

**Board of Zoning Appeals
January 18, 2024
Special Meeting Minutes**

Meeting called to order:

Chair Feick called the meeting to order at 4:30 pm. The following voting members were present: Mr. Delahunt, Chair Feick, Mr. Peugeot, and Mr. Semans. Ms. Vargo, Commission Liaison, was also present. Alec Ochs represented the Community Development Department, Stewart Hastings represented the Law Department, and clerk Cathy Myers was present, as well. Chair Feick announced that Mr. Walt Matthews, fellow board member, recently passed away. He extended sympathies to family and friends of Mr. Matthews and stated how grateful they were for his many years of service to the City.

Election of Officers:

Chair Feick called for nominations of officers. Mr. Delahunt made a motion to keep the officers the same as last year. The motion was seconded by Mr. Peugeot. Chair Feick called for a vote and the motion to keep Mr. Feick as Chair and Mr. Semans as Vice Chair passed unanimously.

Review of Minutes from October 19, 2023 & December 21, 2023 Meeting:

Chair Feick called for a motion on the minutes from the October meeting. Mr. Peugeot moved to approve the minutes as presented. Vice Chair Semans seconded the motion. All voting members were in favor of the motion and the minutes were approved unanimously, as presented.

Chair Feick called for a motion on the minutes from the December meeting. Mr. Peugeot moved to approve the minutes as presented. Mr. Delahunt seconded the motion. All voting members were in favor of the motion and the minutes were approved unanimously, as presented.

Chair Feick swore in all parties that were present to speak about adjudication agenda item.

Adjudication Hearing:

- 1. 1030 Hayes Avenue- An area variance to Zoning Code Section 1143.03(g) to allow the placement of a permanent illuminated sign in a Residential Zoning District, RRB-Residential**

Chair Feick introduced the application and asked for Staff report. Mr. Ochs stated The applicant sought a use variance to allow an illuminated wall sign in an RRB – Residential Business Zoning District. The Zoning Code explicitly outlined that illuminated signs were only permitted in non-residential Zoning Districts. The sign would be placed along the Hayes Avenue façade. The applicant had not mentioned any timeframes for when the sign would be lit or unlit. Staff was concerned with the sign's brightness and how it would impact the property to the north as it is a residential use. Staff suggested, if the Board of Zoning appeals grants the variance, that they also considered designating the hours of operation permitted, or to give

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Planning Staff the authority to reduce the brightness, if it caused any negative impacts to surrounding residential uses. Mr. Ochs continued if the Board did not wish to grant the variance as presented, an alternative to internally illuminated signage was to allow external light fixtures shielded down onto the sign. This approach would control the direction of the light, which would ensure the light shown down onto the sign and not into the neighborhood. Staff were not opposed to the requested variance at 1030 Hayes Avenue (57-04721.000) for an illuminated sign but requested the Board of Zoning Appeals considered the Staff concerns. Mr. Ochs stated that if an illuminated sign was approved, Staff suggested the following conditions upon approval, all applicable permits were obtained through the Building Department, Engineering Department, Division of Planning and any other applicable agency, and the light sources should not be of excessive brightness or cause a glare hazardous to pedestrians, auto drivers, or objectionable in an adjacent residential district. Chair Feick asked if there were any questions. Mr. Delahunt asked if the applicant had been contacted about Staff suggestions. Mr. Ochs stated they had received the Staff report twice and he had not received any feedback regarding suggested conditions. Vice Chair Semans asked if Mr. Ochs knew what type of signs were at the corner of Tyler and Hayes in the small shopping center. Mr. Ochs used his phone to look at the property and stated the pictures he was able to view were all during daylight hours and he could not confirm if the signs were internally illuminated but they did appear to be illuminated.

Vice Chair Semans asked if the applicant needed a variance for a non-internally illuminated sign. Mr. Ochs answered they would not need variance for that because the applicant had already been approved for a conditional use permit to allow the size of the sign. Mr. Peugeot asked if the property owner to the north had any comments or complaints. Mr. Ochs stated he did not receive any feedback from surrounding properties.

Chair Feick called for a motion. Vice Chair Semans made a motion to deny the application. Chair Feick called for a second but there was none.

Mr. Delahunt made a motion to limit the hours of illumination of the sign from 6 am to 9 pm. The motion was seconded by Mr. Peugeot. A vote was called and the motion to approve the application passed with (3) members in favor and Chair Feick, who abstained from the vote.

Other Business:

There was no other business.

Adjournment:

Vice Chair Semans moved to adjourn the meeting and Mr. Peugeot seconded the motion. All members approved the motion, and the meeting ended at 4:41 pm.

**Board of Zoning Appeals
January 18, 2024
Special Meeting Minutes**

Next meeting:
February 15, 2024

APPROVED:



Clerk



Chair/ Vice Chair