



AGENDA
BOARD OF ZONING APPEALS
TUESDAY, September 26, 2023
6:30 P.M.

MEMBERS

Roger Ames, Chair

Kate Rousmaniere, Vice Chair

Calvin Conrad, Secretary

D. Chadwick Smith

Philip Russo

STAFF

Sam Perry, Director, Community Development

Zachary Moore, City Planner/GIS Coordinator

Christopher Conard, Law Director

MEETING PROCEDURE: The Board of Zoning Appeals is a quasi-judicial Board. Our primary function is to hear testimony and issue decisions. Unlike other City boards and commissions, we only hear relevant, sworn testimony from the Applicant, his/her duly appointed agent or attorney, and any other person with standing to testify in a particular matter. The Applicant has the right to cross-examine any testimony given. Our hearings are open to public attendance, but public comment, opinion and discussion are not considered testimony and will not be heard.

Please wait until you are recognized by the Chair, state your name and address so that your comments may be properly recorded. Applicants are to limit their testimony to fifteen (15) minutes, including any information presented by his/her duly appointed agent or attorney. This time limit may be extended if the Board requests or approves further testimony. Other persons with standing are encouraged to testify and ask questions about the nature of the appeal, but must be acknowledged by the Chair prior to speaking.

- I. Call to Order
- II. Approval of April 25, 2023 Minutes of the Regular Meeting 1
- III. New Business
 - BZA-2023-03, 16 S Campus Avenue, variances to type of signage and minimum height from the ground, JG Jewelry LLC, Applicant/Agent** **6**
- IV. Adjournment



OXFORD BOARD OF ZONING APPEALS

Meeting Minutes

Tuesday, April 25, 2023

[Link for website video here](#)

Meeting procedure: The Board of Zoning Appeals is a quasi-judicial Board. Our primary function is to hear testimony and issue decisions. Unlike other City boards and commissions, we only hear relevant, sworn testimony from the Applicant, his/her duly appointed agent or attorney, and any other person with standing to testify in a particular matter. The Applicant has the right to cross-examine any testimony given. Our hearings are open to public attendance, but public comment, opinion and discussion are not considered testimony and will not be heard.

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Roll Call

Roger Ames, Vice Chair

D. Chadwick Smith

Kate Rousmaniere

Calvin Conrad

Philip Russo

[Time: 0:02](#)

A regular meeting of the Oxford Board of Zoning Appeals was called to order by Vice Chair Roger Ames on Tuesday, April 25, 2023 at 6:30 p.m.

Members in attendance were Kate Rousmaniere, Calvin Conrad, Philip Russo, D. Chadwick Smith, and Roger Ames

Members excused: None

Staff Members in Attendance

Mr. Zachary Moore, City Planner/GIS Coordinator, Mr. Benjamin Mazer, Assistant Law Director, Ms. Eunike Miller, Administrative Assistant

Staff Members Excused

Mr. Sam Perry, Director, Community Development

Swear in BZA Member Philip Russo

[Time: 0:14](#)

Approval of February 28, 2023 Minutes of the Regular Meeting

[Time: 1:33](#)

Motion – To approve the minutes as written

(Voice Vote) 1st Ms. Rousmaniere 2nd Mr. Conrad

AYE: (4)

NAY: (0)

ABS: (1)

New Business

BZA-2023-01

Time: 2:01

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1. BZA-2023-01, 211 S Beech Street, VARIANCES to maximum lot coverage in the R3MS District and minimum non-residential parking setback, Scott Webb, Applicant/Agent

Motion – To Enter into Adjudication Hearing

(Voice Vote)

AYE: (5)

NAY: (0)

ABS: (0)

Comments from the Public

Leah Harris, Treasurer, and member of the church

Motion – To Close Adjudication Hearing

(Voice Vote) 1st Ms. Rousmaniere 2nd Mr. Smith

AYE: (5)

NAY: (0)

ABS: (0)

Motion – To approve the variance request for maximum lot coverage

(Roll Call Vote) 1st Ms. Rousmaniere 2nd Mr. Conrad

AYE: Ms. Rousmaniere, Mr. Conrad, Mr. Smith, Mr. Russo, Mr. Ames (5)

