

Board of Zoning Appeals  
September 13, 2017  
Minutes

Chairman Feick called the meeting to order at 4:30 PM. The following members were present: Mr. Dan Delahunt, Mr. Kevin Zeiher, Chairman John Feick, and Mr. Walt Matthews. Ms. Casey Sparks represented the Planning Department, Mr. Trevor Hayberger represented the Law Department and Debi Eversole, Clerk from Community Development. There were 4 voting members present. Dr. William Semans was excused from the meeting.

Mr. Zeiher moved to approve the meeting minutes from the August 17, 2017 meeting as written. Mr. Matthews seconded the motion. With no discussion, the motion carried with a unanimous vote.

Ms. Sparks presented that Sandusky State Theatre had submitted an application for a 390 Sq. Ft. variance to allow a mural to be located at **107 Columbus Avenue**. She added that murals are not exempt from the current sign code, which means that must be treated as a sign. Section 1143.08 allows for a sign area to be a maximum of 120 Sq. Ft.

Because the Sandusky State Theatre is on the National Registry, this application has also been through and approved through our Landmark's Commission.

Ms. Sparks stated that the total area in review is approximately 7,200 Sq. Ft., so the mural would be around 8% of this area. She added that this is a unique situation and that Planning Staff will be proposing an amendment to the Zoning Code that would exempt murals in the near future and a precedent will not be set. The City will also look to establish an Arts Commission to review these applications.

Staff recommended approval of the proposed variance. Mr. Chris Parthamore is her on behalf of the applicant, along with Mr. Jason Werling on behalf of the City Recreation Department.

Mr. Zeiher asked if students would be involved. Mr. Werling stated that SHS students will be here Thursday morning to hear a presentation regarding public art and the artist and the State Theatre will also be there to answer questions. Mr. Zeiher added that Norwalk had just done a mural for their Bicentennial.

Mr. Matthews asked if the mural would be lit at night. Mr. Parthamore replied that the mural will be just paint but there may be a light that points up.

Mr. Delahunt asked how far off of the ground the mural would be. Mr. Werling stated that it would start at the ground level. Mr. Zeiher asked how high the mural would be. Ms. Sparks stated that the proposal is 17'x30'.

Mr. Delahunt was concerned about the original brick being painted and asked if the mural could be painted onto wood. Mr. Parthamore stated that this wall is not part of the original structure and that the brick has already been painted. He added that it was suggested to the artist that the mural incorporate the color that is currently painted on the building so that it all flows together.

Mr. Zeiher asked about the maintenance to the mural. Mr. Parthamore stated that the artist indicated that regular wear and tear is about 5 years. The artist suggested not putting a protective coating on the mural in case there needs to be touch ups.

Mr. Zeiher asked if there were others in Ohio. Mr. Werling answered that they are all over the country and that this is the first in our area.

Chairman Feick stated that there could be other art requests come through for approval that don't necessarily fit our area and that it is not the Board's job to approve content, just the sign. Ms. Sparks stated that when the legislation is established for the Arts Commission, there are many factors to take into consideration and the Law Department is looking into some of these factors. Even when the Arts Commission is established, there will be elements that other Boards and Committees will have to approve. For example, if something is proposed on a historic building, the Landmarks Commission will have to approve.

Chairman Feick stated that although he is in favor of this mural itself, he is afraid to set a precedent for others that would like to come through with a mural that may not fit within our area. He would like the Board to treat this application as a unique request that in the future will be approved through another entity.

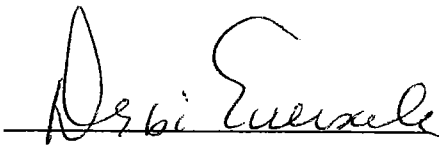
Mr. Parthamore stated that the State Theatre is requesting this as a marketing aspect for a destination city. They also would like to be the leader in the arts for the area and public art would be a-part of that. He stated that this is not risky as it depicts iconic scenes in Sandusky and there is a historic value to it.

Mr. Zeiher moved to approve the request with the understanding that the City Commission is going to establish an Arts Council or Arts Committee and that the legislation would take into consideration that this is not something that should be granted without review by any one body and should be brought to bodies like this to allow not only the size and location, but in some respects the content. Mr. Matthews seconded the motion, which carried with a unanimous vote.

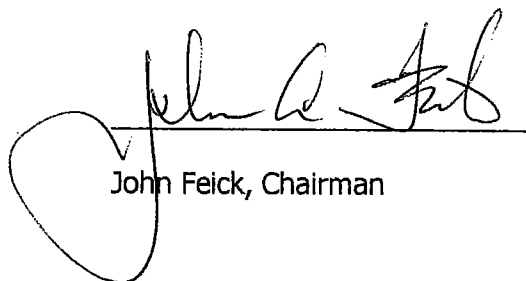
Ms. Sparks stated that there would not be a Board of Zoning Appeals meeting on September 21, 2017. The next scheduled meeting will be on October 19, 2017.

Mr. Feick adjourned the meeting at 4:50 PM.

APPROVED:



Debi Eversole, Clerk



John Feick, Chairman