

LIBERTY TOWNSHIP BOARD OF ZONING APPEALS

August 13, 2019

6:00 p.m.

MEETING MINUTES

The Board of Zoning Appeals was called to order at 6400 Princeton Road, at approximately 6:00 p.m. by Mr. Schweier. The Pledge of Allegiance was recited.

Upon call of the roll, members in attendance were Mr. Andrew Schweier, Mr. Richard McKinney, Mr. Robert Rogers, Mr. Michael DeHart and Mr. Robert Bertsch. Also in attendance was Bryan Behrmann, Director of Planning and Zoning and Karla Chaney, Zoning Specialist.

Mr. Schweier reviewed the hearing procedures and performed a group swearing in.

Mr. Schweier called for the first case.

Ms. Chaney presented the staff report and PowerPoint Presentation for case **BZA19-011**, Tommy Reed, Atlantic Sign Company was requesting variances under Section 9.3.2, paragraphs (1), (3), (5), (6) and (7) of the Liberty Township Zoning Resolution for a vehicular directional sign to exceed the display area, height, to omit the sign base and foundation plantings, and to include a business logo; and, a variance under Section 9.3.3 to exceed the sign display area for two (2) pedestrian directional signs.

Mr. Schweier asked if there were any questions for staff.

Mr. Schweier asked if the existing directional signs were approved at the time of original construction. Ms. Chaney replied yes.

Mr. Schweier asked if the existing directional signs were considered pole signs. Ms. Chaney replied no.

Mr. McKinney asked if the current signs were approved. Ms. Chaney stated the signs exceed our current regulations but were approved when the building was constructed.

Mr. Rogers asked if the property was a 100-acre industrial development would the applicant still need to apply with the current regulations. Ms. Chaney replied yes.

Mr. Schweier asked if the business logo was considered advertising. Ms. Chaney stated per Section 9.3.2 (7) business logos are specifically prohibited on vehicular directional signs however are permitted on pedestrian directional signs.

Mr. Bertsch asked if a sign was proposed at the entrance. Ms. Chaney stated the applicant requested a face change to the existing ground sign on Princeton Glendale Road and was scheduled to go before the Zoning Commission on August 19, 2019 for an overlay review.

Mr. Bertsch asked if the ground sign was approved by the Zoning Commission would the applicant need to return to the Board of Zoning Appeals for approval. Ms. Chaney replied no due to the recent amendments to the Liberty Township Zoning Resolution, Section 5.12.1 the approval of both boards is no longer required.

Mr. Schweier asked to hear from the applicant.

Sally Land, Atlantic Sign Company (2339 Pinebrook Lane, Springboro, OH) explained the Butler Tech campus is 44.625 acres, has multiple splits in the road, multiple buildings and access points therefore directional signs are very important. She stated that Butler Tech has invested a lot of money rebranding its four campuses to make them consistent and the Public Safety campus is the last to be completed. The current directional signs are 10.67 square feet, which is larger than permitted with the current resolution but were approved when the campus was built.

Mr. Schweier asked if there were any questions for the applicant.

Mr. DeHart asked if the other campuses have the same size signs. Ms. Land explained the signs at the other campus are the same size, have been approved and are in the process of being installed.

Mr. Bertsch stated he understood the need for additional display area and the logo but wondered why there was a need to omit the brick base and foundation plantings. Ms. Land referred to David Plutts, with Butler Tech.

David Plutts, Butler Tech (3605 Hamilton Middletown Road, Fairfield Twp. OH) stated the existing bases are close to the ground and would need to be altered in order to accommodate the brick.

Mr. Schweier asked if the signs were on a concrete foundation. Mr. Plutts stated yes.

Mr. DeHart asked if the new signs would be installed on the existing bases. Mr. Plutts stated the existing signs are actually on a pole. The vehicular directional sign would be installed on concrete base and the actual base will not be visible due to the mulch and landscaping. The pedestrian directional signs will also be installed on a concrete base, which will not be visible due to the grass.

Mr. Bertsch asked if approving the request would keep the consistency on all the campuses. Mr. Plutts stated yes.

Mr. Bertsch asked where the other campuses were located. Mr. Plutts responded Lesourdesville campus in Monore, Bio Science campus in West Chester Twp., main campus in Fairfield Twp., Public Safety campus in Liberty Township and Natural Science campus in Monroe.

