

## **Depot Street Development, LLC**

19061 Depot St

**Variance:** To appeal the final decisions of the Design and Construct Board of Review. Per Section 5.

**Variance:** To retain a projecting sign 8'-7" above ground level vs the 10' that is permitted. Per Section: 1193.07 (d)(4).

**Variance:** To retain two wall signs on the north elevation vs the one wall sign that is permitted. Per Section: 1193.05 (a).

**Variance:** To retain painted wall signage on the north elevation vs permanent signs, shall be fabricated on and of materials that are of good quality and good durability, and affixed or attached to the wall of the building. Per Section: 1193.17 (b)(9) and 1193.01 (9).

**Variance:** To install a fabricated wall sign on the east elevation vs each building frontage shall be entitled to the sign area permitted. Per Section: 1193.05 (a)(2).

### **SECTION 5. DESIGN AND CONSTRUCTION BOARD OF REVIEW.**

(a) Organization. The Design and Construction Board of Review shall consist of three (3) regular voting members. Two (2) alternate members shall also be appointed. Terms of regular and alternate members shall be for three (3) years each. Each member shall be an architect or engineer duly licensed or registered by the State of Ohio to practice their profession.

No member of the Design and Construction Board of Review shall participate in the review of any work of which said Board member or a partner or professional associate is the author, or in which said Board member or they have any direct or indirect financial interest. In the event of the temporary absence for any reason of any of the three (3) regular members or disqualification of any regular member to act upon any matter coming before the Board, one or more of the alternate members shall be designated by the chairperson to serve during such temporary absence or disqualification so that at least two (2) members shall be present at any meeting or be able to act on any matter.

(Amended 11-4-14.)

(b) Powers and Duties. The Design and Construction Board of Review shall have such powers and duties as Council shall provide by ordinance concerning the review and regulation of the design, construction, alteration, moving or razing of buildings in the City for the purpose of maintaining the high character of community development and protecting real estate within the City from the impairment of destruction of value.

(c) Appeals. Appeals from final decisions of the Design and Construction Board of Review shall be made to the Board of Zoning and Building Appeals.

(Amended 11-5-96.)

### **ARB Comments:**

- I. The fascia is currently blue – they wanted it to be painted grey
- II. The guardrail is currently blue – they wanted it to be white
- III. The current canopy over the man door – they wanted it to be more significant or an “architectural feature”
- IV. They wanted no painted signs and wanted two of the same manufactured signs on both elevations
- V. Wanted the signage to be uniform and have the same lettering on both the projecting sign and the two new manufactured wall signs

### **1193.07 SIGNS IN OFFICE, BUSINESS, SERVICE, AND MIXED USE DISTRICTS.**

#### **(d) Projecting Signs.**

(1) A projecting sign shall be at least six (6) inches from the wall and extend no more than three (3) feet beyond the face of the building wall or other structure.

(2) A projecting sign may be displayed only if the building is located within six (6) feet of the public right-of-way.

(3) Projecting signs shall be limited to occupants that have a minimum of 20 feet of building frontage.

(4) All projecting signs shall be placed at least 10 feet above ground level, except when the projecting sign is located above a landscaped area or other area that does not permit pedestrian traffic beneath the sign.

### **1193.01 PURPOSE AND DEFINITIONS.**

(9) "Wall sign" means an outdoor sign affixed or attached to the wall of a building or other structure and projecting not more than twelve inches from the face of the wall.

### **1193.05 COMPUTATION AND RULES OF MEASUREMENT.**

The following regulations shall control the computation and measurement of sign area, sign height, window area, and building frontage.

(a) Determining Building Frontage and Building Unit. For the purposes of these sign regulations, the length of the building wall that faces a public street, that faces a public parking lot, or that contains a public entrance to the uses therein shall be considered the building frontage.

(1) The primary frontage shall be the portion of a frontage that serves as the main access point to a building or building unit. A site/building will be considered to have secondary frontage when any of the following site/building characteristics are present:

- A. The subject site is a corner lot;
- B. The primary parking area is not located adjacent to a public street; and,
- C. The building or unit has walls with ingress and egress that do not face the public street.

(2) Each building frontage shall be entitled to the sign area permitted in this Chapter.

(3) The building frontage shall be measured along such building wall between the exterior faces of the exterior side walls. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

(4) In the case of an irregular wall surface, a single straight line extended along such wall surface shall be used to measure the length.

(5) For buildings with a group of activities, the portion of a building that is owned or leased by a single occupant shall be considered a building unit. When a site has primary and secondary frontage as defined herein, the property owner shall determine which wall shall be the primary building frontage and which wall(s) shall be the secondary building frontage. Only one outside wall of any business shall be considered its primary frontage.

### **1193.17 SIGN ILLUMINATION, CONSTRUCTION AND MAINTENANCE STANDARDS.**

#### **(b) Construction Standards.**

(1) No signs shall be placed, erected or maintained so as to obstruct, in any manner, any fire escape or window, door, exit or entrance to or from any building, or otherwise be placed in the City's right-of-way.

