



**STAFF REPORT  
FAIRFIELD TOWNSHIP ZONING APPEALS  
PUBLIC HEARING**

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**CASE:** FTZA17-8V

**APPLICANT:** Tristate Signs

**OWNER:** Princeton Venture LLC

**LOCATION:** Shoppes at Menards Crossing  
2870 Menards Blvd  
Lot # 9163  
Parcel ID A0300-025-000-088  
Fairfield Township

**CURRENTLY ZONED:** B-PUD (Business Planned Unit Development)

**REQUEST:** Appeal from Decision of Zoning Administrator

**DATE:** November 30,2017

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**DESCRIPTION OF REQUEST**

The applicant is requesting a minor modification to a B-PUD to the five tenant, five panel, ground sign requirements approved in case FTZC16-6C. The case approved a final B-PUD plan for lot number 9163. Approved on November 16, 2016, the plan included four conditions. Condition number three allowed two ground signs not to exceed 8 feet in height and 100 square feet in total size.

On September 20, 2017, a hearing was held before the Township Zoning Commission in case FTZC17-6C to consider if a modification to the size of the two ground signs would constitute a major modification to the approved B-PUD. Applicant requested that both signs be increased to a height of 14 feet.

The Board determined that the sign change did not constitute a major modification. The Commission Board strongly recommended that the sign fronting Princeton Road be permitted to increase to a maximum height of 14 feet while the sign facing Menards remain at 8 feet.

The Zoning Administrator subsequently approved a change to the B-PUD permitting one 14-foot sign facing Princeton Road and one 8-foot sign facing Menards and Gilmore Road as a minor modification.

The Owner and Applicant are appealing the decision of the Zoning Administrator as it relates to the denial of the request to increase the size of the sign facing Menards to 14 feet. The Applicant and Owner are requesting that the sign facing Menards be increased to 16.625 feet in height and 8 feet 6 inches in width. Total square footage is 65.13. The increase in height is being requested for the purposes of increasing visibility as demonstrated on the included drawing. The sign will be an internally lit LED ground sign.

### **FAIRFIELD TOWNSHIP ZONING CODE REQUIREMENTS:**

3.1 **STATEMENT OF INTENT:** The Planned Unit Development regulations are intended to *provide an optional development alternative* to property owners and developers who are developing large tracts under single or common ownership in a unified way. *These regulations are designed to provide the flexibility to use sites efficiently and to create innovative projects with many amenities.*

- The current proposal requires flexibility and is innovative in that it markets five tenants on a major internal shopping plaza in Fairfield Township. The primary location of the General Business classification is the State Route 129 & Bypass 4 interchange area. This is a major commercial and office destination for both the Township residents as well as a larger regional southwest Ohio visitor and worker base. The second sign location which is being considered for a variance faces all internal traffic within Menards as well as traffic along Gilmore Road. Sign height is necessary to allow visibility above vehicles and to be visible to both internal complex and Gilmore Road traffic.

13.8.3 That each individual unit of the development can exist as an independent unit, which is capable of creating an environment of sustained desirability and stability, or that *adequate assurance will be provided that such objective can be obtained.*

- The larger signage assists in reaching the desired objective of creating an environment of desirability and stability through stronger marketing and visibility. Signage is the “life-blood” of retail. A sign facing Menards traffic attracts traffic and clearly advertises five tenants, thus attracting new business tenants.

13.8.4 That any part of the Planned Unit Development not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved; or if approved by the Fairfield Township Zoning Commission, left in its natural state.

- Owner and applicant have indicated that if landscaping is required around the sign, requirements can be met.

13.8.7 That the Final PUD Plan(s) is consistent with the intent and purpose of this Resolution to promote public health, safety and general welfare of the residents of Fairfield Township, Butler County.

- This sign request plan is consistent with the intent to promote the general welfare of the residents of Fairfield Township by increasing visibility to local business and promoting additional economic development.

Additional growth increases the tax base and income stream for residents of the Township.

#### 23.2.6 Sign Placement and Size

- 23.2.6.5 Allows for either one pole sign or ground sign not exceeding 100 square feet and must be located ten (10) off the property line.
  - The ground sign proposed will be located on the south side of the property facing Menards Blvd and Gilmore Road Traffic.
  - ***The proposed ground sign exceeds the 8'-0" height limitation.***
  - The masonry base for both are approximately 50 square feet in size.
  - The proposed signs both meet 10 foot set back requirements.
  - Case FTZC16-6C allows for two monument signs.
  - Case FTZC-7C recommends one 14 foot sign and one 8 foot sign
  - Position of signs are strategically located to hit all major traffic patterns for maximum advertising and visibility benefits - locations of the signs will allow for the tenants to be seen from both Princeton Road and the rear service road when entering from North Gilmore.

