

BOARD OF ZONING APPEALS
Meeting Minutes
Wednesday, December 18, 2019

Call to Order

Those members present: Roger Ames, Michael Schnipper, Chris Allison, Dan Haizman

Those members excused: Paul Brady.

Staff members present: Zachary Moore, Ben Mazer

Staff members excused: Sam Perry.

Mr. Schnipper filled in for Mr. Brady as Chair at the meeting.

Mr. Schnipper acknowledged Mr. Paul Brady's service to the City of Oxford and many accolades to his accomplishments. On behalf of the BZA, staff, City Council, thank you for all you have done and wish you a happy long retirement.

Approval of Minutes of the November 13, 2019 Regular Meeting

Mr. Ames made motion to approve the minutes as written. Mr. Allison seconded the motion. All were in favor.

Adjudication Hearings

BZA-2019-14 36 W. High Street, variance to section 1151.05(a)(2)B1, signs shall have only indirect illumination, Sign Connection, Appellant

Mr. Ames made motion to enter into adjudication hearing BZA-2019-14. Mr. Haizman seconded the motion. All were in favor.

Mr. Zachary Moore, Planner, was sworn in by Mr. Schnipper.

Mr. Moore described the variance request to Section 1151.05(a)(2)(B)(1) - signs shall have only indirect illumination. The applicant is proposing a halo lit sign. Mr. Moore provided a location map, zoning map and street view display. Mr. Moore referred to the existing cabinet light. Mr. Moore read aloud the definition for indirect illumination, which is a source of illumination directed toward a sign so that a beam of light falls on the exterior surface of the sign. Mr. Moore stated the sign request did meet the dimensional portion of the zoning code. The Doughby's logo medallion will also be lit. Mr. Moore provided other existing halo-lit signs in Oxford. Starbucks Uptown also received a variance approval.

Mr. Moore reviewed the Decision Criteria:

1. The request is not a substantial request.

Mr. Moore added that staff was anticipating an amendment to the zoning code to include this type of lighting.

2. The neighborhood characteristics were not altered as halo lit signs are desirable.

3. Government services are not impacted

Mr. Ames stated that this type of sign lighting was not around when the code was written. Mr. Ames agreed with rewriting the code.

Ms. Jane Fiehrer, Applicant, was sworn in by Mr. Schnipper. Ms. Fiehrer responded that she did not need to add any further information.

Mr. Haizman made motion to reconvene to regular meeting. Mr. Ames seconded the motion. All were in

favor.

Mr. Allison shared that he did like the sign, but had a problem with the process. Mr. Allison stated that he strongly believed the BZA should deny the variance request and go through the legislative process to get the code changed first. Mr. Allison felt it was proper action to deny, because it is the wrong process. Mr. Ames responded that he understood, but denying the request would slow down the process of the business that wants to do something; Mr. Ames doesn't want to make them go through a lengthy process. Mr. Moore reminded Mr. Allison that each variance request is reviewed on a case by case basis to reflect what the community desires.

Mr. Ames made motion to approve BZA-2019-14, variance to Section 1151.05(a)(2)(B)(1), based upon the variance not being substantial, and would not affect government service delivery. Mr. Haizman seconded the motion.

AYE: Mr. Haizman, Mr. Ames, Mr. Schnipper (3)

NAY: Mr. Allison (1)

ABS: None (0)

Old Business

There was none.

New Business

City staff and Mr. Schnipper announced a BZA training session on January 15, 2019. Mr. Schnipper announced that the vacant seat of Mr. Brady had received two applicants. The training session will fit in nicely with the newest member.

Will be a training session only as there are no cases.

Adjournment

Mr. Haizman made motion to adjourn meeting. Mr. Ames seconded the motion. All were in favor. The meeting was adjourned at 6:50 p.m.