

**MEDINA TOWNSHIP  
BOARD OF ZONING COMMISSIONERS  
ORGANIZATIONAL/REGULAR MEETING  
JANUARY 24, 2011**

Acting Chairperson Alliss Strogin called the organizational meeting of the Medina Township Board of Zoning Commissioners to order at 7:35 p.m. Permanent Board members Overmyer, Apana, Szunyog, Erickson and Strogin were in attendance. Alternate Commission members Payne and DeHoff were also in attendance.

**ORGANIZATIONAL MEETING**

**Election of Officers**

Secretary Ferencz called for nominations for Chairperson.

Mr. Overmyer made a motion to nominate Alliss Strogin as Chairperson of the Zoning Commission for the calendar year 2011. It was second by Mr. Apana. The nominations were closed.

ROLL CALL-Overmyer-yes, Apana-y

The meeting was turned over to Chair for Vice Chairperson.

Mr. Erickson made a motion to nominate Alliss Strogin as Chairperson of the Zoning Commission for the calendar year 2011. The nominations were closed.

ROLL CALL- Erickson-yes, Apana-y

**Set hearing dates/Confirm hearing**

The Commission stated they would set the hearing date for the zoning workshop at 7:30. Posting of the meeting would be accordingly.

**MISC.**

It was stated that there were 14 board members from Medina Township present at the January 18, 2011 zoning workshop entitled "Basics of Zoning." The next workshop would be held on February 22, 2011 and would discuss Homeowners Associations.

Secretary Ferencz stated the NE Ohio Zoning and Planning Workshop would be held June 24, 2011 in Geneva. More details to follow.

The organizational meeting was closed at 7:43 p.m.

**REGULAR MEETING**

Chairperson Strogin called the regular meeting of the Medina Township Board of Zoning Commissioners to order at 7:44 p.m. Board members Overmyer, Erickson, Apana, Szunyog and Strogin were in attendance. Alternates Commission members Payne and DeHoff were also in attendance.

The Zoning Commission minutes from their December 21, 2010 meeting were approved as written. The Trustees have scheduled site plan reviews to be heard on February 3, 2011 at 7:00 p.m. A letter would be sent to the applicants when the Trustees would hear their site plan/signage requests.

Secretary Ferencz handed out a complete meeting date list for the Zoning Commission, BZA hearings and Trustee monthly meetings. The color-coded zoning submittal calendar was handed out the Commission members as well.

**CONTINUANCES**

**Valley Mitsubishi-2825 Medina Rd.**

Mr. Chapman and Ms. Stebner were present to represent Valley Mitsubishi signage requests. The first request was for a 4-sq. ft. directional sign to be placed on the existing pole sign. The reason for the request is that they have heard from many customers that they can't see the driveway going west on Rt. 18; and going east on Rt. 18 they have to go to Windfall Rd. and make a U-turn. Going east the sign would read U-turn at Windfall and going west turn right at Gateway.

Chair Strogin stated the Township no longer permits pole signs. The existing pole sign at Valley Mitsubishi was granted by a variance from the BZA. When the Rt. 18 road improvement project was in progress, ODOT took road right of way from many of the businesses on Rt. 18 which effected the placement of their signage. The road right of way where Valley Mitsubishi is located is substantially large and all over the place. The existing pole sign ended up being in the middle of the road right of way after ODOT completed the Rt. 18 project. The sign was not grandfathered so it was taken down and the end result was that the BZA granted a variance for the same size existing pole sign to be relocated on the property due to these exceptional circumstances. Chair Strogin continued that if the proposed 4 ft. directional sign was placed on the pole sign it would no longer be in compliance with the variance that was granted by the BZA. Second, directional signs were supposed to be located on the ground to indicate flow of traffic on the property.

