

The **Board of Zoning Appeals** of the City of North Royalton met on **November 28, 2011** to hold a Public Hearing in the Council Chambers at 13834 Ridge Road. The meeting was called to order by Chairman Neil Price at 7:30 p.m.

Present: Chairman Neil Price, John Ranucci, Diane Mastronicolas, Robert Jankovsky, Dan Kasaris, Prosecutor Donna Vozar, Building Commissioner Rito Alvarez, Secretary Lynn Brinkman.

Public Hearing

(BZA11-16) Krusoe Sign Co. / Disciples of Christ Christian Church request a variance to **Chapter 1284 "Signs", Section 1284.05 "Design Standards", paragraph (k)(1)**, of the City of North Royalton Zoning Code, for relief from the **signage** requirement relative to the **maximum amount of manual changeable copy** permitted for a **ground sign** they wish to have installed on this property located at **5100 Royalton Road, also known as PPN: 488-19-015**.

Public Hearing Notices were sent to property owners within 500 feet of the property in question and posted for the required period of time.

The Chairman recognized anyone wishing to be heard.

Mr. Price: Would you raise your right hand please. Do you swear that the testimony that you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

Reverend Chuck Behrens: Yes. My name is Reverend Chuck Behrens and I am the minister at the North Royalton Christian Church located at 5100 Royalton Road.

Mr. Price: What is the reason for this variance request?

Rev. Behrens: We are asking for this variance because the sign that we had there literally was blown down about a year ago during the winter season. We knew that we were going to make all kinds of arrangements and updates to our church and that we would have to make an update to our sign as well. So we retained a sign company to work for us and to work with the City as far as the ordinances and such. We thought that we were pretty compliant with that as far as wanting to erect a new sign that would not be so much for advertising but for informing. Our church has been in the community for well over 190 years and we have always wanted to serve not only the community but the folks who attend our church. We wanted to make sure that we could continue to inform people as to the services and the programs and to reach out for the people not only in our church but for the community itself. We felt that we wanted this variance right now because if we did not have that space we would not be able to adequately inform the community. We realize that if we do not have that space the lettering will be much smaller. We know that one of the ordinances mandates that the sign be located at least 25 feet from the road. That might be a hazard if we have smaller lettering because people would have a more difficult time of seeing what is there and then would have to stop or be straining to see what is on the sign rather than paying attention to the road. In essence we are going to have a smaller sign than that which existed before. It is not a lot smaller but it is smaller. The other sign was a stationary sign. Any time we needed to inform people of things that we were going to do we had to bring out another sign that looked pretty poor. It is up right now if you go by the church. It looks like it is advertising a small side show and a very poor one at that. It is not lit up. It is old and the letters are falling off of it. Sometimes the wind blows the letters off. They are also often vandalized and the letters are rearranged with a message that is not always good. The sign that we would be putting up would be vandal proof and would certainly look much better. We want to make sure that this new sign not only represents the church but is also in keeping with the residential neighborhood in which we are located and would not detract from the neighborhood. If you have any further questions I would be glad to answer them. I appreciate your time and your consideration.

Mr. Price: Would anyone else wish to speak on this item? May I then have a motion to move BZA11-16 to the Open Meeting?

Moved by Mr. Ranucci, seconded by Mr. Kasaris to **move BZA11-16 to the Open Meeting.**

Mr. Price: Call the roll.

Mr. Ranucci: Yes.

Ms. Mastronicolas: Yes.

Mr. Jankovsky: Yes.

Mr. Kasaris: Yes.

Mr. Price: Yes.

Ayes – all. Nays – none.

Motion carried (5-0).

(BZA11-17) The Jump Yard requests a variance to **Chapter 1284 “Signs”, Section 1284.05 “Design Standards”, paragraph (k)(1)**, of the City of North Royalton Zoning Code, for relief from the **signage** requirement relative to the **maximum amount of electronic changeable copy** permitted for this **ground sign** to be installed for **The Jump Yard**, a property located at **13700 York Road, also known as PPN: 483-15-020.**

Public Hearing Notices were sent to property owners within 500 feet of the property in question and posted for the required period of time.

The Chairman recognized anyone wishing to be heard.

Mr. Price: Would you raise your right hand please. Do you swear that the testimony that you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