NAY: None (0)

ABS: None (0)

Motion – To approve the variance request for maximum front yard coverage

(Roll Call Vote) 1st Ms. Rousmaniere 2nd Mr. Conrad

AYE: Ms. Rousmaniere, Mr. Conrad, Mr. Smith, Mr. Russo, Mr. Ames (5)

NAY: None (0)

ABS: None (0)

Motion – To approve the variance request for minimum non-residential parking setback

(Roll Call Vote) 1st Ms. Rousmaniere 2nd Mr. Smith

AYE: Ms. Rousmaniere, Mr. Conrad, Mr. Smith, Mr. Russo, Mr. Ames (5)

NAY: None (0)

ABS: None (0)

[Time: 47:28](#)

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2. BZA-2023-02, 12 & 14 North Elm Street, VARIANCES to minimum front yard setback and maximum lot coverage, Scott Webb, Applicant/Agent

Motion – To Enter into Adjudication Hearing

(Voice Vote) 1st Ms. Rousmaniere 2nd Mr. Conrad

AYE: (5)

NAY: (0)

ABS: (0)

Comments from the Public

There were no public comments.

Motion – To Close Adjudication Hearing

(Voice Vote) 1st Mr. Conrad 2nd Ms. Rousmaniere

AYE: (5)

NAY: (0)

ABS: (0)

Motion – To approve the variance request for minimum front yard setback

(Roll Call Vote) 1st Mr. Conrad 2nd Mr. Smith

AYE: Ms. Rousmaniere, Mr. Conrad, Mr. Smith, Mr. Russo, Mr. Ames (5)

NAY: None (0)

ABS: None (0)

Motion – To approve the variance request for maximum lot coverage

(Roll Call Vote) 1st Ms. Rousmaniere 2nd Mr. Smith

AYE: Ms. Rousmaniere, Mr. Conrad, Mr. Smith, Mr. Russo, Mr. Ames (5)

NAY: None (0)

ABS: None (0)

Motion to Adjourn Meeting at 7:55 p.m.

[Time: 1:25:24](#)

(Voice Vote) 1st Mr. Conrad 2nd Mr. Russo

AYE: (5)

NAY: (0)

ABS: (0)

STAFF REPORT

Community Development – Board of Zoning Appeals

APPLICATION DETAILS

Applicant	JG Jewelry LLC, c/o Genevieve Gerenz
Location	16 S Campus Avenue
Owner	The Interfaith Center, c/o Kerri Cissna
Action Request	Variances to <i>Section 1151.05(a)(1)(A)</i> , sign type & height from ground
Proposed Sign Dimensions	16-in H x 65-in W – 7.2 square feet
Lot Size	11,979 square feet (approx.)
Lot Width	66 feet (approx.)
Current Use	Mixed Use – nonprofit, residential, etc.
Current Zoning	RO Office Residential District; University Historic District
Surrounding Land Uses	Fraternity House to south; Church to the west; Commercial/Office to the north; University campus to the east

BACKGROUND

The subject property at 16 S Campus Avenue is the current home of several non-profit organizations, including the Interfaith Center and Oxford Citizens for Peace and Justice. A new tenant, the College Artisans Shop, seeks to eventually open as an additional tenant within the existing building. The front portion of the building closest to S Campus Avenue is the most historic, having been originally constructed in the 1830s and serving as a prime example of Federal style architecture.

For the purposes of identification and advertisement, the College Artisans Shop would like to install a new roughly 7 square foot sign to be hung from the porch roof, at a centered position over the entryway steps. The sign will not have any form of illumination, other than by natural light. The sign will feature differing lettering/content on both sides, thus catering differently to customers exiting the building vs. those that are entering.

The property is zoned RO Office Residential, wherein the two types of permanent signage allowed are wall signs and freestanding signs. Each property is permitted one permanent sign per nonresidential tenant. While the anticipated tenant certainly has a right to an identification sign of some kind, the manner in which the sign is proposed requires consideration of two Variances in order to be allowed.

