

**City of Norton**  
**BOARD OF ZONING & BUILDING APPEALS**  
**Tuesday, September 17, 2013**

The Board of Zoning & Building Appeals convened in Council Chambers at the Safety Administration Building. Chairman Don Welch called the meeting to order at 6:00 p.m.

**I. ATTENDANCE:**

**PRESENT:** Angie Wells, Bill Helmick, Don Welch, William Courson,  
Ed Noble

**EXCUSED:** Marty West

**ALSO PRESENT:** Russ Arters, Supt. of Building and Zoning

**II. SWEARING IN:**

Chairman Welch reviewed the procedural requirements for that night's hearing. Chairman Welch proceeded by stating that this was a quasi-judicial Board and asked that anyone wanting to speak needs to sign the attendance sheet and stand to be sworn in. Chairman Welch administered the oath to those intending to speak at the hearing.

**III. PUBLIC HEARINGS:**

- A. **BZA Application A7-2013 – APPLICATION WITHDRAWN**  
2835 Barber Road  
PPN – 4606131  
The Wallace Family Limited Partnership – Owner  
Car Wash/Detail/Storage – Ganley Ford  
[ To Construct a Building in a Flood Zone ]  
[ Section – 1472.13 (a) ]
  
- B. **BZA Application A8-2013**  
3250 Barber Road  
PPN # 4604222 and 4604229  
Nelsen Family Properties, LLC. - Owner  
Offices and Warehouse  
[ To construct a Building in a Flood Plain ]  
[ Section - 1254.04 (c) – 1472.13 (a) ]
  
- C. **BZA Application A9-2013**  
Dollar General – Hametown Road – Eastern Road  
PPN – 4603958  
CGP Acquisitions Development, LLC. – Owner  
[ Variance for Signage – Height and Size ]  
[ Section – 1289.06 2 (c) ]

Chairman Welch announced anyone wishing to speak at tonight's meeting should please sign-in at the front podium.

Chairman Welch stated BZA Application A7-2013 had withdrawn their Application and read their withdrawal letter to the Board. (see attached)

Chairman Welch announced the application and stated the application was filed Tuesday, September 3, 2013, and letters of notification were sent via first class mail, as required, per section 6.03 of the City Charter. Chairman Welch asked the applicant/agent to come forward and state his name and address for the secretary, and present pertinent information regarding the application.

Mr. David Pemeira, 2231 Broad Blvd., Cuyahoga Falls, Ohio, 44223, Agent, approached the podium. He stated the Nelsen Company would like to expand and create a new location. He said they presently have 44,000 square feet and would like to grow another 11,000 square feet. He said they are currently renting space at another location and would like to have more space at their current location. He stated this location is in a flood zone. Chairman Welch asked what safety measures the company was taking for this area. Mr. Pemeira stated the building would be masonry. He stated the building would be used for a storage area and the company was not concerned that the building was in a flood zone. Mr. Courson asked if the original building was built in a flood zone. Mr. Arter's stated there were no building requirements at that time in flood zones. Mr. Helmick asked what was planned to be stored in this building. Mr. Pemeira stated primarily water tanks and pumps would be stored there. Chairman Welch stated that Dave White, the Municipal Engineer for the City of Norton had submitted a memo stating this application would have minimal impact in the area's flood zone.

Chairman Welch asked any Board members if they had any other questions; hearing none he thanked the Applicant.

Chairman Welch asked if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for the second time if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for a third and final time if anyone wanted to speak for or against the application; no one spoke

Chairman Welch closed the public portion of the meeting. **Hearing no other questions or discussion from the Board, Chairman Welch asked for a motion. Mr. Noble moved to approve, Mr. Helmick seconded the Motion. ROLL CALL: Mr. Noble-Yes, Mr. Helmick-Yes, Mr. Welch-Yes, Ms. Wells-Yes, Mr. Courson-Yes. Motion was approved 5-0.**

Chairman Welch stated the Application was approved. He thanked the applicant and advised the applicant to see Mr. Arters for the proper permits.

Chairman Welch announced the next application and stated the application was filed Tuesday, September 3, 2013, and letters of notification were sent via first class mail, as required, per section 6.03 of the City Charter. Chairman Welch asked the applicant/agent to come forward and state his name and address for the secretary, and present pertinent information regarding the application.