Zoning Inspector Ridgely stated her interpretation of the code is that this is a "directional sign" and the code states that a directional sign "is a sign which has as its primary function to direct vehicular or pedestrian traffic upon a premises and which contains no

advertising matter other than the name of the business or other activity to which the sign relates." Therefore the code does not require that a directional sign needs to be located on the ground. Zoning Inspector Ridgely added that the directional sign was not going to be part

of Valley Mitsubishi "existing sign" on the pole there was going to be spacing in between. Mr. Chapman stated that was correct, the directional sign would not be part of the existing "Valley" sign it would just be located on the pole sign. Chair Strogin stated the drawing submitted looked like the directional sign was part of the same sign and suggested a refacing of the panel that says "Valley" to accommodate the wording on the directional sign.

Zoning Inspector Ridgely stated to make the directional sign be placed on the ground did not make sense due to the elevation of Valley Mitsubishi as one would not see the sign. She continued that directional signs were even permitted on buildings to help with traffic flow on the property. Mr. Chapman stated that the proposed directional sign on the pole would be 6 inches lower than the existing "Valley" panel. Ms. Szunyog stated this directional sign for Valley Mitsubishi seemed to her to be a safety issue as it appeared it would need to be placed on the pole to give the traveling public a sense of direction in terms of being able to get to this location. She continued per the definition of a directional sign, the Commission had the authority to approve a directional sign's number, location and height.

Mr. Overmyer asked if the word "Valley" could be moved to the Mitsubishi Motors sign? Mr. Chapman stated that was not permitted as it was considered a franchise infringement. Chair Strogin suggested a new face panel be made to accommodate the word "Valley" as well as the proposed directional signage.

Trustee Gardner stated per the definition for a directional sign; it does not say such a sign cannot be placed on the existing pole sign. Mr. Overmyer interjected that a directional sign should be placed where it would do the most good for the traveling public or potential customers trying to reach Valley Mitsubishi.

Chair Strogin stated that Valley Mitsubishi is a destination location. It was not like "I want a burger, missed McDonalds but I can still get a burger at Burger King." Mr. Chapman stated as one headed east on Rt. 18 it is a divided highway; so one has to go to Windfall Rd. and make a U-turn to get to their business. Heading west on Rt. 18, the hill at Plaza 71 is just high enough that until one hits the crest of the hill their existing sign cannot be seen. Because of the ODOT right of way, they could not put a sign out by the driveway so they decided the next best thing was to have a directional sign saying where one could make a right onto Gateway to be able to access their business.

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The Commission stated they were concerned with precedent being set allowing directional signs on pole signs. Chair Strogin stated there appeared to be two options. One, a new panel face made to accommodate the word "Valley" and the directional sign verbiage or moving the proposed directional sign down a minimum of a foot from the "Valley" sign so as not to appear to be one sign.

Mr. Apana stated he felt he did not know enough to decide if the Commission had the authority to approve the directional sign since the pole sign was granted by the BZA. The rest of the Commission members felt comfortable that the directional sign was within the authority of the Commission to approve per the definition read. Zoning Inspector Ridgely asked if lowering the directional sign would still allow it to be effective? Mr. Chapman stated yes he believed so and that it was probably better as it would be more at eye level of the traveling public. Mr. Chapman stated he would be willing to move the directional sign down rather than have to purchase a new face panel to accommodate the wording "Valley" and the directional signage language.

Mr. Overmyer made a motion to approve a directional sign not to exceed 4 sq. ft. to be placed on the existing pole sign with a minimum of 1 ft. clearance between the existing sign and the directional sign for Valley Mitsubishi located at 2825 Medina Rd. as presented. It was seconded by Mr. Payne.

ROLL CALL-Erickson-yes, Payne-yes, Szunyog-yes, Williams-yes, Strogin-yes.

Mr. Chapman stated he was also requesting a ground directional sign to consist of 6.5 sq. ft. Chair Strogin stated only one ground sign was permitted because this is not a corner lot. As has been previously stated a directional sign can be no larger than 4 sq. ft. If the directional sign dimension could not be met, the applicant would have to pay \$275.00 and apply for a variance request. Chair Strogin continued that she could not speak for the BZA, but the applicant would probably be hard pressed to convince the BZA that the sign depicting "Valley" could not comply with the 4-sq. ft. requirement for a directional sign.