Mr. Castrovillari: My name is Frank Castrovillari and I live at 7675 Harley Hills Drive, North Royalton. I am also a member of the Architectural Review Board. We have spent a lot of time in revising this Code and looking at what sizes are appropriate and not appropriate. It was a stretch to go from what we had before which was 20 – 25 percent to now which allows that the changeable copy portion cannot exceed 30 percent of the total sign face area of a sign. We believe that any sign that gets that big will be very distracting and much to cumbersome to have, especially when the sign is usually less than 40 feet away from the street and at times only 10 – 15 feet away from the street. We are trying to minimize the impact of these signs on drivers and pedestrians. This is not Vegas. We do not want to see all of these lights and the moving changeable copy which we are beginning to see all around town. I strongly feel that allowing the amount of changeable copy to be 38 percent of this sign is just not the right answer. We need to put a limit on this. The Code states that the changeable copy portion should not exceed 30 percent of the total sign face area of a sign. That would be the maximum size that should be allowed. It is my personal opinion that here is another case where the applicants came here about two years ago to get their sign up and they were aware of the process that they needed to go through. Now, two years later, and I have probably seen this about twenty times here in our city, they do the job and they then expect us to pass it. This has got to be stopped. I strongly hope that this Board denies this variance to allow this increase in the amount of changeable copy that would be allowed on this sign. Make a statement that just because you built it does not mean that we are now going to allow it. I see no reason why an applicant who knew two years ago that he had to come before us and had he done so would have been told that the 38 percent was over what is allowed, he would then either have complied or appealed to this Board prior to having installed the sign. Instead he put up the sign and, after the fact, now has to apply for a variance for having installed a sign that is over the amount of changeable copy that is permitted by our Code. I know that it will cost money. I know that it is a hardship on the applicant to have to change this sign but, again, there are just getting to be so many examples of where something gets constructed and we are supposed to just deal with it. That is all. Thank you.

Mr. Price: Anybody else?

Mr. Price: Would you raise your right hand please. Do you swear that the testimony that you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

Ms. Tworzydlo: Yes. My name is Laura Tworzydlo and I live at 4100 Wallings Road in North Royalton. I am also a member of the Architectural Review Board and would just like to support the sentiments that Mr. Castrovillari had stated. We did decide on the 30 percent of changeable copy and we would really hope that you would respect that and not allow this variance that is being requested. Thank you.

Mr. Price: Thank you. Anybody else? Is the applicant going to speak at the Open Meeting? May I then have a motion to move BZA11-17 to the Open Meeting?

Moved by Mr. Jankovsky, seconded by Mr. Kasaris to **move BZA11-17 to the Open Meeting.**

Mr. Price: Call the roll.

Ms. Mastronicolas: Yes.

Mr. Jankovsky: Yes.

Mr. Kasaris: Yes.

Mr. Price: Yes.

Mr. Ranucci: Yes.

Ayes – all. Nays – none.

Motion carried (5-0).

Mr. Price: May I have a motion to adjourn the Public Hearing?

Moved by Mr. Kasaris, seconded by Mr. Jankovsky to **adjourn the Public Hearing.**

Mr. Price: Call the roll.

Mr. Jankovsky: Yes.

Mr. Kasaris: Yes.

Mr. Price: Yes.

Mr. Ranucci: Yes.

Ms. Mastronicolas: Yes.

Ayes – all. Nays – none.

Motion carried (5-0).

Public Hearing adjourned at 7:42 p.m.

The **Board of Zoning Appeals** of the City of North Royalton met on **November 28, 2011** to hold an **Open Meeting** in the Council Chambers at City Hall, 13834 Ridge Road. The meeting was called to order by Chairman Neil Price at 7:42 p.m.

Present: Chairman Neil Price, John Ranucci, Diane Mastronicolas, Robert Jankovsky, Dan Kasaris, Prosecutor Donna Vozar, Building Commissioner Rito Alvarez, Secretary Lynn Brinkman.

Mr. Price: May I have a motion to approve the Minutes for October 24, 2011.

Moved by Mr. Kasaris, seconded by Ms. Mastronicolas to **approve the Minutes for October 24, 2011.**

Mr. Price: Any discussion? Call the roll.

Mr. Kasaris: Yes.

Mr. Price: Yes.

Mr. Ranucci: Yes.

Ms. Mastronicolas: Yes.

Mr. Jankovsky: Yes.

Ayes – all. Nays – none.

Motion carried (5-0). Minutes approved.

OPEN MEETING

New Business:

(BZA11-16) Krusoe Sign Co. / Disciples of Christ Christian Church request a variance to **Chapter 1284 “Signs”, Section 1284.05 “Design Standards”, paragraph (k)(1)**, for relief from the **signage** requirement relative to the **maximum amount of manual changeable copy** permitted for a **ground sign** they wish to have installed on this property located at **5100 Royalton Road, also known as PPN: 488-19-015.**

Moved by Mr. Ranucci, seconded by Mr. Kasaris to **grant a variance to Section 1284.05 (k)(1) of the Zoning Code which would allow relief from the signage requirement and permit the applicants a variance of 11 square feet more than the maximum amount of manual changeable copy permitted for this ground sign for Disciples of Christ Christian Church.**

Mr. Price: Discussion.

