

**CITY OF KENT
BOARD OF ZONING APPEALS
PUBLIC HEARING & BUSINESS MEETING
MARCH 17, 2014
COUNCIL CHAMBERS – KENT CITY HALL
325 SOUTH DEPEYSTER STREET**

I. CALL TO ORDER

II. PLEDGE

III. ROLL CALL

IV. PREAMBLE

V. ADMINISTRATION OF THE OATH

VI. NEW BUSINESS

**A. BZ14-001 ELLET SIGN CO. / AWTI
1005 WEST MAIN STREET**

Sections: 1165.05(C)(2)(F) and 1165.05(C)(2)(G)

Requests: The applicant is requesting the following:

1) An 8-foot variance from the 10-foot minimum setback requirement to allow a pole sign to be 2 feet from the right-of-way, and

2) A 4-foot, 4-inch variance from the 15-foot maximum pole height to allow a pole sign to be 19 feet, 4 inches in height.

1. Public Comment

2. Board of Zoning Appeals Discussion / Action

VII. MEETING MINUTES

A. MINUTES FROM THE FEBRUARY 17, 2014 MEETING

VIII. OTHER BUSINESS

A. ELECTION OF OFFICERS

IX. ADJOURNMENT



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: MARCH 7, 2014
TO: KENT CITY BOARD OF ZONING APPEALS
FROM: HEATHER PHILE, DEVELOPMENT PLANNER
RE: STAFF REPORT FOR THE MARCH 17, 2014 OF ZONING APPEALS MEETING

The following case appears on the agenda for the March 17, 2014 Board of Zoning Appeals meeting:

NEW BUSINESS

CASE NO.: BZ14-002

APPLICANT: ELLET SIGN CO. / AWTI

SITE LOCATION: 1005 West Main Street

STATUS OF APPLICANT: The applicant is the sign company for the owner of the property.

REQUESTED ACTION: The applicant is requesting the following:

- 1) An 8-foot variance from the 10-foot minimum setback requirement to allow a pole sign to be 2 feet from the right-of-way (Section 1165.05(c)(2)(F)), and
- 2) A 4-foot, 4-inch variance from the 15-foot maximum pole height to allow a pole sign to be 19 feet, 4 inches in height (Section 1165.05(c)(2)(G)).

ZONING: This property is currently located in the IC-R: Intensive Commercial – Residential Zone District.

TRAFFIC: The property is accessible from West Main Street.

SURROUNDING LAND USES: The property is surrounded by other commercial uses on the west and south sides and by open space on the north and east sides.

APPLICABLE CODE SECTIONS: 1165.05(c)(2)(F) and 1165.05(c)(2)(G)

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Board of Zoning Appeals Staff Report
March 17, 2014 meeting

ANALYSIS:

This property is located at 1005 West Main Street and is currently zoned IC-R: Intensive Commercial - Residential. This property has been home to AWTI Transmissions since 1979. Prior to the transmission shop, this property was a gas station.

The applicant is proposing to replace the existing pole sign with a new 42 square foot sign that will be 19 feet, 4 inches in overall height. The existing sign is approximately 50 square feet in size. The applicant would like to move the sign within two feet of the right-of-way so that it will be easier to see when traveling west along West Main Street. The applicant also explains that the new sign location and height will be easier to see over vegetation that borders the property on the east.

The City of Kent Codified Ordinances state that the minimum setback for a sign is 10 feet from the right-of-way and the maximum overall height of the pole sign is 15 feet. The applicant is requesting variances to allow the sign to be 2 feet from the right-of-way and to be 19 feet, 4 inches in height.

cc: Applicant
Case file
Jennifer Barone, Development Engineer
Bridget Susel, Community Development Director
Eric Fink, Asst. Law Director

Study on Rental Housing Inspections (2013 Data)

There are 320 multiple use structures in Kent that are inspected annually to ensure that they comply with the minimum standards outlined in the Environmental Health and Housing Maintenance Code. Some licensed properties are very large and contain over 450 dwelling units. Other licensed properties are small, containing a single dwelling unit that might house 4 college students. A dwelling unit means any room or group of rooms located within a dwelling and forming a single habitable unit with facilities that are used or intended to be used for living, sleeping, cooking, and eating. During the 2013 licensing period, data was compiled to compare the violation frequency and type of violation for each licensed property.