DESCRIPTION

The applicant's requested Variances can be summarized as follows:

Requirement	Code Section	Standard	Proposal
Sign Type	1151.05(a)(1)(A)	Wall or Freestanding Only	Hanging Sign (not against wall)
<i>Section 1151.07(nn)</i> defines a wall sign as a sign painted or affixed flat against the wall of a building or structure, or marquee, awning or canopy in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than 16 inches from such building or structure. The 16 inch threshold is what divides wall signs from those considered projecting signs, which are a prohibited sign type. It is the opinion of staff that the proposed "hanging sign" comes close, but does not quite meet, the definition for a wall sign since it is not affixed flat against a surface. The Code does not specifically define a hanging sign separate from a wall sign. In the RO District, the only types of permanent signs allowed are wall signs or freestanding (ground) signs. A Variance is therefore needed in order for this specific type of sign to be allowed. As part of its motion, the BZA could choose to dictate that any hanging sign proposed in this manner should in fact be construed as a wall sign for purposes of applying Code regulations.			
Sign Height from Ground	1151.05(a)(1)(A)(1)(b)	9 feet min 18 feet max	7 feet from porch floor
Staff believes an additional Code provision related to height would become applicable, should a Variance be granted to essentially treat a hanging sign the same as a wall sign. The amount of clearance between the porch floor and the bottom of the sign is shown to be 7 feet, thus 2 feet short of the minimum height. The proposed sign does however meet the size restriction for no more than 20 square feet. If measured from the ground at the foot of the steps, the sign is proposed to be positioned at a height measuring approximately 8 ½ feet.			

PUBLIC COMMENTS

Notification was mailed to property owners within 200 feet and a sign was placed on the property. No official public comments have been received as of this writing.

DEPARTMENT COMMENTS

Department	Respondent	Response
Economic Development	Seth Copenbaker, Economic Development Specialist	Returned with Comments
<i>The use of the Interfaith Center as a site for retail and commercial activity is a welcomed use of this facility. The addition of retailers at this site promotes activity of the Interfaith Center, as well as creates an affordable option for entrepreneurs seeking commercial space in Oxford, particularly on the east end of High St. where commercial lease prices are highest per square foot.</i>		
<i>Facilitating businesses in promotion and customer/public awareness should be a goal of the City of Oxford as we promote economic growth and entrepreneurship, provided that promotion does not substantially alter current practices or adversely affect our commercial and residential corridors.</i>		
<i>The Interfaith Center currently has two hanging signs displayed on their front porch. Provided the design of a sign for JG jewelry follows the design features, including sign dimensions, of the northern most sign the Economic Development staff would support the request for this variance.</i>		

Concern would be raised should additional tenants with additional hanging signs be added to this site. Limitations to a "single row" of signage all of equal height, matching the practice of the current "northern" hanging sign, would be supported.

Engineering	Scott Otto, City Engineer	Returned without Comments
Fire	John Detherage, Fire Chief	Returned without Comments
Police	John Jones, Police Chief	Returned without Comments

BZA SITE HISTORY

Past BZA case history for the subject property is outlined in the table below:

Case No.	Request(s)
BZA-15-1982	Variance to Side Yard Setback
This case involved a minor addition to the north side of the building, adjacent to the alley. The purpose was to create a space for United Campus Ministry to store flammable materials and yard equipment. Under the Zoning Code applicable at the time, the property was zoned R-5 and subject to a minimum side yard setback of 7.5 feet. The Board voted 5-0 to approve the request.	

DECISION CRITERIA

In accordance with **Section 1139.02(c)(1)**, the burden of proof is upon the Applicant to present reliable and substantial evidence that supports the request for Variance. Furthermore, per **Section 1139.02(c)(2)** the BZA must find that **practical difficulties** exist that would render strict application of the Code unreasonable. In determining whether such difficulties exist which are sufficient to warrant the Variance, the Board shall use the attached eight decision criteria (A-H) in its deliberation. See the enclosed narrative addressing the review criteria. If the BZA determines that difficulties exist which are sufficient to warrant the Variance, staff recommends that the BZA cite any new or different specific evidence not yet identified and approve the variance request. If the BZA does approve the Variance it can make separate findings and attach any appropriate conditions it deems necessary as permitted by **Section 1139.02(d)(2)**.

