

City of Aurora
BOARD OF ZONING APPEALS
MEETING MINUTES
March 14, 2018

The Aurora Board of Zoning Appeals met in a regularly scheduled meeting on Wednesday, March 14, 2018, in Council Chambers of Aurora City Hall. The meeting was called to order at 6:30 p.m. by Chairman Terese Fennell.

ROLL CALL:

Present: Terese Fennell
Tony Gramm (*arrived at 6:55 p.m.*)
Jeff Iammarino
Bernard McCarrell

Absent: Tom Carr

Also Present: Matt Vazzana, Legal Advisor
Meredith Davis, Asst. Director,
Planning, Zoning & Building Division
Jack Burge, Director, Economic Development
Corinne Craine, Clerk

Mr. Vazzana swore in those in attendance who wished to speak this evening.

Ms. Fennell announced to the applicants that although there were only three members in attendance tonight, the Board has a quorum and, therefore, the meeting would proceed. She then pointed out that any variance request would require all three members voting in favor of it otherwise the request would be denied. She explained that each applicant has the option to table their variance request until the next meeting in April when more members would be present.

AMENDMENTS TO AGENDA:

There were none.

APPROVAL OF MINUTES:

MOTION: To approve the meeting minutes of January 10, 2018, as submitted

Mr. Iammarino moved; Mr. McCarrell seconded, and the motion carried, 3-0, on a roll call vote.
Yeas: Mr. Iammarino, Mr. McCarrell, Ms. Fennell
Nays: None

AGENDA ITEMS:

Liberty Investment Group, 900 N. Aurora Road (1802002): Variances for (a) Additional Wall Signs and (b) Wall Sign Square Footage

The sign contractor, Amy Noble, Ellet Sign, 3041 E. Waterloo Road, Akron, Ohio, and the applicant, Patrick O'Hara, Liberty Investment Group, 5500 Warrensville Center Road, Maple Heights, Ohio, were present to discuss the application. The new Liberty Ford auto dealership and service center at 900 N. Aurora Road is the first commercial business to open in the new mixed-use zoning district and they are seeking two variances for wall signs.

Ms. Noble provided an overview. The applicant is seeking two variances from Sections 1159.07(d)(2)(A) and 1159.07(d)(2)(B) in order to install three wall signs with a combined size of 129 square feet when the code allows only one wall sign with a maximum size of 48 square feet. She explained that these signs are required in order to maintain compliance with the current Ford corporate branding standards. The three wall signs include a "Ford" logo oval sign on the building tower, "Liberty" letters and "Service" letters both on the side of the building. Ms. Noble pointed out that Liberty had already made a concession by removing a fourth required sign and, therefore, these three signs are crucial for the brand identification of the new dealership. She then submitted a letter from the Ford Retail Identification Program and photos showing other Ford dealerships and their signage.

MOTION: To accept the Ford letter and photos as part of the record

Mr. Iammarino moved; Mr. McCarrell seconded, and the motion carried, 3-0, on a roll call vote.
Yeas: Mr. Iammarino, Mr. McCarrell, Ms. Fennell
Nays: None

Ms. Noble noted that the dealership is located on a large parcel and the building is setback about 400 feet from Route 43. She commented that the signs were designed specifically for visibility from the road and for proportion to the size of the building as well as for aesthetics.

Mr. McCarrell wanted to know why the Ford and Liberty signs couldn't be combined as one. Mr. O'Hara explained that their brand is Liberty and must be separate because it's the name they use for marketing purposes. He stated that Liberty sacrificed about \$750,000 in facility assistance money from Ford in order to comply with the city's Western Reserve style of architecture and they were just asking for the opportunity to brand the building in a way that would maintain their marketing image.

Mr. McCarrell asked how the signs would be illuminated. Ms. Noble stated that the signs would have internal illumination.

Mrs. Fennell asked the members for further comments and there were none. She then opened the floor for public comments.

Jack Burge, Director of Economic Development, commented that Liberty worked with the city at every turn to make this project happen and they have pretty much done everything that the city asked. Liberty would be a great addition to the business community and they bring 100 jobs to

Aurora. In his professional opinion, he believed that the proposed wall signs would be visible and aesthetically pleasing and would be appropriate for this commercial area of the city.

Ms. Fennell mentioned that the members received a letter from a resident, April Deitch, 925 N. Aurora Road, who was opposed to the variance requests primarily because of the overall lighting of the Liberty Ford property. She pointed out that the illumination was not a factor to be considered with these two variance requests and that the members were only asked to review the square footage and the number of wall signs.

