

Board of Zoning Appeals

1 **Application #'s VA-20-10, VA-CU-20-11, VA-CU-20-012, VA20-13**

July 16, 2020

2 3 **LEGAL NOTICE**

4
5 Notice is hereby given that the Orange Township Board of Zoning Appeals will hold a public
6 hearing on Thursday, July 16, 2020, beginning at 6:00 p.m. to consider the following
7 application/s:

8 **Variance Application #VA-20-10 Michael Gruskiewicz,**

9 Requesting an area variance from the currently effective development plan approved under application
10 #16985 of Avonlea to construct a basketball court that will fail to meet the minimum side-yard and
11 rear-yard setback requirement. The subject property is located at 3139 Avonlea Way, Lewis Center OH
12 43035 and having parcel number 318-120-18-002-000.

13
14 **Variance and Conditional Use Application #VA-CU-20-11 All Shepherds Lutheran Church,**

15 Seeking an Area Variance from Variance Case 15030 of All Shepherds Lutheran Church to allow for
16 the increase of sign display area that will fail to meet the standard approved in Variance Case 15030
17 and the applicant is also seeking a Conditional Use for a construction of a new monument sign at the
18 approved variance location of Variance Case 15030. The subject property is located at 6580 Columbus
19 Pike, Lewis Center, OH 43035 and having parcel number 318-220-02-019-002.

20 **Variance Application #VA-CU-20-12 Sign Vision Co. INC.,**

21 Seeking two area variances and a conditional use from Rezoning Case 15785 Olentangy Crossings PC to
22 allow for a second monument sign to be located on one parcel, a wall sign to exceed the maximum
23 height requirement and the conditional use for the construction of a monument sign. The subject
24 property is located at 6284 Pullman Drive, Lewis Center, OH 43035 and having parcel number 318-220-
25 01-058-036.

26
27 The hearing will be held virtually using electronic means and can be accessed by the public on the
28 internet on the Zoom application at
29 <https://us02web.zoom.us/j/81168439877?pwd=STE3R1FqVk94M3RIUGdWMm9yallGUT09>.

30
31 During the hearing the public may submit questions and comments to the Board by sending messages
32 to Zoning Inspector, Jeff Beard via the Zoom meeting chat room.

33
34 The application and plans are available for inspection for a period of at least 10 days prior to the
35 hearing by e- mailing Jeff Beard at jbeard@orangetwp.org. The Zoning Office is closed to the public
36 during the public health emergency, however zoning staff is available by e-mail during normal business
37 hours of Monday through Friday, 8 a.m. to 4:30 p.m., except legal holidays.

38 Following this hearing the Board may meet for general purposes to consider such business as may
39 properly come before it including, but not limited to, consideration and/or approval of minutes,
40 scheduling future hearing dates for this or other applications, and like matters.

41
42 The person responsible for the publication of this notice is Jeff Beard, Orange Township Zoning
43 Department.

Board of Zoning Appeals

Rick Oster, Chairman

Jeff Beard, Orange Township Zoning Department

Please publish one time, on or before Monday, July 6, 2020 in The Delaware Gazette

Mr. Oster called the hearing to order at 6:00 p.m.

Roll Call: Aaron Shipley, Punitha Sundar, Rick Oster, Jerry Miller, Kelvin Trefz-absent

Township Officials Also Present: Jeff Beard, Zoning Enforcement Officer

Variance Application #VA-20-10 Michael Gruskiewicz,

Requesting an area variance from the currently effective development plan approved under application #16985 of Avonlea to construct a basketball court that will fail to meet the minimum side-yard and rear-yard setback requirement. The subject property is located at 3139 Avonlea Way, Lewis Center OH 43035 and having parcel number 318-120-18-002-000.

Mr. Beard: If there's anybody here for this case that has any concerns or questions as we discuss this, please send me comments in the chat room so we can bring them up. Presented Staff Report and presentation. The property is located on the north side of Avonlea Way. To the north is Farm Residential District, south, east and west are all Single Family Planned Districts. Side yard setback is currently 12-1/2' from any side lot line and total side yard of 25' or more. The applicant has requested to allow the construction of a basketball court that will encroach 2', so a variance of 2' for the side yard setback is requested. Rear yard setback is no closer than 35' to the rear line of any lot. The basketball court will encroach into the rear yard setback a distance of 2-7/10', so a variance of 2-7/10' from the rear setback is requested.

