facilities. Our Zoning Code does permit changeable copy signs in public facility areas, but not in General Business. So our problem is that if we allow yours in a General Business area, then every other general business is going to say that they want it as well. It sets a precedent that up until now we've been very reticent to do because places like Culvers and others that have come in and asked for changeable copy signs we've turned down because every retail establishment in Strongsville would want that. The fact that you're in a General Business area doesn't take into consideration that you are a non-profit credit union. It's by the Zoning Code, and the zoning for the property, not the use of the building that the Code is established. That's why you heard the comments in caucus that it's not something that we've done in the past. We'll obviously give it due consideration. Certainly the sign does sit back from the road. Most of us on the Board pretty much know the entire city and we know where the credit union is. Probably most of us even know that it was the Parma School Employees, which is what PSE stands for. Why are they in Strongsville? Because that is where a lot of the Parma teachers lived, and it became a branch out here. So we're very familiar with it, and we know that you do good things in the community. It's just a Pandora's Box that we haven't in the past opened up, and it would be a very tough situation for us if we granted this request.

Mr. Kolick – When Strongsville redid our signage legislature and our Zoning Code they looked very hard at this issue of the changeable copy signage because we had been getting many requests for them. They felt from a safety and aesthetic standpoint that it is not what the City wanted to see happen. Whether you are non-profit or not as the Chairman indicated, every financial institution would love to have the same thing to advertise their specials or whatever they have as well as all the other businesses in town. So I know that Council was very adamant against allowing any type of changeable copy signs other than in the public facilities districts. That's the only area they permitted it in frankly. I can tell you, and I've been here for 47 years, and this Board has never granted a changeable copy sign for a business.

Mr. Anderson – Ok. We have in our Parma office we have the exact same sign, not that it matters, I know.

1) **PSE CREDIT UNION/Jim Briola with North Coast Sign & Lighting Service, Inc., Representative, Cont'd**

Mr. Evans – I believe in Parma that you're actually in a different zoning district. You're not in a retail zoning district in Parma, and I think that may be part of the reason for that. Again, we'll give it due consideration, but I don't want you to be falsely led by us because it would be something that we've never done before. Clearly the sign may need to be changed so it's easier to recognize, but at this point the changeable copy part of it will be something that we'll talk about and cover at that point at our next meeting. Are there any other thoughts or comments gentlemen?

Mr. Kolick – One other thing is that the City certainly has no problem with you taking your sign and moving it closer to the right of way. It's just the changeable copy that is the problem. As long as you meet the required setback, we have no problem with the change of sign. You wouldn't even need to come to this Board for that. You just need to meet the setback requirements, but it's the changeable copy that is the problem.

Mr. Anderson – I noticed the businesses to the right and left of us are actually 10' from the road, but they are not changeable copy signs.

Mr. Kolick – Right, you can talk with the Building Department about how close you can get to the right of way, and we certainly have no problem with you changing the sign. If you need more exposure that's fine as long as you are within the setback requirements. You don't even need to come to this Board for that. We're not discouraging you from putting in a new sign. We're just saying that it's the changeable copy that is problematic.

Mr. Anderson – Well I appreciate your consideration.

Mr. Evans – Okay. So what happens now is that you will be invited to our next meeting which is December 18th, here in chambers. In the meantime, everyone within 500' of your location is going to receive a letter that is going to say exactly what is in the agenda tonight indicating that the PSE Credit Union has applied for a variance. It'll have this description in it. So it may be that you want someone from the credit union to knock on doors for neighbors who are immediately close by to let them know what you're doing because the public hearing is an opportunity for them to come and ask questions. So if you have inquisitive neighbor's over on Prospect or on Westwood, you may want to let them know what you're applying for in advance to give them an idea. Then we invite you back here on December 18th, and it's at that time that we'll make a decision on it.

Mr. Anderson – Okay. Thank you very much, have a good evening.

Mr. Evans – Alright, thank you.

2) **DANIEL AND ERIKA CATANZARITE, OWNERS**

Requesting an 875 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,875 SF Floor Area is proposed in order to construct an Attached Garage; property located at Webster Road, PPN 398-29-001, zoned R1-100.

Mr. Evans – Next on the agenda is Catanzarite on Webster Road. Please come up to the microphone and give us your name and address for the record.

Mr. Catanzarite – Dan Catanzarite, 7585 Harley Hills Drive, North Royalton.

Mr. Evans – Thank you, Mr. Catanzarite. You may have heard us in caucus talking about the fact that we've been very familiar with some of the homes that have been built up on the street that was just put in and also a couple of them across the street in the gated community there. Tell us why you have a need for a big garage, and what the overall plan is for development on the 5 acres is.

Mr. Catanzarite – So the house is actually going to be set back pretty far from the road, and the lot itself is kind of steep so it's not really visible from the road. The garage is mainly for extra storage space which includes personal items and for some work reasons. That is just the space that we decided we needed. That's how we drew the house, so we're looking to get the variance.

Mr. Evans – So one of the trip wires that you just hit is that we ask the question whether you're intending to run a business out of it. I don't think you would be given the drawings of the house, but when you said for work purposes, that leads us to ask that question.

Mr. Catanzarite – Sure. No it's just for extra storage space for things that don't fit in my particular office or things like that. It's just for carry-over storage space. No work is going to be run out of the garage.

Mr. Evans – Good, okay. I was assuming that was the answer, but I had to ask.

Mr. Catanzarite – I understand.

Mr. Evans – Okay. Gentlemen do you have questions?

Mr. Smeader – You're an out lot right? You're not part of Arbor Creek?

Mr. Catanzarite – Correct.

Mr. Smeader – Roughly what size house is going to be constructed on the 5 acres?

