

Board of Zoning Appeals

1 Application #CU-17-14

January 18, 2018

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3 **LEGAL NOTICE**

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5 Notice is hereby given that the Orange Township Board of Zoning Appeals will hold a public hearing on
6 Thursday, January 18, 2018, beginning at 7:00 p.m. to consider the following application/s:

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8 **Conditional Use Case #CU-17-14, Orange Self Storage LLC**, Requesting a Conditional Use from Section
9 22.04(a) of the Orange Township Zoning Resolution to allow the construction of a monument style free standing
10 sign in an area zoned Planned Industrial (PI) District. The subject property is located at 8321 Green Meadows
11 Drive, Lewis Center, OH 43035, being Lot Number 2807 of Sheridan subdivision, and having permanent parcel
12 number 318-313-04-002-000.

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14 The hearing will be held at the Orange Township Hall, 1680 East Orange Road, Lewis Center, Ohio, 43035.

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16 The applications and plans are available for inspection for a period of at least 10 days prior to the hearing at the
17 Orange Township Zoning Office, 1680 East Orange Road, Lewis Center, Ohio, 43035. Zoning Office hours are
18 Monday through Friday, 8 a.m. to 4:30 p.m. except legal holidays.

19 Following this hearing the Board may have a meeting for general purposes to consider such business as may
20 properly come before it including, but not limited to, consideration and/or approval of minutes, scheduling
21 future hearing dates for this or other applications and like matters.

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23 The person responsible for the publication of this notice is Michele Boni, Orange Township Zoning
24 Department.

25
26 *Bruce Ward, Chairman*

27 *Michele Boni, Orange Township Zoning Department*

28
29 *Please publish one time, on or before Monday, January 8, 2018 in The Delaware Gazette*

30
31 Township Officials also present: Michael McCarthy, Township Counsel
32 Michele Boni, Planning & Zoning Director
33 Laney Ellzey, Zoning Assistant

34
35 Mr. Ward called the hearing to order at 7:00 p.m.

36
37 Roll: Bruce Ward, Rick Oster, Genevieve Hoffman, Punitha Sundar, Victoria Jordan

38
39 Ms. Boni: Need to elect a Chair and Vice Chair for 2018.

40
41 **MOTION TO ELECT CHAIR FOR 2018**

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43 Mr. Oster made a motion to nominate Ms. Genevieve Hoffman as Chair for the 2018 Orange Township
44 Board of Zoning Appeals; seconded by Ms. Sundar.

45
46 Vote on Motion: Mr. Ward-yes, Mr. Oster-yes, Ms. Sundar-yes, Ms. Hoffman-yes, Ms. Jordan-yes
47 Motion carried

48
49 Ms. Boni: For the record, Mr. Miller just arrived for this hearing tonight. Mr. Miller, for your
50 information, the Board nominated Ms. Hoffman for Chair for 2018. Now we will be discussing the Vice-
51 Chair.

Board of Zoning Appeals

MOTION TO ELECT VICE-CHAIR FOR 2018

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Ms. Jordan made a motion to nominate Mr. Bruce Ward as Vice-Chair of the 2018 Orange Township Board of Zoning Appeals; seconded by Ms. Hoffman.

Mr. McCarthy: I think we asked Ms. Jordan to sit in for Mr. Miller for this meeting, but now there are 6 members.

Ms. Boni: I asked Ms. Jordan to attend to review the minutes because we need her participation on that, not necessarily for the case.

Mr. McCarthy: Ms. Jordan, are you comfortable in stepping down for this vote?

Ms. Jordan: Do you want me to withdraw my nomination?

Mr. Ward: You can.

Mr. McCarthy: If Mr. Miller abstains, then you could step back in.

Ms. Jordan withdrew her nomination.

Mr. Miller made a motion to nominate Mr. Bruce Ward as Vice-Chair for the 2018 Orange Township Board of Zoning Appeals; seconded by Ms. Sundar.

Vote on Motion: Mr. Ward-yes, Mr. Oster-yes, Ms. Hoffman-yes, Ms. Sundar-yes, Mr. Miller-yes
Motion carried

Ms. Boni: Since Ms. Jordan is here to review the minutes, we have a full quorum for our case now; I would like to go over those minutes now. Mr. McCarthy, from a legal perspective, since we have 6 members attending, who should be considering these minutes?

Mr. McCarthy: Typical practice would be for those members participating in that application to be the only voting members. There is an argument to be had that it is totally a ministerial act but I believe most places would stick to the attendees, especially with the BZA.

