

May 25, 2022

The regular meeting of the Zoning Hearing Board was held on Wednesday, May 25, 2022, at 6:30 p. m. in the Assembly Room of the Millcreek Township Municipal Building, 3608 West 26<sup>th</sup> Street.

**PRESENT:** Mr. John DiPlacido, Attorney Jeremy Toman, Matthew Puz Jr., Zoning & Development Officer, and Julie Maggio, Assistant Zoning and Development Officer.

**BUSINESS:**

Mr. DiPlacido wanted the record to reflect that member Scott Calhoun was participating in this meeting via telephone and that Members Bob Tanner and Jacqueline Spry were absent. For procedural matters, Mr. Calhoun, as acting chairperson of the Board, hereby designated alternate board member John DiPlacido as a board member to serve as a replacement to member Ms. Spry in order to establish a quorum. Secondly, Mr. Calhoun motioned that they approve John DiPlacido as the Hearing Officer for tonight's hearing. Mr. DiPlacido seconded the motions. The Motion carried.

Mr. DiPlacido informed the appellant that since a Hearing Officer has been appointed, prior to any decision being made, the appellant can waive the decision or findings by the Board and accept the decision or findings of the hearing officer as final. If the appellant elects to waive the decision or findings by the Board, the Hearing Officer may render a decision as early as tonight. If not, the court record will be delivered to each of the members and a decision would be rendered at the next scheduled meeting. If a decision was rendered tonight and the appellant did not wait for the decision, they could call the Zoning Office in the morning. Mr. DiPlacido asked Mr. Bartlett if he would waive the decision or findings by the Board and accept the decision or findings of the hearing officer. Mr. Bartlett replied yes.

**Appeal No. 22-8: BARTLETT SIGNS**, for property located at 2088 Interchange Road, Unit 235, asking for a variance from Article VI Sign regulations to install two building signs in the C-2 Regional Commercial District (formerly C-4 Regional Commercial District). **Index 750-020**

Kent Bartlett, 7628 Klier Dr, spoke on behalf of this variance. He stated that under the new sign ordinance, the maximum square footage for this store's frontage was 51.92 square feet per store front. They were proposing 71 square feet on the front and 85 in the rear of the store. The store's distance from Interchange Road and the main intersection was approximately a quarter mile and this way why they were asking for this height. Also, the current letter height was 2.6,' there was no pylon sign by the road, and this would be the only identification for them to be seen. He felt that it was imperative from them to be seen like others when someone entered the mall.

Mr. DiPlacido asked what the hardship was for this appeal. Mr. Bartlett replied that if the sign was smaller, it would not be visible or easily readable from the main roads due to the letters being 2.6' high. The mall was not a typical plaza, and they are trying to get a sign big enough to be seen. He noted that other stores in the plaza have much larger signs than what his clients were asking for.

Atty. Toman asked what the dimensions were as related to what they were proposing verses what are existing. Mr. Bartlett replied that it was the old Dress Barn that had been vacant over two years and had the old zoning code with large letters.

Mr. DiPlacido asked if the proposed sign was the least that they would be considering or was there a standard set size. Mr. Bartlett responded that they were a subcontractor of the national sign group that manufactures for Sketchers across the country; Bartlett Signs would install them. There are set sizes of signs that they make and have only so many set options available to them.

Atty. Toman asked if he could make a smaller sign to fit in the parameter of the ordinance. Mr. Bartlett replied that he believed that there was an option for that company to go smaller if they had to go.

Mr. DiPlacido asked when the ordinance changed. Mr. Puz replied that the sign ordinance was updated in 2019 prior to that it was allowed that three square feet for every one foot of linear frontage up to three hundred square feet.

Atty. Toman wanted to clarify what the zoning ordinance currently stated for this particular property. Mr. Puz replied that the current zoning district was C-2. The Zoning Ordinance was updated May 4, 2022. The requirements for the prior district would have been C-4 which were the same as the current C-2 district.

Atty. Toman asked Mr. Bartlett what his relationship was to this appeal. Mr. Bartlett replied he was the sign installer and brought Josh Parsons who represents the landlord (Cafaro).

Mr. DiPlacido asked if there were any unique physical circumstances as part of this appeal. Mr. Bartlett replied no there was not, and this was just a standard sign.

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Josh Parsons, 4063 West 32 St, Operations Manager of the Millcreek Mall, landlord representative of Cafaro, spoke on behalf of this variance. He stated that they just wanted equality for all tenants and would like to keep the signs uniformed. He informed the Hearing Officer that the storefront Five Below has the equivalent storefront size as the proposed tenant Sketchers. However, Five Below would have much larger lettering. They did not want to have Sketchers with small letters

compared to the storefronts beside them. They would like Sketchers to have equal opportunity for success and have their business thrive. Sketchers would like to have bigger lettering similar to Five Below, and not as massive as the larger storefronts in the plaza area. Sketchers, being a new tenant, they would like to have a footprint to the community because DSW and Shoe Carnival were established. They needed to also be visible. Also, this is the only signage for them.

Atty. Toman asked what the square footage was for Five Below. Mr. Puz responded that in 2014, a sign was installed with the store frontage of 151 square feet and the rear was 49.5 square feet.

Mr. Bartlett noted that the Sketcher sign would be half the size of the Five below sign. The Five Below sign was probably that big because they were allowed to. Since then, the Sign Ordinance had changed. He thought it created a hardship for Sketchers because they were competing against competitors that have two to three times the size of sign they have.

Atty. Toman just wanted to clarify for the record that this appeal is the Sign ordinance 145-85A (formerly section 145-86A).

There were no other comments from the public.

This appeal was denied by the Hearing Officer.

There being no further business, the meeting was adjourned at 7:28 p.m.



John DiPlacido

Hearing Officer