Staff's review of the Decision Criteria is provided in the table appearing on the following pages.

Criterion A	Whether the property in question will yield reasonable return or whether there can be any beneficial use of the property without the variance
Supports granting the Variance	Signage is a natural desire for any business looking to attract customers to its location, as well as for a property owner or landlord looking to attract commercial tenants. The architectural character of the existing building does not lend itself well to the installation of wall signage fully in compliance with Code requirements, thereby possibly hindering the ability to install any kind of signage directly onto the building unless Variances are considered. The inability to provide suitable signage could indirectly affect the ability for the property owner to attract tenants and thus yield reasonable return.
Criterion B	Whether the variance is substantial
Supports granting the Variance	Staff does not believe the requested Variances are substantial. The proposed sign is essentially being hung instead of being installed flat against a wall, but otherwise does not project more than 16 inches perpendicular to the side of the building as would be characteristic of projecting signs. A height of 7 feet should also leave ample room for most individuals to ascend the steps and enter the building.
Criterion C	Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance
Supports granting the Variance	The proposed sign would complement the historic character of the building and neighborhood. The sign has already received approval of a Certificate of Appropriateness (COA), a requirement due to being located in the University Historic District.
Criterion D	Whether the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage)
Supports granting the Variance	Staff does not believe governmental services will be adversely impacted. Engineering, Fire and Police Departments all reviewed the application and did not return any comments; had any comments been received, these might have contributed to this criterion.
Criterion E	Whether the property owner purchased the property with knowledge of the zoning restriction
Supports granting the Variance	The future tenant states that neither they, nor the property owner, had prior awareness of the restriction.
Criterion F	Whether the property owners' predicament feasibly can be obviated through some method other than a variance
Supports granting the Variance	Staff agrees with the applicant's assessment that a future sign which does not require a Variance would not be as identifiable, visible, or suited to the property.

Criterion G	Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance
Supports granting the Variance	The Oxford Zoning Code currently hampers the ability to install signage which hangs or projects from commercial buildings in the historic core area of the city. This regulatory decision may have been reactionary to sign clutter present along corridors many years ago, which has since largely disappeared. If controlled properly, such forms of signage can actually become positive attributes for a commercial district, enhancing character and charm. Staff agrees with the applicant's sentiments that the goal of sign regulations should be to cultivate an attractive urban environment which suits community character.
Criterion H	Any other relevant factor
Supports granting the Variance	The 2023 Oxford Tomorrow Comprehensive Plan adopted in January lists a number of goals and objectives to improve quality of life and economic vitality in the City of Oxford, including enhancement of the built environment by encouraging adaptive reuse in buildings of special architectural or historic value. Approving the two requested Variances would help support a new business startup, in alignment with City goals.

CONCLUSION

At the time of this report, staff believes **there is substantial evidence** to support the requested Variances.

SUBMITTED BY:



Zachary Moore, AICP
City Planner / GIS Coordinator

DATE: September 19, 2023

BZA MOTION FOR VARIANCES

In the case of **BZA-2023-03** ...

1) Regarding the first variance requested to *Section 1151.05(a)(1)(A)* for sign type ...

Mr./Ms. _____ hereby moves that the Board adopt and make the following findings of fact:

- A. The property in question (**will / will not**) yield a reasonable return or (**can / cannot**) be used beneficially without the variances because:_____
- B. The variance (**is / is not**) substantial because:_____
- C. The essential character of the neighborhood (**would / would not**) be substantially altered by the variance and adjoining properties (**would / would not**) suffer a substantial detriment as a result of the variance because:_____
- D. The variance (**would / would not**) adversely affect the delivery of governmental services (i.e. water, sewer, garbage, etc.) because:_____
- E. The property owner (**did / did not**) purchase the property with knowledge of the zoning restriction because:_____
- F. The property owner's predicament (**can / cannot**) feasibly be obviated through some method other than a variance because:_____
- G. The spirit and intent behind the zoning requirement (**would / would not**) be observed and substantial justice done by granting the variance because:_____
- H. Other relevant factors, if any, considered include:_____

It is further moved that after considering and weighing these factors, the Board should find that practical difficulty (**is/is not**) shown sufficient to warrant granting the Variance requested, and that the Variance should be accordingly (**APPROVED / DENIED / APPROVED WITH THE FOLLOWING CONDITIONS**). The conditions for approval, if any, include:

Motion Seconded by: Mr. / Ms. _____

Vote: Aye: _____ Nay: _____

2) Regarding the second variance requested to *Section 1151.05(a)(1)(A)(1)(b)* for height of the sign from the ground ...

