

**PUBLIC HEARING
CLYDE CITY COUNCIL
REZONING OF PROPERTY**

Clyde City Council held a Public Hearing at 6:15 p.m. on Tuesday, October 17, 2023 in Council Chambers, 2nd Floor of the Clyde Municipal Building, 222 N. Main Street, Clyde, Ohio, to consider the petition, per Section 1135.02(i) of the Codified Ordinances of Clyde, of Dollar General, 1156 S. Main Street, Clyde, OH 43410, Parcel No. 326000008901, appealing the decision of the Board of Zoning Appeals denying the request of Dollar General to install a new freestanding sign totaling one hundred two (102) square feet of sign area instead of the requirement under Code Section 1157.08(b)(1) that says they can have up to the maximum of twenty-five (25) square feet in sign area for their freestanding sign based on main street frontage. Mayor McCauley called the meeting to order.

Roll Call.

Present: Mayor Doug McCauley
Vice Mayor Scott Black
Council Member Steve Keegan
Council Member Chris Shay
Council Member Brent Stanley
Clerk of Council Janet Dickman (Not voting)
Deputy Clerk Jackie Hoppe (Not voting)
Solicitor Zachary Selvey (Not voting)
Zoning Inspector Ken Winke (Not voting)

Absent/

Excused: City Manager Justin LaBenne (Not voting)
Finance Director Frank Weasner (Not voting)

Visitors signing in can be referenced in the Record Book Supplement.

Mr. Winke clarified the issue at hand is a variance issue, not a rezoning issue. He reviewed the highlights of the Board of Zoning Appeals (BZA) meetings where this was discussed. At the 9/11/2023 BZA meeting, this issue was tabled. At the 9/25/2023 BZA meeting the members could not reach a consensus of a motion to approve, deny or approve with modifications.

Mr. Winke reported seventeen letters were sent to property owners near the new DG Market, to notify them of the public hearings related to the variance request. Prior to the first public hearing, Mr. Winke did not receive any response from residents who received one of the letters. Today Mr. Winke received an email from the neighbor to the south of the DG Market, on the other side of the tree line, who voiced opposition to the variance request. Also received today was a letter from David Bahr, BZA member, who voiced a recommendation for a modification to the variance request. Mr. Winke noted several attendees at tonight's public hearing as Sonia Ruiz, BZA member, Dan Beeman, a representative from Wagner Signs and Perry Jodon, a representative from DG Market.

Other variances have been granted for signs on Main Street, in the vicinity of the DG Market. The

sign at Harvest Temple was approved for 98 square feet; the original variance request approved for the Eagles was for a sign the size of 83 square feet.

Mr. Jodon, DG Market representative, distributed a Dollar General information sheet to all Council. He stated the store in question is not a normal Dollar General store. This is a Market store and will have a larger variety of food, with many coolers in the store. The sign being requested will be green, not the typical bright yellow Dollar General sign. This sign will be 55 feet off the road; the store itself is 150 feet off the road. Not all customers are used to this type of Dollar General store and they may be searching for the store. He feels a proper sign, as requested in the variance, is needed as a safety measure. It could be a safety concern if drivers are busy looking for the sign/store, and if they drive past the store and then try to turn around.

6:24 p.m. Mr. Selvey arrived

The light in the sign will be controlled by a corporate timer, not controlled at the local store. The store will close at 10:00 p.m. and the lights will turn off around 10:15ish.

Mayor McCauley questioned how this sign would compare to other Dollar General stores (all signs are similar in size; variations could depend on the set back of the store).

Mr. Keegan offered thanks for bringing this nice store to Clyde. He has no problem with this variance request.

Mr. Stanley questioned if the letters were sent to the nearby property owners for both public hearings – the BZA hearing and tonight’s hearing (yes, for both). He questioned if the height will be 20 feet to the stanchion (it will be 20 feet to the top of the sign).

Mr. Stanley feels the proposed sign is adequate for a business selling a product. Other signs in this vicinity are almost the 100 square feet being requested for this sign. He has no problem with this variance request.