Mr. Jordan: Tom Jordan, Community Development Director, 13834 Ridge Road. The Administration is here this evening to support the application for Disciples of Christ Christian Church. There are two issues relative to this. They did have a sign which the weather destroyed and they are now attempting to erect a new sign. As you might know they were before you erroneously because they did not meet the setback requirements. After we determined that there was an existing sign at that location that issue was removed from the Board’s consideration. During that time an ordinance was passed relative to the sign and the amount of changeable copy. This did actually improve the amount of signage but only came into effect very recently. In many other cities a moratorium would have been placed on it; regardless of that, we now have an ordinance which limits it to thirty percent (30%). The Church does and has historically used a portable, moveable sign that was, I guess, very aptly described as a poor rendition of a carnival sign. It would be an improvement to the Town Center District and would allow the Church to provide information relative to events. The amount of area that they are requiring would eliminate the need for that portable, temporary sign which they are frankly permitted to do. They are permitted to continually file for temporary signs within the TCD District. We would rather they did not do that and instead incorporate their informational messages on this sign. The problem is that it does involve a substantial variance on your part. (Continued on next page ...)

Mr. Jordan: I would beg that the Board consider that it is a church. Part of the reasoning and the rationale behind the amount and limitations to the changeable copy is that it is typically used by an owner for sales or for promotions. I would not typically classify a church as using that changeable copy for those purposes. I also believe that the changeable copy that they will use will be in good taste and in conformity with the spirit and type of signage that we would like in our Town Center District. I appreciate your consideration.

Mr. Price: Thank you. Members of the Board, any questions?

Mr. Ranucci: I have one question for the minister. In your application you show four lines of six inch text. What would be a typical layout of four lines of information that you would be posting that you could not do in three lines?

Reverend Behrens: I believe that the reason that we wanted to have that was because of the size of the lettering. To do it on three lines would be smaller and a little bit more jammed. On four lines it would be a little more aesthetically pleasing and it would be easier to read.

Mr. Ranucci: My thought is whether you could keep three lines of six inch high letters. I am not suggesting that you reduce the size of the letters. Your application shows a sign of four lines with six inch letters. Could you do three lines of six inch letters and still provide the information that you want to display? The sign is ten feet long so that is thirty feet of text that you could potentially put on that sign versus forty feet. I know that you cannot probably answer right now what that message might be on any given day but based on past information...

Reverend Behrens: I think that based on past information and having sat down with the folks who directed and designed the sign we thought that it would look better and that it would be easier to read that way as opposed to stretched out.

Ms. Mastronicolas: Mr. Chairman. Just for clarification, what would be some of the messages that you put on the sign in the past? What have you used it for?

Reverend Behrens: We have used it for bible studies, rummage sales, pasta dinners, concerts and events that would be happening at the church at any given time or on any given Sunday. We have a contemporary service about four or five times a year. When we do that we usually advertise or promote that and inform and invite folks to come. I am sorry that I could not have been a little bit more distinct.

Mr. Price: Just to clarify. With the four lines that you are talking about at the present time, what are the height of the letters?

Reverend Behrens: They are six inch letters.

Mr. Price: Your sign would be about forty feet away from the road.

Reverend Behrens: That is correct.

Mr. Price: Thank you.

Mr. Ranucci: I would like to ask Frank (Mr. Castrovillari) one more question. In reference to your statement are you more concerned about the electronic changeable copy that is constantly flashing and sending out messages version versus the manual changeable copy version? Do you see a big difference between the two?

Mr. Castrovillari: No. Originally, going back about two years or two and a half years ago when we first came up with the new sign codes, the Board (ARB) thought that changeable copy would be **any** changeable copy, whether it is manual or electronic. It came out later on that electronic was not included in what was the manual copy and that is when we switched all of this. In our opinion either should have a restriction on what is allowed and what is not. It is our opinion that six inch high letters at forty feet away is going to look huge. The Church is not that far from the main road. (Continued on next page ...)

Mr. Castrovillari: Four lines with letters that are six inches high, ten feet long – just imagine how far you would have to read. We have restricted those signs, I believe, to twenty-five percent for manual changeable signs for that reason. It takes a long time to read those signs. The more that you have on the sign the more that you have to read. I am not sure if I answered that question for you.

Mr. Ranucci: Yes. The signs with the flashing lights seem to be a bit more of a distraction.

Mr. Castrovillari: It is hard to police. That is the problem. Once it is approved they can do anything that they want.

Mr. Price: What did you use for a standard or is this just something that members of your Board decided on?

Mr. Castrovillari: We actually looked at the codes of neighboring cities. We did a lot of research on approximate sizes and what looks good. If you have a sign that is four feet by ten feet ... two of our members are architects and I am one of them ... we designed our own signs and looked at what would look good and what would not look good. Based on what other cities are doing and our own design opinions we came up with that original twenty to twenty-five percent rule two years ago. Over the course of the two years we were getting feedback that maybe that was a little bit too small, especially in some instances when it comes to the L.E.D. signs or the electronic signs, so we re-evaluated it. We were reluctant to do it but we came up with the thirty percent as another design feature to that sign.

