

MINUTES OF THE ZONING BOARD OF APPEALS
September 27, 2010

The regular meeting of the Zoning Board of Appeals was called to order by Chairman William Cotey at 7:01 p.m. at the Village Hall.

Members present: Chairman William Cotey, Robert Guarnaccio, Mark Moore, Walter Oakley, Andy Robinson, and Kurt Schultz.

Members absent: Scott Adams.

A quorum was established.

Village Staff present: John Spoden, Director of Community Development; and David Smith, Senior Planner.

Board Member Oakley moved, seconded by Board Member Schultz, to approve the August 23, 2010, Zoning Board of Appeals meeting minutes.

Motion carried 6 - 0.

OLD BUSINESS: None.

NEW BUSINESS:

**ZBA 10-19 Wendy's International, Inc., Applicant
2050 Shell Drive**

Request is for variations to: 1) increase the maximum number of permitted business signs from two (2) to four (4) per business occupancy; and 2) increase the maximum permitted gross surface area from 106.87 square feet to approximately 143.4 square feet for business signs in order to replace a new menu board sign for property located in a C-3, General Commercial District.

Mr. David Smith, Senior Planner, introduced the variation requests. Mr. Smith stated that the petitioner, Wendy's Restaurant, is requesting approval for variations to increase the maximum number of permitted business signs per business occupancy and to increase the maximum permitted gross surface area for business signs in order to replace a new menu board sign for property located in a C-3, General Commercial District at 2050 Shell Drive. Mr. Smith stated that Wendy's Restaurant, located at the southeast corner of Shell Drive and Peterson Road, was approved for a Special Use Permit to allow a Drive-In Establishment accessory to an Eating Place and Site Plan Permit in 2001.

Mr. Smith stated that the Zoning Code states that the maximum number of business signs permitted per Zoning Lot, for each business occupancy, shall not exceed two (2) total and not more than one

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(1) freestanding sign. Mr. Smith stated that the petitioner is seeking a variation to increase the maximum number of permitted business signs from two (2) to four (4).

Mr. Smith stated that the Zoning Code states that the maximum gross surface area for all permitted business signs shall not exceed 2.5% of the first 5,000 square feet of ground floor area of a business occupancy. Mr. Smith stated that the Wendy's Restaurant is seeking a variation to increase the maximum permitted gross sign area from 106.87 to approximately 143.4 square feet.

Mr. Joe Marcin, QT Sign Co, agent for the petitioner, stated that Wendy's is instituting a new breakfast menu program and is seeking to incorporate this into their drive-up menu board sign display.

Chairman Cotey asked what he would like for the Zoning Board of Appeals to do. Mr. Marcin stated that he would like for the Zoning Board of Appeals to render a positive recommendation for the sign variation requests.

In the matter of ZBA 10-19.1), Board Member Schultz moved, seconded by Board Member Robinson, to recommend the Village Board of Trustees approve a variation to increase the maximum number of permitted business signs from two (2) to four (4) per business occupancy in order to replace a new menu board sign for property located in a C-3, General Commercial District, in accordance with the plans submitted.

Motion carried 6 - 0.

*Ayes: Cotey, Guarnaccio, Moore, Oakley, Robinson, Schultz
Nays: None
Absent: Adams*

In the matter of ZBA 10-19.2), Board Member Moore moved, seconded by Board Member Schultz, to recommend the Village Board of Trustees approve a variation to increase the maximum permitted gross surface area from 106.87 square feet to approximately 143.4 square feet for business signs in order to replace a new menu board sign for property located in a C-3, General Commercial District, in accordance with the plans submitted.

Motion carried 6 - 0.

*Ayes: Cotey, Guarnaccio, Moore, Oakley, Robinson, Schultz
Nays: None
Absent: Adams*

COMMUNICATIONS AND DISCUSSION:

Board Member Schultz moved, seconded by Board Member Oakley, to adjourn the Zoning Board of Appeals meeting.

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Motion carried 6 - 0.

Meeting adjourned at 7:10 p.m.