Mr. Richard Stump of Agnew Sign Company, 164 Annadale Avenue, Akron, Ohio, 44203, Agent, approached the podium. Mr. Stump stated the Dollar General Store is building on the corner of Hametown Road and Eastern Road. He stated Dollar General would like to ask the Board for a Sign Variance. He stated he had the sign height and size in the Board packages for review. He said this sign was the company's basic Dollar General Store logo sign. He stated the sign was a pole sign and was approximately

6x16 square feet and 20 foot in height. He said the bottom of this sign was 14 feet from the ground. Mr. Welch asked why the sign would be 14 foot off the ground. Mr. Stump stated this height would keep the semi tractor trailers from hitting the sign while unloading. Mr. Stump stated the set back would be 30 feet. Mr. Arters stated the sign pole met the City's requirements on set backs. He stated the neighbors did not want a ground sign and were happy this sign will be a pole sign. He stated the neighbor's main concern was that a ground sign would block the view of traffic. Mr. Stump stated that looking into the sun would also be difficult with a ground sign. He stated a pole sign would be a better fit for this area. Mr. Stump stated Dollar General submitted a second option for the pole sign. He stated this sign was a 7 x 10 sign. Chairman Welch stated that there was less clearance under this sign. Mr. Stump stated that Dollar General would prefer the City use the larger sign. Ms. Wells asked what amount of square foot was permitted. Mr. Arters stated 50 square foot was permitted. Mr. Courson asked if the sign pole was black. Mr. Stump stated instead of the silver pole, Dollar General was now constructing a black pole with black cabinets. He stated that dollar General was doing away with the gray color on their pole signs.

Chairman Welch asked any Board members if they had any other questions; hearing none he thanked the Applicant.

Chairman Welch asked if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for the second time if anyone wanted to speak for or against the application; no one spoke.

Chairman Welch asked for a third and final time if anyone wanted to speak for or against the application; no one spoke

Chairman Welch closed the public portion of the meeting. **Hearing no other questions or discussion from the Board, Chairman Welch asked for a motion. Mr. Courson moved to approve, Mr. Noble seconded the Motion. ROLL CALL: Mr. Courson-Yes, Mr. Noble-Yes, Mr. Helmick-Yes, Mr. Welch-Yes, Ms. Wells-No. Motion was approved 4-1.**

Chairman Welch stated the Application was approved. He thanked the applicant and advised the applicant to see Mr. Arters for the proper permits.

#### **IV. OLD BUSINESS:**

Chairman Welch asked if there was any old business. There was none.

#### **V. NEW BUSINESS:**

Chairman Welch asked if there was any new business.

Mr. Courson stated this would be his last meeting with the Board. He stated he will be going to the Planning Commission Board. He stated that in his absence, Mr. Noble would fill-in for him until a Ward Representative was hired.

Mr. Arters stated that the week of Columbus Day, Council will be bumping us from our regular Tuesday meeting. He stated there were no Applications filed for that meeting. He said he will cancel the October meeting since the only thing on the agenda was minutes to be approved. He said we will wait till the November meeting to approve those minutes.

**VI. CONSIDERATION OF MINUTES;**

Chairman Welch asked if there were any additions or corrections to the minutes of Tuesday, July 16, 2013. **Hearing none, the Chairman asked for a motion. Mr. Helmick moved to approve the minutes as written, seconded by Mr. Courson. ROLL CALL: Mr. Helmick-Yes; Mr. Courson-Yes, Mr. Welch-Yes, Ms. Wells- Yes, Mr. Noble-Yes. Motion carried 5-0 to accept the July 16, 2013 minutes as written.**

**VII. ADJOURNMENT:**

There being no other business before the Board, the Chairman adjourned the meeting. The Board's next scheduled meeting will be Tuesday, November 19, 2013, at 6:00 PM.

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Board of Zoning & Building Appeals  
Chair/Vice-Chair

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Board of Zoning & Building Appeals  
Vice-Chair/Member

\_\_\_\_\_  
Date

**\* ORIGINAL SIGNED DOCUMENTS ON FILE WITH THE CLERK OF COUNCIL \***