Ms. Vozar: Mr. Chairman. May I just add something for clarification. It is actually Council that enacted the limitation or actually increased the limitation from twenty-five percent to thirty percent. It was with the assistance of the ARB and some guidance that they provided to the Building & Building Code Committee and then eventually to Council who then enacted the Code. It was actually City Council who made the determination of thirty percent. That is what the applicants are appealing.

Mr. Jankovsky: Is there any reason for the size limitation other than what the ARB deemed appropriate from an aesthetic perspective? Any other reason than what they think is visibly acceptable?

Ms. Vozar: Mr. Chairman. Again, it is not ARB who determined this standard. This standard was determined by Council.

Mr. Price: But the Architectural Review Board made the suggestions to Council.

Ms. Vozar: No. The ARB was involved and reviewed what was proposed to the committee. ARB had input into that. It was actually a comparison of other communities and it was a discussion within the committee. They had some input but, again, it was not their determination or even their suggestion. They reviewed what was proposed to the committee and they had their comments.

Mr. Jankovsky: Your opinion only (directed to Mr. Castrovillari), regardless of who approved it, is there any functional reason for this other than the aesthetic value when it comes down to the percentage of changeable copy for a sign?

Mr. Castrovillari: Obviously, as I had stated earlier, the more information the greater the distraction. That is my opinion.

Mr. Jankovsky: Distraction of what?

Mr. Castrovillari: When you are driving down the road, the bigger the screen that you put on there, the more that you shove on that screen, the greater the distraction. The problem with the electronic sign as opposed to the manual changeable copy – the manual one you are limited to the sign that you have. The six inch letter will always be a six inch letter until you physically change that. With the L.E.D. signs coming out you can put anything that you want on the sign. The only restriction that we can do is to decrease or limit the size of changeable copy. (Continued on next page ...)

Mr. Castrovillari: I am not going to mention any names specifically but as you are driving down the road and I see a sign, which is fine and patriotic, with waving flags and red, white and blue and then all of a sudden fireworks are going off, well I do not see that as a message. It is a storage facility – what does that have to do with storage facilities? The more that they put on the sign - I actually had to look three times as I was driving down the road and there was no information on that sign. The flashing and stuff that was on that electronic changeable copy was not necessary for a sign. It had nothing to do with their business. That is where it is going. We are trying to say that we need to put a limit on how big these signs can be.

Mr. Jankovsky: Okay.

Ms. Mastronicolas: I do have a question. What was the size of the previous sign? What was the size of the original sign?

Mr. Price: Would you raise your right hand please. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. Pope: I do. My name is Don Pope, 17158 Rabbit Run Drive, Strongsville. I have been a member of the church since 1980 so I have been dealing with the church for quite a long time. The size of the original sign was four foot by twelve foot. The new sign would be five foot by ten foot which is within the City's code. They say fifty square feet. The new sign would be within the code. To answer your question about the four lines, the bottom line we would use to display the time of the service. That part of the sign will pretty much be stationary all of the time. The other things that we advertise would be like for our spaghetti dinners where we would advertise the prices for adults and kids. There is quite a bit of information that we do put on that as far as that goes. That is why we are requesting the four lines so that we can get everything on there. I have pictures of the sign if you would like to see what I have.

Mr. Price: We already have photographs.

Ms. Mastronicolas: Did the original sign have three lines? The original sign which was weathered and destroyed by the storm, it was four foot by twelve foot and had three lines?

Mr. Pope: It was a stationary sign. It did not have changeable copy. We always had to pull our portable sign out. We cannot do this during the winter so we really cannot advertise what we need to because we cannot get that sign out there.

Ms. Mastronicolas: So this four foot by twelve foot sign had what information on it - just the name of the church?

Mr. Pope: The name of the church and the service time. I believe that was all that was on the sign as far as I can remember.

Mr. Ranucci: As far as the service time, is that something that you change frequently or is that pretty much set?

Mr. Pope: That is pretty much set. We rarely change that.

Mr. Ranucci: So could that be part of the permanent part of the sign?

Mr. Pope: No. We did not set it up like that.

Mr. Ranucci: Could it be?

Mr. Pope: It is possible. I would have to check into it. They would have to re-design the sign again. There is one other thing that I would like to say. I started checking into this probably about a year and a half ago with the application and everything. I was told that they did not want any L.E.D. type of sign or anything that would be moving or flashing.

Mr. Kasaris: Excuse me sir. Who is "they"?

Mr. Pope: The people down where I got the application at.

Mr. Kasaris: The Building Department.

Mr. Pope: Yes - the Building Department. They told me that they did not want anything flashing or the rolling letter signs or anything like that. That is why we decided on the changeable letter sign because they said that that was allowed. That is why we have been going in that direction all of this time. I do not believe that this sign will be annoying when you are driving down the street. The one that we have down there now is not annoying. It is not causing people to have accidents and that. Right now this sign is sixty one percent (61%) changeable letter parts. If we would knock that down to thirty percent there would be hardly any room for us to say what we want to say on the sign. If you look at the sign that is on the City Green right here – ninety percent of that is changeable letters. I do not see anybody having a problem with that. I do not think that it is bothering anybody.