2) **DANIEL AND ERIKA CATANZARITE, OWNERS, Cont'd**

Mr. Catanzarite – Including the walk-out basement it will be about 8,000 SF.

Mr. Smeader – Okay, just to get a rough idea, thank you.

Mr. Evans – Is there anything else?

Mr. Baldin – The only thing I can say is that with the amount of land that he has, and since it sits way back off from the road no one is going to see it. Most of the other houses, at least in Arbor Creek, we know we gave them a lot of variances there because a lot of people had additional cars.

Mr. Catanzarite – Sure.

Mr. Baldin – It might be something you have one day, maybe not, but I don't see a problem with it personally.

Mr. Catanzarite – Thank you.

Mr. Houlé – Like we said with Arbor Creek, this is a luxury-class house, and the size of the garage sounds like it'll be proportional to the house. So I see no problems with it either.

Mr. Evans - All of the members of the Board will be out to visit the property to take a look at it. There will also be a notice that will go out to your neighbors within 500 feet of your property. It will state exactly the description that is written in the agenda tonight. So if you have curious neighbors that will want to ask questions, you should get together with them before the next meeting to explain simply what your plans are. That may save everyone some time and the trouble. The public hearing is on December 18th. We will invite you back at that time. It is not necessary that you stay for the rest of the meeting tonight. Thank you.

Mr. Catanzarite – Okay, thank you very much.

Mr. Evans – Okay, thank you.

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP, Representative**

- a) Requesting a variance for a second Ground Sign from Zoning Code Section 1272.12 (e), which permits one Ground Sign and two Ground Signs are proposed;
- b) Requesting a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height (West) is proposed;

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

- c) Requesting a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height (North) is proposed;
- d) Requesting a variance from Zoning Code Section 1272.12 (c), which permits two Wall Sign and where three Wall Signs (North 24.5 SF, South 26 SF and West 24.5 SF) are proposed;
- e) Requesting a variance from Zoning Code Section 1272.12, which does not permit a Drive-Thru Menu Board Ground Sign and where one 40 SF Drive-Thru Menu Board Ground Sign is proposed; property located at 9175 Pearl Road, PPN 395-16-004, zoned Motorist Service (MS).

Mr. Evans – Third on the agenda tonight is Arby's restaurant, and I believe Mr. Catanzarite will be representing them, so if you will come forward please and give us your name and address for the record.

Mr. Catanzarite – Nick Catanzarite, 1301 East 9th St., Suite 3500, Cleveland. I'm here tonight representing Arby's.

Mr. Quinn – Hi, I'm Paul Quinn, I'm Vice President of construction for Inspired Brands, and Inspired Brands owns Arby's. The address is 3 Glenn Lake in Atlanta, GA 30328.

Mr. Evans – Welcome to Ohio.

Mr. Quinn – I'm very familiar with Ohio. I lived in Strongsville for seventeen and a half years.

Mr. Evans – Oh okay.

Mr. Quinn – I just moved a year and a half ago.

Mr. Evans – Alright. So Mr. Catanzarite you'll be taking the lead on this?

Mr. Catanzarite – Before I get started, I have a few exhibits that I want to introduce into the record. To save some time I thought I would just pass them out now.

Mr. Evans – That's fine. Bring them up and we'll send them down the line. Then we'll give you the opportunity to speak.

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Catanzarite – So everyone is familiar with the project at hand. This is the new Arby's on the southeast corner of Pearl and Whitney. It's the former Mad Cactus site, which everyone knows has sat vacant for a long time now. So it's exciting to see new development going in that area. I know that Arby's is excited. They have been through the Planning Commission process and through that process there were certain restrictions put on the site that in our opinion resulted in certain hardships which have led to some of the variance requests. For example, the entry on Pearl Road is a right in and right out as you might be aware of. The other curb cut out onto Whitney is a full access curb cut so you can turn left or right. So the Whitney curb cut is the only place where someone can make a left turn into Arby's. That was not Arby's preference as you know. It was not something that they created, so they are dealing with those circumstances and part of what they are trying to mitigate through these variance requests is just to insure that the site is safe, that there is proper access and adequate visibility for their signage so customers can see that they are there. So of the variances that are listed on the agenda, why don't we start with the wall signs? There are two wall signs that are permitted, and Arby's is going to utilize those two signs on the Pearl Road side, and on the north façade. I understand that there is a one foot variance being requested for the height of the sign. Everyone is familiar with the Arby's sign with the big, tall hat. They actually typically go bigger than that, almost up to 8' in other states and jurisdictions, but they have scaled it back to 6' for Strongsville. So the first item we can talk about is whether that presents a problem in your opinion. We don't feel that it is something that is inconsistent with the purpose or intent of the Code. We ask for your approval on the size of the wall signage.

Mr. Evans – It's a corporate logo, we all understand corporate logos and the dimensions of it and everything. I think the important thing that we talked about in caucus is that the overall SF of the signs is well below what you're permitted.

Mr. Catanzarite – Right.

Mr. Evans – So from our standpoint, Mr. Catanzarite, we look at it as trying to work within our Code to do what needs to be done for the business to be successful. In the past, we've said that if you want additional signs then they have to be within the total allowed square footage, and you've done that. The one foot height variance, since it's a corporate logo, and because it's a cowboy hat, we understand that it's a dimensional situation. I don't think that is a big of a situation for us.

Mr. Catanzarite – Great. I want to get to the third sign next, and you referenced the overall square footage, and you're right that if you add up the total square footage of the three signs that are being proposed it is still less than the Code allows. Even with adding one more to the south, which is just the word Arby's instead of the logo and you can see on exhibit (a) in the package that I gave you, even with all three signs the total square footage is less than what they are allowed to have for overall signage.