APPLICANT PRESENTATION/BOARD QUESTIONS & COMMENTS

Michael Gruskiewicz, 3139 Avonlea Way, Lewis Center, Ohio 43035.

Mr. Miller: The tree line on the back of your house, you have three large trees or bushes, a long set of trees to the left of your house, then there's a dark area that looks like a field. From the house on the left, it shows the depth of their lot substantially deeper and in comparison to the large tree lines on both the left and right, how does yours proportion to that?

Mr. Gruskiewicz: The three trees that are kind of in a triangular shape are actually owned by the neighbor behind me. There's a house that comes off Old State Road and his backyard extends past my backyard and then all the way to that longer row of trees on the left. My backyard is about half of the neighbor's.

Mr. Oster: That's what I was assuming, and it's a very weird rear lot line.

Mr. Shipley: Just out of curiosity, where did you come up with the 28' x 35' for your basketball court?

Mr. Gruskiewicz: The 35' is so I could have a 3-point line and the way I planned it, the hoop would be on the east side of the court so the 28' has enough room for the hoop to overhang the court so there's area behind where you can land safely, and the opposite end of it would be the 3-point depth.

Mr. Shipley: I only asked because I thought you were familiar with high school and college basketball courts and maybe that was half court or something. And Mr. Oster pointed out that's a weird shaped lot.

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94 Mr. Oster: Is that considered a half court? Is it going to have one basket or one at each end?
95

96 Mr. Gruskiewicz: Just one basket and it's actually not the full width of a half court; 30' is the standard of
97 a half court width.
98

99 Mr. Shipley: On your application, you mentioned the HOA had already approved it, but I didn't see
100 anything to that affect in the package.
101

102 Mr. Gruskiewicz: I did not send it in but I can get that to you. It was approved last summer I believe.
103

104 Mr. Miller: Did you consider rotating the court so it's in compliance?
105

106 Mr. Gruskiewicz: I measured that and it would actually fit but if I put the hoop at the east side, the tree
107 line kind of screens it from my neighbors, whereas if I put it straight off my back porch, I'm looking into
108 the hoop, they're looking into the hoop, so it's more intrusive.
109

110 Mr. Miller: You said there's an HOA blessing for it. I didn't see anything pro or against it from your
111 neighbors.
112

113 Mr. Gruskiewicz: I sent Jeff some signed letters from my neighbors directly behind me to the north
114 coming off my lot, from the property that comes off Old State, and the two neighbors that are opposite
115 from me on Avonlea. There's one neighbor opposite me and one to the west that weren't home when I
116 had the drawing made and I don't have letters from them, but I'm sure I could get them.
117

118 Mr. Shipley: There is one letter of opposition, right, Jeff?
119

120 Mr. Beard: There is one email.
121

122 Mr. Oster: Which neighbor is that?
123

124 Mr. Beard: The neighbor to the west.
125

126 Mr. Oster: The one by the road closest to S. Old State?
127

128 Mr. Beard: No.
129

130 Mr. Oster: The other way. If you move that over, that would be 2', so if it was within the side yard, then
131 this corner would pretty much be touching the line?
132

133 Mr. Gruskiewicz: Right.
134

135 Mr. Shipley: If you move it over to bring it in the side setback, that pushes that corner further into the
136 line. That corner's already outside the setback.
137

138 Mr. Oster: I know but would it still be within his property line, so instead of 2' all the way down the side
139 on this one, it would be 0 on the rear line.
140

141 Mr. Gruskiewicz: I can't answer that; I'd have to have it drawn out but by this drawing, I would say it
142 would be within the line.
143

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144 Mr. Oster: Which I don't have a problem with. Are you going to have any kind of footer on this court or
145 is it strictly going to be a concrete pad?

146
147 Mr. Gruskiewicz: A concrete pad.

