

Minutes: Russell Township Board of Zoning Appeals
Russell Fire-Rescue Station
Monday, November 3, 2014

Present: Steve Gokorsch, Chairman
Fred Cuffari
William Downing
Sarah Moore
Diana Steffen, Secretary

John Rybak was absent with apologies.

Also in attendance: Residents as shown.

Jennifer Dorka, Administrative Assistant, was in attendance to record testimony given by Diana Steffen in her capacity as Russell Township Zoning Inspector. This testimony is included in the minutes.

The Chairman called the meeting to order at 7:00 p.m. The Secretary confirmed she had published the legal notice for tonight's hearing in the Chagrin Valley Times on 10/23/14 and sent it by certified mail to the parties and neighbors on 10/20/14.

VARIANCE REQUEST #475 American Society for Metals, 9639 Kinsman Road

Request for a sign variance to replace an existing sign. Proposed height of replacement sign to be 8 feet, and proposed square footage to be 35 sq. ft., in violation of Section 4.11.J.2 and 4.11.H.1.b.

In attendance were the applicant, Lou Belknap of Agile Sign & Lighting on behalf of the American Society for Metals (A.S.M.) and Skip Wolf, Director Sales & Marketing at A.S.M.

The Chairman swore in all those in the audience who planned to give testimony.

Mr. Cuffari made the motion to open the public portion of the meeting tonight, Ms. Moore seconded and the motion passed unanimously.

Lou Belknap with Agile Sign & Lighting, confirmed he was sworn in and explained he would make the presentation on behalf of A.S.M. The plan is to replace the existing sign which is illuminated by floodlighting. The floodlighting will be removed so there will no longer be glare on the sign or towards traffic. The new sign will be illuminated on the interior and only on the logo and the lettering. This will eliminate any glare from the sign onto S.R. 87. For that reason he is asking for a height of 8 feet instead of 6 feet. The base will be one foot high and the body 7 feet high to keep the copy up off the ground and in order for the logo to be visible from the hill. The existing sign does not provide good visibility for drivers until they are at the sign. Additionally, the existing sign is 10 feet wide, and although taller, the new sign will be 5 feet wide. In area it will be less than 2 square feet larger than the existing sign.

The Chairman noted that a Google Earth photo submitted with the application showed a street view from the west, and it appears the logo on the existing sign is obscured by shrubbery. Skip Wolf, representing A.S.M., said that the shrubbery has recently been cut back. He also stated that annually between 1500 and 2000 students come to A.S.M. from around the country for education, and feedback from these student's bus drivers says that they do not see the sign until it is too late to turn into the entrance. They have to turn around in residents' driveways, and it would be safer if the sign was visible from farther away. As a result the goal is to have similar square footage but to make the sign more vertical than horizontal so it can be better seen on the hill in both directions. Mr. Wolf confirmed that the sign in the Google photo is the existing sign but the facing was replaced two months ago with a different logo. At that time they found that the wooden core of the sign had rotted and needed to be replaced. It is too low right now and not easily visible coming up the hill from the west. Making it higher will give drivers going 50 mph time to stop and turn into the driveway.

Mr. Belknap presented photos he had taken of the hill near the A.S.M. entrance on S.R. 87: 1) heading west; 2) closer to the driveway; 3) taken from the interior of the driveway by the gate; 4) from the middle of the hill. He noted that coming down the hill from the east the guardrail blocks drivers from seeing the sign until they are right at the driveway. He stated that there is a "Plant Entrance" street sign 200 yards to the east on the north side of the road to alert drivers going west. Mary Reed, resident at 9601 Kinsman Road, confirmed she was sworn in, and stated that her property is directly to the west of A.S.M., and that there used to be another sign on the south side between The West Woods and A.S.M. but it was removed 3 to 5 years ago. The Chairman asked Mrs. Steffen to find out who owns the "Plant Entrance" sign.

Mr. Belknap explained that with the proposed sign having a more vertical view than the existing sign, it will be narrower with less illumination per square inch because only the copy itself will be lit from within the sign. Drivers will be able to see the higher sign from both directions. In answer to questions from the board, Mr. Belknap said there will be LED illumination of the blue and yellow logo and of the copy only, the rest of the sign will appear grey, and the LED lighting will not be visible. The existing sign requires between 250 watts and 400 watts, with one lumen per watt, but he did not know how many lumens the new lighting will produce. He said there will not be any floodlighting on the new sign.

Mr. Gokorsch asked about the hours when the sign is lit up, and was advised that it is on a timer. Resident Anthony Stachowski, 9601 Kinsman Road, confirmed he was sworn in, and said the light turns off at 10:00 p.m. and there is a timer on the sign. He requested that there be a timer on the new sign since the area is residential and not commercial. Skip Wolf, on behalf of A.S.M., stated that there will be a timer on the new sign; people come to the facility from 7:30 a.m. to 6:00 p.m., at which time the gate is closed. After that time only employees are at the facility, but he would like the sign to be illuminated in the evening. He noted that the new lighting will produce only a glow and no projection of light.

