

**BOARD OF ZONING APPEALS
MINUTES OF MEETING
February 21, 2023**

TIME IN: The meeting was called to order at 7:00 p.m.

MEMBERS PRESENT: Richard Mickley, Eric Moulton, Barbara Taylor, Carl Zani, Scott Zwieszinski

OTHERS PRESENT: Michael Warner, Armando Garcia, Jayna Jansen, Zach Jansen, Tim Bradford, Jared Trjfel, Stephanie Van Bourgondien, Zach Andrews

APPROVAL OF THE MINUTES: The minutes from the January 17, 2023 meeting were approved as submitted

CITIZEN COMMENTS:

REPORT OF ADMINISTRATION:

OLD BUSINESS:

**Mr. Zani motioned to move the OLD BUSINESS to the end of the meeting because of the amount of applications to review.

NEW BUSINESS:

3. **To hear a variance request to permit the installation of solar panels on the front-facing roof pitch vs. the requirements of Section 1139.07 (d) (2) B. *Roof mounted solar panels shall not be installed on the front pitch facade without the issuance of a variance by the Board of Zoning Appeals, for residential property located at 435 Saddlebred Circle. Filed by Blue Raven Solar, agent.***

Mr. Garcia presented the application to the board. The south facing roof pitch is the most effective for solar panels; the difference of utility costs would be a ninety percent savings with them versus not having them would be a thirty percent savings.

Motion to approve: Mr. Moulton

VOTE: Mr. Mickley **YES**; Mr. Moulton **YES**; Ms. Taylor **YES**; Mr. Zani **YES**; Mr. Zwieszinski **YES**

Approved 5 - 0

- 4. To hear a variance request to permit the installation of ten-foot tall monument sign vs the requirements of Section 1129.20 (d) (1) B-C: *maximum height of five (5) feet*, for commercial property located at the SW corner of Northwoods Drive and SR 31, Scooter's Coffee. Filed by Springfield Sign, agent.**

Mr. and Mrs. Jansen presented the application to the board. This business is on a corner lot. There is a five-foot white vinyl fence and a six-foot utility box that would hinder the sight of the monument sign. The applicant is requesting a ten-foot monument sign to be able to see it over the fence. Mr. Zani commented on the monopole on the ten-foot sign; he prefers the look of the six-foot sign without the monopole. The applicant will request the sign company to remove the monopole on the ten-foot monument sign.

Motion to approve: Mr. Zwiezinski

VOTE: Mr. Moulton **YES**; Ms. Taylor **YES**; Mr. Zani **YES**; Mr. Zwiezinski **YES**;
Mr. Mickley **YES**

Approved 5 - 0

- 5. To hear a variance request to permit the installation of a monument sign(s) with a sign face area total of 40 square feet vs the requirements of Section 1129.20 (d) (1) B-C: *maximum sign face area of twenty (20) square feet*, for commercial property located at the SW corner of Northwoods Drive and SR 31, Scooter's Coffee. Filed by Springfield Sign, agent.**

Mr. and Mrs. Jansen presented the application to the board. The ten-foot monument sign was approved in the last application. Since the sign height increased; the sign face needs to stay proportionate and increase in size as well.

Motion to approve: Mr. Mickley

VOTE: Mr. Moulton **YES**; Ms. Taylor **YES**; Mr. Zani **YES**; Mr. Zwiezinski **YES**;
Mr. Mickley **YES**

Approved 5 - 0

- 6. To hear a variance request to permit the installation of an additional monument sign with sign face area of 6.4 square feet vs the requirements of Section 1129.20 (d) (1) A: *Monument sign. One (1) per business unit*, for commercial property located at the SW corner of Northwoods Drive and SR 31, Scooter's Coffee. Filed by Springfield Sign, agent.**

Mr. and Mrs. Jansen presented the application to the board. The applicant is requesting an additional sign on the monument sign. Mrs. Jansen explained it is important for customers to know this location is a drive-thru location only; there is no indoor seating.

Motion to approve: Mr. Zwiezinski

VOTE: Ms. Taylor **YES**; Mr. Zani **YES**; Mr. Zwiezinski **YES**; Mr. Mickley **YES**;
Mr. Moulton **YES**

Approved 5 - 0

- 7. To hear a variance request to increase the total sign face area permitted for the property to 100 square feet vs the requirements of Section 1129.20 (d): Frontage width of the building x 1.8 (37 x 1.8 = 66.74 square feet), for commercial property located at the SW corner of Northwoods Drive and SR 31, Scooter's Coffee. Filed by Springfield Sign, agent.**

Mr. and Mrs. Jansen presented the application to the board. The sign code is calculated based on the size of the building; this building is only six hundred and sixty-four square feet. If these signs were to meet the sign code requirements, you would not be able to read them. Mr. Moulton commented that these signs look to scale of the building.