#### **COMPLIANCE WITH THE FAIRFIELD TOWNSHIP VISION PLAN:**

The parcel(s) proposed are contained within the area identified as "General Business and Planned" Business"

- The General Business land use classification represents the most intensive areas of commercial services, offering a wide range of goods and services of varying sizes and markets. These may include shopping areas that serve consumers living well outside the boundaries of Fairfield Township, as well as more localized services, **such as retail stores and restaurants.** Development within the General Business classification should be planned with specific consideration of such factors as compatibility with surrounding existing and planned land use; traffic safety and convenience; shared driveways and parking areas; consistent site elements, such as signs, landscaping and lighting; roadway improvements, including such elements as turning and deceleration lanes.

#### **Surrounding Zoning & Situation of Property**

Menards Crossing of Fairfield Township is an actively developing commercial shopping center. The 17.485-acre main lot has received final PUD approval and Menards; Inc. currently operates a home improvement store. Also approved for out lot development is a Popeye's Chicken restaurant, a Discount Tire store and a Dollar Tree retail store.

## **Standard for Zoning Board of Appeals**

26.3.2 Appeals - When and by Whom Taken. An appeal to the Board may be taken by any person aggrieved or by any officer of the County affected by any decision of the Zoning Inspector. Such appeals shall be taken within twenty (20) days after the decision, by filing with the Zoning Inspector and with the Board, a notice of appeal specifying the grounds thereof.

26.8.1 ADMINISTRATIVE REVIEW. The Board shall have the power to hear and decide appeals, filed as hereinbefore provided, where it is alleged by the appellant that there is error in any order, requirement, decision, grant or refusal made by the Zoning Inspector or Administrative Official in the interpretation of the provisions of this Resolution.

26.8.5 GENERAL. In exercising its power, the Board may, in conformity with the provisions of statute and of this Resolution, reverse or affirm wholly or partly or may modify the order, requirement, decision or determination as ought to be made and to the end shall have all powers of the officer from whom the appeal is taken.

### **STAFF RECOMMENDATION:**

Based on the findings of fact & submitted proposal, Staff recommends denial of the proposed 16.625 foot five panel sign on the south side of lot 9163. The specific request now exceeds the modification, that the Zoning Commission opined against and the Zoning Administrator denied. This request is only to enhance the marketability of a retail center.

### **ACTION REQUIRED:**

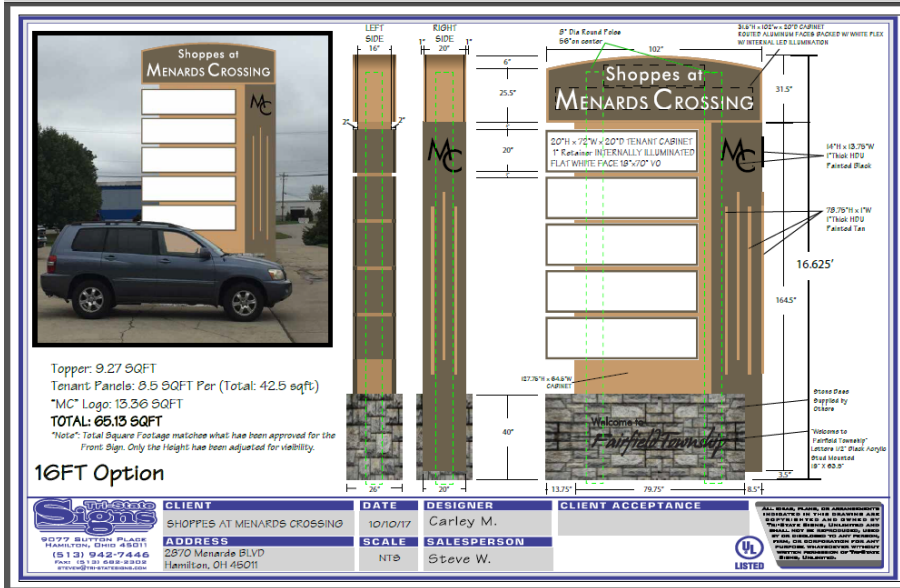
In accordance with Article 26, the Fairfield Township. Zoning Appeals Board shall make a finding as to whether the sign variance should be permitted.

26.3.4.2 A certified copy of the Boards decision shall be transmitted to the applicant or appellant and the Zoning Inspector. Such decision shall be binding upon the Zoning Inspector and observed by him, and he shall incorporate the terms and conditions of the same in the permit to the applicant or appellant, whenever a permit is authorized by the Board.

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**Julie Vonderhaar**  
**Zoning Administrator, Fairfield Township**

**PROPOSED MONUMENT SIGN:**



**FOURTEEN FOOT SIGN BLOCKED BY VEHICLES**