Mr. Chapman stated he would revise his sign request for a 4 sq. ft. directional sign.

Mr. Overmyer made a motion to approve a directional sign for Valley Mitsubishi located at 2825 Medina Rd. not to exceed 4 sq. ft to be placed on Gateway Dr. as presented. It was seconded by Mr. Erickson.

ROLL CALL-Overmyer-yes, Erickson-yes, Szunyog-yes, Apana-yes, Strogin-yes.

**Fenn Crossings-3823-3839 Pearl Rd.**

Mr. Anthony Cerny from Architectural Design Studios was present to represent Fenn Crossings signage request. He stated he was requesting tenant panels for the following tenants: Mattress Matters, Antonio's Pizza, Royal Buffet and Asian Martial Arts located in Fenn Crossings. That would leave three remaining spaces on the identification sign for future tenants.

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Mr. Erickson made a motion to approve 4 tenant panels not to exceed 35 sq. ft. total to be placed on the existing identification sign for Fenn Crossings located at 3823-3839 Pearl Rd. as submitted. It was seconded by Ms. Szunyog.

ROLL CALL-Erickson-yes, Szunyog-yes, Overmyer, Apana-yes, Strogin-yes.

**Royal Buffet & Grille -3825 Pearl Rd. (Fenn Crossings)**

Mr. Anthony Cerny from Architectural Design Studios was present to represent Royal Buffet and their signage request. Their signage request has been reduced from 63.3 sq. ft. to 56 sq. ft. The business consists of 65 ft. of linear frontage. Mr. Cerny stated Royal Buffet was scheduled to open Feb. /March 2011.

Mr. Overmyer made a motion to approve a wall sign not to exceed 56-sq. ft. for Royal Buffet & Grill located on Pearl Rd. in Fenn Crossings as presented. It was seconded by Mr. Apana.

ROLL CALL-Overmyer-yes, Apana-yes, Erickson-yes, Szunyog-yes, Strogin-yes.

**E-Z Win Internet Sweepstakes Café-2767 Medina Rd. (Plaza 71)**

Mr. Anderson represented E-Z Win Internet Sweepstakes Café. He stated the sign dimensions were changed from 16' x 2'. 6" to 2 x 20. Mr. Anderson stated they removed the phone number and made the sign longer however the total square footage has not changed from the 40-sq. ft. being requested. This business has 40 ft. of linear frontage.

Ms. Szunyog made a motion to approve a wall sign not to exceed 40 sq. ft. for E-Z Win Internet Sweepstakes Café located at 2767 Medina Rd. (Plaza 71) as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Szunyg-yes, Overmyer-yes, Erickson-yes, Apana-yes, Strogin-yes.

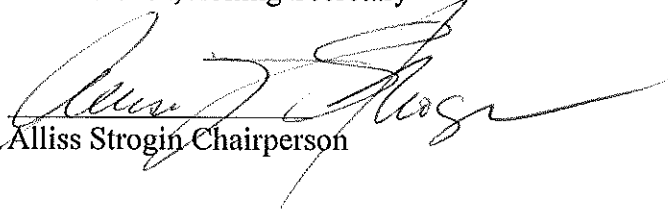
Mr. Apana asked about the controversy surrounding such operations and wondered if the Commission had to allow such uses considering the "legality" of them has not truly been established at this time? Chair Strogin stated technically yes, the Zoning Commission is just to consider if such businesses are a retail or service use that is permitted in a specific zoning district. The Prosecutor's Office stance at this time is that the Township is to permit such businesses as a permitted use as this time. Mr. Apana asked if a moratorium could be placed on such businesses? Chair Strogin stated yes if the moratorium was relatively short in duration. She added a moratorium would be prudent if the Township was trying to write regulations on such but the basis of if these businesses are legal or not legal lies in the criminal justice system.

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Having no further business before the Board, the meeting was officially adjourned at 8:35 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary

A handwritten signature in black ink, appearing to read 'Alliss Strogan', is written over the printed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Alliss Strogan Chairperson