

**BOARD OF ZONING APPEALS  
CITY OF NORTH OLMSTED  
MEETING MINUTES OF MARCH 11, 2010**

**ROLL CALL**

Mrs. Diver called the meeting to order at 7:33 p.m. in Council Chambers.

Present: Maureen Diver, Nancy Sergi, Jennifer Rudolph, Laura Bellido, Alfredo Lopez

Staff: Law Director Michael Gareau Jr., Building Commissioner Dale Mitchell, Clerk of Commissions Donna Rote

**REVIEW AND CORRECTION OF MINUTES**

**Ms. Rudolph moved, seconded by Mr. Lopez, to adopt the February 4, 2010 minutes as submitted which was approved 5-0.**

**RESIDENTIAL APPEALS AND REQUESTS**

**Michael Dranuski; 23622 Stoneybrook Drive:**

Request for variance (1123.12); proposal consists of a shed. The following variances are requested: 1. A 40 square foot variance for a storage shed larger than allowed; code permits 80 sq ft, applicant show 120 sq ft, section 1135.02(d)(1).

Mr. Dranuski was sworn in and said he would like to replace the existing Rubbermaid shed with a new permanent 10' x 12' shed. Their garage houses their vehicles and does not provide additional room to store yard equipment and tools. He does not want items stored outdoors as it promotes theft and clutters the yard. He submitted photos of the existing shed and a signed document from his neighbors acknowledging the shed and attesting they have no objections to the variance. Ms. Rudolph verified the dimensions of the yard. Mr. Mitchell said the lot size is allowed an 80 sq ft shed and 120 sq ft is being requested which he does not object to however if the variance is granted he would like to make sure the Rubbermaid shed is removed. Mr. Gareau agreed with the building official that if a variance was granted for the new shed the existing shed should be removed. Mr. Dranuski said that the shed would be removed.

Mrs. Sergi said that additional storage is a need but the request is almost double what is allowed. The new shed meets all other codes, replaces the existing shed and the character of the neighborhood and governmental services will not be adversely affected. She is conflicted as to whether or not the variance should be granted as an 80 sq ft shed can be built. Mrs. Bellido said the backyard is small and she is concerned the shed could encompass too much of the small yard. Mr. Lopez said the yard is not large and neighboring sheds are smaller as well. The large size shed will affect the character of the neighborhood as the lots are small. The city is not responsible for the number of items owners need to store and the lot is allowed an 80 square foot shed. Ms. Rudolph agreed that the yards are small and despite the neighbors agreeing to the shed it will be a permanent fixture. Mrs. Diver said that as the existing shed would be removed, the need for additional storage is warranted. Mr. Lopez asked if the shed was premade, constructed on site and what type of materials would be used. Mr. Mitchell said he did not receive any plans

on the shed itself nor does the application list a contractor. Mr. Dranuski said he and his coworkers would be building the shed which would aesthetically match the house as he is using the same siding and roofing materials on the home. Mrs. Sergi asked how far the shed would be from the edge of the porch and Mr. Mitchell said it would be 25 feet from the house.

**Ms. Rudolph moved, seconded by Mr. Lopez, to grant Michael Dranuski of 23622 Stoneybrook Drive his request for variance, which consists of a 40 square foot variance for a storage shed larger than allowed; code permits 80 sq ft, applicant show 120 sq ft, section 1135.02(d)(1) which was approved 5-0.**

## **NON-RESIDENTIAL APPEALS AND REQUESTS**

### **CMS10-05 Dunkin Donuts; 26963 Lorain Road:**

Request for variance (1123.12); proposal consists of signage. The following variances are requested:

1. A variance for a ground sign located within the right of way setback; code requires 5', applicant shows 0', section 1163.27(b).
2. A 1 foot 4 inch variance for a wall sign too close to another sign; code requires 2 feet; applicant shows 8 inches; section 1163.28(d).

Note: Two existing directional signs to remain in addition to the new monument sign. Both existing directional signs are located within the 35 foot triangle.

