



WASHINGTON TOWNSHIP BOARD OF ZONING APPEALS MINUTES
April 27, 2015

The Washington Township Board of Zoning Appeals met in regular session on April 27, 2015 in the Meeting Room of Washington Township Government Center. Members of the Board present were Mr. Schwartz, Mr. McDaniel, Mr. Klepacz, Mrs. Mulligan and Mr. Schmidt. Mr. Roberts was excused. Call to order at 7:00 p.m.

Pledge of Allegiance

Mr. Schwartz explained the hearing procedure.

Mr. Schwartz administered the oath to all persons testifying.

Case A-1702 Bob Carpenter for El Rancho Grande requests Sign Variance for Double Frontage Wall Signs located at 1020 Miamisburg-Centerville Rd

Zoning Manager, Ryan Lee, presented the case.

The applicant requests an additional wall sign on a separate frontage of a corner tenant space. A wall sign placement variance to erect an additional wall sign on a separate frontage than permissible within the Washington Township Zoning Resolution.

The property is currently being developed as Oakcreek Marketplace. The applicant is requesting a variance for the relocated El Rancho Grande restaurant within the associated retail/restaurant strip center. This particular tenant space is located on the corner/end space, having dual frontage toward McEwen Road and Miamisburg-Centerville. The applicant has received approval for a wall sign facing toward Miamisburg-Centerville but is requesting to locate an additional sign facing toward McEwen Road.

The Zoning Resolution obligates that a commercial tenant focus the tenant space signage toward a single frontage. Given the angle of the building facing McEwen, staff does not feel that the requested variance is neither substantial nor detrimental to the developed character of the previous Oakcreek Marketplace approvals. Staff recommends approval of the requested variance, subject to the plan submitted with Case # A-1702.

Bob Carpenter, Carpenter Signs, 9437 Harrison Pike, Cleves, Ohio he has been sworn in. The basic variance that we have requested is allowed in most locations but violates the township

rules with having signs two signs on multiple elevations. They have an outdoor patio and it's much more attractive. It demonstrates what is going on there when people drive by and see the development. It addresses the northbound traffic on McEwen Rd where people would pass the restaurant before they knew it was there. We feel it's a reasonable request and too intrusive.

Mr. Schwartz- How large is the sign on the front if the one on the side is proposed at 24 square feet?

Mr. Carpenter- I believe the sign on the front is 36 square feet but this sign would not be as large as the front.

Mr. Schmidt- Will there be any smaller signs on McEwen Rd toward the street or Miamisburg Centerville Rd?

Mr. Carpenter- The main signage for the development will have a space for El Rancho on Miamisburg Centerville Rd which I sent art work to them.

Mr. Lee advised that there was an approved ground sign along McEwen Rd and that particular request was approved by the Board to reduce the setback requirement. The sign on McEwen Rd is a lower profile and was approved at a maximum height of 8 foot including an additional ground sign along Miamisburg Centerville Rd. This ground sign was approved with a 0 foot setback as well as increase height and square footage by the Board about a year ago.

Mrs. Mulligan asked the applicant to confirm that they want a sign on McEwen Rd in addition to the sign on Miamisburg Centerville Rd. She also asked is it was deterring business because they do not have a sign on the side of the building. Mr. Carpenter advised that during the preliminary stages of the development it was presented to El Rancho with a sign on the side of the building but much larger. The sign was not presented because it was not part of the case but the restaurant owner entered the lease agreement with the development with the idea that there was going to be a sign on both sides.

Mrs. Mulligan- Do most of your buildings have double signage and on the corners of property?

Mr. Carpenter- Yes I have providing signs to 3-4 of their restaurants that were on a corner but the signs were much larger these locations where in different townships.

Mrs. Mulligan Will this deter your business if there is no sign on the side?

Mr. Carpenter- Yes, they have a nice outdoor patio planned and there would be no identification. The side has an entrance into the restaurant also along with the front.

Gary Rodriguez, President of Operations, El Rancho Grande, 7246 Sundance Court, West Chester, Ohio, He was sworn in. We would like to have the sign on the corner of the building due originally we were presented with a sign on the side of the building with developer. The landlord advised us that it is up to the Township on the sign not them. It is crucial to have a sign on the side of the building due the wall is really flat and angled making it hard to see. This sign is not as big as what we normally ask for its only 24 square feet.

Mrs. Mulligan- Was this an oversight in the lease?

Mr. Rodriguez- Yes in the lease we were allowed to have tow sign but after the plans were approved by the County there was only one side approved. The landlord SJ Collins advised us that we would need to contact the Township for a variance.

Mr. Schmidt- Is the sign illuminated?

Mr. Lee advised that it will be illuminated the same as the approved ground sign.

Mrs. Mulligan still has concerns on the lease agreement with two sign and only one sign being approved. Mr. Schmidt advised that the Township Zoning Resolution applies before the lease agreement. Mr. Schwartz agrees that a lease cannot overrule.

Mr. Klepacz has no concerns.

Mrs. Mulligan advised it is in a residential area.

Mr. Schwartz advised that there are residents are further down with commercial activity directly across the street. He also feels that they are not asking for anything outrageous and it done tastefully.

No citizens voicing concerns, questions or comments.

Public hearing closed.

Board deliberation.

MOTION- Mr. Klepacz moved to approve Case A-1702 Bob Carpenter for El Rancho Grande request for Sign Variance for Double Frontage Wall Signs as submitted. Motion was seconded by Mr. Schmidt.

VOTE- Mr. Klepacz, yes; Mrs. Mulligan, no; Mr. Schmidt, yes; Mr. Roberts, yes; Mr. Schwartz, yes

Additional Business:

Mr. Lee advised they will hold off on scheduling the Board's workshop meeting until vacancies are fulfilled. He also advised of two variance requests to be heard on May 11th.

He also mentioned Staff is currently evaluating the rules within the Zoning Resolution to add in some acceptations for minimum encroachments into rear yard areas. He noted it's more of the limits test based off the variances and they are not being too much of a practical difficulty associated with some of these requests more recent then not. If the Board would like to have any input Staff to give to Zoning Commission or Trustees they can pass that forward.

Meeting adjourned.

Next Regular Meeting Date – May 11, 2015

Richard Schwartz, Chairman