Mr./Ms. _____ hereby moves that the Board adopt and make the following findings of fact:

- I. The property in question (**will / will not**) yield a reasonable return or (**can / cannot**) be used beneficially without the variances because:_____
- J. The variance (**is / is not**) substantial because:_____
- K. The essential character of the neighborhood (**would / would not**) be substantially altered by the variance and adjoining properties (**would / would not**) suffer a substantial detriment as a result of the variance because:_____

- L. The variance (**would / would not**) adversely affect the delivery of governmental services (i.e. water, sewer, garbage, etc.) because:_____
- M. The property owner (**did / did not**) purchase the property with knowledge of the zoning restriction because:_____
- N. The property owner's predicament (**can / cannot**) feasibly be obviated through some method other than a variance because:_____
- O. The spirit and intent behind the zoning requirement (**would / would not**) be observed and substantial justice done by granting the variance because:_____
- P. Other relevant factors, if any, considered include:_____

It is further moved that after considering and weighing these factors, the Board should find that practical difficulty (**is/is not**) shown sufficient to warrant granting the Variance requested, and that the Variance should be accordingly (**APPROVED / DENIED / APPROVED WITH THE FOLLOWING CONDITIONS**). The conditions for approval, if any, include:

Motion Seconded by: Mr. / Ms. _____.

Vote: Aye: _____ Nay: _____



BZA-2023-03
Surrounding
Property Owners
Notifications Map

Legend

-  Subject
-  200 Ft. Buffer
-  Oxford Corp. Limit
-  Address Point
-  16.5' Vacated ROW
-  Building Footprint



1 inch = 100 feet

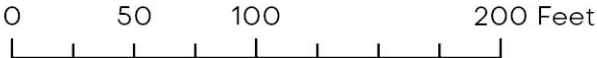
Prepared on Friday, September 1, 2023

The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.



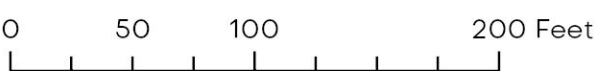
Aerial Map

 Site



Zoning Map

 Site



**Internal Use Only:**Case No. BZA-2023-03Date Filed 8/25/2023

Petition for Zoning Variance

Petitioner Information

Attach a Letter of Agency if the Petitioner is not the property owner.

Name * JG Jewelry LLC

Mailing Address * 16 S. Campus Ave

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 407-912-6399

Email Address jg.jewelry.oxford@gmail.com

Owner Information

Name * Kerri Cissna

Mailing Address * 16 S. Campus Ave

City, State & Zip Code * Oxford, Ohio 45056

Telephone Number(s) * 310-658-4941

Email Address ticprogramdirector@gmail.com

Variance and Lot Information

Requested Variance. * Indicate the nature of variance and applicable section(s) of the Planning and Zoning Code.

This variance is requested in regards to the type of sign we would like to have. Zoning code 1151.05 dictates two types of signs are permissible. Section A defines the regulations for a standing sign and section B defines the regulations for a wall sign. This variance is made to request a hanging sign be permissible.

Location of Requested Variance * 16 S. Campus Ave

Name of Building The College Artisans Shop/ The Interfaith Center

Legal Description * Comershal

Zoning District * Historical Total Acreage * .2758

Existing Use of Site * United Campus Ministries

Proposed Use (if applicable). A description of operations, including type of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles, and the hours of operation.

We offer a range of student-crafted products, from jewelry to ceramics. Our services include retail sales and custom jewelry crafting on the spot. Catering mainly to college students, we anticipate about 200 customers weekly.

Operational hours are still being finalized to best serve our college community.

Required Plans and Documentation

From Section 1139.02(a)².