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Evans – For the two allowed by the Code, right, correct.

Mr. Catanzarite – For that reason we feel that it is a reasonable request. We know that there are other businesses in the areas, specifically Sheetz and O'Charleys immediately north of this location, that have three signs on three sides. Sheetz has it on the east, south, and west. O'Charley's has theirs on the north, east, and west. So this would not be any different. Again, I think from Arby's perspective, if someone is heading northbound on Pearl, and their only opportunity to get in is that curb cut, they want to make sure that someone can identify the signage in time to make the turn. That's the reason for the additional sign on the south.

Mr. Evans – Understood.

Mr. Catanzarite – Okay. Are there any other questions on the wall signs before we move onto the next issue?

Mr. Evans – No.

Mr. Catanzarite – No, okay.

Mr. Evans – The monument sign. Mr. Baldin did you have a question?

Mr. Baldin – No, that's fine. I have no problem with it.

Mr. Catanzarite – Great, thank you. The monument signs, so as you know there is one monument sign that is permitted by the Code. Arby's is requesting two monument signs. If you look at exhibit (b) in your packet there is a site plan on there. Letter A on the site plan references the two locations of the proposed monument signs. There's a picture of the monument sign towards the end of exhibit (a) if you want to reference it. Again, I think that based on a couple of factors, Arby's is simply looking to make sure that the site is safe and that people have proper time to make a decision to turn into the site. In caucus there was some talk about how dark it is and it's difficult to see over in that area sometimes because the lighting is not the greatest. That is especially true when you are coming down Whitney westbound. There's an apartment building immediately east of the site that kind of juts out onto Whitney. I included some photos in there in exhibit (c) for you to reference. The apartment building juts out and then there is a garage structure next to it that also juts out. It's honestly tough to see that corner as you're heading west on Whitney. So what Arby's is proposing is that they have a monument sign right at that curb cut so people know that they have the ability to turn left into that site. They want them to see it before they are right on top of it. Similarly on Pearl Road, and that is obviously the main entrance which will have the higher traffic count, they are going to need a monument sign on Pearl for anyone headed north or south for anyone to be able to see that. I've mentioned safety already a couple of times, but from

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Catanzarite continues - a safety perspective if someone is coming westbound on Whitney and they miss that drive because the kids are yelling and the radio is loud or whatever, the only way they are going to be able to get into the site is to either turn around on Whitney and come back and make a turn into the site or turn onto Pearl and then turn into Kings Inn then loop around and come in, or make an illegal left turn into the site. Either way, it's not a good result, right? So for all those reasons we think that this requests satisfies the conditions for granting a variance. I welcome your thoughts, and we can talk about this further.

Mr. Evans – Mr. Kolick, the only thing I'm not sure of is whether we'd want to have a CPTED officer review this situation and the request they are making.

Mr. Kolick – We can.

Mr. Evans – My initial reaction is that I would rather see the second monument sign on Whitney go to the other side of the drive so it's more visible from Pearl Road as well. You have it on the east side of the drive right now. I'd almost rather it go to the west side to be more visible from Pearl Road. I agree with you that for traffic coming down there, we did not restrict the traffic pattern for McDonald's when it was built, and it's a problem there, so we're trying to correct that mistake with Arby's. I am concerned though. I do want people coming south on Pearl Road to be able to see Arby's and know that they can turn onto Whitney to go into there. I don't know if positioning it on the other side of the driveway would make it more visible from Pearl or not, but it's certainly something I'd like to look into. I'm going to ask that we have the Police Department look at the positioning of the proposed signage at the two curb cuts to pass judgement on whether they think it's a sight line safety issue. I just want to see if they think it would be any problem to have the two signs there. I don't anticipate it will be, but it's better to have them review it as well. I will just say that it might be something that you want to have your engineers take a look at just to see which side of the driveway you'd want it on.

Mr. Catanzarite – Okay, we can do that.

Mr. Evans – Are there thoughts or questions gentlemen?

Mr. Smeader – I was going to say that besides a safety factor, if you move it to the west side, at that point you're already past the driveway and you'd probably have to turn around. So if it's not a safety problem you almost have to have it on the eastside of the driveway.

Mr. Kolick – If you put it on the west side of the driveway, then cars going out would be more blocked by it as well. They could be making a left, and they would need to see to get out of the driveway. So I would think from a safety standpoint it would make the most sense to stay on the

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Kolick continues - east side of the driveway, but we can certainly have the CPTED officer look at it and get his input on it from the Police Department.

Mr. Baldin – Looking at this exhibit (c) picture here, is that still going to be the current driveway or is it a different curb cut to get in and out of there?

Mr. Quinn – That driveway is going to be modernized, but it's in the same location.

Mr. Baldin – It's pretty much the same location then.

Mr. Quinn – The driveway that is on Whitney, it was requested that the location remain there. We're just going to modernize it with curbs and the current DOT specs and everything else.

Mr. Baldin – So you're wanting to put the sign on the east side of this driveway.

Mr. Quinn – It is proposed to be on the east side, but as Mr. Evans pointed out, the whole idea for the sign is to improve visibility for customers to know where to go and where to make the traffic movement whether they are coming east on Whitney headed west or coming south on Pearl. If they are at the intersection at Pearl and Whitney going south we want them to know that they need to turn left there because otherwise they will not be able to get into the Arby's. They would have to take a left onto Whitney there, and that there is a curb cut there that they can see. So the visibility is the whole purpose for that sign.

Mr. Baldin – Is (d) the entrance sign the sign we're talking about?

Mr. Catanzarite – No, that's a directional sign.

Mr. Baldin – That's strictly directional.

Mr. Quinn – That's internally on the site.

Mr. Baldin – On the site.

