

**BOARD OF ZONING APPEALS
MINUTES FOR THE
February 20, 2017
MEETING**

Pursuant to written notice, the meeting of the Board of Zoning Appeals (the “BZA”) was continued in progress and called to order by Chairman Al Schutte at 7:30 PM on Monday, February 20, 2017, in the Council Chambers of the Village of Evendale Municipal Building. Attending were Chairman Al Schutte, members Dave Harwood, and Mike Reed. Supporting the BZA was James Jeffers (staff) and Pam Morin (staff). Also present were the persons listed on Exhibit A attached hereto and incorporated by reference herein.

After all those present who planned on giving testimony were duly sworn in by Chairman Schutte, the following appeals were on the Agenda:

1. Smart Building Supply, 10400 Evendale Drive

Applicant has submitted an application for a variance from Schedule 1266.04(D) of the Village of Evendale Zoning Code requiring outdoor storage and fences enclosing permanent outdoor storage to be placed in the rear yard only. The purpose of this variance is to allow outdoor storage and fence in the front yard.

2. Worldwide Equipment, 10649 Evendale Drive

Applicant has submitted an application for a fifteen foot variance from the maximum allowable height of thirty five feet for pole signs in the Industrial Truck Center District (ITC) as set forth in Schedule 1262.14 of the Village of Evendale Zoning Code.

Section 1284.02 of the Code establishes the parties entitled to appeal to the BZA. “Any application for appeal to the Board of Zoning Appeals may be filed by any person adversely affected by an order, decision, determination, or failure to act of the Building Commissioner or the Planning Commission”.

The first order of business was consideration of the application of **Smart Building Supply**: James Jeffers, Village Engineer and Service Director, presented the traffic study requested by the BZA at their January 19, 2017 meeting. James stated that his study was based on ODOT’s design manual. Mr. Jeffers presented the following facts and conclusions:

1. The speed limit on Evendale Drive is 35 mph with the exception of the curve in front of Smart Building; the speed limit at the curve is 30 mph;
2. ODOT’s clear line of sight requirement for curves going 30 mph is 208 feet;
3. The clear line of sight at the Smart Building Supply entrance is 313.24 feet.
4. Mr. Jeffers concluded that the proposed fence and outdoor storage will not create a safety issue for traffic on Evendale Drive or traffic entering and exiting Smart Building Supply.

Mr. Reed made the following motions:

RESOLVED, that the BZA adopt the following Findings of Fact, based on Mr. Jeffers' testimony:

1. The speed limit on Evendale Drive is 35 mph with the exception of the curve in front of Smart Building; the speed limit at the curve is 30 mph;
2. ODOT's clear line of sight requirement for curves going 30 mph is 208 feet;
3. The clear line of sight at the Smart Building Supply entrance is 313.24 feet; and
4. The proposed fence and outdoor storage will not create a safety issue for traffic on Evendale Drive or traffic entering and exiting Smart Building Supply.

RESOLVED FURTHER, that Smart Building Supply's application for a variance from Schedule 1266.04(D) of the Village of Evendale Zoning Code to allow outdoor storage and fence in the front yard of the Smart Building Supply property be granted on the following conditions:

1. The maximum fence height is ten feet;
2. Smart Building Supply will not store the material more than 16 feet above grade within the fenced area.

This motion was seconded by Mr. Harwood. The motion passed with a 3 yes, 0 vote.

The next order of business was consideration of the application of **Worldwide Equipment**:

Mike Cassidy, Atlantic Sign Company, proposed a 12' x 18' pole sign with the maximum height of 53 feet. Atlantic Sign Company has determined that the best height for a pole sign to have maximum visibility and readership from I-75 should have the bottom of the sign positioned 35 feet above grade.

Worldwide Equipment is replacing the existing sign because their interstate branding sign has changed. The existing sign has the bottom of the sign 35 feet above grade. They are requesting that the bottom of the new sign be placed at the same height as the existing sign. The difference in the two signs is the existing sign is sited landscape (4'x24'), while the new branding sign (18'x12') is sited portrait. The proposed new location is approximately six feet higher than the existing sign location.

Mr. Schutte made the following motion to adopt the following Findings of Fact and resolutions:

RESOLVED, that the BZA adopt the following Findings of Fact based on the testimony heard:

1. The finding of facts from the November 22, 2016 meeting are hereby affirmed;
2. No adverse comments have been received from the adjoining property owners after the required notices were sent;
3. Worldwide has no control of the tree heights in the greenbelt buffer along I-75.

RESOLVED FUTHER, that the application for a variance from Schedule 1262.14 of the Village of Evendale Zoning Code to allow the proposed pole sign is approved, subject to the following conditions:

1. The pole sign must have a maximum height of 45 feet;
2. The sign must be placed at “Location B”;
3. Because of the topography of the site, the grade will be measured on the shorter leg.

Mr. Harwood seconded this motion. The motion passed with a 3 – 0 vote.

Mr. Harwood made and Mr. Reed seconded the motion to approve the minutes for the January 19, 2017 meeting. The motion passed with a 3 – 0 vote.

The meeting was adjourned at 8:15 pm on a motion by Mr. Harwood and seconded by Mr. Reed. The motion passed with a 3 – 0 vote.

Al Schutte, Chairman
Board of Zoning Appeals