



**BOARD OF ZONING APPEALS
MEETING MINUTES
APRIL 7, 2022**

I) CALL TO ORDER/ROLL CALL

Chairman Jim Hrivnak called a meeting of the Board of Zoning Appeals to order on Thursday, April 7, 2022 at 6:30 p.m. Members present included Janice Hitzeman, Ryan Brickner and Jim Hrivnak. Board Members Randy Duncan and Gregory Short were absent. Also present were Claudia Husak, Planning Director; Peyton Kaman, Development Technician; Pam Friend, Administrative Assistant; Jeff Tyler, Development Director/Assistant City Manager and interested parties.

II) APPROVAL OF MEETING MINUTES

December 16, 2021 Meeting Minutes
[12.16.2021_bza_draft_minutes.pdf](#)

MOTION: Board Member Ryan Brickner moved to amend the minutes of December 16, 2021 with one correction on page 3, under Motion, approval 106' should be 160'. Chairman Jim Hrivnak seconded the motion.

VOTE: Y 3 N 0 (None) AB 0 (None)

MOTION: Board Member Ryan Brickner move to approve the minutes of December 16, 2021 as amended. Chairman Jim Hrivnak seconded the motion.

VOTE: Y 3 N 0 (None) AB 0 (None)

III) HEARING OF VISITORS FOR ITEMS NOT ON AGENDA

Chairman Hrivnak opened the citizen participation session for items not included on the agenda. Hearing none, he closed the public comment session.

IV) NEW CASES

APPLICATION FOR VARIANCE (Case 2022-6V)

Applicant: Zion Christian Fellowship - Sean O'Rourke
Location: 10405 Sawmill Rd
Zoning: PR - Planned Residence District
Request: Review and approval of a variance to allow Zion Christian Fellowship Church to install a freestanding sign in the Planned Residence District.

Peyton Kaman, Development Technician, presented the Staff Report. He noted the church and sign were built prior to annexation into the City. In his review he pointed out that per the Codified Ordinance 1127.06 – Application Standards for Variances were all met.

[Case 2022-06V_ZionFellowshipSign_Staff Report.pdf](#)

Chairman Hrivnak asked the Board if they have questions for staff.

Board Member Hitzeman asked if surrounding properties were notified of the variance request and if there were any responses. Mr. Kaman said they were notified and he received one phone call from a resident who is in attendance.

Chairman Hrivnak explained the Board is only approving the variance for the sign and Staff will review and approve size and design of the sign. He asked Claudia Husak, Planning Director, to explain the size of the sign to be reviewed by City staff should the Board approve the variance.

Ms. Husak stated the applicant applied for a sign permit at which time it was determined the City of Powell Zoning Code would not allow a permit for a freestanding sign in this district to be issued. The Commercial District, however, permits freestanding signs at a size of 48 square feet and a height of 8 feet. Those are the numbers Staff will consider if the Board approves the variance. There are some rules regarding the base that the applicant still needs to update for Staff to approve the design.

Chairman Hrivnak stated with three Board Members there is a quorum, however for the variance to be approved it would require unanimous consent.

Board Member Hitzeman asked if the sign permit also includes the location of the sign.

Ms. Husak said it would.

Chairman Hrivnak swore in Sean O'Rourke, the applicant who gave a brief presentation of the request.

[Zion Christian Fellowship Sign Variance Application.pdf](#)

Chairman Hrivnak opened the citizen participation for those wishing to speak on the variance request.

Judy Gayton, 499 Commons Drive is opposed to the sign because it is going to be 10 feet wide and 6 feet tall. She considers it to be two signs, because there is a top portion and a lower portion. The top portion has different lettering and background than the lower portion. She imagines the lower portion is considered support for the top portion, but feels they are quite different and considers it a merging of two signs. She feels the illumination is vague and it is not a place for an illuminated sign. She believes there is not another sign on Sawmill Road that would compare to it. She said the church is surrounded by residential communities and she does not feel it belongs there.

Board Member Hitzeman asked Ms. Gayton where she lives in comparison to the church sign.

Ms. Gayton stated she is not directly across from the sign but rather back in the condo development across from the pond. She doesn't know that it matters where she is in relationship to the sign, just that she is a resident of the condo community. She stated that the church has been a wonderful neighbor and has no complaints but feels the sign is something that needs to be addressed.

Chairman Hrivnak thanked Ms. Gayton and invited the applicant to respond.

Mr. O'Rourke asked Mr. Kaman if he could pull up the current sign so that the Board could get a sense of what is currently there. He stated they have not been through the sign permitting process yet and have not been given any amendments because they need to get through the variance approval process first. The lower base is for structural support and the top is the sign, which will not be a LED. It will not shed any light on the neighboring properties because it faces Sawmill Road, not the neighbors.

Board Member Hitzeman asked for clarification from Staff that this is a replacement of a sign that is already there.

Mr. Kaman stated that the current sign was permitted prior to annexation from Liberty Township into the City of Powell.

MOTION: Board Member Janice Hitzeman moved to approve a variance to allow Zion Christian Fellowship Church to install freestanding sign in the Planned Residence District at 10405 Sawmill Road. Board Member Ryan Brickner seconded.

VOTE: Y 3 N 0 (None) AB 0 (None)

V) STAFF COMMUNICATIONS

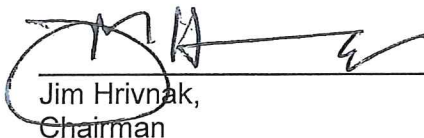
None.

VI) ADJOURNMENT


MOTION: Chairman Jim Hrivnak moved to adjourn the meeting. Board Member Ryan Brickner seconded the motion.

VOTE: Y 3 N 0 (None) AB 0 (None)

MINUTES APPROVED: MAY 5, 2022

 5-5-22

Jim Hrivnak, Date
Chairman

 5-5-2022

Amy Deere, Date
City Clerk