Motion to approve: Mr. Mickley

VOTE: Ms. Taylor **YES**; Mr. Zani **YES**; Mr. Zwiezinski **YES**; Mr. Mickley **YES**;
Mr. Moulton **YES**

Approved 5 - 0

- 8. To hear a variance request to permit the installation of a wall business sign with sign face area greater than the requirements of Section 1129.20 (d) (5) Wall and/or business signs. B: *maximum sign face: each sign cannot exceed twenty percent (20%) of permitted total permanent sign area*, for commercial property located at the SW corner of Northwoods Drive and SR 31, Scooter's Coffee. Filed by Springfield Sign, agent.**

Mr. and Mrs. Jansen presented the application to the board. This is for the second business wall sign. Similar to the previous application, the sign code is based on the size of the building. This sign, in comparison to other businesses along State Route 31, is similar in size.

Motion to approve: Ms. Taylor

VOTE: Mr. Zani **YES**; Mr. Zwiezinski **YES**; Mr. Mickley **YES**; Mr. Moulton **YES**;
Ms. Taylor **YES**

Approved 5 - 0

- 9. To hear a variance request to permit the development of single-family attached fee-simple lots of 3500 square feet vs. the minimum lot size requirements of Section 1121.07 (Single-family attached): *4000 square feet for two attached units*, for residential development (Skybrook) located at 14145 St. Rt. 4. Filed by Hillary Laffin (Grand Communities, LLC), representative. ****This agenda item was a duplicate (same as previous application) on the Legal Notice******

- 10. To hear a variance request to permit the development of single-family attached fee-simple lots of 3500 square feet vs. the minimum lot size requirements of Section 1121.07 (Single-family attached): *4000 square feet for two attached units*, for residential development (Skybrook) located at 14145 St. Rt. 4. Filed by Hillary Laffin (Grand Communities, LLC), representative.**

Mr. Brader presented the application to the board. This development has already been approved through their preliminary plot at Planning Commission. Originally, these lots were going to be a single lot with two attached units owned by the Home Owner Association. The developer has changed the product model to paired single family homes with individually owned lots, similar to condominiums. The lot sizes are not changing; by adding the lot line down the center of the property, it changes the total square footage of each lot.

Motion to approve: Mr. Zwiezinski

VOTE: Mr. Zwiezinski **YES**; Mr. Mickley **YES**; Mr. Moulton **YES**; Ms. Taylor **YES**;
Mr. Zani **YES**

Approved 5 - 0

- 11. To hear a variance request to permit the development of single-family attached fee-simple lots with a width of 34 feet vs. the minimum lot width requirements of Section 1121.07 (Single-family attached): *55 feet for two attached units*, for residential development (Skybrook) located at 14145 St. Rt. 4. Filed by Hillary Laffin (Grand Communities, LLC), representative.**

Mr. Brader presented the application to the board. Similar to the last application, by adding a lot line down the center of the property it changes the lot width requirements.

Motion to approve: Mr. Mickley

VOTE: Mr. Mickley **YES**; Mr. Moulton **YES**; Ms. Taylor **YES**; Mr. Zani **YES**;
Mr. Zwiezinski **YES**

Approved 5 - 0

- 12. To hear a variance request to permit the development of single-family attached fee-simple lots with a zero-foot side setback (for shared common wall) vs. the side setback requirements of Section 1121.07 (Single-family attached): *7 ½ feet from each side lot line*, for residential development (Skybrook) located at 14145 St. Rt. 4. Filed by Hillary Laffin (Grand Communities, LLC), representative.**

Mr. Brader presented the application to the board. Similar to the previous two applications, by adding the lot line down the center of the property it prohibits the required seven-and-a-half-foot side setback. The lot line becomes the shared wall of the two units.

Motion to approve: Mr. Moulton

VOTE: Mr. Moulton **YES**; Ms. Taylor **YES**; Mr. Zani **YES**; Mr. Zwiezinski **YES**;
Mr. Mickley **YES**

Approved 5 - 0

1. Election of Chair and Vice Chair

a. Chairperson:

Mr. Mickley

Motion: Mr. Zani

VOTE: Ms. Taylor **YES**; Mr. Zani **YES**; Mr. Zwiezinski **YES**; Mr. Mickley **YES**;
Mr. Moulton **YES**

Approved 5 - 0

b. Vice Chairperson:

Mr. Zani

Motion: Mr. Zwiezinski

VOTE: Mr. Zani **YES**; Mr. Zwiezinski **YES**; Mr. Mickley **YES**; Mr. Moulton **YES**;
Ms. Taylor **YES**

Approved 5 - 0

2. Vote on Rules and Procedures for 2023

The board discussed some changes to the Rules and Procedures. Mr. Mickley questioned what would be considered excused absences. Mr. Zani suggested a twenty-four-hour notice if someone cannot attend the meeting. Mr. Mickley questioned if the board had the ability to declare a seat vacant and request a replacement. City staff will review with legal counsel what constitutes an excused absence and an appropriate time frame to give a notice of absence.

Motion to table: Mr. Zani

VOTE: Mr. Zwiezinski **YES**; Mr. Mickley **YES**; Mr. Moulton **YES**; Ms. Taylor **YES**;
Mr. Zani **YES**

Tabled 5 - 0

DISCUSSION ITEMS:

COMMENTS OF INDIVIDUAL BOARD MEMBERS:

ADJOURNMENT: The meeting was adjourned at 8:16 p.m.