

**Minutes**  
**Nimishillen Township Board of Zoning Appeals**  
**4422 Maplegrove NE, Louisville, OH 44641**  
**Wednesday, October 2, 2019 – 7:00 PM**

**Board Members Present:** Anthony ‘Tony’ Mucci, Chairman  
Gary Brahler, Secretary  
Randy Donaldson, Member  
Jim Morris, Member  
Randy Lombardi, Alternate

**Board Members Absent:** Pan Aslanides, Vice-Chairman  
Kyle Fausnight, Alternate

**Zoning Inspector:** Jeff Shipman

**Township Secretary:** Shelby Dieffenbaugher

**Purpose: (One Case)**

**Appeal #0682** – The Church of Christ in Marlboro at 8533 Ravenna Ave. NE, Louisville, Ohio 44641, Parcel #10000668, Zoned “RR – Rural Residential”, is requesting a variance for a “Sign and Bulletin” that is overall forty-five (45) square feet. Whereas, Nimishillen Township Zoning Resolution, Section 801.6, Permitted Signs in Any Use District Upon Application and Issuance of a Zoning Certificate; Part 1. “One announcement sign or bulletin board of not more than twenty (20) square feet in area shall be permitted for any church, school, community center, or other public or institutional building.”

**CALL HEARING TO ORDER:**

Chairman Mucci opened tonight’s hearing at 7:00 PM introduced all board members in attendance, the zoning inspector, and the township secretary.

Chairman Mucci swore in everyone in attendance by asking them to swear that the information they were about to present, either in oral or written form, is true and accurate to the best of their knowledge. The people responded by stating, “I do”.

**Appeal #0682** – The Church of Christ in Marlboro at 8533 Ravenna Ave. NE, Louisville, Ohio 44641, Parcel #10000668, Zoned “RR – Rural Residential”, is requesting a variance for a “Sign and Bulletin” that is overall forty-five (45) square feet. Whereas, Nimishillen Township Zoning Resolution, Section 801.6, Permitted Signs in Any Use District Upon Application and Issuance of a Zoning Certificate; Part 1. “One announcement sign or bulletin board of not more than twenty (20) square feet in area shall be permitted for any church, school, community center, or other public or institutional building.”

**Albert Haddad of Ellet Sign, of 3041 E. Waterloo Rd., Akron, Ohio** stepped to the podium and informed the Board he is from Ellet Signs. Mr. Haddad stated Kyle Hall from the church contacted our office about the church and having an electric sign put in. Mr. Haddad said he spoke with the Zoning Inspector about what is allowed and what is not allowed. Mr. Haddad stated that the church decided not to do an electric sign and just move forward with a regular sign. Mr. Haddad informed

the Board the sign will include a section for the name, a section for the hours of their services, and an interchangeable section for messages for all the traffic to see. Mr. Haddad expressed to the Board that he understands this size for the sign is massive to what the code allows but it is typical for this type of sign. Mr. Haddad provided the Board new drawings that were put together this afternoon. Discussion followed.

**Kyle Hall of 9038 Beeson St., Louisville, Ohio** stepped to the podium and informed the Board he is the Deacon for the church. Mr. Hall expressed to the Board the main concern is that a 20 sq. ft. or 4 by 5 sign on 44, with people driving by at 55 mph, no one would have a clue what it said. Mr. Hall said when people are driving north bound on 44, there is a hill that would limit the visibility of the sign. Mr. Hall explained to the Board there are 3 sections of the sign. There is a section for the logo or the name of the church, below that is the hours of worship & bible study, and below that is a section with interchangeable lettering. Mr. Hall expressed his concern regarding the required setbacks for the sign. Mr. Hall stated the sign must be 30 ft. from the center of the road plus an additional 10 ft., and with people driving 55 mph, drivers would not see a smaller sign. Mr. Hall informed the Board they initially looked at a digital sign with scrolling text but it would look out of place in the area.

Chairman Mucci asked Zoning Inspector Jeff Shipman if the columns on the sign are included in the size. Mr. Shipman stated no, the columns don't count. Discussion followed.

Mr. Lombardi asked what the size of the letters for the sign will be. Mr. Haddad stated 6 inches. Discussion followed.

Mr. Lombardi asked if the sign will be lighted. Mr. Hall stated the logo section will be lit, and the middle and interchangeable section will be lit from the ground. Mr. Hall stated they felt they were asking too much if they asked for the entire sign to be lighted. Chairman Mucci stated the size is what the sign is in violation of. Discussion followed.

Mr. Lombardi asked if the sign will be the same on both sides. Mr. Hall stated yes.