Mr. Sekanick was sworn in and said the two variances requested are part of an exterior renovation which includes new signage. The two wall signs are needed as there are two businesses within the building. The building fronts two streets so they are allowed two wall signs; however the west elevation can not accommodate a sign nor would it be visible to vehicles traveling east or west. The newly designed entrance will house the two signs which are stacked 8 inches apart instead of 2 feet. The new entrance is designed to define the only point of entry to the building. The variance for the ground sign is for setback from the right of way. It will be closer to the property line to ensure vehicles do not damage the sign. The brick base will be 3 feet high and the sign will be 6 feet high and although the size of the sign meets code its location does not. The sign can not be installed to code due to the restrictive nature of the small irregular size lot. Other locations would not be suitable. Mr. Lopez asked why the 2-foot space could not be accommodated and Mr. Sekanick said if the 2-foot space was met it would raise the top sign higher on the parapet and eliminate the gooseneck light which highlights the entrance.

Mr. Mitchell said the site is allowed two wall signs and stacking the two signs on the front elevation is preferred to ensure the applicants do not return to request a second wall sign later. The proposed location for the ground sign is the best location however he would be more comfortable if the sign was 6 inches away from the sidewalk. Mr. Lopez said that unless the curb cut is an entrance only it will obstruct vehicles line of sight. Ms. Rudolph asked what the frontage was and Mr. Mitchell said it was about 44 feet. Mrs. Diver asked if the applicant was willing to move the ground sign inward 1 foot. Mr. Sekanick said they could move the sign in 6 to 8 inches at best as the sign is a standard sign for the franchise and there will be a landscape bed around the sign. Ms Rudolph asked why more variances were not required for the setback and directional signs. Mr. Mitchell said the setback and directional signs were previously

granted variances and the proposed location is the best placement for the sign. Ms. Sergi was not comfortable with the sign being only 6 inches away from the sidewalk. Mr. Sekanick said the sign will be 2½ feet from the sidewalk. Mr. Lopez said his concerns were addressed and felt comfortable knowing the two wall signs would eliminate any future wall signs on the building. Consideration should be given for the owner's efforts to enhance the site which enhances the city. Ms. Rudolph said she had no objections to the wall signs but the ground sign will be 9 feet tall and the existing sign is only 5 feet tall. Ms. Bellido said the design of the sign is such it can't be placed anywhere else and the size meets code. Mrs. Sergi felt a larger sign may still get hit by vehicles. Mrs. Diver said she does not object to the wall signs and since the ground sign is moved inward and meets code the size is not an issue. Mr. Lopez said that the size of the sign meets code and if moved inward would be an acceptable compromise.

**Mr. Lopez moved, seconded by Mrs. Sergi, to grant CMS10-05 Dunkin Donuts of 26963 Lorain Road a variance as amended for a ground sign located within the right of way setback; code requires 5', applicant shows a minimum of 6 inches, section 1163.27(b). Roll call: Lopez, Diver, Bellido – yes; Rudolph, Sergi – no. Motion approved 3-2.**

**Ms. Rudolph moved, seconded by Mrs. Bellido, to grant CMS10-05 Dunkin Donuts of 26963 Lorain Road a 1 foot 4 inch variance for a wall sign too close to another; code requires 2 feet; applicant shows 8 inches; section 1163.28(d), conditioned upon no further wall signs being requested which was approved 5-0.**

**CMS10-07 Caribou Coffee; 23420 Lorain Road:**

Request for variance (1123.12); proposal consists of a directional sign. The following variances are requested:

1. A variance for a third ground sign (directional) on a lot; code permits 1 and applicant shows 3, section 1163.27(a). BZA granted a variance for 2 ground signs on 7/7/05.
2. A variance for a directional ground sign within the 35 foot line of site triangle; code does not allow and applicant shows sign within the setback, section 1163.17(a).

Mr. Frezel with Ace Lighting was sworn in and said they would like to have a double face non-illuminated directional sign at the Clague Road entrance. It is needed due to the drive through located on the west side of the building. There are two points of egress neither of which identifies there is a drive-thru or how to get to the drive-thru. Mr. Frezel submitted a letter stating the owner could not be present but supported the request. Mr. Gareau encouraged the board to consider whether or not the request for a single directional sign warranted the owner's presence. Mr. Frezel said the directional sign will include a logo and arrow directing vehicles to the west side of the building and is within the 35 foot triangle. If the sign was placed outside the 35 foot triangle the parked cars would block it; however it could be moved some if needed. Mr. Mitchell said the double face directional sign will be non-illuminated and would be hard to move the sign outside the triangle and be visible, therefore he does not object to the request.