Mr. Quinn – Right, inside.

Mr. Baldin – So it would be another monument sign like you're putting up on Pearl basically.

Mr. Quinn – Correct. It's a corner lot so there would be a sign over on that curb cut.

Mr. Catanzarite – It's the page right before that.

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Baldin – Okay, that's what I thought. I just wanted to be sure because I kind of liked that idea with that one made up like that. Looking at this picture though you can see all the way down the road here. You're looking down here and you can even see LOWE'S down here. That's quite a distance for people to be coming in.

Mr. Quinn – Absolutely you can see down the road there, but understand that the picture was taken standing out at the sidewalk. The Arby's is going to be set back into the site.

Mr. Baldin – It'll be set back further, right.

Mr. Quinn – Right, and then that garage which is on the property line, it has a 0' setback, for the apartment complex varies in height somewhere between 10' up to 15' tall. It's a solid brick wall.

Mr. Baldin – Right.

Mr. Quinn – Along that whole property line. Then the apartment building owner just recently planted three more pine trees out front of the end of that garage towards Whitney Road. So again, Mr. Evans or someone had mentioned about the visibility at night. I just flew in tonight and came here. I haven't been in Strongsville since the last City Council meeting, but we moved about a year ago, and I was just really surprised how dark it is when it's a wet, snowy night. So just making sure that customers are going to know where to go without making a traffic movement that is something not desirable is what we're after.

Mr. Baldin – There's no doubt that it's a tight corner, and it's a piece of property that we're very excited that you want to put an Arby's there that will fit on that lot.

Mr. Quinn – Well, it's surprising that when we first looked at this, that site is an acre. It's a one acre site.

Mr. Baldin – It doesn't look like it.

Mr. Quinn – No, it sure does not.

Mr. Baldin – With the way it's laid out now at least. Thank you.

Mr. Evans – Is there anything else gentlemen?

Mr. Smeader – No.

Mr. Evans – Okay, then onto the menu board.

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Catanzarite – The menu board as was discussed in caucus, the menu boards are obviously something that is a common variance request here in this city. You can't have a functioning drive-thru restaurant without a menu board like that. I know there was some concern that was discussed about the sound that was coming from the speaker and the direction at which the sound would be come out of the speaker. If you look at that site plan, exhibit (b), you'll see that at letter (g) it's the reference as to where that speaker will be located.

Mr. Evans – It's (i).

Mr. Catanzarite – Either way, it's located more on the southern portion of the site facing the Kings Inn than it is the eastern portion towards the apartments. The Planning Commission put a requirement on Arby's that there be new trees planted along the south and the east side so there will be additional buffer between the existing buildings and the new site. It's not all that dissimilar from the McDonald's project where additional trees were planted to the west, and you have two menu boards...

Mr. Evans – Yes, but that is across the street so it's a least 100' from the houses there.

Mr. Catanzarite – No, there's a house immediately next to the McDonald's.

Mr. Evans – The back entrance to the car wash, yes.

Mr. Catanzarite – Yes. There's houses there and there are two menu boards right there.

Mr. Quinn – The speaker for the menu board is actually menu (g) and the menu board is item (i). Let me show you a picture of what it looks like from the store.

Mr. Kolick – Sure.

Mr. Evans – Yes.

Mr. Kolick – Can you pass that up?

Mr. Evans – So it's the first.

Mr. Quinn – Here is where it is.

Mr. Evans – Okay.

Mr. Baldin – That's quite a few feet away from them.

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Evans – Yes, okay. That's different, usually the speaker is in the menu board so you pull up in front of the menu board and you're looking at it while you're speaking.

Mr. Quinn – Right, and again your concern that was brought up in caucus relative to sound for the neighbors is one that when we abut a residential property is often brought up. It's addressed in a couple of ways. In this case there is already a buffer there between our property and the garage and that's the brick wall. If you were to see our landscaping plan that was approved by the Planning Commission, we're putting trees in along that as well to soften that. Also the speaker is not facing the apartment complex. It is facing the Kings Inn monument sign. So it's facing out the other way. The other option is that with recent technology in the last 4 or 5 years there is a high definition-type of speaker system which is extremely clear which allows the volume to be lower. It is set up for areas where sound might carry to a neighborhood, and it's a concern. So we're using all that technology, and I really don't think there will be any concerns from the neighbors. I did meet the neighbor out there about 6 weeks ago when he was planting those trees that I mentioned, the pine trees, and he's a nice guy. I told him about that, and he asked a question about the speaker, and I told him it would not be facing the apartment complex and that it's facing the other way, and that I would be happy to get him any information he wanted if needed.

Mr. Evans – Alright.

Mr. Kolick – For the applicant, is it possible to turn that speaker towards Pearl? Since the menu board is right there for people to see, why couldn't you have the speaker facing towards Pearl and then it wouldn't be facing Kings Inn either. It would just be facing out towards the traffic.

Mr. Quinn – Actually, it is like on a 45 degree angle towards Pearl right now. To face it the other way, when a car pulls up, if you were to look at how close it is to the curb, and I'll show you this picture. This is the side of it. So it's right on the curb and then that's where it is. To put the speaker on the other side, that would not be conducive for communication.

Mr. Kolick – I just meant to turn it this way so it's even with the sign, and it would face the same direction as the sign is. The sign appears to be facing towards Pearl.

Mr. Quinn – You can't see the overhead canopy, there's an overhead canopy that is over the cars and you see where the poles are.

Mr. Kolick – Okay, is there a way to put a cover over on the side so it confines that speaker noise to there. All I'm looking for is a way to block that sound from the apartments and the motel. When you were granted the variances, I'm not sure if you were there that night, but whomever was there that night we told them to look at the lighting against the apartment and we were concerned about noise against the apartments. Is there anything else you can do to deaden that noise off of the site?

