

**MEDINA TOWNSHIP
BOARD OF ZONING APPEALS
PUBLIC HEARING
MARCH 16, 2011**

Chair Morel called the public hearing of the Medina Township Board of Zoning Appeals to order at 7:38 p.m. Board members Morel, West, DeMichael and Karson were present. Mr. Becker was absent. Alternate board member Mike Stopa sat in for a full board. Chair Morel introduced the Board members and explained the public hearing procedure to those present.

Variance Requests

BW-3 variance request-5050 Eastpointe Dr.

Chair Morel reviewed the application. The applicant was Trish Nearhoff from Intertech Design Studios. The property requiring the variance-5050 Eastpointe Dr. Present Zoning-BG. Previous Requests-Yes. Variation Requested: Section 605 I. One wall sign per business. The reason for the variance request: Requesting variance to approve (2) two exterior signs on front façade totaling 80 sq. ft. as opposed to (1) one sign totaling 80 sq. ft. The Buffalo Wild Wing "Buffalo Sign is the initial branding logo patrons recognize and it should be front and center. The existing signage is rather small and we believe if more patrons see the Buffalo Wild Wings logo, the more business it will bring in.

The applicant and owner of B-W3, Mr. Jerry Franklin was sworn in. He stated that they just renewed their franchise agreement and in doing so they had to bring the branding of their business operation up to spec. One of the branding items was the buffalo logo to be added to the signage. At last night's zoning commission meeting, the board approved the logo sign above the door not to exceed 60 sq. ft. Mr. Franklin stated he was also asking for another sign with just the wording "Buffalo Wild Wings" to balance the building out. Mr. Franklin continued they were not asking for more signage in terms of square footage just another sign with the Buffalo Wild Wings wording.

Mrs. Strogan, Chair of the Zoning Commission was sworn in. She reiterated that the Commission did approve the logo sign at their meeting last meeting but turned down the request for a second sign as only one sign per business was permitted.

Mr. Franklin stated they also had a sign on the front of the building (south elevation) facing Rt. 18 that was granted previously by a variance. He added they would be willing to remove that sign in exchange for a variance being granted for the sign request before the BZA this evening.

Mrs. Strogan stated a corner lot was permitted to have 2 signs. Buffalo Wild Wings requested, through a variance, for their sign to be placed on the south elevation of the building though they were not located on Rt. 18.

Mr. Stopa asked if the sign being requested this evening was also a requirement as part of the rebranding of the franchise? Mr. Franklin stated some of the BW-3's have the Buffalo Wild Wings wording on their buildings and some do not. It is not a necessity to have both signs i.e. the wording and the logo sign. He stated the total square footage of all the signs would not exceed 80 sq. ft. In fact where the wording Buffalo Wild Wings was proposed to be located they would be removing the words Grill and Bar.

Chair Morel asked how many acres was the B-W3 property? Mr. Franklin stated he thought 2 acres. Chair Morel asked how size of the building. Zoning Inspector Ridgely responded 138'x 60'.

Mr. West stated he was comfortable in considering this variance request if the sign on the south elevation was removed and the total signage did not exceed he 80 sq. ft. Chair Morel stated he too was more inclined to a grant a variance for the sign being requested this evening if the signage on the south elevation was removed. It would reduce sign clutter and the words Buffalo Wild Wings would balance out the building given its shape and size. The rest of the Board members were in agreement.

Mr. DeMichael made a motion to approve a variance for a second wall sign for BW-3 located at 5050 Eastpointe Dr. not to exceed 19.89 sq. ft. conditioned upon the removal of the existing sign on the south elevation of the building. It was seconded by Mr. West. ROLL CALL-DeMichael-yes, West-yes, Karson-yes, Stopa-yes, Morel-yes.

Mrs. Strogan stated the sign on the south elevation was granted by variance, so the Board should consider rescinding that variance as variances run with the land, so there is no confusion as to what signage was approved and permitted.

Mrs. Karson made a motion to rescind the variance granted to BW-3 on February 11, 1998 for a sign on the south elevation of the building located at 5050 Eastpointe Dr. It was seconded by Mike Stopa.

ROLL CALL-Karson-yes, Stopa-yes, West-yes, DeMichael-yes, Morel-yes.

The Board then reviewed the Duncan Factors.

1. Will the property yield a reasonable return or a beneficial use without the variance request? The Board stated yes.
2. Is the variance substantial? The Board stated it was not substantial in size but substantial in number (requesting a second sign).
3. Whether the essential character of the neighborhood would be substantially altered or adjoining property owners suffer a substantial detriment if the variance is granted? The Board stated no.
4. Will the granting of the variance adversely affect the delivery of governmental services? The Board stated no.

5. Did the property owner purchase the property with the knowledge of the zoning restrictions? The Board stated yes.
6. Whether the problem can be solved by some other manner other than the granting of the variance? Chair Morel stated there always seems to be another way.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes. By BW-3 keeping within the square footage requirements for signage and removing the sign on the south elevation, to grant this variance would uphold the spirit and intent of the zoning code.

Meeting Minute Approval

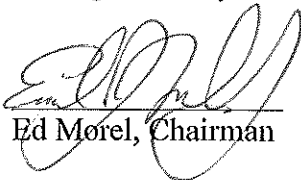
Mrs. Karson made a motion to approve the Board's February 15, 2011 meeting minutes as written. It was seconded by Mr. DeMichael.

ROLL CALL-Karson-yes, DeMichael-yes, West-yes, Stopa-abstain (not present) Morel-yes.

Having no further business before the Board, the hearing of Board of Zoning Appeals was officially adjourned at 8:02 p.m.

Respectfully Submitted,

Kim Ferencz
Zoning Secretary



Ed Morel, Chairman