

# Board of Zoning Appeals

## Munson Township

Minutes of January 15, 2015

Vice-Chair Richard Wright called the meeting to order at 6:30pm with Gabe Kezdi, Don Alexander, Alternate Danielle Pitcock, Secretary Paula Friebertshauser and Court Reporter Kim Giel present. Bobbie Nolan, Michael Waclawski and Lucy Longo were absent. The Pledge of Allegiance was said.

Gabe Kezdi moved and Danielle Pitcock seconded to approve the minutes of November 20, 2014 as written. Motion carried.

Mr. Wright swore in Gabe Kezdi as a reappointed member for a five-year term.

Don Alexander moved and Gabe Kezdi seconded to nominate Bobbie Nolan as Chair. Motion carried. Gabe Kezdi moved and Don Alexander seconded to nominate Richard Wright as Vice-Chair. Motion carried.

Mr. Wright informed the appellant that with only a four member board present they had the option of having their cases heard or continued until next month with the opportunity to have a full board present. Carl Rappaport was sworn in. He said they would like to proceed that evening.

Mr. Wright explained that the Board of Zoning Appeals is a quasi-judicial Board which acts in the role of judges. They take facts as presented and apply certain standards of law to then make a decision. A court reporter is present so that anyone wishing to speak for or against the case must be sworn in for the record. The record is made up of testimony and evidence presented. If a case goes to court, decisions are based on what is presented the evening of the hearing. Anyone not in agreement with the decision of the Board could take the case to the Court of Common Pleas within 30 days after the minutes of the meeting are approved.

**CASE 14-16: Carl Rappaport/Sign-Lite for Geauga Hospital Association Inc. 13221 Ravenna Rd., Chardon OH – request to replace an existing sign with a 15' x 5'10 3/8" (76.5 sq. ft.) double-sided ground sign. Violates SEC. 1003.1 Measurement of Sign Area (in part) – Sign area shall not exceed 16 square feet; SEC. 1003.2 Measure of a Ground Sign Height (in part) – Sign height shall not exceed 6 feet.**

Zoning Inspector Tim Kearns was sworn in. He read the variance request and violations. Mr. Wright asked Mr. Rappaport to explain the request. Mr. Rappaport explained they do support the ordinance, but the hospital is an emergency/trauma center and it would be a directional sign. He explained that ambulances and people in duress are looking for the center and they would like to provide clear direction.

Mr. Wright noted that Geauga Hospital was given a variance in 2006 and wondered why they are increasing the size considerably. Dan Ellenberger, Director of Emergency Services, was sworn in. He

introduced Steven Jones and LouAnn Marx from University Hospital. Mr. Ellenberger explained they have expanded and are the only trauma center in the area. They now have squads that travel 30+ miles. They would like to add the words "Trauma Center" to the sign and make sure it is visible above the snow. Mr. Wright asked how they came up with 15 feet in height. Bill Holsman of Sign-Lite was sworn in. He explained they did drive-by tests and looked at the traffic and speed. He added that it is the most direct drive to the trauma center for EMS or pedestrian travel and the timing in getting people to the emergency room is critical. Mr. Wright commented there is a lot of area below the words "Trauma Center", and asked if there would be additional information put on the sign. Mr. Holsman responded no, it would be just for height.

Mr. Kezdi noted that the current sign is six feet tall and wondered why not just add the words "Trauma Center" to it? Mr. Holsman agreed there is room, but again they would not get the visibility they feel is needed. Mr. Holsman pointed out that people who live in the community know the sign and the area, but people coming from out of town do not.

Steven Jones, President of Geauga Hospital, was sworn in. He commented that when he came here in 2006, Geauga Hospital was very different – it has almost doubled or tripled in size. He explained that the hospital has had a greater impact in the services offered with one-half of the patients coming from outside of the county. The hospital offers a trauma, stroke, and chest center and an emergency cardiac team is on staff 24/7. They would like to create better visibility for ambulances coming from Conneaut, Geneva and Trumbull County. Mr. Jones explained they are timed by the minute from the ambulance to treatment. He added that the hospital has acquired most of the properties on 44 and have recruited 110 doctors to our community some of which live in Munson. Mr. Jones said they want to be good neighbors, but also want to help other communities. In the future, they plan to build another medical building and currently are building a 16-bed wing.

Dennis Ells of 12345 Country Oaks Trail was sworn in and asked about the message board. It was clarified that the next variance, Case 14-17, is requesting a message board.

LouAnn Marx, Regional Marketing Director, was sworn in. She explained she has been the Marketing Director for 15+ years, and a nurse for over 25 years, and the signage has always been poor. She explained that recently they had a 15-year old boy in Thompson report that his grandfather had collapsed and the driveway was not plowed. The neighbor plowed them out – EMS arrived and started CPR and in less than 71 minutes the man was able to speak. She asked what if someone was driving in a snowstorm and could not see the sign. She felt that to have a trauma center in this county is amazing.