Mr. Bertsch asked if the other jurisdictions required variances. Mr. Plutts stated no, they did not require variances.

Mr. Schweier asked staff if the current foundation planting at the new location of the vehicular direction sign would meet the resolution. Mr. Behrmann stated yes it would meet the resolution.

Mr. Schweier asked if the existing landscaping meets the resolution, we do not need variance #4. Mr. Behrmann agreed variance #4 was no longer needed.

Mr. Schweier asked why the signs cannot meet the existing regulations. Ms. Land explained the campus is large, multiple buildings, multiple parking lots and access points. Mr. Plutts added that it is difficult to read the current sign, which is actually larger than permitted today.

Mr. Bertsch asked the staff if the applicant wanted to convert the signs to digital in the future would they be required to come back before the board. Ms. Chaney replied yes.

Mr. Schweier asked if anyone would like to speak in favor of the variance. There were none.

Mr. Schweier asked if anyone would like to speak in opposition of the variance. There were none.

Mr. Schweier **CLOSED THE PUBLIC HEARING** for BZA19-011 and the Board began their deliberations.

Mr. McKinney stated he had concerns with the amount of increase in size of the signs but understood the need due to the size of the campus.

Mr. Rogers stated he believed the hardship was the size of the campus and the need to navigate safely while driving.

Mr. DeHart stated he had concerns with the amount of increase in the size of the signs but felt the signs were not visible from the main road, are to scale with the surrounding buildings and are nice looking.

Mr. Schweier stated he felt the larger vehicular directional sign while driving may help with safety of the campus but did have concerns with the amount of increase in size of the signs.

Mr. DeHart made a motion for BZA19-011 to **APPROVE** variance #1 as presented and any alteration including digital would require a new variance. Mr. Bertsch seconded the motion. Upon call of roll: Mr. DeHart – yes; Mr. Bertsch – yes; Mr. McKinney –no; Mr. Rogers – yes; Mr. Schweier – yes. The motion passed and variance #1 was approved.

Mr. Rogers made a motion for BZA19-011 to **APPROVE** variance #2. Mr. DeHart seconded the motion. Upon call of roll: Mr. Rogers – yes; Mr. DeHart – yes; Mr. McKinney –no; Mr. Bertsch– yes; Mr. Schweier – yes. The motion passed and variance #2 was approved.

Mr. DeHart made a motion for BZA19-011 to **APPROVE** variance #3 as presented in the existing landscape area. Mr. McKinney seconded the motion. Upon call of roll: Mr. DeHart – yes; Mr. McKinney – yes; Mr. Rogers –yes; Mr. Bertsch– yes; Mr. Schweier – yes. The motion passed and variance #3 was approved.

Mr. McKinney made a motion for BZA19-011 to **APPROVE** variance #5. Mr. DeHart seconded the motion. Upon call of roll: Mr. McKinney – yes; Mr. DeHart – yes; Mr. Rogers –yes; Mr. Bertsch– yes; Mr. Schweier – yes. The motion passed and variance #5 was approved.

Mr. Bertsch made a motion for BZA19-011 to **APPROVE** variance #6 as presented and any alteration including digital would require a new variance. Mr. Rogers seconded the motion. Upon call of roll: Mr. Bertsch – yes; Mr. Rogers – yes; Mr. McKinney – no; Mr. DeHart– yes; Mr. Schweier – yes. The motion passed and variance #6 was approved.

Mr. Schweier made a motion to **APPROVE** the Minutes from the June 11, 2019 meeting. Mr. DeHart seconded the motion. Upon call of roll: Mr. Schweier – yes; Mr. DeHart – yes; Mr. McKinney – yes; Mr. Rogers – yes; Mr. Bertsch - abstain. The motion passed and the Minutes were approved.

Mr. Schweier made a motion to **APPROVE** the Notice of Decision for BZA19-009. Mr. McKinney seconded the motion. Upon call of roll: Mr. Schweier – yes; Mr. McKinney – yes; Mr. Rogers – yes; Mr. DeHart – yes; Mr. Bertsch - abstain. The motion passed and the Notice of Decision was approved.

Mr. Schweier made a motion to adjourn. Upon call of the roll, the motion passed unanimously and the **BOARD OF ZONING APPEALS MEETING ADJOURNED.**

Respectfully submitted,

Andrew Schweier, Chairman

Karla Chaney, Secretary