Mr. Ranucci: Could you live with three lines and make the service time part of the permanent sign?

Mr. Pope: I still do not think that we would have enough to advertise all that we want to advertise. If we would need the fourth line then we would not have it. We have been saving up for this for such a long time. We figured that this is what we needed and we sat down with Krusoe Sign Company. They figured with the size of the letters and all that we wanted to display on the sign would require the four lines of changeable copy.

Mr. Price: How many lines appear on this portable sign?

Mr. Pope: We have four lines on the sign right now.

Mr. Price: That has to be changed all of the time.

Mr. Pope: Yes. With that sign we have problems fitting on it what we want to say. It is a little bit smaller than the sign that we want to put up so a lot of times we cannot fit on it what we want to say.

Mr. Price: What are the size of the letters on that sign?

Mr. Pope: Those are eight inch letters on that sign. It is as tall but not as long.

Mr. Price: It is a little portable unit.

Mr. Pope: Yes, it is the portable one.

Ms. Mastronicolas: I guess that that is the concern when you say that you need room to put up everything that you want to say. With regard to the ARB perspective we do have to put some controls in place to issue some consistency. That is why we are questioning what all you would need to put on the sign. When you say “all of the things that we need to put on there” – does that run the potential or risk of cluttering the sign with all kinds of messages?

Mr. Pope: I do not understand exactly what you are saying.

Ms. Mastronicolas: You responded to a question by saying you would need enough space to say all that you want to say. Is it going to be, as Mr. Ranucci had questioned, all four lines just cluttered with lots of information which might not even serve the purpose of getting your message across?

Mr. Kasaris: I think you are asking if it is going to be too cluttered?

Mr. Pope: It is less cluttered if you space the words apart. When you jam them all together you cannot read them. That is when you are probably causing more of a potential of distracting a driver and causing an accident or something – if they have to slow down to read the sign. If the words are spaced out it is easier to read.

Ms. Mastronicolas: I agree.

Mr. Price: So the portable sign which is used and is allowed to be used without a problem has bigger letters and the sign is almost the same length.

Mr. Pope: I am not sure of the length but I know that it is at least three feet shorter.

Mr. Price: Okay, but the letters are bigger. There are the same number of lines.

Mr. Pope: Yes, the same number of lines.

Mr. Price: You can use the portable sign anytime that you apply for a permit.

Mr. Pope: Yes.

Mr. Price: Thank you.

Ms. Vozar: Mr. Chairman, can I just add a bit of information for the Board and they may want to refer to their Code. When looking at a sign application that comes into the Building Department and then eventually to ARB, if it is a permanent sign there is, pursuant to the Code, a limit to the number of items so as to restrict the amount of images that are being shown on the sign. In this case we are talking about a sign that would partially have changeable copy. Part of it is limited to those items. All items on a sign, even on the changeable copy as the Code is written, are limited to ten (10) items. So if a business has a changeable copy sign and the top of their sign is the name of their business, and let's assume that that uses up three items, then all that would be left in their changeable copy is actually seven items. So the Code that exists now, regardless of the amount of changeable copy, states that they are limited in the number of items or words that they could have. That is something to keep in mind.

Mr. Kasaris: So Donna, they are limited to ten words.

Ms. Vozar: Correct. This would also relate to images.

Mr. Price: So if a sign would advertise "Worship service Sunday at 10:00 & 12:00" – then you could hardly put anything else on the sign.

Ms. Vozar: Correct. You could have the name of the church because, again, I think that you need to look at the Code. The Code talks about the reasons and intent of what the signage is for. It is informational. For example, if a restaurant should come and say we want signage but we want the signage to be so large that we can list our menu – that is the reason for the restrictions that are imposed in our Code. I just want you to refer to the Code when you are making the determination on the variance. I want you to understand the entire sign ordinance when you are making your decision on this.

Mr. Kasaris: So whether it is three lines or four lines they are still limited to ten items.

Ms. Vozar: Correct.

Mr. Price: An item is a word.

Ms. Vozar: An item is a word or an image.

Mr. Price: So ten words or images on a sign is what they are limited to.

Ms. Vozar: They are limited to ten items, whatever those ten items are.

Mr. Price: Then they are limited to ten words.

Ms. Vozar: I do not know what else they are planning to put on their sign so I cannot answer that.

Mr. Kasaris: You could put numbers on it.

Ms. Vozar: It could be symbols. There are numerous signs that have come and requested that their logo be placed on the sign. Again, I do not know what they are planning on putting on this sign so I just want to make sure that you are aware of that limitation which is the Code. They are not seeking a variance on that aspect of the Code.

Mr. Price: Any other discussion?

Ms. Mastronicolas: Mr. Chairman. The applicant understands the Code, is that correct?