Mr. Black welcomes this new addition to Clyde.

Mr. Shay questioned what will happen if this variance request is denied (they will need to go back to the drawing board, but they need a sign whether it is a pole sign or a monument sign; DG Market feels it is a safety issue to have an appropriate sized sign as requested).

Mayor McCauley noted Mr. Jodon has already answered some of his questions, such as the sign light being turned off at night and clarifying the 100 square foot sign will actually be 50 square feet on each side. He questioned if DG Market will be willing to put a stop sign on their property, for customers exiting their parking lot onto Main Street (yes, they are willing to do this).

Visitor Comments:

Joyce Jackson, Merlin Drive

Ms. Jackson offered thanks to the City for evaluating the zoning ordinances, but now they need to

follow the existing ordinances in place. The sign being requested is too big. She referenced the Harvest Temple sign that has been approved for a variance twice and the sign has grown in size and the bright light of the sign is inappropriate for this area. She feels no other businesses should be approved for variances and requests that Council please enforce the current zoning.

Robert Noftz

Mr. Noftz feels the sign is reasonable in size. He questioned the distance/location of the sign compared to the property of the neighbor who voiced opposition in an email to Mr. Winke today (a map was shared with Mr. Noftz). Mr. Noftz is in favor of this variance request.

Dan Beeman, Wagner sign representative, attended both BZA meetings. He feels if the sign could be located closer to the road, maybe a smaller size could work. Mr. Beeman shared information from ODOT related to readability based on the speed a vehicle is traveling and the number of seconds they have to read a sign. He feels the size requested will allow drivers enough time to read the sign and decide if they want to turn in. The size of the logo and the font size was discussed.

Sonia Ruiz, BZA member, noted she originally did not understand the requested square footage size of the sign. However, she went to the store property with Mr. Winke to discuss the size and now she understands. She traveled to Sandusky today to see a current DG Market sign and the sign does not look too big. She feels the variance request should be approved with no changes.

Mr. Selvey apologized for being late to this hearing. He offered assistance to Council members if they have questions regarding their options for addressing this issue. Council can basically do anything they choose (approve, deny or approve with modifications), but they must take action tonight.

Motion: to reverse the decision of the BZA to deny and thus allow Dollar General variance request of the sign as submitted, **Action:** Approve,

Moved by Council Member Brent Stanley, **Seconded by** Council Member Steve Keegan.

Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

Yes: Mayor Doug McCauley, Council Member Scott Black, Council Member Steve Keegan, Council Member Brent Stanley.

No: Council Member Chris Shay.

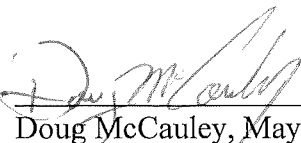
ADJOURNMENT

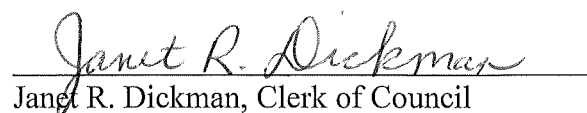
Motion: to adjourn this public hearing at 6:46 p.m., **Action:** Adjourn,

Moved by Mayor Doug McCauley, **Seconded by** Council Member Brent Stanley.

Vote: Motion passed (**summary:** Yes = 5, No = 0, Abstain = 0).

Yes: Council Member Scott Black, Council Member Chris Shay, Council Member Steve Keegan, Council Member Brent Stanley, Mayor Doug McCauley.



Doug McCauley, Mayor

Janet R. Dickman, Clerk of Council

CITY OF CLYDE

COUNCIL MEETING

Date: Tuesday 10-17-2023 Council Public Hearing
Council Regular session

Visitors – PLEASE SIGN IN:

1. Perry Jodon - Dollar General
2. SOGAR
3. Joyce Jackson
4. Gene T. Paul
5. Greg McManter
6. Don Beeman - Wagon
7. Gary Smith
8. Robert A. Neftz
9. Ben Brown
10. Terri Meek
11. _____
12. _____
13. _____
14. _____
15. _____