APPROVAL OF MEETING MINUTES

Ms. Hoffman: We have approval of minutes from June 22, 2017, July 20, 2017, September 14, 2017 and November 16, 2017. If anyone wants to have a discussion, we can entertain motions on those separately and have them voted on by those who were present during those meetings.

Ms. Boni: For the June 22, 2017 hearing, those attending were Mr. Ward, Mr. Miller and Ms. Jordan,

Ms. Jordan made a motion to approve the meeting minutes of the Orange Township Board of Zoning Appeals dated June 22, 2017 for Variance Case #VA-17-02, Aaron A. and Michelle E. Shipley and Variance Case #VA-17-04, T&R Properties, Inc. c/o Ron Sabatino (Goldfish Swim School) as written; seconded by Mr. Ward.

Vote on Motion: Ms. Hoffman-abstain, Mr. Oster-abstain, Mr. Ward-yes, Ms. Sundar-abstain, Mr. Miller-yes, Ms. Jordan-yes

Board of Zoning Appeals

104 Motion carried

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106 Ms. Boni: For the July 20, 2017 hearing, those attending were also Mr. Ward, Mr. Miller and Ms. Jordan.

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108 Mr. Ward made a motion to approve the meeting minutes of the Orange Township Board of Zoning
109 Appeals dated July 20, 2017 for Variance Case #VA-17-04, T&R Properties, Inc. c/o Ron Sabatino
110 (Goldfish Swim School) as written; seconded by Mr. Miller.

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112 Vote on Motion: Ms. Hoffman-abstain, Mr. Oster-abstain, Mr. Ward-yes, Ms. Sundar-abstain, Mr.
113 Miller-yes, Ms. Jordan-yes

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115 Motion carried

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117 Ms. Boni: For the September 14, 2017 hearing, those attending were Mr. Ward, Ms. Sundar, Mr. Oster
118 and Mr. Miller.

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120 Mr. Miller made a motion to approve the meeting minutes of the Orange Township Board of Zoning
121 Appeals dated September 14, 2017 for Variance Case #VA-17-06, Columbus Jewish Foundation as
122 written; seconded by Mr. Oster.

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124 Vote on Motion: Mr. Oster-yes, Mr. Ward-yes, Ms. Sundar-yes, Ms. Hoffman-abstain, Mr. Miller-yes,
125 Ms. Jordan-abstain

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127 Motion carried

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129 Ms. Boni: The last group of minutes for November 16, 2017, those attending was everyone except for
130 Mr. Miller.

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132 Mr. Ward made a motion to approve the meeting minutes of the Orange Township Board of Zoning
133 Appeals dated November 16, 2017 for Conditional Use Case #CU-17-07, Toyota Material Handling, Inc.
134 as written; and for Variance Case #VA-17-08, Erin N. Myers, amended as follows by Mr. McCarthy:

135
136 • On Line 195, change the word "classified" to "unclassified"

137
138 seconded by Mr. Mr. Miller.

139
140 Vote on Motion: Ms. Hoffman-yes, Mr. Oster-yes, Mr. Ward-yes, Ms. Sundar-yes, Mr. Miller-abstain,
141 Ms. Jordan-yes

142
143 Motion carried

144
145 Ms. Hoffman: That concludes our old business and will move on to new business, Conditional Use Case
146 #CU-17-04.

147
148 A court reporter with Runfolo Reporters administered the oath to those wishing to speak

149
150 Ms. Ellzey presented the Staff Report and presentation.

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152 **APPLICANT PRESENTATION/BOARD QUESTIONS & COMMENTS**

153
154 Greg Bunger, Lehner Signs, 2983 Switzer Avenue, Columbus, Ohio 43219.

Board of Zoning Appeals

155 Ms. Hoffman: Is there anything additional you wanted to add?

156
157 Mr. Bunger: No, I think that about covered it all. Michele and I talked about the concrete base, and we
158 were going to leave that just as the concrete color and not paint it.

159
160 Ms. Boni: That is an option you have but that would be up to the Board to decide that. The application
161 that was provided to the Board tonight has the green base.

162
163 Mr. Bunger: It doesn't have to be painted green if that's not what you want in that area. But it is an
164 aluminum side data on a concrete base just for visibility issues because the property is set back pretty far
165 from Green Meadows Drive; it would be hard to see exactly where the property is.