- (1) Contents of application for variance. **Eight** complete sets of all information shall be submitted with an application. The Zoning Administrator may modify this requirement based upon the type of materials included. **The applicant is encouraged to contact the Zoning Administrator prior to submitting an application to discuss the submission requirement.** If any information is submitted in color or on non-standard paper, more copies may be required.
 - A. Application Fee.
 - B. Description of Use and Site.
 - C. The name, mailing address, and telephone number of the applicant and the property owner.
 - D. If the applicant is not the owner, a statement from the owner that the applicant is entitled to apply on his or her behalf (Letter of Agency).
 - E. A legal description of the site, including all separate lots.
 - F. A description of the existing uses of the site.
 - G. The zoning district in which the site is located.
 - H. A description of the existing and proposed use.
 1. A description of operations, including type of goods sold, services performed, and expected number of customers, clientele, delivery, and service vehicles.
 2. The hours of operation.
 - I. The nature and magnitude of the requested variance.
 - J. The Code section from which the variance is requested.
 - K. A separate narrative statement that explains how the proposed variance satisfies **each** of the Decision Standards required to grant a variance ([see Decision Standards section](#)).
 - L. A list of the names and mailing addresses of all landowners within 200 feet of the perimeter of the site ([see Surrounding Property Owners section](#)).
- (2) Site Plan. A scaled site plan shall include the following information in detail. The required information may be submitted on multiple site plans if inclusion of all information on a single plan makes it illegible or difficult to understand.
 - A. North arrow.
 - B. Scale.
 - C. Vicinity map.
 - D. All existing and proposed lot lines within the site.
 - E. Dimensions of all lots and of the entire site and any adjacent rights-of-way.
 - F. Location, height, and use of all proposed and existing structures.
 - G. Location and design of all proposed vehicle management areas.
 - H. Location, size, and type of all proposed signs.
 - I. Location, height, and type of all proposed screening and landscaping.
 - J. Distances to residential zoning districts if within 1,000 feet.
 - K. The use of land and location of structures on adjacent property and across adjacent rights-of-way.
 - L. An indication of the regulation from which the variance is requested.
 - M. Other information as required by the Board of Zoning Appeals.
- (3) Elevations. Elevations of proposed structures, or typical elevations if structures are not yet designed, may be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use.
- (4) Other. Photographs of the existing use and its surroundings and other information regarding the proposed use, site, or surrounding area as may be pertinent to the application or required by the Board of Zoning Appeals.

Surrounding Property Owners

On a separate sheet, provide the parcel numbers, names, and mailing addresses of all property owners within 200 feet of all boundaries of the property in question. The [Butler County Auditor Real Estate Search](#)¹ is helpful when searching for the mailing address of adjoining property owners. It allows you to search by owner, address, or parcel number.

Decision Standards

From Section 1139.02(c)(2). *See Chapter 1139 Variances² for the full text.*

- A. Whether the property in question will yield reasonable return or whether there can be any beneficial use of the property without the variance;
- B. Whether the variance is substantial;
- C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

- D. Whether the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage);
- E. Whether the property owner purchased the property with knowledge of the zoning restriction;
- F. Whether the property owners' predicament feasibly can be obviated through some method other than a variance;
- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- H. Any other relevant factor.

Fees & Receipt

The variance fee is \$325.00, plus \$100.00 for each additional variance request up to a maximum of \$1,000.00, plus \$10.00 postage charge. **Fees may increase if staff determines that you need more variances.**

Sign and Date

Petitioner Signature *

JG Jewelry LLC

Date *

8/24/2023

Submit Application, Plans and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with required plans and documentation as attachments and a check for fees and postage charge, made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

Direct questions to the Community Development Department at (513) 524-5204. The application will be placed on the next possible agenda.

