

Note: These minutes were compiled by extracting certain facts the essence of testimony from an audiotape made of this meeting. Complete detail and verbatim statements can be heard and transcribed from the tape. The tape is available in the office of the Department of Planning and Zoning for a nominal fee.

STREETSBORO BOARD OF BUILDING AND ZONING APPEALS

**HEARING
June 16, 2020
7 PM**

Call to Order – Chairperson Bross called the meeting to order at 7:00 pm.

Pledge of Allegiance and Invocation

Roll Call: Doug Liebler, Scott McDole, Ron Stenglein, Bill Uehlinger, Marvin Woods and Matt Bross were present.

Also present: John H. Cieszkowski, Jr. AICP Planning and Zoning Director; Sara J. Fagnilli, Assistant Law Director and Bridget Pavlick, Clerk.

Mr. Madden had sent an email indicating he was not feeling well and under the Covid-19 protocols Mr. Bross called for a motion to excuse Mr. Madden. Mr. Liebler motioned to excuse Mr. Madden, seconded by Mr. Woods. By voice vote, Mr. Madden was excused, 6-0.

Disposition of Minutes: March 17, 2020, April 21, 2020 and May 19, 2020. Clerk explained that these minutes are still in process and will be completed for review shortly.

Old Business- none

Sign Review- Chapter 1159 – none

New Business –

1738 State Route 303 Lake Park Village Apartments-Jerry Helsel

The applicant is requesting (1) a variance from §1159.10(e) to allow a planter identification sign to be located 12 ft. from the SR 303 right-of-way, but inside the Code-defined and required clear vision triangle. Code requires all planter signs to be located outside of the clear vision triangle; (2) and the applicant is requesting a variance from §1159.05(h) to permit the clear vision triangle for a planter sign to be measured from the edge of the SR 303 pavement. Code requires all clear vision triangles to be measured from the edge of the SR 303 right-of-way.

Applicant Jerry Helsel of Cigogna Electric & Sign Co., Inc. 4330 N. Bend Rd., Ashtabula, OH 44004, was sworn in and asked for his presentation.

Mr. Helsel: Lake Park Village Apartments has been going through some updating and renovations, and are in the process of re-imaging their current signage. The signage that is out there now, there are two existing signs that sit on the east and west side of the entrance and what they've proposed is to remove both signs and consolidate into one sign to make a nice cleaner look for their entrance. This would be a perpendicular sign taking the place of two signs which the way they are placed now are single faced signs that you really cannot see until you are up on the property ready to turn in. After we got through some design challenges, trying to consolidate two signs into one, we were faced with the challenge of visibility and really what that brought us to is we took a hard look at the site plan, we took a look at some physical characteristics, the lay of the land so to speak. What we tried to do was come up with a position that we felt was very close to where the signs are currently, however, now that we are just going to have just a sign just on the one side of the entrance drive, we are faced with the challenge of visibility specifically if you are traveling east bound on SR 303. Leaving the sign where it is currently, it's just not visible at all. Which really goes into the sign is for identification, location, for EMS, for deliveries, for visitors, for anybody who will be coming to the property which obviously is an entrance to a park that has multiple properties and residents residing within. Point of identification is very important to them. Having said that, we presented this to the Building Department and we've been working extensively with them and they have been great by the way. John and his team have been excellent. We have been trying to nail down where to place this sign where it meets Code as much as possible. The challenge we came in from then we presented a site spot that marked and realized then that we were going to be within the sight triangle which presents the problem of visibility as far as the sign itself if it sits within where the sight triangle would be marked by code which places it at the right-of-way. Basically, it puts the sign out of visibility completely especially travelling eastbound. What we are proposing and asking the board to consider this evening is allowing the sight triangle to be measured from the edge of pavement instead of the edge of right-of-way. The right-of-way is further in to the property than the edge of pavement is and our largest concern, again, being visibility wouldn't fit. If we have to put the sign where code will allow, it's just not visible. So that creates a hardship in and of itself. But if we tried to apply the code strictly, we are going to lose several feet of setback that we would be afforded if we met the 10' setback requirement. We'd still meet the 10' setback requirement and I believe we would be at a 12' setback where we are proposing so we're still out of the setback requirement however we are going to infringe on the sight triangle. I did present some photos just to kind of try to show an idea of the view and I know John's team worked on trying to show it on the site plan which could maybe look a little confusing but I think the idea of showing where we are asking to move the sign as far as the front of their property, they only have 40' of frontage so if we move the sign further down on the property we would start to get out of the sight triangle but then we would start to encroach, there is a side setback requirement that we have to meet. We are meeting that setback requirement. So we are trying to meet the code requirements as much as possible and what we feel is if an automobile or any other type of vehicle is pulling in and out of this property, your visibility is basically when you come up to the edge of the road, what we consider edge of pavement, not edge of right-of-way. No one knows where right-of-way is. A sight triangle we understand and we

take very seriously. We are not asking that the sign be placed somewhere that is going to impair vision, but then that comes into question, where does vision need to happen? Mr. Helsel discussed several scenarios and with regard to vision and visibility of oncoming traffic both east and west bound. Discussion was also had with respect to the clear vision triangle, how and where it's measured and this particular property on State Route 303.

Chairman Bross asked for Mr. Cieszkowski for his comments.