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Kolik continues - We know you need to get clear noise obviously on there so they can hear and the people inside can hear what they are ordering, but is there a way to cover or do something to minimize the noise penetration outwards?

Mr. Quinn – As far as turning it or something, anything is possible but it's not practical, so it wouldn't be acceptable with us because it would interfere with the communication based on the orientation of the car. Same thing with moving where the car is and the order space and moving the menu boards further towards Pearl Road around that corner will interfere with the way the cars stack. However, from a sound standpoint, I can assure you that it's not going to be a problem. We have much closer situations to residential neighborhoods like in Pittsburg and some of the other places we've done where this sound is not going to be audible to the people in the apartment complex. There is a brick wall there, and that wall is going to be lined with pine trees in front, and it's not even facing that way, and with the high-definition technology, it's not going to be an issue. I can certainly get information and send it to Nick and have him present it at the public hearing if it's needed.

Mr. Evans – Mr. Quinn, I think that would be helpful. The pictures that you showed us tonight, if you could also have prints done of that too, also probably a little bit bigger drawing of the one that we have in the 8.5" by 11" just so we can frame it out a little bit.

Mr. Quinn – Absolutely.

Mr. Evans – Again, the problem is that we get smarter as we go. When we grant variances for these menu boards at the McDonald's south in Strongsville, that menu board does face residences. We did a mound, and there's trees on top. It's not too bad. At the north McDonald's we've had questions from people because that McDonald's stays open late and that sound at night carries. If you're in a house, and you have young kids or something and you hear someone loudly say that they want a big mac with cheese, that sound is coming. Not only are they giving the order, but then they repeat the order back, and at that point it just not tenable for someone who is that close. So what we're looking at is saying that there has to be, and you're talking about technology, so if you mounted the speaker up above so it's facing down, the sound still goes to the car, but it wouldn't broadcast out. Same thing with lighting, we tell people to design their lighting so it points downward. Sound and lighting are the two things obviously that concern neighboring residents. So we're asking you to take a look at what your resources might be to apply towards that. Certainly putting trees in is good, but even pine trees that are there year round don't block the sound entirely, and late at night it's quiet and that sound is piercing.

Mr. Quinn – Absolutely, as far as putting something up in the top of the canopy facing down, it just probably wouldn't be practical to ask the customer to lean out the window and talk up.

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Evans – I'm not saying that. The microphone I'm not worried so much about them talking into. What I'm saying is that the sound from the person inside repeating it back could be moved. Even if the speaker instead of being like this, is turned like that, and maybe a little bit higher, that sound is going toward the car, not going out. That's what I'm suggesting.

Mr. Quinn – Okay, and what I'd like the opportunity to do is to get you some sound information from the people that produce these speaker systems and the technology that we're using and present that to you. Again, there's been a lot more dire situations where we were much, much closer than this. I think we're 100' from the apartment's property line, not to mention that where the apartments are located is even further away, but let me have the opportunity to do that.

Mr. Evans – Okay, that's fine.

Mr. Kolick – What might be helpful is if you can tell us the decibel readings are and where they would be at in relation to the property line going towards the apartment. I know that you're talking about the garage walls being there, but those apartment are also up higher than the garage is. It's not like a residential home that would have the sound blocked by a wall. I know that it was a major concern of the property owner there. If you have any decibel readings that would be helpful to know how far that sound will travel. We need to know what the decibel readings would be at your property lines.

Mr. Quinn – Yes.

Mr. Kolick – We could have the CPTED officer also look at those readings when we get them, and they can give us their input on that then too.

Mr. Catanzarite – Sure.

Mr. Kolick – Alright thank you.

Mr. Baldin – Mr. Quinn, not to carry this on much further because I think we did quite a bit on it, and you almost addressed my question when you said 100' to the property line. What is the distance from the speaker to that first building? I figure it's got to be 80' to 100' plus.

Mr. Quinn – Its 100' just to the garage which is on the property line, and the buildings are on the other side of that, yes.

Mr. Baldin – That was my basic question. You almost answered it, but I knew it's got to be more than that. Thank you.

3) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Evans – Anyone else? Alright, so you have your marching orders, and on December 18th we'll invite you back here for the public hearing. Again everyone within 500' of this location will receive the notice about that so we just want to be prepared in the event that there are questions. Okay? Thank you.

4) **PATRICIA PELL, OWNER**

Requesting a 5' Rear Yard Setback variance from Zoning Code Section 1253.11 (b) (3), which requires a 15' Rear Yard Setback and where as a 10' Rear Yard Setback is proposed in order to construct a 116 SF Sunroom; property located at 16290 Commons Oval, PPN 395-21-105, zoned R1-75 (cluster).

Mr. Evans – That then takes us to item number four on the agenda which is Pell on Commons Oval. Please come up to the microphone and give us your name and address for the record.

Mr. Bell – My name is Ryan Bell, and the address is 9011 South Freeway Drive, Macedonia, Ohio.

Mr. Evans – Mr. Bell you are here because Ms. Pell wants to build a sunroom. Tell us about where the structure is going to be, how it's going to fit in, and why she needs it.

Mr. Bell – Absolutely. The proposed project is on an existing concrete pad. It's on the rear of her property. She is the end unit so if you're standing at the back of the house looking at the woods in the back, she has neighbors on the right hand side, but not immediately on the left. I'm sure you guys have either been out to the property or seen pictures.

Mr. Evans – A couple have, but all of us will be out before the next meeting.

