

**BOARD OF ZONING APPEALS
MINUTES FOR THE
September 9, 2015**

Pursuant to written notice, the meeting of the Board of Zoning Appeals (the "BZA") was called to order by Chairman Al Schutte at 7:30 PM on Wednesday, September 9, 2015, in the Council Chambers of the Village of Evendale Municipal Building. Attending in person were Chairman Al Schutte, members Mike Reed and Ken Valentine. Supporting the BZA was Pam Morin (staff). Also present were Bob Carpenter (CSS Signs) and Kevin Koch (Smart Building Supply).

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

**RAE Nicholl
10400 Evendale Drive
Applicant has submitted an application for a variance from the 35 foot maximum height for a pole in the Industrial Truck District (ITC) as set forth in Schedule 1262.14 of the Village of Evendale Zoning Code.
File #V-15-05**

This is a continuation of the meeting on Monday, August 31st, 2015. Tuesday, September 1st, Mr. Schutte met with Mr. Koch and Mr. Carpenter on site. Mr. Carpenter had the bucket of a lift truck at a height of 55 feet. They then drove up and down Evendale Drive, Glendale-Milford Road and I – 75. Mr. Schutte reported that at the height of 55 feet, a sign would be visible from Glendale-Milford Road, south bound I – 75 and most of northbound I – 75.

Mr. Koch reported and Mr. Schutte confirmed the following information:

- Their parking lot lies four feet below the grade of Evendale Drive;
- The site is 20 feet below the I-75 grade;
- The shrub line is 12 feet below I-75 and this line contains nine dead ash trees.

Mr. Schutte reported that the one existing pole sign on Evendale Drive is not relevant to the discussion because it is so different. This sign is located on a much higher elevation and the distance between the two signs is enough that there would be no impact.

The applicant was informed that if the variance is granted, the sign must be installed within one year or the variance would expire.

Mr. Reed expressed concern of how this property can be differentiated from the other properties along Evendale. Most of the properties to the east of Evendale Drive sit well below the grade of I-75 and would benefit from visibility along I-75. He questioned what the impact would be to the other businesses along Evendale Drive if this variance would be granted. Mr. Reed asked if the BZA members would be ready to grant similar variances to the businesses in that area. He suggested that this may be more of a legislative issue rather than a variance issue. Mr. Valentine indicated that he felt comfortable considering each variance request individually and making a decision based on facts presented.

Finding of Fact:

WHEREAS, the applicant has amended his request to a 20 foot variance in height;

WHEREAS, all other sign parameters are within the zoning code guidelines;

WHEREAS, the base of the proposed sign is four feet below the grade of Evendale Drive;

WHEREAS, the site is 20 feet below the I-75 grade;

WHEREAS, the shrub line is 12 feet below I-75.

Mr. Reed made and Mr. Valentine seconded the motion to approve a 20 foot variance in height for the proposed pole sign. The motion passed with a vote of 3 – 0.

A motion to approve the minutes of the August 31, 2015, meeting was made by Mr. Schutte and seconded by Mr. Valentine. There was no discussion. The motion passed with a 3 – 0 vote.

The meeting was adjourned at 8:15 PM.

Attest:

Al Schutte, Chairman
Board of Zoning Appeals