

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Board of Zoning Appeals

DAYTON LEGAL BLANK, INC., FORM NO. 10148

April 26,

2016

Held

20

The hearing was called to order by Chairman Cox at 6:02 p.m. on April 26, 2016 at the Etna Township Administration Building. The roll call showed members Kathy Johnston, Trent Stepp, Rick Cox, Claudette VanDyne, and Mark Schaff present, along with Clerk Laura Brown.

The application is for Area Variance, VA-16-01, from Article - 12 Signage, specifically Section 1209 Permanent Signs Permitted in Nonresidential Zoning Districts, C. Freestanding Signs, Items 2, 3, and 5, submitted by Jobes Henderson for ProLogis for 11999 National Road, parcel numbers 010-016890-00.000, 010-018390-00.000, 010-018396-00.000, and 010-017688-00.000, for approximately 96.3 acres. The nature of the variance is to permit three signs on a commercially developed parcel, to allow for additional sign square footage, and to reduce the 20' requirement off the public right-of-way to 5'.

Chairman Cox explained the process of the hearing. Amanda Spencer of Jobes Henderson and Associates representing the Applicant and Rob Platte, Township Administrator, were sworn in.

Township Administrator Rob Platte provided a written staff report for the Area Variance request from Section 1209 C. 2, 3 and 5 to allow an increase to three permitted freestanding signs; to allow an increase in permitted aggregate sign area for freestanding signs; and to decrease the required setback for freestanding signs. Rob Platte explained that the area is currently four parcels and the address given to ProLogis for all the parcels is 11999 National Road. The Applicant has proposed to reduce the required setback for freestanding signs along a public right-of-way for two freestanding signs for identification purposes, an increase in sign area to accommodate the total of three freestanding signs on the parcel once developed, and an increase from the permitted two signs to three permitted signs to allow for the identification sign along Interstate 70 to remain. The need for a variance is because the Zoning Resolution only allows for a maximum of two permitted signs with a total aggregate sign area of one hundred square feet that are located a minimum of twenty feet from the public right-of-way.

The Amazon site was originally proposed as a development site with two warehouse-type facilities and was comprised of a total of four parcels. The current use of the property as a single-tenant caused the four parcels to be merged into one and reduces the number of eight possible freestanding signs to the proposed three. The high number of turn lanes at the access points causes the right-of-way to extend into the property a great distance, causing sign visibility to be reduced by traffic on State Route 40. This is illustrated in the proposed site plan. The intended maximum sign area would be based on the permitted signs in the zoning district. Because the applicant is requesting the number of permitted signs to be increased, the sign area would also likely need to be increased.

The staff recommends that the Board of Zoning Appeals approve the requested area variance because the Standards for 'Practical Difficulty' have been met.

Rob Platt did provide the board with a digital copy of the proposed sign which was added to the record as Exhibit 1.

The board discussed the existing sign along Interstate 70. The sign might have been permitted under a previous sign code.

This property is unique because two of the property lines have road frontage. The Southern property line right-of-way is a zero access right-of-way because of Interstate 70.

Amanda Spencer was present to answer questions. Amanda Spencer stated the current sign identifies the parks location for truck drivers. The two signs will vary in the areas of directing the traffic but will look the same in the top referencing Amazon. The sign is a standard sign for Amazon. The site will have two entrances onto the property.

Public Comments

Eugene Schaffer of 11719 National Road was sworn in. He objects to the signage because it will be all he can see. He is concerned with the signage blocking his view when leaving his property.

Elizabeth Dawson of 12055 Palmer Road was sworn in. She feels the emergency vehicles and Fire Department need the signs.

Claudette VanDyne moved to close the public testimony portion of the hearing at 6:33 p.m. The motion was seconded by Kathy Johnston and passed by unanimous affirmative vote.

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The height of the sign is eight feet. The sign will have internal LED lights.

The Board discussed whether it was necessary to leave the ProLogis signage along Interstate 70 and if there is a hardship or practical difficulty standards to grant the extra sign. The issue of the parcel fronting two right-of-way's would creates a practical difficulty.

Amanda Spencer stated the one sign is 53.65 feet from property line to the face of sign and 62.29 feet from property line to the face of sign at the west entrance.

Claudette VanDyne moved to approve variance number VA-16-01, applicant Jobes Henderson and Associates of 59 Grant Street, Newark, Ohio 43055 for owner ProLogis, Inc., John Bancroft, One Meadowlands Plaza Suite 100, East Rutherford, NJ 07073, for 11999 National Road, parcel numbers 010-016890-00.000, 010-018390-00.000, 010-018396-00.000, and 010-017688-00.000 Section 1209 Permanent Signs Permitted in Nonresidential Zoning Districts, C. Freestanding Signs, and to permit two additional freestanding signs for a total of three; and to increase the permitted aggregate sign area for freestanding signs from 100 square feet to 358 square feet which includes all three signs square footage; and to reduce the minimum required setback from 20 feet to 5 feet from the public right-of-way because the Standards for 'Practical Difficulties' (Section 512.B) have been met. The motion was seconded by Kathy Johnston. Discussion: Mark Schaff clarified the five foot needed from the public right-of-way. The board discussed the square footage for the sign. The motion passed by unanimous affirmative vote.

Kathy Johnson moved to adjourn at 6:57 p.m. The motion was seconded by Trent Stepp and passed by unanimous affirmative vote.

Laura Brown

Laura Brown, Clerk

Rick Cox

Rick Cox, Chairman

*Final order ✓
5/25/16*



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Members: Rick Cox-Trent Stepp-Kathy Johnston-Mark Schaff-Claudette VanDyne
Alternate Member: Cheri Rogers


FINAL ORDER

The Etna Township Board of Zoning Appeals held an adjudicatory hearing on April 26, 2016 at 6:02 p.m. at the Etna Township Administration Building for Area Variance, VA-16-01, from Article - 12 Signage, specifically Section 1209 Permanent Signs Permitted in Nonresidential Zoning Districts, C. Freestanding Signs, Items 2, 3, and 5, submitted by Jobs Henderson for ProLogis for 11999 National Road, parcel numbers 010-016890-00.000, 010-018390-00.000, 010-018396-00.000, and 010-017688-00.000, for approximately 96.3 acres.

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Rick Cox


Trent Stepp


Kathy Johnston


Mark Schaff


Claudette VanDyne