

MINUTES
Board of Zoning Appeals
April 8, 2025

The Wyoming Board of Zoning Appeals (BZA) met Tuesday, April 8, 2025 in the Council Chambers of the City Building. The meeting was called to order at 6:00 p.m. by Charlie Jahnigen, Chair. Attendance was as follows:

Members

Charlie Jahnigen
Abigail Horn
Bob Kearns

Absent

LaToya Wall
Chris Woodside

Staff

Tana Bere, Community Development Specialist

Approval of March 11, 2025 Meeting Minutes:

Ms. Horn moved to approve the minutes as written. Mr. Kearns seconded the motion. By roll call vote, all voted yes, the motion carried.

Swearing In:

Mr. Jahnigen swore in all those present who would be providing testimony.

Mr. Jahnigen read the provisions of Section 1137.04 of the Code, which states in part that the Board is to hear and decide requests for a variance provided all the following items have been addressed:

- (1) That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same area;
- (2) That exceptional or extraordinary circumstances or conditions apply to the subject property that do not apply generally to other properties in the same area;
- (3) That the essential character of the neighborhood would not substantially be altered
- (4) That adjoining properties would not suffer a substantial detriment as a result of the variance;
- (5) That the variance would not adversely affect the delivery of governmental services, (e.g. water, sewer, garbage, police protection, fire protection);
- (6) That the special circumstances or conditions do not result from any action of the property owner or any of the property owner's predecessors in title;

- (7) That the property owner's request for a variance cannot feasibly be obviated through some method other than a variance; and
- (8) That the spirit and intent behind the zoning requirement affecting the area would be observed and substantial justice done by granting the variance.

4 Worthington Ave. Case #3-25, Side Yard Setback Variance Request

Ms. Bere said that the applicant is not present, and this case will be moved to a future meeting.

518 Wyoming Ave. Case #4-25, Sign Variance Request

Ms. Bere provided the background of the case. 518 Wyoming RE LLC (dba The Delmonico Bar), as represented by owner/partner, Andrew Salzbrun, is requesting a variance for two internally illuminated wall signs on the exterior of the building. The proposed sign on the Wyoming Avenue frontage is 59.06" by 6.69" (approximately 2.8 square feet), and the sign on the Van Roberts Place frontage is 100.39" by 11.81" (approximately 8.2 square feet).

The corner lot property is located in the "E" Commercial District and the Village Historic District. §1331.10(a)(4) of the Building Code regulates signs in the Historic District and requires signs to be externally lighted only. As shown on the sign package, the signs on both building frontages are internally illuminated. The signs fail to meet this provision of the Code, and a variance is being sought on this basis.

Ms. Horn asked that the record reflect that her son and Mr. Salzbrun's son are friends, and they go to pre-school together. She stated it will not prevent her from remaining impartial in reviewing this case.

Mr. Kearns began by seeking clarification on the reason for requesting a variance. Ms. Bere confirmed that the variance was needed due to the sign being internally illuminated, as the property is located within the Village Historic District. She added that per the Sign Code, the proposed signs can be larger than what is being proposed by the applicant. Mr. Kearns clarified that if the sign was not lit up or if there was an external light shining on the sign, it would meet the Code.

Ms. Horn asked if the lighting would be similar to a neon sign, to which Mr. Jahnigen confirmed that the lights would be LED-based rather than traditional neon.

Mr. Kearns referred to the applicant's packet, which included a sign at Gabby's, directly across the street, that has a similar design. Ms. Bere explained that Gabby's received approval for its sign in 2003, during a Development Plan process, but that the lighting provision regarding externally illuminated signs was likely introduced later.

Mr. Salzbrun introduced himself and provided additional context. He explained that he is a partner-owner at 518 Wyoming and the project lead for the Delmonico Bar. He shared that the project was initiated by neighborhood residents Ryan and Aubrey Welsh, who wanted to bring a new bar concept to Wyoming. He outlined the planned renovations, which would include over \$100,000 in improvements to both the exterior and interior of the building. The bar would specialize in craft cocktails and would be open seven days a week, creating full-time and part-time jobs. He expressed a commitment to community involvement, citing previous events and plans for future community engagement.

Mr. Salzbrun emphasized the importance of creating a first impression for visitors entering the City from the east side, aiming to contribute to a vibrant hospitality district. He described the proposed signage, which would be flexible LED lights mounted to clear acrylic. The lights would be dimmable and static with no color-changing features, and this will avoid attracting bugs, a common issue with externally illuminated signs.

Regarding the comparison to Gabby's sign, Mr. Salzbrun noted that they were aware of Gabby's signage, and they wanted to pursue a similar lighting solution. Mr. Kearns inquired about the brightness of the LED lights and whether they could be adjusted to match the lumens of the sign at Gabby's. Mr. Salzbrun confirmed that the LEDs are dimmable, though he would need to consult the specifications for the exact lumens.

Ms. Horn asked about the backing for the lights. Mr. Salzbrun clarified that the flexible LED lights would be mounted to clear acrylic, making them see-through. Ms. Horn further asked about the color of the lights, to which Mr. Salzbrun confirmed they would be a warm yellow color. He also mentioned that the building would remain the darker gray paint color that it is currently, providing a higher contrast with the sign.

Mr. Kearns asked about the dimensions of the signs, with the front sign being approximately 60" wide and the side sign being about 100" wide. Mr. Salzbrun confirmed that these dimensions were in line with the Code requirements and noted that they were flexible if adjustments were needed.

Mr. Kearns raised concerns about the potential for bright lighting to negatively impact the aesthetic of the area. He noted that while the concept seemed upscale, there was concern about setting a precedent for future signage requests. The Board discussed limiting the brightness of the lights to avoid creating issues with future applications.

The Board suggested that the lumens for the proposed sign should be measured to match the foot-candle level of Gabby's sign at a distance of 2' from the sign in front of the building, with a tolerance of +/- 10%. This would ensure consistency and provide a measure of control over the brightness. Mr. Salzbrun said he will provide the City with the foot-candle levels.

Mr. Kearns made a motion to approve the variance with the condition that the applicant match the foot-candle level of the sign across the street, +/- 10% at 2' from the building. Ms. Horn seconded the motion. By roll call vote, 3-0, all voted yes, the motion carried.

Mr. Salzbrun thanked the Board and shared that the opening of the Delmonico Bar was scheduled for the end of April.

Ms. Bere said that Mr. Salzbrun will need to submit a sign permit application and may also need a building permit from Hamilton County. The signage will undergo a final zoning inspection to ensure compliance with the approved variance and at which time Mr. Salzbrun will provide the foot-candle measurements.

Miscellaneous:

Ms. Bere noted that the Board will meet on May 19, 2025 to hear two cases, and potentially Case #3-25 that was originally scheduled for this evening.

Excusal of Absent Members:

Mr. Kearns moved to excuse Ms. Wall and Mr. Woodside. Ms. Horn seconded the motion. By voice vote, all voted yes, the motion carried. The members were excused.

Adjourn:

With no further business before the Board, Mr. Kearns moved to adjourn the meeting. Ms. Horn seconded the motion. By voice vote, all voted yes, the motion carried. The meeting adjourned at 6:31 p.m.

Respectfully submitted,

Debby Martin, Executive Assistant

Charlie Jahnigen, Chair