Note: You must adhere to notification and publication requirements. Submit materials 30 days prior to the Board of Zoning Appeals meeting at which the action is requested. City Staff will place a public hearing sign on the subject property. **The Petitioner is responsible for removing the signage at the completion of the hearing(s).**

¹ Butler County Auditor Real Estate Search: <http://www.butlercountyauditor.org/>

² City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that
Kerri Cissna

(Applicant Name)

has permission to represent our interest with the City of Oxford regarding
The Interfaith Center

(Application Description)

located at
16 S. Campus Ave, Oxford, Ohio, 45056

(Property Address/Location)

Thank you,
Kerri Cissna

(Property Owner Printed Name – must be a person)

The Interfaith Center

(Property Owner Company Name – if applicable)



July 24, 2023

(Property Owner Signature – must correspond to printed name above)

(Date)

Board of Zoning Appeals
City of Oxford
15 S. College Ave
Oxford, OH 45067

JG Jewelry LLC
16 S Campus Ave
Oxford OH, 45056

Board Members,

Please accept this letter as a formal petition for a Board of Zoning Appeals review for a variance to the type of signage allowable in the Historical University District

We are requesting a variance to the following code:

Section 1151.05(a)(1)(A) provides standards influencing what types of permanent signage may be installed on properties zoned RO. This section allows for no more than one (1) wall or freestanding sign, and no other type of sign. A *wall sign* defined by **Section 1151.07(nn)** as *a sign painted on or affixed flat against the wall of a building or structure, or a marquee, awning. Or a canopy in such a manner that the wall becomes the supporting structure or, or in forms the background surface of, the sign and that does not project more than 16 inches from such building or structure.*

- A. Whether the property in question will yield a reasonable return or whether there will be any beneficial use of the property without the variance
No; as a debuting retail location, signage and company branding is crucial for the success of our launch and continued success as a small business in Oxford. We feel that clear, appealing identification of our space will be the driving force for attracting customers in the first few months of opening and will continue to draw customers as word gets out and new clientele are trying to locate our business.
- B. Whether the variance is substantial
Yes, the variance is substantial. Zoning codes allow for wall signs or free-standing signs but no allowances for hanging signs. We are requesting a hanging sign due to the nature of the building and surrounding property making these two options less effective for attracting customers.
- C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance
No, the sign was specifically designed to fit the character of the historic neighborhood. We believe this variance will add to the character of the neighborhood and be an improvement on the previous signage used at the property. Additionally, no evidence supports that this variance will negatively affect the adjoining properties.
- D. Whether the variance would adversely affect the delivery of governmental services
No, this sign will not effect the delivery of any governmental services
- E. Whether the property owner purchased the property with knowledge of the zoning restriction
No, the current property owner was not aware of this restriction when coming into ownership. As tenants, we were not aware of this restriction until after signing the lease.

- F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
- No, with the support of the HPAC, the proposed sign best suits the nature of the building and its purpose of attracting customers. A sign that would not require the variance would not be as identifiable, visible, or suited to the property.
- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice is done by granting the variance
- Yes, we believe the intent of the zoning requirement is to cultivate an attractive uptown retail district that suits Oxford's character. With the support of the HPAC, we believe the proposed variance observes this intent.
- H. Any other relevant factor
- In the last 5 years, this building has had many uses, been inhabited by many people and organizations, and its layout changed abundantly. We believe there is much confusion in the town surrounding the current use of the space and want to combat that with very clear signage. We want to make it very known that there is new activity in the front portion of the property.

FRONT



BACK



ORDER NUMBER: 2869

DESCRIPTION:

65" x 16" 1" HDU Hanging Sign,
Double Sided, Carved, and 2 color
paint.

AREAS:

TOTAL AREA: 7.22 SQ FT

FOR PRESENTATION PURPOSES ONLY.
REQUIRES ENGINEERING CALCULATIONS
FOR STRUCTURAL INSTALLATION/ASSEMBLY
ALL MEASUREMENTS TO BE CONFIRMED
BY ADDITIONAL SIGHT SURVEY

CONTACT INFO

Design@louisvillecustomsigns.com

502.409.5008

louisvillecustomsigns.com

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16 S Campus Ave Oxford, OH 45056

July 20, 2023



Mounting mechanism: Two eye hooks penetrating the sign 1.75" deep and protruding from the top of the sign 1.25" will interlock with two corresponding eye hooks which penetrate upward into the front porch beam 1.5" deep and protrude 1.0" below. These will be made of an alloy of galvanized steel and zinc and have a chrome appearance. The screw section of the hardware will be reinforced with wood glue and maintained periodically.