Mr. Donaldson stated based on the drawings the Board just received, he is questioning the actual size of the sign. Mr. Haddad informed the Board that after checking the numbers this afternoon, the sign is actually 52 sq. ft. Mr. Haddad stated while they were working on the drawings', things were added and the drawing wasn't updated. Discussion followed.

Mr. Donaldson stated the Board received a concern from a neighbor about how a church could be in RR and questioned if they received a Conditional Use in order to build. Mr. Braher stated they don't need a Conditional Use; churches are permitted in RR. Discussion followed.

Chairman Mucci stated the Board received a letter from John and Theresa Cice stating they are strongly opposed to the sign. Mr. Hall stated he looked at other variances for church signs. Discussion followed.

Chairman Mucci asked if anyone would like to speak for the variance.

**George Mountcastle of 7384 State St., Louisville, Ohio** stepped to the podium and informed the Board that the church is a good structure and an attractive building. Mr. Mountcastle stated he has no objection to the size of the sign; he is concerned with the lighting of the sign. Mr. Mountcastle informed the Board of a church on State St. that has lights for the sign that shine into your eyes when

you're driving. Mr. Mountcastle stated he is also concerned with the lighting of the parking lot. Mr. Hall explained the lighting for the building, the parking lot, and that the lighting for the sign will be on the ground. Mr. Mountcastle suggested having the lights on an angle and shine to the west of the property away from the road. Discussion followed.

Prior to voting, Township Secretary Shelby Dieffenbaugher suggested to the Board to make a motion to the change of the size of the sign. The Board agreed.

**Motion to change square footage of sign:**

*TONY MUCCI MOTIONED TO CHANGE THE SIZE OF THE REQUEST FOR VARIANCE TO 52.8 SQ. FT. FROM 45 SQ. FT. SECONDED BY RANDY LOMBARDI. The Board responded by saying 'I'. MOTION CARRIED.*

Roll call voting:	Jim Morris	--	Yes
	Randy Donaldson	--	Yes
	Gary Brahler	--	Yes
	Tony Mucci	--	Yes
	Randy Lombardi	--	Yes

Prior to voting, Mr. Hall explained the variance process for Marlboro Township that he went through to build a garage on his property. Mr. Hall thanked the Board for listening.

**Motion for a Ballot Vote:** With no other questions and/or discussion, Chairman Mucci asked for a motion for a ballot vote to approve or disapprove Appeal #0682.

*JIM MORRIS MOTIONED FOR A BALLOT VOTE FOR APPEAL #0682 SECONDED BY RANDY DONALDSON. The Board responded by saying 'I'. MOTION CARRIED.*

Roll call voting:	Jim Morris	--	Approve
	Randy Donaldson	--	Approve
	Gary Brahler	--	Approve
	Tony Mucci	--	Approve
	Randy Lombardi	--	Approve

Chairman Mucci said **the request for Appeal #0682** was **APPROVED** and advised Mr. Hall to contact Jeff during regular office hours to make arrangements to get whatever paperwork/permits are needed.

Mr. Hall asked the Board if something will be mailed to him. The Board informed him to see Jeff at the office to obtain the permit needed.

**Old Business:** There was no old business for the Board to discuss.

**New Business:**

Chairman Mucci informed the Board that what they decide as a Board may come back to haunt them and that they need to take that into considered. Discussion about how decisions on past variances may affect future variances.

Chairman Mucci informed the Board at a hearing earlier this year, the alternates were asking questions. Chairman Mucci stated according to the state, if they are filling in for an absent board member, they can ask questions. If not, the alternate has to sign in and speak at the podium if they would like to ask questions. Discussion followed.

**Approval of Minutes:**

*GARY BRAHLER MOTIONED TO APPROVE THE MINUTES FOR SEPTEMBER 4, 2019 AS WRITTEN SECONDED BY RANDY DONALDSON. The Board responded by saying 'I'. MOTION CARRIED.*

Roll call voting:	Jim Morris	--	Approve
	Randy Donaldson	--	Approve
	Gary Brahler	--	Approve
	Tony Mucci	--	No Vote
	Randy Lombardi	--	Approve

**Adjournment:**

*TONY MUCCI MOTIONED TO ADJOURN AT 7:41 PM SECONDED BY GARY BRAHLER. The Board responded by saying 'I'. MOTION CARRIED.*

Roll call voting:	Jim Morris	--	Approve
	Randy Donaldson	--	Approve
	Gary Brahler	--	Approve
	Tony Mucci	--	Approve
	Randy Lombardi	--	Approve

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Gary Brahler, Secretary  
Nimishillen Township Board of Appeals

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Randy Donaldson, Member  
Nimishillen Township Board of Appeals

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Zoning Board of Appeals Minutes: 2019 – October 2; Sign @ 8533 Ravenna Ave, Parcel #10000668