Mr. Bell – Also with that being said, directly behind her there is a completely wooded area. So what we're putting there is not a circus tent. It's a pre-engineered patio enclosure. It's top of the line. She spent the extra money to put something very nice in. With the request for the variance, we're 10' from the rear setback. The zoning requires a 15' setback. So we're requesting a 5' variance on that. There's really no way of making it any smaller for it to be practical. As it sits right now, you're barely going to be able to get a patio table and chairs around it. That's really her main intent to have an outdoor living space, especially backed up to the woods where you get a lot of bugs, so she'd like something that is enclosed. As one of the Board members has mentioned, directly next door there is an enclosure there. It's more of a three seasonal aluminum room. As it sits, it projects further than what we're proposing. Since that is the only neighbor at the rear directly to her side, I don't see an issue with putting it there. Whether they would think it's unsightly or what not, this is closer to the house than the neighbors are.

4) PATRICIA PELL, OWNER, Cont'd

Mr. Evans – Okay. We know that there's a HOA, and she'll need to get an approval from them.

Mr. Bell – She has a verbal yes. She has submitted all the drawings that I have submitted to the Building Department for the application. Basically I sent them a copy of everything I sent you. She sent it to the HOA and she's waiting for their letter to come through since they have to all vote on it. She spoke to the President and they said there should be no issue with it.

Mr. Evans – The other thing is that everyone within 500' of her is going to get a letter, and again it's just going to have the paragraph that is in the agenda here tonight. So she might want to talk with inquisitive neighbors ahead of time to let them know exactly what she's planning before the next meeting. The paragraph in the letter is going to state only what is in the agenda tonight.

Mr. Bell – It's not descriptive, and I've already forwarded her pictures of previous builds that are going to be basically exactly like hers so they can all see what's going in there.

Mr. Evans – Gentlemen is there anything else?

Mr. Smeader – The sunroom is going to be about 116 SF, what are the approximate dimensions on that? 10' by...

Mr. Bell – It's actually 8' off of what we call the (a), (b), and (c) walls as we follow it around. So it's 8' off of the main house, and we come across approximately 15' parallel with the back of the house, and then the return is about 6' because that side of the house where we're connecting the patio enclosure to is not exactly back at the main house. It's part of a projection, which I'm assuming is a bedroom or something.

Mr. Smeader – This is small enough, there is no way to shave anything off of this, I mean why build it if you make it any smaller, so okay.

Mr. Bell – Thank you.

Mr. Evans – Is there anything else?

Mr. Baldin – No, I think it'll fit in.

Mr. Evans – Okay. Those of us who have not been there, we'll be out before the next meeting. She or you are invited back then on December 18th. We'll see you then.

Mr. Bell – Thank you.

Mr. Evans – Thank you.

PUBLIC HEARINGS

5) BRADLEY PLEASANT, OWNER

Requesting a 19' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 17' Rear Yard Setback is proposed in order to install a 360 SF Patio; property located at 18329 Saratoga Trail, PPN 397-20-001, zoned R1-75.

Mr. Evans – That concludes our new applications. Our first public hearing tonight is Pleasant on 18329 Saratoga Trail. Please come up to the microphone and give us your name and address for the record.

Mr. Pleasant – Bradley Pleasant, 18329 Saratoga Trail, Strongsville.

Mr. Evans – At the last meeting you talked about putting in a patio. We referenced the fact that this is necessary because the Zoning Code has changed since the house was built. I indicated at that meeting, and I'll indicate it again tonight that as a trustee in High Point, I will be abstaining from voting on the measure. There are members of the Board here tonight that are able to vote. It would require an affirmative vote of all three in order for the variance to be granted. You do have the opportunity to table or delay it until our missing member is here, but I think you heard us discuss it in caucus and I'm not anticipating that there would necessarily be any disagreement with it. You have the option though if you wish to table it though for that reason. Are there other questions from the members?

Mr. Smeader – Also, our other member wouldn't be available for another 4 to 6 weeks either.

Mr. Evans – Yes, thank you.

Mr. Pleasant – Okay.

Mr. Baldin – I think a couple comments were made about your yard needing to be spruced up, like the walls and so forth from the Association. I happen to talk to a couple of the trustees and they said that even some neighbors have been complaining that the place is looking a little shady. Have you done anything about that to clean it up a little bit?

Mr. Pleasant – When you say the walls...

Mr. Baldin – You have a lot of mold on the north side of that house where the chimney is. That looks pretty nasty. I don't know if you've noticed that at all.

5) **BRADLEY PLEASANT, OWNER, Cont'd**

Mr. Pleasant – I have noticed that down towards the bottom where the chimney is the wall bumps out right there and there is mold.

Mr. Baldin – There is quite a bit. I know it's not something that we need to bring up here at this hearing, but I just wanted to reiterate the comments that were made to me so that you know that. Okay? That's all I have to say, thank you.

Mr. Pleasant – Okay, thank you.

Mr. Smeader – We have a HOA letter as well.

Mr. Evans – We do.

Mr. Baldin – It's been approved by the association.

Mr. Evans – Anything else? This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. Is there anyone here who would like to speak against the granting of the variance? Hearing none and seeing none, I will now entertain a motion.

Mr. Baldin – I make a motion to approve a request for a 19' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 17' Rear Yard Setback is proposed in order to install a 360 SF Patio; property located at 18329 Saratoga Trail, PPN 397-20-001, zoned R1-75.

Mr. Houlé – Second.

Mr. Evans – We have a motion and a second, may I have a roll call please?

ROLL CALL:	EVANS – ABSTAIN	MOTION PASSED
	SMEADER – YES	
	BALDIN – YES	
	HOULÉ - YES	

Mr. Evans – The variance has been granted again pending a 20 day waiting period during which time Council may review our decision. You will get a notice from the Building Department when that time has passed, and then you can move forward with the project then.

Mr. Pleasant – Okay.