Material: Routed HDU
Height: 16"
Length: 65"
Width: 0.75"
Clearance height: 84"





Community Development Department
Zoning Review
513-524-5204

July 28, 2023

Genevieve Gerenz
JG Jewelry
16 S Campus Avenue
Oxford, OH 45056

VIA EMAIL:
gerenzge@miamioh.edu

RE: Zoning Review for 16 S College Avenue (Permit #P2023-0274) – Denial

Dear Ms. Gerenz:

I have reviewed your permit application received July 18, 2023 for a new hanging sign (“The College Artisans Shop”) at 16 S Campus Avenue in Oxford. The subject property is zoned RO Office Residential District. Below are comments pertaining to review of the submitted plans for compliance with the Oxford Zoning Code:

1. **Section 1152.08(b)(1)** provides that *no person shall carry out any exterior alteration, addition, restoration, reconstruction, demolition, removal of exterior architectural elements, construction that alters the architectural style of existing structures, new construction, or moving of a site, structure, or building that is a designated historic site or that is within a historic district without an approved COA.* The proposed project falls within the University Historic Overlay District; therefore approval of a Certificate of Appropriateness (COA) by the Historic and Architectural Preservation Commission (HAPC) is required before the permit can be approved. A COA application was submitted on 7/18 and is currently in process.
2. **Section 1151.05(a)(1)(A)** provides standards influencing what types of permanent signage may be installed on properties zoned RO. This section allows for no more than one (1) wall or freestanding sign, and no other type of sign. A wall sign is defined by **Section 1151.07(nn)** as *a sign painted on or affixed flat against the wall of a building or structure, or a marquee, awning, or canopy in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than 16 inches from such building or structure.* The type of sign proposed does not comply with this definition, since the sign is hanging and therefore not affixed flat against a wall.
3. **Section 1151.05(a)(1)(A)(1)(b)** stipulates that any wall sign is to be *attached between 9 and 18 feet above the adjacent ground.* Staff believes this Code provision would become applicable, should a Variance be granted to treat the proposed hanging sign the same as a wall sign. The amount of clearance between the porch floor and the bottom of the sign is shown to be 7 feet, thus 2 feet short of the minimum height.

Based on the items noted above, this permit application is hereby **denied**.

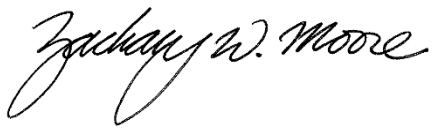
Under the provisions of Oxford Zoning Code **Section 1129.03**, the applicant has **30 days** to submit revisions or to [appeal](#) one or more of the determinations above to the Board of Zoning Appeals. A new application will be required if the applicant fails to submit adequate revisions within this time period.

Revisions that address these deficiencies may result in further comments relative to these or other Zoning Code provisions.

In lieu of possible revisions, the applicant also has the option of applying to the Board of Zoning Appeals to request one or more [Variances](#) from the Code provisions cited above.

This review is only for compliance with local zoning regulations. Other departments may also have comments that will need to be addressed before any permits can be issued.

Respectfully,

A handwritten signature in black ink that reads "Zachary W. Moore". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Zachary Moore, AICP
City Planner / GIS Coordinator
zmoore@cityofoxford.org
513-524-5204



Community Development Department
Approval Letter

August 2, 2023

Genevieve Gerenz
JG Jewelry LLC
16 S Campus Ave
Oxford, OH 45056

VIA EMAIL:
gerenzge@miamioh.edu

RE: HAPC-2023-04, 16 S Campus Avenue, CERTIFICATE OF APPROPRIATENESS, new hanging sign, JG Jewelry LLC, Applicant/Agent

Dear Ms. Gerenz:

The Oxford Historic & Architectural Preservation Commission (HAPC) Chair has approved your Certificate of Appropriateness application for the proposed new hanging sign, subject to variance approval.

This Certificate of Appropriateness shall be valid for a period of one year from the date of approval by the HAPC. All work shall be substantially completed within two years from HAPC approval.

Should you have any questions, please feel free to contact us at 513-524-5204.

Respectfully,

Eunike Miller
Administrative Assistant
Community Development Department

Cc: File