

MINUTES OF THE  
FAIRFIELD BOARD OF ZONING APPEALS

May 4, 2016

Scott Lepsky 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 Greg Porter, Joseph Koczeniak, Mike Stokes, Scott Lepsky and Mike Snyder. Rick Helsinger, Building Official and John Clemmons, Law Director were also present. Motion to excuse Ron Siciliano and Jack Wesseler carried 5-0. Jack Wesseler arrived at 6:10 p.m.

Pledge of Allegiance

Minutes of the Previous Meeting

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

New Business

**Case No. BZA-16-0003 – Outdoor Seating Area and Over the Allowable Signage – 5120 Dixie Hwy**

Drew Gatliff, on behalf of owner, RCO Limited, requested a variance for outdoor seating and a variance for 288 square feet of signage on the property located in the C3A zoning district. The allowable signage is 206 square feet.

Staff Technical Review had no comment on this case.

Property Owner's Comments

Drew Gatliff, architect with MA Architects, and Brian Gano, RCO Limited, spoke on behalf of the requested variances. Mr. Gatliff explained the extra signage is mainly the wall mural on the front of the building. This is consistent with all their franchises. The wall mural is hand-painted with the name of the community incorporated into the mural. The drawings show wall signage on all four sides of the building so the building is easily identified from any direction. These signs will help with traffic flow from Route 4. The outdoor dining is a small area located next to the main entrance doors. Mr. Gano said the area will have chairs and tables locked with cable. This area will only be open seasonally. They will store the chairs and tables off site during the winter. Mr. Koczeniak had questions about safety. Mr. Gatliff stated there will be a striped walkway. There will be landscaping between the patio and the curb, including a boxwood hedge. There is no requirement for fencing around the outdoor seating area.

Public Comment

No comments from the audience.

Board Action

Mike Stokes made a motion to approve both variances as submitted. The motion was seconded by Mike Snyder. Motion carried 6-0.

**Case No. BZA-16-0005 – Privacy Fence in the 30-Foot Setback – 5720 Crestview Drive**

Richard Dixon, the owner, requested a variance for six foot tall privacy fence in the setback area for his property in the R-1 zoning district.

Staff Technical Review had no comments on this case.

**Property Owner’s Comments**

Richard Dixon spoke on behalf of his variance request. Mr. Dixon stated he has lived at this property for 20-plus years. The existing split rail fence has been in the setback for years, and he would like to replace it with a 6 foot tall wood privacy fence. Mr. Dixon has a pool and would like some privacy. It would join with his neighbor’s fence. Mr. Helsinger explained the existing split rail fence, as well as the existing shed, did not require a permit years ago. Because permits were not required, sheds and fences were installed without approval or inspection; and many were not installed per the ordinance. Mr. Dixon’s existing fence is five feet into the 30-foot setback area. The fence would be a foot away from the existing shed. Mr. Stokes thought it was a reasonable request, and five feet is not much of an encroachment.

**Public Comment**

No comments from the audience.

**Board Action**

Mike Snyder made a motion to approve the variance as submitted. The motion was seconded by Jack Wessler. Motion carried 6-0.

**Case No. BZA-16-0006 – Pole Sign with only 139 Feet of Road Frontage – 3158 Production Drive**

Andrew Timme, on behalf of owner, Brad Quick, requested a variance to install a 65 square foot pole sign on the property located in the M-2 zoning district.

Staff Technical Review had one comment. If the pole sign is approved, the sign must be a minimum of two feet away from the Right-of-Way.

**Property Owner’s Comments**

Earl Crawford with Hamilton Sorter, and Andrew Timme with Sign Effects Sign Co. spoke on behalf of the variance request. Mr. Timme stated Hamilton Sorter is rebranding. The look of the sign may change as they work on the logo design, but the size and location of the sign are correct. If they had 200 feet of lot frontage, the sign would be allowed. Hamilton Sorter is in the process of purchasing the property next to their existing location which would give them the 200 feet of lot frontage they need for the pole sign. John Clemmons was asked why we have this rule for pole signs. Mr. Clemmons explained it was mostly to keep pole signs at a minimum on Route 4. They have additional parking in the back of the building, approximately 40 spaces. They would only lose one spot to install the pole sign. Mr. Crawford added that it is Hamilton Sorter’s 50<sup>th</sup> anniversary as a Fairfield business. They would like to stay in Fairfield. Mr. Crawford wants people to know where they are and who they are.

**Public Comment**

No comments from the audience.

**Board Action**

Joseph Koczeniak made a motion to approve the variance with the stipulation the pole sign is located at least two feet from the City’s Right-of-Way and the final sign design be submitted to the Building and Zoning Division for approval. The motion was seconded by Mike Snyder. Motion carried 6-0.

**Case No. BZA-16-0007 – Roof sign in PUD – 6400 Dixie Hwy**

Miles of Golf requested a variance to install a roof sign on one of their buildings on the property located in the PUD zoning district.

Staff Technical Review had no comments on this case.

**Property Owner's Comments**

Pete Smith, from Miles of Golf, spoke on behalf of the variance request. Mr. Smith stated they were in front of the Board two years ago for the same sign. The Board approved it two years ago but the company could not complete the project in the allotted six-month time frame. The plans submitted are identical to the plans submitted two years ago to the Board. Miles of Golf sits back off Route 4 and below the level of the main road. This sign would be seen from Route 4 Bypass. Jack Wesseler asked if the sign would be illuminated and if so, how would it be illuminated. Mr. Smith said it would be illuminated within, not with spotlights.

**Public Comment**

No comments from the audience.

**Board Action**

Scott Lepsky made a motion to approve the variance as submitted. The motion was seconded by Mike Stokes. Motion carried 6-0.

**Adjournment**

Scott Lepsky, seconded by Mike Stokes, made a motion to adjourn. Motion carried 6-0.

  
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Scott Lepsky, Vice-Chairman

  
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Maria K. Mullen, Secretary