166
167 Mr. Oster: I hear that from a lot of people who turn in there; they hit it by mistake and then have to turn
168 around.

169
170 Mr. Bunger: They pass it quite frequently I've been told. We tried to stay with what the other signs in
171 the area are and just keep everything in the same sign bracket area.

172
173 Mr. Ward: Is the sign going to be lit?

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175 Mr. Bunger: No.

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177 Mr. McCarthy: Just an observation, I think the zoning amendment application for the owner's signature
178 has 2 options, 1 for individual owner and 1 for a corporate or non-individual owner, and this BZA form
179 just has the 1. And Mr. Ward brings up a point, the non-illuminated nature of the sign ought to be
180 considered to be a condition of any approval, if approval is given, and prior to issuance of a sign permit, if
181 you could bring a correspondence from the corporation; this is actually owned by Orange Self Storage
182 LLC, it would simply be "I, _____, President of Orange Storage LLC hereby authorizes this
183 application", just for their file. Beyond that, I have no comment.

184
185 Ms. Boni: And I would just need it before issuance of the sign permit.

186
187 Mr. Ward: So we can go ahead and approve the application and just withhold the permit?

188
189 Mr. McCarthy: You would just make it a condition of the approval and the Zoning Office would respect
190 that, I'm sure.

191
192 Ms. Boni: This is an authorization letter from Orange Self Storage, correct?

193
194 Mr. McCarthy: Yes, basically the same language we've got for the zoning.

195
196 Mr. Ward: Do we have any other similar signs with a concrete base that the concrete has been
197 unadorned?

198
199 Ms. Boni: Yes. Our current Resolution does not specify whether or not there are color standards for the
200 base itself. Some of the districts require natural stone, brick as the base, but in this district, there are no
201 stone standards that apply.

202
203 Ms. Hoffman: There was a picture at the end of this of another one, wasn't there?

204
205 Ms. Boni: Yes, it was kind of a brown.

Board of Zoning Appeals

206 Mr. Oster: I was thinking we did one just a couple of meetings ago and it was plain concrete for the
207 forklift.

208
209 Ms. Hoffman: I don't recall seeing one but I don't have a problem with it.

210
211 Mr. McCarthy: On behalf of the Fire Department, the sign is indicated in the base that it does display the
212 property address. If it goes that way to concrete, could you still include the number of the property?
213

214 Mr. Bunger: Yes, if we keep the concrete and not paint it, we'd probably do a black letter.

215
216 Mr. McCarthy: And that would not be a color under our Code.

217
218 Mr. Miller: If the bottom of that sign was going to be green, would you want to put the lettering in black?
219

220 Mr. Bunger: No, if we don't paint it green and leave it concrete color, we would probably put those
221 letters in black for contrast.

222
223 Mr. Oster: Or would green work along with the green letters of the sign?

224
225 Mr. Bunger: It could.

226
227 **MOTION TO APPROVE CONDITIONAL USE APPLICATION #CU-17-14**

228
229 Mr. Ward made a motion to approve Conditional Use Application #CU-17-14, Orange Self Storage, LLC,
230 with the understanding that the sign will remain unlit, that there will be an address noted on the base in a
231 contrasting color, black or green, and that before the permit is issued, a letter from the owner of the
232 corporation authorizing the sign on behalf of the corporation be received by the Township Zoning Office.
233 These would be the conditions of the approval of the application as submitted; seconded by Mr. Miller.

234
235 Vote on Motion: Ms. Hoffman-yes, Mr. Oster-yes, Mr. Ward-yes, Ms. Sundar-yes, Mr. Miller-yes

236
237 Motion carried

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239 Hearing adjourned at 7:30 p.m.

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241 Minutes prepared by Cindy Davis, Zoning Secretary

242
243 On March 22, 2018, Mr. Oster made a motion to approve the meeting minutes of the Orange Township
244 Board of Zoning Appeals for Conditional Use Application #CU-17-14, Orange Self Storage, LLC, dated
245 January 18, 2018, with the following corrections:

- 246
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- Line 85 – change the word “administerial” to read “ministerial”
 - Line 216 – add the word “not” so the sentence reads: “That would not be a color under our Code.
- 248
249

250 Motion seconded by Mr. Ward

251
252 Vote on motion: Mr. Ward-yes, Mr. Miller-abstain, Mr. Oster-yes, Ms. Sundar-yes, Ms. Jordan-yes

253
254 Motion carried.

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