Mr. Pope: Yes.

Ms. Mastronicolas: That would kind of address my concern of having an excess of information on the sign because it is limited per the Code. Thank you, Donna.

Mr. Kasaris: It would seem then, Mr. Pope, if you are limited to ten items which could be words or items, if you have four lines it would be easier to read as opposed to three lines.

Mr. Pope: That is correct.

Mr. Kasaris: Thank you.

Mr. Price: Based on the discussion I will be voting in favor of this variance. There are a number of messages that the church needs to advertise such as service times, programs and items of interest to the general public as well as members of the church. The sign, when you look at its location from the distance of a vehicle on the street, would be about forty feet away. It is not going to be a substantial variance. The character of the neighborhood is certainly not going to change. A sign has been there forever. The delivery of governmental services will not be affected. I believe that the spirit and intent of the zoning principles will be adhered to and that substantial injustice will have been done if this is not approved. The church needs the ability to advertise religious and civic activities that are going on relative to the church. I think that the size of the sign and the letter size are appropriate for being able to read this sign from the street so I will be voting for it.

Mr. Ranucci: Based on the discussion I agree with most of your points but I still feel that I will probably not vote in favor of this variance. I think that the four lines, forty feet of text, six inches long, based on the Code which Donna pointed out would be limited to ten items, could easily be placed on three lines. If the service time would need to be a part of the permanent sign, I am assuming that the sign has not yet been constructed, it could then be modified to be put on there. Most events that would have to be advertised would require the type of event, a date and the time, which you could easily get across on thirty feet of letters. One other item. We do have these different Boards that are put in place and their recommendation should be given some consideration. By eliminating one line I think that we go from fifty two percent down to what would still be above the thirty percent but would be more in the forty percent range. They might still not be happy about it but I think that some consideration should be given to their efforts so I will probably be voting against this request as it has been put forth right now.

Mr. Kasaris: What I am weighing is over the last question that I asked the applicant. If you are limited as to the number of items, whether they be numbers, letters, symbols or whatever on a sign, in my mind it is easier and safer to read if the sign is larger and has more lines. That is all that I would have to say.

Mr. Jankovsky: I think that maybe our problem is that we need to review our Codes. I think that there is much to do about nothing with regard to some of these sign requests. Personally, I think that all of the spiritual message that I can get on a sign the better. I really do not think that there is a problem with doing something like this. North Royalton has been referred to as the dark spot between Strongsville and Broadview Heights and I do not think that signs are the most distracting thing that we should be concerned with. There are a lot more distracting things so I will be voting in favor of this issue.

Ms. Mastronicolas: I am also wavering. I agree with my colleagues and the fact that the previous sign was four foot by twelve foot and the new sign will be five foot by ten foot. I think that it is an attractive sign and is done in good taste. I will also be voting in favor of this variance.

Mr. Price: Anything else? Donna, the proposed findings of fact and conclusions of law are?

Ms. Vozar: The applicant was present here. The minister of the church spoke to the Board. They are seeking a variance at 5100 Royalton Road, a variance of eleven square feet (11 sq. ft.) more of changeable copy than is currently permitted under Section 1284.05 of the Zoning Code. They are requesting that fifty two percent (52%) of the sign be changeable copy. There is a consensus amongst the Board that practical difficulties has been established. In relying on that the consensus of the Board considers that this variance is the minimum necessary to make possible the reasonable use of the land. The essential character of the neighborhood will not be substantially altered. Based on the location of the sign in proximity to the road a majority of the Board feels that a variance is necessary. There was some discussion regarding the sign size and the fact that it has been there for quite some time at approximately the same size of signage. The church has been using for some time a portable changeable copy sign at approximately the same size and has historically used this changeable copy. The church will then eliminate any need for the use of this portable sign in the future with the granting of the variance. As such, practical difficulties has been established pursuant to Section 1264.08 of the Zoning Code. If there is anything else that the Board wants to add at this time.

Mr. Price: Any additions? Call the roll.

Mr. Price: Yes.

Mr. Ranucci: No.

Ms. Mastronicolas: Yes.

Mr. Jankovsky: Yes.

Mr. Kasaris: Yes.

Ayes – four. Nays – one.

Variance granted (4-1).

(BZA11-17) The Jump Yard requests a variance to Chapter 1284 “Signs”, Section 1284.05 “Design Standards”, paragraph (k)(1), for relief from the signage requirement relative to the maximum amount of electronic changeable copy permitted for this ground sign to be installed for The Jump Yard, a property located at 13700 York Road, also known as PPN: 483-15-020.

Moved by Mr. Ranucci, seconded by Mr. Jankovsky to **grant a variance to Section 1284.05 (k)(1) of the Zoning Code which would allow relief from the signage requirement and permit the applicant a variance of 2.8 square feet more than the maximum amount of electronic changeable copy permitted for this ground sign.**

Mr. Price: Discussion. Raise your right hand please. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. Schwartz: Steve Schwartz, 13700 York Road, the location of The Jump Yard.