Asked by Mr. Downing what creates the color on the sign, Mr. Belknap explained the metal is routed out then plastic is placed behind in the chosen color. The light inside the sign illuminates the whole cabinet but only the area routed out allows any light through. The sign exterior is routed aluminum that is painted and looks like brushed aluminum. This design produces a diffused light instead of a point sourced light.

Mr. Downing asked about the height of the sign. Mr. Belknap stated that the proposed height is 8 feet, which is higher than the 6 feet permitted, and the 5 feet usually permitted in a residential zone. The reason for the height request is that it needs to be raised off the ground since the new taller guardrails on S.R. 87 make it difficult to see the sign coming from the east. It will be more attractive due to its vertical style than the existing sign that is more horizontal and lower to the ground.

Ms. Moore noted that on the Google Earth photo the address given is not accurate. Mr. Wolf said there is a safety aspect in that the driveway entrance comes up quickly, although he agreed that they can communicate the correct address to their students so that they slow down in time. Ms. Moore asked, since the current sign is 5 feet high and can be seen above the guardrail, would a new sign at 6 feet provide more visibility and still comply with the zoning requirement? Mr. Wolf replied that at 6 feet they could not have the logo, but at 8 feet the logo will be above all the obstructions. He agreed that at 5 feet it can be seen, and at 6 feet it would be seen sooner. Ms. Moore asked if they had measured their goal as far as visibility, using heights of 5, 6 and 8 feet. Mr. Belknap responded that they have not done a study. The height request is from the sales team at A.S.M. The goal is to have the sign high enough that even with traffic passing at the same time as a driver looking for the entrance, the driver could see the logo.

Resident Mary Reed stated that there is a street light at the entrance, and the existing sign gives glare to traffic and residents, which is a hazard. Resident Patti Pukay, 9674 Kinsman Road, confirmed she was sworn in and stated that she has not noticed glare from the sign's lighting. However, she did not believe a large sign was necessary for the number of students, since the society is not a retail business open to everyone. She stated she was concerned with the size of the sign and not the lighting.

Resident Anthony Stachowski stated he was also not concerned at the lighting, since it will be more attractive, is on a timer, and 90% of the sign will not be illuminated. He was opposed to the size and height of the sign.

Resident Charles Butters, 14818 River Glen Drive, said it was not fair for the applicant to be in front of the board without a full board present, and he recommended alternate members be appointed for occasions such as this. Mrs. Steffen said she had advised Nancy at Agile Sign & Lighting that only four members would be present at the November meeting, and gave A.S.M. the opportunity to wait until the full board could meet. However, the company had asked to proceed with the hearing tonight. The Chairman stated that, at the applicant's request, the board could reconvene when a full board was present. Mr. Wolf responded that he would like to proceed tonight, as they want to erect the sign before winter.

Mr. Wolf stated that there is a retail aspect to A.S.M. as far as students coming from all over the country and the world. Although it is a membership society they do sell products, education, classes etc. Sixty percent of the people who take the classes are not A.S.M. members. They use GPS or are in a rental car and although A.S.M. sends them directions in a packet before their visit, consistent feedback has been that it is difficult to find the entrance. A larger sign with a new logo is urgently needed to assist visitors.

Mr. Gokorsch noted that the copy on the proposed sign is approximately one foot below the top. He asked if the copy was raised and the top lowered the visibility would be identical for someone approaching up the hill. Mr. Belknap said yes, but that if the height was lowered there will be less blank space and less visibility. He stated that A.S.M. had agreed on this design to show its logo to the best advantage. Mr. Wolf said that aesthetically when the logo and lettering are condensed it looks wrong.

Mr. Cuffari suggested that if the base of the sign was raised and the sign itself was lowered it would still compensate for the higher guardrail along the road, and could be within the zoning regulation. Mr. Cuffari said the only practical difficulty the board has heard so far is that the new higher guardrail is causing the sign to be less visible. He suggested that they reduce the height of the sign from seven feet to six feet, measure the height of the sign from the base, so the only variance needed would be to put in a base of a certain height to compensate for the new higher guardrail. Ms. Moore noted that the Zoning Resolution, Section 4.11.1.2 requires the height be measured from the average finished grade level. Mr. Cuffari said that his idea is that the variance would address the sign height only. With the sign itself being shorter that would mean its area would be reduced so that a variance for size would not be necessary. Mr. Belknap said if they could keep the base at one foot high, and shorten the height of the sign to six feet, giving a total height of seven feet, he could redesign the layout and see if that was acceptable to A.S.M. and to the board.