Mr. Evans – Okay?

5) **BRADLEY PLEASANT, OWNER, Cont'd**

Mr. Pleasant – Thank you all for your time, and Mr. Baldin thank you for your comments.

6) **JAMES AND TERESA LUCAS, OWNERS**

Requesting a 23' Rear Yard Setback variance from Zoning Code Sections 1268.12 and 1252.16 (e), which requires a 36' Rear Yard Setback and where a 13' Rear Yard Setback is proposed in order to install a 448 SF Patio; property located at 19720 Stoughton Drive, PPN 393-30-118, zoned PDA-2.

Mr. Evans – Next on the agenda is Lucas on Stoughton Drive. Please come up to the microphone and give us your name and address for the record.

Mr. Lucas – James Lucas, 19720 Stoughton Drive, Strongsville.

Mr. Evans – Thank you. We talked at the last meeting about how you currently have the pool and you want to add in the deck area there. We've all been out to look at it now. I think we've seen how it fits in. Gentlemen are there any comments that you need to make about it?

Mr. Baldin – No.

Mr. Houlé – We do have the HOA letter.

Mr. Evans – Thank you, that's correct. Nothing? Okay. This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. Is there anyone here who would like to speak against the granting of the variance? Hearing none and seeing none, I will now entertain a motion.

Mr. Houlé – I make a motion to approve a request for a 23' Rear Yard Setback variance from Zoning Code Sections 1268.12 and 1252.16 (e), which requires a 36' Rear Yard Setback and where a 13' Rear Yard Setback is proposed in order to install a 448 SF Patio; property located at 19720 Stoughton Drive, PPN 393-30-118, zoned PDA-2.

Mr. Baldin – Second.

Mr. Evans – We have a motion and a second, may I have a roll call please?

ROLL CALL:

ALL AYES

MOTION PASSED

Mr. Evans – The variance has been granted again pending a 20 day waiting period during which time Council may review our decision. You will get a notice from the Building Department when that time has passed, and then you can move forward with the project. You are all set.

6) **JAMES AND TERESA LUCAS, OWNERS, Cont'd**

Mr. Lucas – Thank you.

Mr. Evans – Okay, thank you.

7) **UNION HOME MORTGAGE/Vince Dilonna with Blink Signs, Representative**

Requesting a variance from Zoning Code Section 1272.14, which prohibits parking lot pole light signage and where three 12 SF parking lot pole light signs are proposed; property located at 8241 Dow Circle West, PPN 395-13-028, zoned Research-Development (RD).

Mr. Evans – Lastly is Union Home Mortgage for our last three public hearings on the agenda with Vince Dilonna with Blink Signs representing them. Mr. Dilonna, I don't believe you were sworn in earlier so we'll need to do that first.

Mr. Kolick then stated the oath.

Mr. Dilonna – I do.

Mr. Evans – Alright. We need your name and address for the record please.

Mr. Dilonna – Vince Dilonna, 1925 St. Clair Ave., Cleveland, Ohio 44114.

Mr. Evans – Thank you. You were not here for caucus either then, correct?

Mr. Dilonna – No, I was not.

Mr. Evans – Okay. So what we're going to do on this is that we need to vote on each one of the variance requests independently so we're going to have a separate public hearing and a vote for each one of the three. In caucus we discussed this at length. I'm going to summarize what we talked about. We have no audience here so I'm going to keep it really brief. This is a research and development zoned area. You already have monument signs, and we pointed out in caucus that one of the signs really kind of goes around our sign code because one of the monument signs changes color. That's a very unique approach to the sign because we don't allow signs with motion, we don't allow signs with changeable copy, and there are a lot of things that we don't allow. Our Code does not specifically say that you can't change the color of your sign. In that area a changeable color sign, as well as all the signage on the main white building with signage on both sides, and its monument sign, and the signage on the new buildings, and their monument signs, if we were to grant the variances that you've requested for putting nine signs on light poles we would be doing much more than we even do in retail districts. Doing that would open the door for any of the businesses up and down Pearl Road to put a lot of signs on their property. We do

7) **UNION HOME MORTGAGE/Vince Dilonna with Blink Signs, Representative,
Cont'd**

Mr. Evans continues - however recognize that this is a campus setting with three separate buildings on three separate parcels. In caucus what we talked about is the possibility of considering one pole with one color-coded sign for each building. To do more than that, at least I expressed a great displeasure. That's just opening a Pandora's Box, and as it is City Council doesn't like it when we grant variances. So to grant nine signs on poles, in addition to the existence of monument signs and signage on the buildings would be an aberration for this Board to do. So the request right now is to have three signs on each parcel.

Mr. Dilonna – Correct.

Mr. Evans – You may alter that now, or you may say that the three are what we want and that's what we want the vote to be for. In that case, we'd move forward with voting on those. I'm going to ask if any of the other Board members want to reaffirm that since they missed the comments that were made in caucus.

Mr. Houlé – I would agree with what Mr. Evans has said, we don't feel that the parking lots are that large in scope that they need three poles with three signs on each pole. It's my feeling that one sign or banner should be sufficient for each of the three properties.

Mr. Baldin – I would have to echo that as well, plus the fact that I can see down the pike that there will be some verbiage on the rest of the buildings, I'm sure. So I'm going to echo the same thing that as far as nine pole signs go, I'm not in favor of. Thank you.

Mr. Smeader – I would agree with the other gentlemen. Is there a chance that this can be scaled back to one sign per site?

Mr. Dilonna – I would have to speak with the owner. I know that when we first started the process, he was very intrigued with having the signs along the edges. We had even spoken about putting some on the other side entrances because I think the I.T.T building has one off of Sprague and one off of Dow Circle as well as the other building does too. I would have to speak with them and see if they would like to settle with one. I feel like at that point, it may just be irrelevant.

