

MINUTES OF THE
FAIRFIELD BOARD OF ZONING APPEALS

October 5, 2016

Ron Siciliano called the Board of Zoning Appeals hearing to order at 6:00 p.m. at the Fairfield Municipal Building, 5350 Pleasant Ave.

Roll Call

Maria Mullen, Secretary, called the roll of the Board of Zoning Appeals. Present members were Jack Wesseler, Greg Porter, Joseph Koczeniak, Ron Siciliano, Scott Lepsky, and Mike Snyder. Rick Helsinger, Building Official and John Clemmons, Law Director were also present. Motion to excuse Mike Stokes carried 6-0.

Pledge of Allegiance

Minutes of the Previous Meeting

The minutes from the Board of Zoning Appeals meeting held on August 3, 2016 were approved. Motion carried 6-0.

New Business

Case No. BZA-16-0022 – Wall Sign – 6725 Fairfield Business Drive

Tommy Reed, on behalf of Buckeye Hospitality Fairfield, LLC, is requesting a variance for a fourth (4th) wall sign for the property located at 6725 Fairfield Business Drive, lot no. 14032 in the ST zoning district.

Staff Technical Review had no comments.

Property Owner's Comments

Tommy Reed, with the Atlantic Sign Company, spoke on behalf of this variance request. The company is rebranding the hotel from Value Place to Woodspring Suites. Mr. Reed said his customer is requesting a fourth wall sign on the south side, front face elevation of the building facing Holiday Inn. In 2008, Value Place received approval by the Board of Zoning Appeals to have three wall signs. The ordinance only allows for one wall sign. The fourth wall sign, located on the south wall of the hotel was not approved in 2008, but was inadvertently installed by the sign company. When Atlantic Sign Company applied to replace the signs this year for the new name, and was informed that the fourth wall sign could not be replaced since it should not have been installed in the first place. Mr. Reed explained this fourth sign has been on the building since 2008 without being noticed and without a complaint. The sign is located above the entrance and faces Holiday Inn. The sign lighting has not been an issue, as there are two parking lots between the two buildings with lighting. Also the curtains in the rooms block out light. Ron Siciliano agreed that this sign has been there for years without a complaint. There was a question if the sign would be over the allowable sign square footage. Mr. Helsinger explained that the square footage is not the issue. The zoning allows for only one wall sign. The Board, in 2008 approved to allow them two extra walls signs based on what the other hotels in the area had for signage. There was a bit more discussion about what variance the Board was being asked to approve. It was asked again if the wall sign was over the square footage allowed. It was explained that there is plenty of wall space on the face of the building, and the wall sign square footage is well under the maximum allowable amount. The variance is not because the sign is over the square footage. The variance is for a fourth wall sign in the ST zone which only allows for one wall sign on the building.

Public Comment

There was no one in the audience to comment.

Board Action

Scott Lepsky made a motion to approve the variance as submitted. Mike Snyder seconded the motion. Mr. Koczeniak wasn't sure about approving it since there really is no hardship, no compelling reason. Scott Lepsky had a few reasons why he made the motion to approve the fourth sign. First, the sign is facing another hotel. It is not facing a residential area or the main thoroughfare so you are not getting an abundance of light pollution and it is not causing an additional distraction to drivers. Second, there is an existing sign for the last eight years with no note of complaint in those years. Third, no one has attended this meeting to speak against this issue. We are in a position to help visitors coming from out-of-town to find a place to stay in Fairfield and spend their dollars here. Motion carried 5-1 with Joe Koczeniak dissenting.

Case No. BZA-16-0021 – Pool six (6) feet from the property line – 4805 Fairfield Ave

Steve Hacker, owner, is requesting a variance to place his temporary pool six feet away from the property line. The property is located in the R-1 zoning district.

Because the owner was not present at 6:00 p.m., this case was presented after Case No. BZA-16-0022 was heard by the Board. At 6:17 p.m., the owner, Mr. Hacker was not in attendance. There was discussion on whether this case should be dismissed or tabled. The pool has been removed, but it is a pool can be put up and taken down each season. The pool had been put up without approval for the second time. Mr. Hacker was sent a certified violation letter regarding the pool by the Building and Zoning Division.

Board Action

Scott Lepsky stated this case was originally scheduled for the September meeting, and on the day of the meeting, the owner, Mr. Hacker had requested his case be continued to the October 5 meeting. Since Mr. Hacker failed to appear to present his case at this meeting, Mr. Lepsky made a motion to dismiss this case. Mike Snyder seconded the motion. Motion carried 6-0.

Further Discussion by the Board

Joseph Koczeniak asked Rick Helsinger what was going on with the Swine City Brewing located at 4614 Industry Drive, a previous applicant to the Board of Zoning Appeals. Mr. Helsinger told him the Building and Zoning Division is still waiting on plans. Greg Porter added that he thought they had another grand opening at a location in Middletown.

Scott Lepsky asked to update the Board on some ordinance changes that were reviewed by Planning Commission and presented to City Council. Mr. Lepsky read a list of proposed ordinance changes from the attached report (labeled Attachment A). Number 8 on the list is regarding metal roofs on accessory structures. There was a suggestion made by a council member to have restrictions on the color of the metal roofs. Planning Commission looked into the possible colors that were available for factory finished metal roofs. They found that the primary colors are limited and are earth tones or subtle colors. The Commission also felt restrictions on color would be an issue for some residents, and would then again fall to the Board of Zoning Appeals if someone wanted a variance for a color that was not allowed. These metal roof colors would be allowed on the primary structure, so it would not make sense not to allow them on accessory structures. The Commission decided not to add the restriction and leave the changes as they were originally presented to Council. There will be a second and third reading at the next two City Council meetings before there will be a vote on the changes. Mr. Koczeniak asked if someone wanted graphics or wording on the roof, could they do it. Mr. Clemmons said "no," as it would be considered signage. Mr. Koczeniak mentioned the issue of metal siding on sheds was also

discussed by the Board. Rick Helsinger said the ordinance will remain as only sheds 100 square feet or less could have metal siding or be made out of plastic/resin. It was also noted at the Planning Commission meeting that primary structures/houses are allowed to have metal roofs. How does it make sense that we allow the metal roofs on larger buildings, but not on the smaller accessory structures sitting next to it? Rick Helsinger stated the residential roofs on houses are regulated by building code, and the City regulates the code on the accessory structures.

Adjournment:

Jack Wessler, seconded by Mike Snyder, made a motion to adjourn. Motion carried 6-0.

Respectfully submitted:



Ron Siciliano, Chairman



Maria K. Mullen, Secretary