

NEW FREEDOM BOROUGH PLANNING COMMISSION

August 15, 2022

Meeting was called to order by Teresa Ruby at 6:00 pm.

Members present: T. Ruby, J. Merrill, M. Hopkins, R. Ross (E. Aycock was absent)

Also present: Wade Portner, Zoning Officer.

Minutes: Motion by J. Merrill, 2nd by M. Hopkins to approve the minutes of June 20, 2022.

Motion Carried.

NEW BUSINESS:

ZOHAN, LLC – STOP & CHILL – 204 N. CONSTITUTION AVE – VARIANCE REQUEST FOR SECOND SIGN ON THE FRONT OF THE BUILDING - §225-803.B.2 & ATTACHMENT #1:

Mohamed Irfan was present to represent his variance request.

T. Ruby explained that the ordinance only allows for 1 sign.

He has already been approved for and installed a freestanding pole sign.

He stated that believed he should be allowed to have the additional sign above the door on the building because there was one there from the previous business that occupied the building.

There was some discussion about what signs were there in the past.

W. Portner explained that the applicant removed both signs when he purchased the property therefore, when he applied for the sign permit for two signs it had to meet the current sign ordinance which says only one sign.

The applicant stated that all businesses and convenience stores have both pole signs and signs on the building above the door.

W. Portner read §225-802.K Nonconforming signs.

T. Ruby explained to the applicant what that means and that he does not automatically have permission to have two signs. He needs to prove a hardship for his need for the additional sign.

The applicant explained that every other business has two signs and he needs it so people know what his business is.

T. Ruby stated that there are 5 conditions that need to be met to have a variance approved.

#1 – Not Met

#2 – Not Met

#3 – Not Met

#4 – Met

#5 – Not Met

T. Ruby does not believe it meets the requirements for a variance.

Public Comment:

Bernadette Reineberg from 206 N Constitution (next door to the store) expressed her concern over the existing lighting from interior window signs inside the business coming into her windows at night and whether or not they were permissible. She also questioned the signs or banners in the front grass and whether they were considered temporary.

The applicant argued that he does not think the light from the signs in his window could possibly be affecting her house due to where her house is in relation to his business.

Decision:

R. Ross motioned a recommendation to not allow approval to the Zoning Hearing Board. 2nd by J. Merrill. All in favor Motion carried.

Adjournment:

Motion to adjourn by J. Merrill, 2nd by M. Hopkins all in favor. Meeting adjourned at 6:22pm.