The board asked the residents their opinion of the proposal to keep the current base, drop the proposed height by one foot, use the proposed backlit illumination that reduces the lumens and have that illumination on a timer. Ms. Pukay said she liked the proposed lighting but thought the sign would still be too high. Sherie Bonner, 9570 Kinsman Road, confirmed she was sworn in and stated she wanted the area to remain residential and was concerned that the height would make it look industrial. Ms. Reed agreed and said she would like it to be aesthetically pleasing and appropriate for a nonprofit in a residential area. Mr. Stachowski said he had stood beside the existing sign and that a five foot sign on a one foot base, making a total height of six feet as is permitted in the Commercial district would be acceptable to him.

Mr. Downing asked how far away the sign should be visible. Mr. Belknap said that because of the guardrail half of the sign is not visible just before the entrance. Mr. Gokorsch said that the safety forces could give that information on stopping distance required to enter the driveway. He was concerned that drivers are turning in residents' driveways on a 50 mph road. This is a safety issue and the purpose of the sign is for drivers to know where to turn into A.S.M. Mr. Belknap stated he does have information on the size of sign that is needed to be visible from certain distances, and offered to check if he had it in his car. Mr. Gokorsch said he would prefer the safety forces provided the data on speed on this particular highway, the conditions, the guardrail, and the optimal size of sign to provide safety for the residents. He

said the sign must have enough visibility that people are not turning around in residents' driveways. He recommended continuing the hearing in order to obtain this information.

Mr. Wolf said he could compromise by dropping the height by one foot to seven feet. The lighting will complement the sign, the grey color of the sign will be more natural than the existing white and fit in with the aesthetics of the property. A.S.M. wants to be a good neighbor. Seven feet would give good clearance from the guardrail and the new lighting will be less intense.

Mr. Stachowski said six feet seemed a good compromise to him. Regarding the safety issue, he would like to see the road signs addressed. To the west of the entrance and on the south side of S.R. 87 there was a sign for years warning that A.S.M. was ahead, but it was removed. He would like to see one there again similar to the 'Plant Entrance' sign to the east.

Mr. Cuffari asked Mrs. Steffen, in her capacity as Zoning Inspector, how she measures the average finished grade. Mrs. Steffen said, according to the Zoning Resolution, the height is measured from the average finished grade level, and the grade would need to be raised all around the vicinity of the sign, and not just below the base, so that the average finished grade was higher.

Resident Peter Berk, 9658 Kinsman Road, said he had lived in his home since 1965 and stated he never had a problem with A.S.M.'s signs until the spotlights were installed. Mrs. Steffen said the lights shine on the sign and not on the road, but Mr. Berk said the light looks like a car coming at you with its bright lights on. He said the newly installed guardrail is taller. When he snowplowed with his tractor across S.R. 87 the bottom of his bumper went over the top of the guardrail, but his bumper will no longer go over the top. He thought the new guardrail is at least 3 ft. 6 ins. high, and said it now extends from the east nearer to the driveway. He strongly recommended the new sign be at least six inches higher.

Mr. Gokorsch said that losing six inches of sight is a practical difficulty. Mr. Cuffari asked the Zoning Inspector about the height of the existing base, and Mrs. Steffen replied 20 inches. She mentioned that the Access Geauga aerial photo of the entrance, submitted by the applicant, was taken in 2010 and shows the guardrail going all the way to the driveway entrance, so it appears that only the height of the guardrail changed and not its length towards the west. Mr. Gokorsch suggested that, due to the practical difficulty of the new raised guardrail, if six inches was added to the six feet permitted by the zoning regulation it would be six and a half feet from the finished grade, and 18 inches higher than the current sign.

With Mr. Wolf's agreement, Mr. Belknap asked to amend the variance request to a height for the proposed sign of six and a half feet. Mr. Wolf stated that they would like the timing of the illumination to remain the same as the current timer. He said he would like the lights to be on from 6:00 a.m. to dawn and on again from dusk until 10:00 p.m. The neighbors agreed that this would be acceptable.

Mr. Belknap asked to amend the variance request to six and a half feet and the lighting to be turned off at 10:00 p.m. Mr. Wolf asked for flexibility to make the sign wider since it will be 18 inches lower than proposed, in order to keep the proportions. Mr. Belknap said the square footage will be the same as the existing sign. Mrs. Steffen said that would be acceptable, and Mr. Cuffari noted that if the size is the same then a variance for area will not be required.

There being no further comments from the audience, *Mr. Cuffari made the motion to close the public hearing, Mr. Downing seconded and the motion passed unanimously.*

The board reviewed the factors used to establish a practical difficulty:

a) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance: There was no testimony to indicate the property would not yield a reasonable return nor have a beneficial use if the variance is not approved.

b) Whether the variance is substantial: At six inches out of six feet the board agreed it is not substantial.