Ms. Fennell asked for further comments and there were none. The members then discussed the variances among themselves.

Mr. Immarino believed that given the location of the building and the distance from the road, the size was appropriate. He did not feel that the variances were substantial or that the proposed signage would have an adverse impact on this commercial area.

Ms. Fennell thought that the variance requests were not substantial. She believed that the Liberty brand name was important for the dealership and the service sign was necessary for directing customers to their service department. She felt that both signs were necessary for an auto dealership business.

Mr. McCarrell agreed with the comments in the staff report and he did not have a problem with any of the proposed signage.

Ms. Fennell asked for further comments and there were none.

Mr. Vazzana presented the resolution 2018-02 for the additional wall signs and the members voted on the variance.

MOTION: To grant the variance request as submitted

Mr. McCarrell moved; Mr. Immarino seconded, and the motion carried, 3-0, on a roll call vote.
Yeas: Mr. McCarrell, Mr. Immarino, Ms. Fennell
Nays: None

Mr. Vazzana presented the resolution 2018-03 for the square footage of the wall signs and the members voted on the variance.

MOTION: To grant the variance request as submitted

Ms. Fennell moved; Mr. Immarino seconded, and the motion carried, 4-0, on a roll call vote.
Yeas: Ms. Fennell, Mr. Immarino, Mr. McCarrell
Nays: None

Steven Tartabini, 660 Morgan Trail (1802003) – Variances for (a) Distance between Garage and House and (b) Garage Height

The building contractor, Ed Wurm Jr., Classic Homes, 206 E. Garfield Road, Aurora, Ohio, was present to answer questions. The applicant is proposing to build a new 420 square foot garage at 660 Morgan Trail, which is located in a PD planned development district, and it requires two variances.

Mr. Wurm provided a description of the project. The homeowner is proposing to construct a new garage for the storage of his boat. In order to accommodate the height of the boat and to complement the roof pitch of the house, the new garage would have a height of 22 feet instead of the 15-foot maximum height per Section 1155.07(e)(2). Also, the applicant is seeking a second variance for the location of the garage. Because the site has a sloping terrain in the rear yard, the applicant needs a variance to place the structure 7 feet from the house instead of the required distance of 15 feet per Section 1155.04(c). Mr. Wurm noted that they have already received approval from the Hawthorn Homeowners Association and the adjacent neighbors had no issues with the garage.

Ms. Fennell wanted more information about the height of the structure. Mr. Wurm stated that the intention was to match the roof pitch and wall height of the house so that the new garage would complement the architectural style of the house. They also needed the height for the boat and trailer.

Mr. Iammarino asked about the height of the garage door. Mr. Wurm explained that the garage door would also be taller to accommodate the height of the boat/trailer.

(At this point in the meeting, Mr. Gramm arrived at 6:55 p.m.)

Ms. Fennell started a discussion about the location of the garage. Mr. Wurm said that the rear yard had a sloping grade and it would be too difficult to construct the garage 15 feet from the house. Instead, they are proposing to include an open breezeway which would connect the garage to the house. The breezeway was designed with columns and archways for better integration, proportion and architectural appeal.

Mr. Iammarino visited the site and agreed that it would be a problem to move the garage further back in the yard. Also, if the roof pitch was changed to a 15-foot height, the structure would not look as aesthetically pleasing as the rest of the house.

Mrs. Fennell asked for further comments and there were none. The members then discussed the variances among themselves.

Mr. Iammarino stated that he visited the site, spoke to the homeowner, and felt that there were no other solutions to the problems. Given the circumstances, he did not think that the variances were substantial and the homeowners association already approved the project.

Ms. Fennell agreed that the sloping terrain made it difficult to move the structure further back in the yard and it was a hardship for the homeowner. She felt that the variance for the height was not substantial and the roof pitch would match the house.

Mr. Gramm said that the variances were not substantial and they would not adversely affect governmental services.

Mr. McCarrell thought that the proposed garage would be a benefit for the homeowner and would add value to the property.

Mr. Vazzana presented the resolution 2018-04 for the 7-foot distance from the house and the members voted on the variance.

MOTION: To grant the variance request as submitted

Mr. Gramm moved; Mr. McCarrell seconded, and the motion carried, 4-0, on a roll call vote.
Yeas: Mr. Gramm, Mr. McCarrell, Mr. Iammarino, Ms. Fennell
Nays: None

Mr. Vazzana presented the resolution 2018-05 for the 22-foot height of the garage and the members voted on the variance.