Mr. Wright asked if the lighting would be internal. Mr. Rappaport replied it would and LED lighting would be used.

Joe Birli of Country Oaks Trail was sworn in. He asked if the sign would be similar to the existing one and showed a picture. Andy Bushman of Fowlers Mill Road was sworn in. He expressed concern with the height being 2½ times what the zoning resolution allows. He feels the spirit and intent would not be upheld. In 2006 they said they would not go higher. He wondered if they went wider if they could get the same affect.

Mr. Wright asked if there was any room for reduction of the height. Mr. Holsman asked if they could recess. The meeting was recessed at 7:00pm and resumed at 7:07pm. Mr. Holsman explained they are struggling with reducing the height because they are trying for visibility. What they are asking for is about the same size as the Seidman Center. He recommended they ask for something in the 11 to 12 ft. range. Mr. Birli asked how bright it would be because there are laws against texting because of distraction and then here would be a bright beacon. Mr. Holsman explained that the sign is all metal and the only thing lit is the copy. He recommended that the red Emergency portion be lit. Mr. Wright clarified that 11 feet is the request. He noted that 21 affected property owners were notified in Case 14-16. There was no further comment.

Don Alexander moved and Gabe Kezdi seconded that the variance requested in Case 14-16 and adjusted to an 11 ft. high ground sign be approved. Discussion following the motion included that the hospital has been good neighbors; and it is recognized there is a beneficial use as a hospital; and I haven't seen anything about missing the entrance, but that doesn't mean anything; the variance is substantial; the essential character of the neighborhood is affected; adjoining properties can suffer a detriment with the lighting, but hopefully it will not be a distraction; the delivery of government services will not be affected; the predicament cannot be done without a variance; and with the modification, the spirit and intent would be upheld and is warranted; and the property owner was aware of the need for a variance. Upon the roll call all members voted yes, 4-0, motion carried.

**CASE 14-17: Carl Rappaport/Sign-Lite for Geauga Hospital Association Inc. 12450 Merritt Rd., Chardon OH** – request to replace an existing sign with a 17' x 113" (160 sq. ft.) double-sided ground sign with electronic message board. Violates SEC. 1003.1 Measurement of Sign Area (in part) – Sign area shall not exceed 16 square feet; SEC. 1003.2 Measure of a Ground Sign Height (in part) – Sign height shall not exceed 6 feet. SEC. 1004.6 Signs on which the illumination is flashing, moving or intermittent.

Mr. Kearns read the variance request and violations. Mr. Rappaport explained they would like to take the existing sign and replace it with the same dimensions and just add an electronic message. Mr. Kezdi asked what the purpose of the message board would be. Ms. Marx, Regional Marketing Director, explained that they have community health programs which include an annual health and safety day, free health screenings, etc. They also partner with the Sheriff's Department, MRDD, Department on Aging, etc. Ms. Marx explained that every July she has had to place street banners, posters etc. at the corner of Ravenwood to advertise their health and safety day.

The Board recessed at 7:22pm. The meeting resumed at 7:37pm.

Mr. Wright explained that the Board discussed the definition of intermittent which can be hourly, weekly, monthly, etc. He asked who would own the keyboard used to control the messaging. Ms. Marx responded that it would only be Geauga Hospital.

Mr. Wright asked if they would consider changing the sign to not include a message board. They could ask for a continuance with a fee of \$100.00. Ms. Marx responded they would prefer not to. Mr. Jones added that the message sign provides a community service to our region. It would offer free services

and screenings and could also be for the Sheriff's Department or maybe even the township. Ms. Marx added that a disaster could be posted or an Amber alert for example.

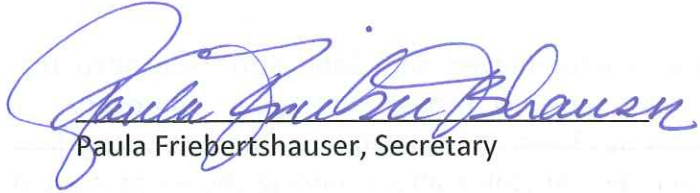
Mr. Wright felt they are providing a distraction and didn't feel it was necessary. He asked for a yes or no for a continuance request. The representatives from Geauga Hospital agreed to a continuance.

Don Alexander moved and Danielle Pitcock seconded to allow a continuance for 30 days in Case 14-17. Upon the roll call, all members voted yes, 4-0, motion carried.

The meeting was adjourned at 7:42pm.



Richard Wright, Vice Chair



Paula Friebertshauser, Secretary