(2) No sign shall be placed, erected or maintained in a manner which will interfere with the proper and convenient protection of property by the Division of Fire.

(3) No sign shall be supported or braced from or guyed to a sidewalk, street, alley or public thoroughfare.

(4) Where a public thoroughfare approaches and crosses a railroad at the same grade, no sign shall be erected or placed in a manner which would obstruct the view of 400 feet of the railroad on each side of the crossing, by anyone on the thoroughfare within 200 feet of the crossing.

(5) No sign shall be placed or erected in such a manner as to unduly obstruct the view of traffic or traffic lights at intersections.

(6) No sign shall be erected or placed so that any part thereof, including cables, guys, braces, supports, etc., shall be within a fifteen (15) foot distance of public utility electric conductors carrying not more than 600 volts, and for conductors carrying more than 600 volts not within a distance of thirty (30) feet of such conductors, except that this provision shall not apply to electric conductors which serve the sign.

(7) No sign shall be placed or erected on the wall of a building when such wall abuts on any residential district as established by the Zoning Code.

(8) No sign shall be placed or erected on or attached to any part of a building roof.

(9) Permanent signs shall be fabricated on and of materials that are of good quality and good durability.

(10) Electric signs and all permanent signs involving structural requirements of the building code shall be installed, repaired, altered and serviced only by a contractor licensed to perform such tasks.

(11) Temporary signs shall be durable and weather-resistant, and fastened or anchored sufficiently, whether attached to the building or positioned in the ground.

**Depot Street Signage Review following November 2025 meeting:**

**Zoned LB – Local Business**

Signage that is permitted:

Schedule 1193.07(a) Permanent Signs Attached to Buildings						
Type	Maximum Number Permitted	Maximum Area				
		OB-1, OB-2	LB, GB	SM	CBD, MX	
(1) Address Sign	1	2 sq. ft.	2 sq. ft.	2 sq. ft.	2 sq. ft.	
(2) Wall Sign	Based on eligible frontages	40% of signable area	40% of signable area	40% of signable area	As approved by the Design & Construction Board of Review	
(3) Projecting Sign <sup>(a)</sup>	1	--	6 sq. ft.	--	6 sq. ft.	
(4) Window Sign	1	--	See regulations in <a href="#">1193.07(c)</a>	--	See regulations in <a href="#">1193.07(c)</a>	
(5) Instructional Signs	Shall be exempt from regulations when in compliance with Section <a href="#">1193.03(d)(8)</a>					
Notes						
<sup>(a)</sup> Building shall be located within six (6) feet of the public right-of-way.						

Address, Wall, Projecting, Window, and Instructional Signage are permitted in the LB district.

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### 1193.03 APPLICATION OF SIGN REGULATIONS.

(a) The regulations contained in this Chapter shall apply to signs outside of the public right-of-way, except when specifically stated otherwise.

(b) A sign may only be erected, established, painted, created, or maintained in Rocky River in conformance with the standards, procedures, exemptions and other requirements of this Chapter.

(c) Architectural features that are either part of the building or part of a freestanding structure are not considered signs and are thus exempt from these regulations. Architectural features include any construction attending to, but not an integral part of the sign, and which may consist of landscape or building or structural forms that enhance the site in general.

(d) The following signs and displays are exempt from the regulations of this Chapter:

(1) Public Signs. Any sign displaying a public notice or warning required by a valid and applicable federal, state, or local law, ordinance, or regulation;

(2) Building Marker. Any sign displaying the name of a building and date and incidental information about its construction. Such sign is typically cut into the façade of the building.

(3) Flags of any nation; government or non-commercial organization;

(4) Any sign inside a building that is not attached to the window or door and is not legible from a distance of more than three feet beyond the lot on which the sign is located;

(5) Any work of art that does not display a commercial message;

(6) Any religious symbol that does not display a commercial message;

(7) Any traffic control sign, such as "STOP" or "YIELD," located on private property that meets applicable governmental standards pertaining to such signs and does not display a commercial message.

**The logo would be considered a commercial message. A mural might be permitted, but that is art; this is a specific logo for a specific business, which would be a commercial message.**

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**The primary frontage would be along Depot Street. This property is not a corner lot, which means it is not considered to have secondary frontage. The second wall sign would be permitted on secondary frontage based on the required characteristics of A-C.**

(162) Sign. Any visual communication display, object, device, graphic, structure or part, situated indoors or outdoors, or attached to, painted on, or displayed from a building or structure in order to direct or attract attention to, or announce or promote, an object, product, place, activity, person, ideology, institution, organization, business or the like, by means of letters, words, models, banners, flags, pennants, insignia, devices, designs, colors, symbols, fixtures, images, illuminations or representations used as, or which is in the nature of, an announcement, direction, advertisement or other message.

**There was a lot of conversation about whether signage painted on is permitted, and Mr. Gillespie kept referring to this definition. This is a generic term in our definition that applies to signage as a whole. The definition for wall signage specifically states that it should be affixed or attached; this definition is not how the city is interpreting the wall signage it has proposed. Our code prohibits painted-on-the-wall signage.**