MOTION: To grant the variance request as submitted

Mr. Iammarino moved; Mr. Gramm seconded, and the motion carried, 4-0, on a roll call vote.
Yeas: Mr. Iammarino, Mr. Gramm, Mr. McCarrell, Ms. Fennell
Nays: None

McDonald's, 199 W. Garfield Road (1802004) – Variances for (a) Additional Ground Sign and (b) Non-Frontage Wall Sign

The project architect, Jim Ptacek, Larsen Architects, 12506 Edgewater Drive, Lakewood, Ohio, was present for the discussion. The McDonald's signage at 199 W. Garfield Road is being updated in order to conform to new corporate standards and they are seeking one variance for a wall sign and one for a ground sign.

Mr. Ptacek presented the first variance request. The applicant is proposing to install an internal illuminated "golden arches" sign on the non-street side of the building. A variance is required because a wall sign is only permitted on the street frontage side per Section 1159.07(d)(2)(A). He pointed out that this 14 square foot sign is replacing two existing window decal signs which total 100 square feet. As part of the rebranding, McDonald's is removing signage that clutters the building and replacing them with more subtle identification logos. Mr. Ptacek then submitted a photo which shows the existing window decal signs.

MOTION: To accept the photo as part of the record

Mr. Gramm moved; Mr. Iammarino seconded, and the motion carried, 4-0, on a roll call vote.
Yeas: Mr. Gramm, Mr. Iammarino, Mr. McCarrell, Ms. Fennell
Nays: None

Mr. Ptacek presented the second variance request. The applicant is seeking a variance from Section 1159.07(d)(1)(A) in order to install a non-illuminated clearance bar ground sign when the code only allows for one ground sign. He explained that the drive-thru order station is being updated and a canopy would be installed that would shield customers from rain or snow. This

clearance bar would be installed near the entrance to the drive-thru lane as a warning to customers of the height limitations of the drive-thru. The purpose of the sign is to prevent damage to the canopy and to the vehicle. It was noted that Starbucks had a similar clearance bar for their drive-thru lane.

Mr. McCarrell wanted to know whether or not these signs had been reviewed by the Architectural Board of Review (ABR). Ms. Davis stated that ABR already reviewed and approved both signs.

Jack Burge, Director of Economic Development, commented that most restaurants with drive-thru lanes now have clearance bars to prevent damage to order station canopies. He said it is critical to alert customers of the height limitation before they are fully confined in the drive-thru lane. He pointed out that the clearance bar is a minimal structure and most people view it as a safety sign.

Ms. Fennell asked for further comments and there were none. The members then discussed the variances among themselves.

Mr. Iammarino did not have a problem with either sign variance. He did not think that the signs would adversely impact the character of the neighborhood.

Ms. Fennell agreed and thought that the golden arches would actually look better than the two window decals. Regarding the clearance bar, she said it was a safety issue and was necessary in order to avoid any vehicular accidents.

Mr. McCarrell appreciated the informative presentation especially about the safety aspects of the clearance bar. He now understands why the clearance bar is necessary and beneficial.

Mr. Gramm agreed with everyone's comments and said that the new wall sign would improve the appearance of the building.

Mr. Vazzana presented the resolution 2018-06 for the wall sign and the members voted on the variance.

MOTION: To grant the variance request as submitted

Mr. Iammarino moved; Mr. Gramm seconded, and the motion carried, 4-0, on a roll call vote.

Yeas: Mr. Iammarino, Mr. Gramm, Mr. McCarrell, Ms. Fennell

Nays: None

Mr. Vazzana presented the resolution 2018-07 for the clearance bar ground sign and the members voted on the variance.

MOTION: To grant the variance request as submitted

Mr. Gramm moved; Ms. Fennell seconded, and the motion carried, 4-0, on a roll call vote.

Yeas: Mr. Gramm, Ms. Fennell, Mr. Iammarino, Mr. McCarrell

Nays: None

MISCELLANEOUS:

Ms. Fennell announced that the BZA ad hoc committee had come to a conclusion and there would be no new members or changes to the appeal process.

Mr. Iammarino wanted an update on the variance request for chickens at 955 Lake Avenue. Ms. Davis said that the Law Director, Dean DePiero, had been working with the applicant's lawyer to resolve the issue. There was nothing else to report at this time.

ADJOURNMENT:

Mr. McCarrell moved to adjourn at 7:19 p.m.; Mr. Gramm seconded, and the motion carried on a unanimous voice vote.

Terese Fennell, Chairman

Corinne Craine, Clerk