The data shows that the smaller properties average three times more violations per dwelling unit than the larger apartment complexes. The smaller properties average 2.6 violations per dwelling unit and the larger apartment complexes average 0.8 violations per unit. The reason for this large variation might be due to the lack of on-site maintenance/management personnel at the smaller properties.

Each property is required to be violation-free in order to receive a license and operate legally. If a property operates for 30 days without a valid license, the Health Commissioner has the authority to condemn the property. Please be aware that all requirements outlined in the Property Maintenance Code are also enforceable through our Environmental Health and Housing Maintenance Code as long as the property is a licensed multiple-use structure. If a property is not a licensed multiple-use structure, our Environmental Health and Housing Maintenance Code does not apply.

Please keep in mind that our inspections are scheduled appointments. Each owner/operator is aware of the code requirements and is constantly encouraged to maintain the property violation-free throughout the entire year.

**KENT CITY PLANNING COMMISSION
BUSINESS MEETING
MARCH 18, 2014**

**COUNCIL CHAMBERS
KENT CITY HALL
325 S. DEPEYSTER STREET
7:00 P.M.**

A G E N D A

I. CALL TO ORDER

II. ROLL CALL

III. READING OF PREAMBLE

IV. ADMINISTRATION OF OATH

V. CORRESPONDENCE

VI. OLD BUSINESS

- A. PC14-002 CITY OF KENT
Zoning Code Text Amendment
Chapter 1191**

The City is seeking a recommendation from the Planning Commission to City Council to amend the language to update calculation methods and reflect current practices and clarify Chapter 1191-Parks & Recreation Fees.

- 1) Public Hearing**
- 2) Planning Commission Discussion/Action**

VII. NEW BUSINESS

- VIII. MEETING MINUTES: February 4, 2014
February 18, 2014**

IX. OTHER BUSINESS

**Presentation by Mike Bruder, Kent State University
Current & Upcoming Campus Construction Projects**

X. ADJOURNMENT



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: March 10, 2014
TO: Kent City Planning Commission
FROM: Jennifer Barone, PE, Development Engineer
RE: Staff Report for the March 18, 2014 Planning Commission Meeting

The following items appear on the agenda for the March 18, 2014 Planning Commission meeting:

OLD BUSINESS

CASE NO: PC14-002

APPLICANT: CITY OF KENT

REQUESTED ACTION: The proposed Zoning Code Text Amendment is being forwarded to the Commission for review and comment.

APPLICABLE CODE SECTIONS: Chapter 1191 of the Kent Codified Ordinances.

ANALYSIS:

PROJECT DESCRIPTION:

Staff is recommending amendments to Kent Codified Ordinance 1191- Parks and Recreation Fees. Staff has experienced difficulty in calculating the fee in lieu of land dedication for park area associated with developments that have a residential component. Although section 1191 is not part of the zoning code, the Planning Commission plays a significant role in the process by having to approve the land to be dedicated and/or the fee in lieu of land dedication amount. The alterations are mostly for clarification but also include the following significant changes:

1. Transferring the negotiation of the fee amount from Planning Commission to the Park and Recreation Department Director. (This is the current practice.)
2. Adding options to dedicate land that is not continuous to the land being developed.

3. Accepting improvements such as easements, shared use paths (trails), landscaping, etc. instead of actual cash payment. (These items are currently considered in the fee amount negotiation.)
4. Modifying the infill lot park fee calculation.

RECOMMENDATION:

The Planning Commission may forward a favorable recommendation to Kent City Council that the zoning code signage language be amended. The following language may be used:

I move that in Case PC14-002, the Planning Commission recommends to Council to amend code Kent Codified Ordinance 1191- Parks and Recreation Fees to amend the language to update calculation methods and reflect current practice, plus for clarification.

List of Enclosures for this Project:

1. The proposed code language amendments for Chapter 1191.

OTHER BUSINESS

Kent State University will present the current and upcoming construction projects.

cc: Bridget Susel, Community Development Director
Jim Bowling, City Engineer
Eric Fink, Assistant Law Director
John Idone, Parks & Recreation Director
Heather Phile, Development Planner
Applicant
PC Case File