The meeting of the Harrison Township Board of Zoning Appeals was called to order at 7:00 p.m. on Monday, May 13, 2019.

Those present:
Patty Larrick
Jerry Barnes
Don Marlow
Steven Russell
Justin Riley Olszewski, Zoning Administrator, Development Dept.

Not present:
Charles Waldron (joined meeting at 7:01 p.m.)

APPROVAL OF THE MINUTES:
Mr. Steven Russell made a motion to approve the minutes from the Monday, April 8, 2019 BZA meeting. Ms. Don Marlow seconded. Motion carried and passed 4-0.

OLD BUSINESS
Meeting w/Board of Trustees
Staff announced that the meeting between the Board of Zoning Appeals and the Board of Trustees will take place on Monday, June 10, 2019 at 6:00 p.m. He also stated that the meeting will be on record and will be open to the public.

NEW BUSINESS
Case# BZA -06-19
Case# BZA-06-19 was initiated by Summit Locations, P.O. Box 1092, Dayton, OH 45401, on behalf of DRT Investments LLC, 2421 Arbor Glen Ct., Dayton OH 45414. The applicant is requesting a Variance to Article 41, Section 4105.03(B)(1) to allow for the placement of an advertising sign with a total sign area in excess of the calculated maximum. The property is located at 5515 N. Main St., Dayton, OH 45415, Harrison Township, Montgomery County, Ohio.

Staff states that the property is located on the west side of N. Main St., south of Macy St. The property is currently zoned “B-3” Business. The surrounding zoning is “R-2” Single Family Residential to the south, “OR-1” Office/Residential and “B-1” Neighborhood Business to the
west, and “B-3” to the north and east. The surrounding land use is commercial to the north, east and west, and residential to the south and west. The property currently operates as the parking lot to the Shiloh Grille, a private club use to the north. Article 219.03 (A) defines an advertising sign as “a sign which directs attention to a use, commodity or service not related to the premises on which the sign is located”. Article 41, Section 4105.03(B)(1) states “Advertising sign area is determined by using the distance to the nearest common wall with an adjoining use or the nearest property line (whichever is closer). Multiply the first fifteen (15) feet or portion thereof times (5); the next ten (10) feet or portion thereof times four (4); and the remainder times three (3) to obtain permitted square footage of the advertising sign”. The parcel is approximately 52’ wide resulting in a maximum permitted sign area of 196 sq. feet (15’x5, 10’x4, 27’x3=196). The plans submitted with the application indicate that the free-standing advertising sign consist of either two 10’ x 20’ panels totaling 400 sq. ft. of sign area, or two 10’ x 19.6’ panels totaling 392 sq. ft. or 196 per side.

**Discussion and Alternatives**

Staff indicates that this is **not** a request to allow the advertising sign, but rather to allow the sign area to exceed the calculated maximum. The Board's alternatives are as follows:

1. Approve the variance as requested and allow an advertising sign in excess of the permitted maximum.
2. Deny the variance as requested. **This would still permit the advertising sign, but it would be limited to a total of 196 square feet.**

**Recommendation:**

Staff recommends the board take all information and testimony into consideration.

Mr. Brad Carpenter, 28 Virginia Ave., Dayton, Ohio was duly sworn restated that Summit Locations is looking to put up an advertising sign at the proposed location and that they’ve adjusted their request to a smaller sign. The sign would be used to promote local business and will not feature any advertising for drugs, alcohol or tobacco promotion. The applicant stated that the larger size of the sign makes it more attractive to potential advertisers and makes the company more competitive. Mr. Carpenter stated that the sign would not be LED and that Summit Locations currently does not do anything digital. When asked why the permitted 196 sq. ft. would not be sufficient, the applicant stated that it would be good enough for one side and that they try to use the same model of sign to cut down on their costs. Having to re-engineer the sign would be an incredibly huge cost to the company. Mr. Carpenter stated that the sign would be 25 feet back away from the road and would be placed two parking spaces back and the parking spaces would still be able to be used. Mr. Carpenter also says that ideally, the size of the print on the sign would allow for 10 seconds of visibility from passing vehicles.

There being no other to speak on behalf or in opposition, Ms. Larrick closed the public speaking portion of the hearing.
After some discussion among the Board, Mr. Waldron made a motion to deny Case# BZA-06-19. Mr. Steven Russell seconded. Motion carried and passed 4-1.

There being no other business to discuss, Mr. Don Marlow made a motion to adjourn the meeting. Mr. Charlie Waldron seconded the motion. Motion carried and passed 5-0.

Respectfully submitted,

Harrison Township
Board of Zoning Appeals

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Regina Moore
Administrative Assistant

Charles Waldron, President

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Patricia Larrick, Vice President

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Steven Russell

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Jerry Barnes

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Don Marlow

Attested as to Signatures,

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Regina Moore
Administrative Assistant