Mr. Price: You did not give a presentation during the Public Hearing so go ahead.

Mr. Schwartz: When we opened our business, for cost reasons, we were only able to install a sign with the manual changeable copy. The nature of our business requires our hours to change according to the season, when the kids are out of school and so forth. It is basically a children’s playground. We are at a point where we are able to upgrade and not have to go out in the weather to change the sign but rather change the copy from within the office. That is what we were attempting to do. Just a simple, single-line sign that has no graphics and nothing other than a message of our hours of operation and simple things like Santa is here.

Mr. Price: The sign is up and working – is that correct?

Mr. Schwartz: That is correct and I apologize for my ignorance in that changing a sign required this whole process again. I take responsibility for that and I apologize for that.

Mr. Price: Thank you. You are also here to speak. Do you swear that the testimony that you are about to give is the truth, the whole truth and nothing but the truth, so help you God?

Mr. Palazzo: Yes. My name is Dominic Palazzo, 13700 York Road, the location of The Jump Yard. Again, I also wanted to apologize for the sign having been put up. We did not realize that we would have to make application again. We were approaching our busy season. We opened Jump Yard Junior which is a place for infants and toddlers. We do not have a place to install a whole other sign. We have a lot of confusion from the local residents and such as far as the location of Jump Yard Junior. People do not know if it is in the same building or a different building. There is really no room to put another sign so that is also a reason for the electronic sign.

Mr. Price: I have a question now that we have sort of discussed this with regard to the other variance. For this electronic sign, how many lines of text can you put on that sign?

Mr. Palazzo: Our particular sign allows for two lines but we have only been running one line.

Mr. Price: But you have only been running one line.

Mr. Palazzo: That is correct. That is all we really need to do. There is a big difference in the prices and capabilities of the signs. This particular one allows for two lines and it does not allow us to do any graphics or anything like that.

Mr. Schwartz: There will be no fireworks and no flags.

Mr. Palazzo: We wish that we could have afforded that one but we could not at this point.

Mr. Ranucci: How tall are the letters that can be displayed?

Mr. Palazzo: The letters that scroll currently are six inches high.

Mr. Ranucci: What is the width of the sign?

Mr. Palazzo: The total width of the sign is sixty eight inches (68 inches) and I believe that there are several inches of it that do not actually scroll so that only about sixty inches scroll.

Mr. Kasaris: You were here before our Board a couple of years ago.

Mr. Palazzo: Yes.

Mr. Kasaris: What were you here for then?

Mr. Palazzo: We were hoping to put up the sign that is there up.

Mr. Kasaris: So you were here for the original sign.

Mr. Palazzo: I actually believe my old partner, who has since moved to North Carolina, came for the sign and I came for the change of property.

Mr. Kasaris: Who was your old partner?

Mr. Palazzo: David Donidao.

Mr. Kasaris: That would have been for the original sign?

Mr. Palazzo: Yes.

Mr. Kasaris: What is the difference between the original sign and the sign that you recently erected?

Mr. Palazzo: It is the original sign. The only difference is the letter board is off and there is a changeable copy sign on there.

Mr. Kasaris: So the changeable sign was erected.

Mr. Palazzo: The changeable copy sign or the L.E.D. sign was put there.

Mr. Schwartz: The L.E.D. sign replaced the manual changeable copy sign.

Mr. Kasaris: How long ago was it put there?

Mr. Palazzo: Approximately five or six weeks ago?

Mr. Kasaris: How did you learn that this new sign was contrary to our zoning ordinance?

Mr. Schwartz: Rito (referring to the Building Commissioner, Rito Alvarez) came in and indicated that we needed to get a variance. We are now trying to go through the proper procedures.

Mr. Kasaris: Thank you.

Mr. Price: Let me be clear on something. The electronic text which scrolls across this black screen – the letters are expandable or contractible. They can electronically be changed.

Mr. Palazzo: You can control the color and you can control the boldness of it. There is not a whole lot of flexibility but there is a little bit of flexibility. It is on a computer in the office which has a Bluetooth connection to the sign so that you can change the sign in the office. It does give you a few variables but not a lot.

Mr. Price: The letter size on that black screen can be a maximum of two lines of letters.

Mr. Palazzo: That is correct.

Mr. Price: And the maximum letter size is what?

Mr. Palazzo: It would be six inches. It could be bold but it would be no more than six inches across the board.

Mr. Price: So you have a maximum of one foot, in height, of lettering.

Mr. Palazzo: That is correct.

Mr. Price: It is five feet across.

Mr. Palazzo: Yes.

Mr. Price: So it is five square feet of “text”, if that is the word that we are using.

Mr. Palazzo: I believe that it is when we are looking at the overall size, including the frame and everything, that is when we get over the percentage but the actual letters themselves are much smaller than the overall size of the sign.

