

Board of Zoning Appeals

Bennett's Corners Community United Methodist Church – Variance request

March 28, 2012

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Ch. Manley called the meeting to order at 7:30 p.m.

Roll Found: Manley, Hoop, Zeleznak, Mainzer and Calabro present. Also present were Trustee Catherwood and Trustee Schulte, Zoning Inspector Schaefer, Mr. Terry Walrath, Mr. Wayne Kosman, Mr. and Mrs. Paul and Ruth McCaudy, Pastor Scott Silcox, Mr. Brian Bacik, Mr. and Mrs. Ken and Doris Schoendeck, Mr. Sterling Perrine and Mr. Mark Manthey.

Ch. Manley noted that on behalf of Fire Chief Potts, in the event the building must be evacuated, please use the northeast and west exit doors due to construction in the southern area of the building.

Ch. Manley stated that the Hinckley Township Board of Zoning Appeals acts within the regulation of Section 519 of The Ohio Revised Code and exercises its power as provided under Section 7 & 13 of The Hinckley Township Zoning Regulations, that all hearings are open to the public, that all persons wishing to testify must do so from the podium, be sworn in, and must identify themselves giving their address. Evidence and testimony must be pertinent to the hearing at hand and that it is within his discretion to limit personal comments. He stated he will not permit personal attacks and opinions. Disruptive persons will lose their right to remain at the hearing.

Ch. Manley noted that the first hearing is for the Bennett's Corners Community United Methodist Church requesting a variance to install a new sign.

Recording Secretary Gienger read the legal ad.

Recording Secretary Gienger stated that no written correspondence was received and no visits were made to the Township regarding this variance request.

Recording Secretary Gienger polled the Board as to whether they received the packet of information and inspected the property at 47 W. 130th Street, Hinckley Township (Parcel #01703A01005).

Response: Manley – yes and yes, Hoop – yes and yes, Zeleznak – yes and yes, Mainzer – yes and yes, Calabro – yes and yes.

Mr. Mark Manthey of 319 Brookshire Road, Hinckley Township, Ohio on behalf of the Bennett's Corners Community United Methodist Church was sworn in accordingly.

Ch. Manley asked Mr. Manthey if there was any additional information that he would like to submit at this time. Mr. Manthey stated here was no further information. He stated that they

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have submitted their summary of rationale as to why they feel the variance should be approved and feels they meet the conditions for approval.

Ch. Manley asked Mr. Manthey if he knew when the original sign was installed. Mr. Manthey stated he was not sure but thought it was over 50 years ago. He noted that it was installed at a time when people drove slower and could see it easier. Now they want to turn it and resize it so it is more viewable to the public driving by. He also noted that after finding out that a 4'x6' sign is larger than the regulations allow, they looked at the pricing of a 4'x5' sign and found it is approximately the same cost as a 4'x6' sign so they would just like to get the most sign for their money.

Being no further questions, Mr. Manthey was seated.

Zoning Inspector Schaefer was sworn in accordingly.

Ch. Manley asked ZI Schaefer if he had any comments regarding this issue. ZI Schaefer noted that it was his understanding the Zoning Commission was planning to increase the allowable size of a sign in their revised regulations.

Ch. Manley asked ZI Schaefer per Zoning Regulation 10.4, how a sign is to be measured. ZI Schaefer noted that you measure from top to bottom and square off the sign. That is, if there is a peak that is triangular shaped, you square off the triangle and measure that square/rectangle. So it is potential to measure the air around the sign based on those parameters.

Ch. Manley stated that the new sign then appears to be smaller than the existing sign.

ZI Schaefer noted that he did not measure the existing sign but stated if that is true, then he would have approved the permit.

Mr. Zeleznak asked if the new sign would then be less non conforming than the existing sign. ZI Schaefer stated that would be correct.

Being no further questions Zoning Inspector Schaefer was seated.

Zoning Commission Chairman Kamps was sworn in accordingly.

Ch. Manley asked ZC Ch. Kamps if they were working on new sign size regulations. ZC Ch. Kamps noted that they were and the new sign regulations will be 32SF instead of the current 20SF size limitations.

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Ch. Manley asked ZC Ch. Kamps when he thought the new regulations would be in place. ZC Ch. Kamps stated approximately late August, early September in his estimates.

Being no further questions ZC Ch. Kamps was seated.

There being no further testimony offered, Ch. Manley noted that this permit should be approved since the proposed sign is less non-conforming than the new proposed sign.

Ch. Manley made a motion for approval for a variance AP-0161 submitted by Mr. Mark Manthey of 319 Brookshire Road, Hinckley Township, Ohio Permanent Parcel # 01703A08038 on behalf of the Bennett's Corners Community United Methodist Church located at 47 W. 130th Street Hinckley Township, Ohio Permanent Parcel #01703A01005 for a 4'x6' sign as submitted.

Ms. Mainzer seconded the motion.

Vote: Manley – Yes, Hoop – Yes, Zeleznak – Yes, Mainzer – Yes, Calabro – Yes

Passed by a vote of 5 to 0

Ch. Manley stated that any person adversely affected by a decision of the Board of Zoning Appeals has 30 days to get a copy of the minutes and file suit. A copy of the signed documents will be given to the applicant today.

Meeting was adjourned at 7:44 p.m.

Todd Gienger, Recording Secretary

Minutes Approved: _____, 2012

David Manley, Chairman

(Absent)
Dottie Fox, Vice Chairman

Jeff Hoop, Member

Dave Zeleznak, Member

Julie Mainzer, Member

Josephine Calabro, Alternate Member