Mr. Smeader – Each of these is effectively a corner site.

Mr. Dilonna – Correct.

Mr. Smeader – So I would think that a strategically placed pole sign would do quite well.

Mr. Dilonna – One?

7) **UNION HOME MORTGAGE/Vince Dilonna with Blink Signs, Representative,
Cont'd**

Mr. Smeader – One.

Mr. Evans – So the options that you have often times when we have people that appear for an applicant, they don't have the capability to make these types of decisions. We are however more than happy to vote on the variances as they are requested for the three pole signs. Without a modification, whatever the results are would be the result. Mr. Kolick, if we were to do that and turn it down, the applicant would not be able to come back for a period of 6 months with something new.

Mr. Kolick – I would think that if this is something you want the owner to consider, if it's not something that you can get to the owner about right now since he's not present, you may request that the Board table this issue. We have to go forward with the public hearing tonight because it's posted as such, but you can ask the Board to table this issue then and it can be determined at the next meeting.

Mr. Evans – Yes.

Mr. Kolick – But I think you hear where they are going to be at on things based on their comments.

Mr. Dilonna – Right.

Mr. Kolick – At least at this point because that is what you are hearing at this public hearing, but if that's what your pleasure is that is what we can do tonight.

Mr. Dilonna – I would have to speak with the owner, and make sure that all the parties involved being Mike Catan, Bill, and everyone has a say in it. When we built this package out for them as a design build, this was a huge part of it. They wanted each building to be identified as its own building. They are going to have national guests coming in as well as multiple clients. It's a training organization that they are building into the new facility at the I.T.T. building. They are completely remodeling that whole building. The other building is employees only. They want everything to be identified as its own space so that people coming in know exactly where they are going. One of them may not suffice for what they want. Maybe they would like to come speak with you about it themselves.

Mr. Evans – Well, I'm going to say that it is what should have happened to begin with. This Board sits here and hears from sign people all the time. You would want a thousand signs if you could get them.

Mr. Dilonna – Absolutely.

7) **UNION HOME MORTGAGE/Vince Dilonna with Blink Signs, Representative, Cont'd**

Mr. Evans – I'm going to speak out of line now saying that at this point, if we choose to do that in this Research and Development District, everywhere up and down Pearl Road is going to be coming to you to get more signs. That's not going to happen. So at this point, you have a choice, if you want to table it that's fine. If you want, we'll vote on the three tonight, but the people who make the decision then should have been here instead of sending you on their behalf.

Mr. Dilonna – Absolutely. I'd like to table it.

Mr. Evans – So we will have the public hearings. The public hearing on item number seven on the agenda tonight for Union Home Mortgage for three signs. Is there anyone in the audience who wishes to speak for the granting of the variance? Is there anyone in the audience who wishes to speak against the granting of the variance? Hearing none and seeing none, I will then entertain the comment from the applicant to table the motion.

Mr. Kolick – You just have to say that you wish to table it.

Mr. Dilonna – Yes, I wish to table it.

8) **UNION HOME MORTGAGE/Vince Dilonna with Blink Signs, Representative**

Requesting a variance from Zoning Code Section 1272.14, which prohibits parking lot pole light signage and where three 12 SF parking lot pole light signs are proposed; property located at 14843 Sprague Road, PPN 395-13-027, zoned Research –Development (RD).

Mr. Evans – Item number eight is Union Home Mortgage for three signs as well on another PPN. Is there anyone in the audience who wishes to speak for the granting of the variance? Is there anyone in the audience who wishes to speak against the granting of the variance? Hearing none and seeing none, I will then entertain the comment from the applicant to table the motion.

Mr. Dilonna – I would like to table it please.

9) **UNION HOME MORTGAGE/Vince Dilonna with Blink Signs, Representative**

Requesting a variance from Zoning Code Section 1272.14, which prohibits parking lot pole light signage and where three 12 SF parking lot pole light signs are proposed; property located at 14955 Sprague Road, PPN 395-12-001, zoned Research-Development (RD).

Mr. Evans – Item number nine on our agenda is Union Home Mortgage for three signs on another PPN as well. Is there anyone in the audience who wishes to speak for the granting of the variance?

9) **UNION HOME MORTGAGE/Vince Dilonna with Blink Signs, Representative,
Cont'd**

Mr. Evans continues - Is there anyone in the audience who wishes to speak against the granting of the variance? Hearing none and seeing none, I will then entertain the comment from the applicant to table the motion.

Mr. Dilonna – I would like to table it please.

Mr. Evans – Thank you. So we will table that until our next meeting which is December 18th. If it would be helpful we are happy to communicate to the applicant directly what the reason is, but what we're indicating to you is that this is a precedent of putting an extreme amount of signage in an area that is going to generate problems that we have to deal with down the road. This Board has tried to accommodate the success of businesses, but putting that amount of signage in just doesn't work.

Mr. Kolick – If you go back to your customers and they would agree with putting on one sign on each parcel, then let our Secretary know because I think we'll get a whole lot less pushback if it's changed to one than if it's left at three even though we're not going to resend out the notices to the public; however it still gets posted to the public. So if they agree to one then let our Secretary know, okay? Thank you.

Mr. Dilonna – Okay.

Mr. Evans – Okay? So we'll table that to December 18th, and we'll see you back here then.

Mr. Dilonna – Okay, thanks a lot.

Mr. Evans – Okay, thank you. Is there anything else to come before the Board this evening? Then we will stand adjourned.

Signature on File

Mr. Evans, Chairman

Signature on File

Kathy Zamrzla, Recording Sec'y

Dec. 18, 2019

Approval Date