Mr. Price: The size of the lettering is the size of the sign.

Mr. Palazzo: On the application, when it asks for the size of it, we put the actual size of the sign itself, not just the lettering. We used the screen size – the letters do not fill up the screen completely.

Mr. Kasaris: The black part of the sign – was that recently purchased?

Mr. Palazzo: Yes.

Mr. Kasaris: Who was that purchased from?

Mr. Palazzo: I believe it is a company called E-Graphics out of California.

Mr. Kasaris: E-Graphics?

Mr. Palazzo: I believe that that is the correct name. I can verify that for you. We were at a point where we thought that we could afford this type of sign. That sign, which we really hoped to do, when we did it through a sign company it was still cost prohibitive for us so we ended up purchasing a sign ourselves and going through that process to be able to do it.

Mr. Kasaris: So you bought it from E-Graphics which is a company out of California.

Mr. Palazzo: Yes. The problem with the other sign that we had was that last winter was our first winter and the sign would steam up so you could not read what was on there most of the time anyway. That was a lot more distracting to drivers than this sign will be.

Ms. Mastronicolas: Just to clarify, the limitation or extent of what you could put on there is text only. I know that they sometimes provide you with software where you can download graphics but that is not the case.

Mr. Palazzo: This is text only. There will be no birthday cakes or balloons.

Ms. Mastronicolas: Okay.

Mr. Jordan: Tom Jordan, Community Development Director for the City of North Royalton. At its most aggressive determination of what the variance is required the purpose of the B.Z.A. is to provide variances. I do not believe that it is most aggressive with an eight percent (8%) variance or that it would be too burdensome on the City for them to provide this company with this variance which would properly inform the citizens of their hours. That is it in a nutshell. As to a less aggressive interpretation, and why they are even in front of us, they may not even require a variance if we just look to the letter size and not to the screen. I would appreciate the Board's consideration for approval this evening.

Mr. Price: Thank you for putting it in a nutshell. Anything else from the Board?

Mr. Ranucci: Based on what the applicants just told us in reference to the size of this sign and, as Mr. Jordan just pointed out, we are talking about signage that is about five square feet maximum which is actually a lot less than what they are currently allowed. The sign itself is thirty eight percent (38%) but the useable sign is only five square feet. So based on that I will be voting in favor of this request.

Mr. Price: I will also. When you talk about lines of text you are talking about a small amount of the overall sign and it is well within the Code. It is not going to affect any services. It is in an industrial area. I will be voting for it.

Mr. Jankovsky: Mr. Chairman. I believe that Mr. Jordan has summed this up aptly. There is a huge area where this sign is located. I see absolutely no problem with this request for a variance.

Ms. Mastronicolas: Mr. Chairman. Electronic signs seem to be the way to go for businesses. I understand the concern regarding limitations because it can be a distraction but it sounds like, in your case, with the program that you purchased, it just allows the text. I saw the sign. It is not a distraction so I will be voting for this as well.

Mr. Price: Donna – the summary.

Ms. Vozar: The applicant, The Jump Yard, is here seeking a variance for the property located at 13700 York Road. They are requesting a variance of 2.8 square feet from Section 1284.05 (k)(1) of the Zoning Code regarding changeable copy. Two members of the ARB were present and discussed the recently enacted ordinance regarding changeable copy. The applicants were also present and discussed that they previously had manual changeable copy and the need for this variance. The Community Development Director spoke to the Board and discussed the aspect regarding useable changeable copy and the fact that it was a minimum variance necessary for the owners to meet the spirit of the Code. Based on that the Board finds that practical difficulties has been established pursuant to Section 1264.08 and finds that the variance is the minimum necessary to make reasonable use of the property. It will not affect the essential character of the neighborhood. The Board also found that there were special conditions that existed and discussed the minimum aspect of the variance. Based on that the Board finds that practical difficulties has been established. Is there anything else that the Board wants to add?

Mr. Price: Any additions? Call the roll

Mr. Ranucci: Yes.

Ms. Mastronicolas: Yes.

Mr. Jankovsky: Yes.

Mr. Kasaris: No.

Mr. Price: Yes.

Ayes – four. Nays – one.

Variance granted (4-1).

Mr. Price: Anything under Miscellaneous? May I then have a motion to adjourn.

Moved by Mr. Kasaris, seconded by Mr. Jankovsky to **adjourn the B.Z.A. meeting for November 28, 2011.**

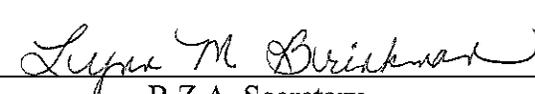
Ayes – all. Nays – none.

Motion carried (5-0).

The Board of Zoning Appeals Meeting **adjourned** at 8:31 p.m.

Approved: 
Vice-Chairman

Date: January 25, 2012

Attest: 
B.Z.A. Secretary