Mrs. Bellido said entering the site you cannot tell there is a drive-thru or where it is located so a directional sign is warranted. Mrs. Sergi said the sign might help the traffic congestion which occurs from vehicles trying to find and access the drive-thru. Ms. Rudolph said she did not object and for safety concerns the variances were warranted. Mr. Lopez said moving the

directional sign inward some for safety was warranted. Mr. Mitchell said he could work with the applicant on safely placing the sign. Mrs. Diver said she believed the variances were warranted.

**Mr. Lopez moved, seconded by Mrs. Bellido, to grant CMS10-07 Caribou Coffee of 23420 Lorain Road the following variances:**

- 1. A variance for a third ground sign (directional) on a lot; code permits 1 and applicant shows 3, section 1163.27(a). BZA granted a variance for 2 ground signs on 7/7/05.**
- 2. A variance for a ground sign within the 35 foot sight triangle; code does not allow and applicant shows sign within the setback, section 1163.17(a).**

**The applicant will work with the building department to move the sign inward. The motion was approved 5-0.**

**Great Escape; 25450 Lorain Road:**

Request for variance (1123.12); proposal consists of a wall sign. The follow variance is requested:

1. A 40 square foot variance for a wall sign larger than code allows; code permits 100 sq ft, applicant shows 140 sq ft, section 1163.28(c).

Mr. Moffitt, the General Manager, was sworn in and said he would like to be allowed to use a pre-existing sign at their new location which requires a 40 square foot variance. By reusing the sign it will save them money and provide the visibility needed to attract clients. Due to the proximity to Great Northern Blvd, vehicles turning onto Lorain don't have time to see the ground sign. Ms. Rudolph asked the size of the temporary sign and Mr. Moffitt said it was 3 feet high and the setback is 82 feet from the street. Mrs. Sergi asked if the white area was included in the size and Mr. Moffitt said that there would only be letters which are 3 feet 9 inches high and 37.4 feet wide. Mr. Lopez asked if the sign was purchased for the site and Mr. Moffitt said the sign was made for a site in Chicago.

Mr. Mitchell said building frontage is 129 feet; he has no objections to the request. Ms. Rudolph said 40 square feet was substantial for a site which has a minimal setback. Mr. Lopez said taking into consideration that all but three letters are 3 feet tall he did not object to the request. Mrs. Bellido said the scale of the sign fits the building. Mrs. Sergi said the sign is smaller then the previous sign and only three of the letters are more than 3 feet tall so she does not object.

**Mrs. Sergi moved, seconded by Ms. Rudolph, to grant Great Escape of 25450 Lorain Road a 40 square foot variance for a wall sign larger than code allows; code permits 100 sq ft, applicant shows 140 sq ft, section 1163.28(c). Roll call: Sergi, Bellido, Lopez, Diver – yes; Rudolph – no. Motion approved 4-1.**

**COMMUNICATIONS**

Rules of Procedures and the BZA Application were reviewed during caucus and again briefly during the meeting. Mr. Gareau will make the requested changes and resubmit the documents once updated.

Mrs. Diver nominated Nancy Sergi as Board of Zoning Appeals Chair for 2010 and with no further nominations being made each board member concurred to elect Mrs. Sergi as Chair, excluding Mrs. Sergi who abstained.

Mrs. Bellido nominated Jenifer Rudolph as Board of Zoning Appeals Vice Chair for 2010 and with no further nominations being made each board member concurred to elect Ms. Rudolph Vice Chair.

Mrs. Sergi advised that she would not be present for the April 1, 2010 meeting.

**ADJOURNMENT**

With no further business the meeting adjourned at 9:30 p.m.

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Maureen Diver, Chair

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Donna Rote, Clerk of Commissions

Approved:

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