Mr. Cieszkowski had a housekeeping matter first. He asked to change the motion sheets to indicate Lake Park Village Apartments, just insert the word Village. Mr. Cieszkowski discussed his staff report and the diagrams showing 2 clear vision triangles; the code required clear vision triangle in green and the proposed clear vision triangle noted in yellow. Discussion with Board members and Mr. Cieszkowski covered the placement of the right-of-way and clear vision triangle. How granting this variance would impact the area and the different ways to calculate the clear vision triangle and right-of-way was also covered in the discussion. Conversation moved into how a person's field of vision would be impacted or improved and how the sign placement would impact the site. It was brought up that when the sight triangle from the Code defined location to the proposed location, the resulting sign setback is still in conformance with the minimum required by the Code. Discussion concluded with clarification of the clear vision triangle and where on the property the sign would be placed. With no further comments the Chairman called for the vote.

Motion: Mr. Leibler

I hereby move on this 16th day of June, 2020, the Streetsboro Board of Zoning and Building Appeals grant a variance for: 1738 State Route 303, Lake Park Village Apartments request a variance from Section 1159.05(h) to allow the clear vision triangle to be measured from the State Route 303 edge of pavement as opposed to the edge of the State Route 303 right-of-way per drawings received 5-22-2020. Subject to all Planning and Zoning ordinances and site plan review of the City of Streetsboro where applicable. Seconded by Mr. Stenglein. Roll call: Yes – 6, No – 0. Motion carried.

Mr. Leibler: I am going to vote yes on this. I see why you're moving to the open side of the property. It makes sense and if you are only going to go with one sign you've got it out there on the open side of the property. You are pretty much as close as you can get without having any code violations, so this is probably the best that you can do with a minimal request.

Mr. Stenglein: I'm going to vote yes too. I think that there is no question that the property probably needs more visibility.

Mr. McDole: I'm going to vote yes also for the same reasons as stated. I agree that I have driven that road many times and you can't see that sign going east. So I vote yes also.

Mr. Uehlinger: I'm going to vote yes. I do believe that it is reasonable to go ahead and measure from the different vantage point. In this situation it's a right-of-way as opposed to the edge of pavement.

Mr. Woods: I am going to vote yes as well. I believe that you cooperated with the City and you asked for only what was necessary for the variance.

Mr. Bross: I vote yes as well. Of course, I fully understand the purpose and the need for it and I live in an HOA myself and looking to get additional signage to serve this purpose too so, my only concern was visibility, but it was clearly demonstrated to me by yourself and Mr. C. that there won't be a detriment to visibility turning out of the driveway so, again, I vote yes.

Mr. Bross calls for the second motion regarding the distance of placement.

Motion: Mr. Leibler

I hereby move on this 16th day of June, 2020, the Streetsboro Board of Zoning and Building Appeals grant a variance for: 1738 State Route 303, Lake Park Village Apartments request a variance from Section 1159.10(e) to allow a planter sign to be located 12 feet from the State Route 303 right-of-way but inside the required clear vision triangle. Code requires a planter sign to be set back 10 feet from the right-of-way and outside of the clear vision triangle. Per drawings submitted 5/22/2020. Subject to all Planning and Zoning ordinances and site plan review of the City of Streetsboro where applicable. Seconded by Mr. Woods. Roll call: Yes – 6, No – 0. Motion carried.

Mr. Leibler: I'm going to vote on this as well. It makes sense where you're getting inside that clear vision triangle, you still have ample room from the roadway and as stated kind of the uniqueness of the state route with a little bit larger right-of-way there, so it gives you plenty of room for vision for a couple of cars to see what's coming in traffic.

Mr. Woods: I am going to vote yes as well. I think the distance is clear enough and no vision will be impaired.

Mr. McDole: I am going to echo, again, comments made by the board members. I think the fact that you worked well this Mr. C. and staff, that's a great help and agree that this will look nice and definitely won't impair vision. So again yes.

Mr. Stenglein: I'm going to vote yes on this too. I think it's very proper for the City to adjust their requirements if it falls within some reasonable, acceptable distance.

Mr. Uehlinger: I am going to vote yes. Clearly this is the best position with regard to visibility for you to place the sign. You clearly worked with the City to minimize the

variance needed as well as the thickness of the sign, actually I don't think will hinder any visibility because it seems to be less thick than the bushes that are currently there and impairing vision now. I vote yes.

Mr. Bross: For everything I said during the last part of the application, I'll state it again, there is no impact on safety and visibility and again, it serves its purpose better than the original configuration of the two signs in my mind, so with that, I vote yes.

The second part of your application and everything overall has been unanimously approved. Thank you for your presentation and your time.

Zoning Text Amendment – None

Reports, Communications and Correspondence-None

Citizens' Comments-None

Board Member Comments-None

Announcements: The next Regular Board of Zoning and Building Appeals meeting will be held Tuesday, July 21, 2020 at 7PM at the Streetsboro Municipal Building (555 Frost Road).

Adjournment

There being no further business before this Commission a motion to adjourn was made by Mr. Uehlinger and seconded by Mr. Woods and the meeting was adjourned at 7:35 pm.

Attest:

Bridget Pavlick, Zoning Clerk

Matt Bross, Chairperson