

Shawnee Township Board of Zoning Appeals

2530 Fort Amanda Road Lima, Ohio 45804 (419) 991-8706

Board Members: Thomas Bowman, Chet Ebling, Earl Weigt, David Ryan, Lynn Krohn
Alternate: Dennis Beckstedt *Zoning Inspector: John Gosnell*

Meeting of March 5, 2012 @ 7:30PM

The meeting was called to order by Chairman Tom Bowman at 7:30 PM. Mr. Bowman greeted and welcomed those in attendance.

Members present:

Tom Bowman Lynn Krohn
David Ryan Dennis Beckstedt
Earl Weigt

Present for the Petitioner:

Bud Smith – SignsOhio
Marcia Garver
Rev James Couser
Carolyn and Holly Conner
Paul Logsdon

Also Present:

Russ Holly, Trustee
Dave Belton, Trustee
John Gosnell, Zoning Inspector

Neighbors and Interested Parties:

David Burris for Marge Burris
Robert Diehl
Lewis & Josephine Neff

Mr. Bowman introduced the members of the Board of Zoning Appeals and the Zoning Inspector.

Mr. Bowman read the legal notice as follows:

LEGAL NOTICE

The Shawnee Township Board of Zoning Appeals will hold a Public Hearing on Monday, March 5, 2012 at 7:30 PM in the Shawnee Township Administration Building, 2530 Fort Amanda Road, Lima, Ohio 45804 for the purpose of hearing a Variance petition from St Matthews Lutheran Church, 5050 St Matthews Drive, Lima, OH 45806. (St Matthews is represented by SignsOhio, 4320 Harding Highway, Lima, OH 45804) Bernard & Carolyn Conner are the owners of tax map parcel #46-2700-04-007.000 located on the southwest corner of Hume and Shawnee Roads at 2717 W Hume Road, Lima, OH 45806. Mr & Mrs Conner have given St Matthews permission to erect a permanent sign on their land.

St Matthews wishes to erect a Free Standing Sign on the southwest corner of Hume and Shawnee Roads. This is Agricultural land. In Shawnee Township, Free Standing Signs are only permitted in Business and Industrial districts, only one Free Standing Sign is allowed for any one (1) establishment, the function of the sign must be relevant to the use of the property on which it is located, and no such sign shall be located on a vacant lot. St Matthews wishes to place the sign within one (1) foot of the road right-of-way where ten (10) or fifteen (15) feet are required. Finally, the electronic sign proposed by St Matthews may be in violation of certain provisions of Article XVIII of the Shawnee Township Zoning Resolution.

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Mr. Bowman then asked if someone would care to make a presentation for the St Matthew's petition.

Bud Smith, owner of SignsOhio and representing St Matthew's Church, noted that the proposed sign violates several provisions of the Zoning Resolution. Mr. Smith summarized the various violations and why St Matthew's wished to locate the sign where they do. He noted that the Zoning Resolution really does not address electronic signs so they felt St Matthew's should address this in their Variance application. He also referred to the similar electronic sign in front of the Shawnee Township administration building.

Earl Weigt asked what do the stakes represent (that have been placed on the corner of Hume and Shawnee Road by SignsOhio). Mr. Smith responded that first stake (closest to the corner) represents a 1' setback from the right-of-way. The second stake is a 15' setback.

Mr. Weigt asked what the reference to two signs is. (The Zoning Resolution only permits one Free Standing Sign per establishment.) Mr. Smith responded that there is already a sign in front of the church. This sign (on the corner) would be a second sign.

Mr. Weigt noted that some of the signs pictured in the St Matthew's application were actually in Ft Shawnee. He also noted that some of the signs might be temporary. He stated that the Riverwalk sign was temporary by agreement with the landowner.

Mr. Weigt asked who determines when and if the electronic sign should be dimmed. Bud Smith said the sign would be dimmed at night and could be dimmed further if there were complaints. He noted that because the sign was to be located in an area where there was little ambient light, it would be much dimmer at night.

Marcia Garver noted that the sign could be shut down at night.

Carolyn Conner stated that it was a privilege to be asked by the church to be allowed to place the sign on their land.

Paul Logsdon said that the church had been there for 75 years and that they intend to operate the sign in a responsible manner.

Earl Weigt asked Bud Smith if they would compromise on the setback. Mr. Smith responded "Yes, but would not wish to go back 15".

Tom Bowman expressed concern about the Township's liability if a car should run into the sign.

Dave Burris said that he could not say he is against the sign because his church (in Cridersville) has a similar sign. He asked if drivers will be able to see around the sign. Mr. Smith said that there would be a car to a car and half's length between the sign and the road edge (with 1' setback).

Earl Weigt asked Carolyn Conner if the Connors would care if the sign were further back (than the requested 1'). Mrs. Conner said they would not care.

Lewis Neff noted that St Matthew's wanted to help people find the church (with the new sign).

Robert Diehl said he had no problem with St Matthew's. He had bought his house (to the north of the proposed sign across Hume Road) 3 – 4 years ago. They had made a lot of improvements. However, they have three windows that will face the sign. Mr. Diehl said he did not want the sign there. He feels that drivers will be distracted and cause accidents.

There was discussion between Mr. Diehl and Mr. Smith about the brightness of the sign. Mr. Smith noted that since there was no competing light on this corner, the light would be turned way down at night.

Mr. Diehl feels the sign will adversely affect his property value.

Russ Holly observed that he felt the sign would be too close to the road.

Lynn Krohn stated that 10' (from the right-of-way) would be good.

There was some more discussion about the brightness of the sign, especially at night. David Burris noted that his church (in Cridersville) had never had a complaint. He said that sign is dimmed by 80% at night.

David Ryan asked if the property owner had to sign the application for Variance.

John Gosnell noted that sign permits and variances are often granted to individuals that do not own the property, usually renters. Also there is a letter attached to the Variance application packet signed by the land owners, Carolyn and Bernard Conner, giving permission to St Matthew's.

Marcia Garver noted that once a Variance had been granted St Matthew's intended to formalize the church's long term relationship with the Conners.

Mr. Bowman asked if there was a motion.

Lynn Krohn made a motion that the St Matthew's Variance application be granted with a 10' setback from the road right-of-ways. Second by David Ryan. Yes: Earl Weigt, Lynn Krohn, David Ryan. No: Dennis Beckstedt. Abstain: Tom Bowman.

A motion to adjourn was made by Earl Weigt. Second by David Ryan. Vote was unanimous. Meeting was adjourned at approximately 8:30 PM.

Respectfully submitted,
John R. Gosnell
Zoning Inspector
Shawnee Township

cc: Board of Zoning Appeals
Trustees
Bud Smith – SignsOhio for St Matthews Church
Marcia Garver – St Matthews Church
Web Site – Aimee Bucher

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