

**CITY OF WILMINGTON  
BOARD OF ZONING APPEALS  
REGULAR MEETING  
JANUARY 8, 2024 7:00 PM**

ATTENDANCE

MEMBERS PRESENT: Mike Payne, Tim Wiederhold, Nick Eveland

MEMBERS ABSENT: Robert Baylor, Kelsey Swindler

ALSO PRESENT: Shirley Orwick, Board of Zoning Appeals Clerk; Steve Weeks, Tri-State Signs; Cheyenne Duggins; Melissa Barrett, Abbott Image Solutions; Scott Schaeffing

The meeting was called to order by Tim Wiederhold.

Pledge of Allegiance

Roll Call

**Approval of December 4, 2023 minutes was not moved on.**

**Agenda Item #1 -**

1. Opening of Public Hearing regarding application
2. Identification of application and subject:  
Applicant: Rebecca McPherson, Tri-State Signs, agent for BRF III Wilmington LLC, 9077 Sutton Pl, Hamilton, OH 45011, 513-942-7446  
Request #1: Requesting a variance to Section 1173.08 (a) to allow more than one wall sign per building unit.  
Request #2: Requesting a variance to Section 1173.08 (c)(8) to allow a wall sign to exceed one square foot in area for each one linear foot of building frontage.

Subject Parcel: 1244 Rombach Ave, Wilmington, OH 45177, Parcel ID#290190301000000

Shirley Orwick read the staff report.

Tim Wiederhold swore in Steve Weeks.

Steve Weeks stated the sign that was originally applied for and denied adhered to the policy of Pet Supplies Plus. This store is the 31<sup>st</sup> franchise the franchisee has opened and he wants them to be successful. Other businesses in the plaza have larger signs that are visible from the street and he believes Pet Supplies Plus deserves the same opportunity.

T. Wiederhold asked if there was a way to compromise on the size of the letters.

M. Payne stated it could meet requirements if the sign was laid out horizontally. Steve Weeks stated they tried that orientation and it did not work.

Steve Weeks asked to compromise and make the letters 24” to avoid postponing a motion. S. Orwick stated it can be approved but have contingencies added in the approval.

M. Payne expressed concern that this would create a precedent since it has not been done in the past. S. Orwick confirmed that many existing signs in the complex are grandfathered in.

**T. Wiederhold made a motion to approve Variance Request #1 to allow more than one wall sign per building unit. N. Eveland seconded the motion.**

**Roll call vote: Baylor – absent, Payne – nay, Wiederhold – yea, Swindler – absent, Eveland - yea. The motion carries.**

**T. Wiederhold made a motion to approve Variance Request #2 to allow a wall sign to exceed one square foot in area for each one linear foot of building frontage with the contingency that the applicant will reapply with the agreed upon smaller letter size of 24”.**  
**M. Payne seconded the motion.**

**Roll call vote: Baylor – absent, Payne – yea, Wiederhold – yea, Swindler – absent. Eveland - yea. The motion carries with contingencies.**

**Agenda Item #2 -**

1. Opening of Public Hearing regarding application
2. Identification of application and subject:  
Applicant: Melissa Barrett, Abbott Image Solutions, agent for BRF III Wilmington LLC, 185 Park Dr, Wilmington, OH 45177, 937-382-6677, ext. 103  
Request #1: Requesting a variance to Section 1173.08 (c)(6) to a pole sign to exceed maximum sign area of 150 square feet.

Subject Parcel: 1244 Rombach Ave, Wilmington, OH 45177, Parcel ID# 290190301000000

Shirley Orwick read the staff report.

T. Wiederhold swore in Melissa Barrett.

Melissa Barrett stated that she is seeking approval to add a cabinet to the bottom of a pole sign to allow room for a sign to stay at the top when a business moves into the unit where Gordman’s was. She is trying to give her clients the same advantage as other businesses in the plaza by putting their sign on the pole sign.

There was deliberation about whether an addition to the bottom of the pole sign would impede vision for vehicles turning onto Rombach. T. Wiederhold questioned the layout of the sign and whether there is a hierarchy for who gets the top space on the sign.

**T. Wiederhold made a motion to approve Variance Request #1 to allow a pole sign to exceed maximum sign area of 150 square feet and that the new tenant sign matches in size the tenant sign above it on the pole. N. Eveland seconded the motion.**

**Roll call vote: Baylor – absent, Payne – nay, Wiederhold – yea, Swindler – absent, Eveland - yea. The motion carries.**

**Agenda Item #3 -**

1. Opening of Public Hearing regarding application
2. Identification of application and subject:  
Applicant: Vickie Knisley, 108 Kentucky Ave, Wilmington, OH 45177, 513-581-0553  
Request #1: Requesting a variance to Section 1157.06 (b) to allow front yard setback less than the average of setbacks on adjacent properties.

Subject Parcel: 108 Kentucky Ave, Wilmington, OH 45177, Parcel ID#  
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Shirley Orwick read the staff report.

T. Wiederhold swore in Alicia Knisley.

Alicia Knisley stated she is not sure what else to do to make the porch acceptable. She shared photos of the porch that has already been built and stated it does not come out further than the porch that was previously in place. T. Wiederhold states that making the porch wider is an issue - if the porch was the same it would be grandfathered in.

T. Wiederhold swore in Cheyenne Duggins.

Cheyenne Duggins stated he is the next-door neighbor and that he believes Vickie Knisley is asking for forgiveness rather than permission as the porch has already been built without approval. He also stated that the porch does come out further than the original one. He would like the porch to be torn down and restored to its original size.

There was a deliberation about property value concerns.


Vickie Knisley stated she would be willing to rebuild the porch to its original size. T. Wiederhold informed her that since it would be a different size, she would need a new permit.


T. Wiederhold informed the applicant of the front yard setback requirements and what can be done to conform to the ordinance.

**M. Payne made a motion to deny Variance Request #1 to allow front yard setback less than the average of setbacks on adjacent properties based on the present size not meeting the review factors. T. Wiederhold seconded the motion.**

**Roll call vote: Baylor – absent, Payne – yea, Wiederhold – yea, Swindler – absent, Eveland - yea. The motion carries. The variance is denied.**

**T. Wiederhold made a motion to adjourn. M. Payne seconded. Meeting is adjourned.**

  
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Chairman

  
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Clerk