

BOARD OF ZONING APPEALS

MINUTES

November 5, 2019

Members Present:	Glynn Marsh	
	Lynn Thomas-Roth	Mayor O'Callaghan
City Staff Members Present:	John P. Applegate	Denise Winemiller

Mrs. Thomas-Roth called the Board of Zoning Appeals meeting to order and attendance was taken. Mr. Bruns had called in and was not able to attend the meeting.

1. Mrs. Thomas Roth asked if there were any corrections or additions to the minutes from the July 2, 2019 meeting. There were no comments or corrections so Mayor O'Callaghan moved that the minutes be accepted as prepared. Mr. Marsh seconded the motion. All board members voted in favor of the motion. The minutes were accepted as prepared.

2. 19-05 – Request from Pure Development for a sign variance for signs to be located on the southeast corner of Union Airpark Blvd., size 10 feet x 20 feet, and a second sign on the southwest corner of 10791 Dog Leg Road, size 4 feet by 8 feet.

Mr. Applegate introduced Mr. Evan Johnson, representing Pure Development. Mr. Applegate said the city had replaced their sign ordinance in 2013 and included regulations on the limit of the size of signs for all areas, including future industrial parks. However, the sign ordinance allows for variances to be granted by the Board of Zoning Appeals to allow a difference in the size, to permit something different depending on the situation. Mr. Applegate said that Pure Development has purchased 80+ acres known as the Hart farm. Mr. Applegate showed the board the location of the property on the map. Mr. Applegate said that Pure Development was planning a 621,000 square foot facility on 42 acres. They hope to begin building in March, 2020.

The City wants to promote their industrial park. This particular lot sits lower on the west end and a shorter sign would not be easily seen.

Union wants to assist potential developers anywhere they can. These signs would be temporary and Mr. Applegate said the staff recommends the approval of this variance for the two signs.

Mr. Applegate said the time is right for businesses to come to the area and Dayton has some activity on land next to this lot already.

Mr. Johnson said they did ask to increase the size of the sign because a smaller sign would be lost and not draw attention to the industrial park.

Mr. Applegate said he hoped the Board of Zoning Appeals Board would look favorably on this request for a variance.

Mr. Marsh moved to approve the sign variance request. Mayor O'Callaghan seconded the motion. All the members voted in favor of the motion and the variance request was granted.

3. Open Agenda

In the open agenda, Mrs. Thomas-Roth asked about a recent concern expressed by a resident about a property with three storage sheds.

Mr. Applegate said a letter had been sent to the resident and that the covenants in her subdivision allow only one shed, and that would be a civil matter that she could take to court.

Mr. Applegate said there are very few properties in Union that have two or three sheds. Regulations are in place that no more than 35% of the rear yard could have structures, which would include decks, sheds, pools, etc. to remain in compliance with city regulations.

Mr. Applegate said the property in question had a fence so the area does not look unsightly. He said the third shed on the property is a Rubbermaid shed and

people use those to store their trash cans, which the city would prefer trash receptacles to be out of sight but in this case he also uses it for smoking.

The same resident was requesting a “No Outlet” sign also. Another person requested it so Mr. Applegate said he would look at the situation. There was a discussion about placing signs on top of other signs. Street name signs can be placed on stop signs but Mr. Applegate said no other signs could be attached to stop signs. Mr. Applegate said he will check further into the necessity of having a “no outlet” sign. The cul-de-sac is very short and drivers can easily see that there is no outlet.

4. Mr. Marsh moved that the Board of Zoning Appeals meeting be adjourned. Mayor O’Callaghan seconded the motion. All concurred and the meeting was adjourned.

Mr. Applegate asked Mr. Dungan if he had a copy of the covenants for Stoney Crest South and he did not. Mr. Applegate gave him a copy.

4. 19-03 - Application for a variance submitted by Josh Dungan of Josh Dungan Homes on behalf of Gregory and Denise Palmer to reduce the current setback of 100 feet from the right of way to 50 feet for Lot 6, Stoney Crest South, 900 Old Springfield Road.

Mr. Bruns moved to grant a variance of 50 feet for Lot 6, Stoney Crest South, 900 Old Springfield Road. Mr. O'Callaghan seconded the motion. All concurred and the variance was granted.

5. Open Agenda

There was nothing for the open agenda.

6. Mayor O'Callaghan moved that the meeting be adjourned. Mr. Bruns seconded the motion. All concurred and the Board of Zoning Appeals meeting was adjourned.