148
149 Mr. Miller: Is there going to be rebar in the concrete?

150
151 Mr. Gruskiewicz: I haven't speeded that out with anybody but I don't know why it would need rebar.

152
153 Mr. Oster: Just concrete will crack and move, and that's where a footer will help you also to keep it
154 contained even if it does crack. But that's almost one thing guaranteed with concrete; it will crack and the
155 more water that goes down the crack, it will start moving.

156
157 Mr. Miller: And the rebar would also be helpful in reducing the possibility of cracking and movement.

158
159 Mr. Oster: That's true because it tries to tie everything together.

160
161 Mr. Miller: In your plans, you have a gravel base below the concrete and you're going to have this done
162 by a concrete company?

163
164 Mr. Gruskiewicz: Yes, I'm going to have it done by a professional company. I don't know if they'd put
165 gravel under it.

166
167 Mr. Oster: They usually start with gravel to kind of form it and then put up forms for the rectangle.

168
169 Mr. Miller: The issue you're going to run into, and I'm going to use a hypothetical number, if you spend
170 \$10,000 to put this basketball court in without rebar and without any type of footers, 2, 3, 4 years from
171 now you're going to start to get cracks that will do nothing but get worse and worse.

172
173 Mr. Oster: And movement.

174
175 Mr. Miller: In a few years you may have to have it completely replaced. So it may cost you \$1,000 more
176 to have it done up front, but you'll save \$5,000 or \$10,000 5 or 10 years from now.

177
178 Mr. Oster: Easily. That's just kind of a heads up; that's concrete.

179
180 Mr. Miller: Cracks and then with freezing.

181
182 Mr. Oster: It cracks and water gets down in it then it starts to wash away some of the dirt base, it freezes,
183 expands and contracts.

184
185 Mr. Miller: Then you're going to get seeds in between them that split and force it to crack bigger. Mr.
186 Beard, in looking at this overhead, you're saying the neighbor that was opposed to it was to the left?

187
188 Mr. Beard: Yes.

189
190 Mr. Shipley: The one further away from the proposed basketball court?

191
192 Mr. Beard: Correct.

193
194 Mr. Shipley: The neighbor you got the letter from is not in opposition, right?

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195
196 Mr. Beard: Correct. And the approval letters were in the application and also on the digital copy of the
197 application that was sent.

MOTION TO APPROVE VARIANCE APPLICATION #VA-20-10

198
199
200
201 Mr. Miller made a motion to approve Variance Application #VA-20-10, Michael Gruskiewicz, as written;
202 seconded by Mr. Oster.

203
204 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Ms. Sundar-yes
205 Motion carried

206
207 Mr. Beard: Mr. Trefz is in the waiting room. It is up to the Board if they want him to join the meeting.

208
209 Mr. Oster: I will leave that up to Mr. Beard.

210
211 Mr. Beard: I will admit him.

212
213 Hearing continued with Variance and Conditional Use Application #VA-CU-20-11

214
215 Minutes prepared by Cindy Davis, Zoning Secretary

216
217 On September 17, 2020, Mr. Oster made a motion to approve the July 16, 2020 meeting minutes of the
218 Orange Township Board of Zoning Appeals for Variance Application #VA-20-10, Michael Gruskiewicz,
219 with the following corrections:

- 220
- 221 • Line 75 should read: "...a long set of trees to the left of your house...."
 - 222 • Line 157 should read: "...and the rebar would also be helpful in reducing the possibility of cracking and
223 movement...."

224
225 Seconded by Mr. Shipley

226
227 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Shipley-yes
228 Motion carried

229
230
231

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1 **Application #VA-CU-20-11**

July 16, 2020

2
3 **Variance and Conditional Use Application #VA-CU-20-11 All Shepherds Lutheran Church,**

4 Seeking an Area Variance from Variance Case 15030 of All Shepherds Lutheran Church to allow for
5 the increase of sign display area that will fail to meet the standard approved in Variance Case 15030
6 and the applicant is also seeking a Conditional Use for a construction of a new monument sign at the
7 approved variance location of Variance Case 15030. The subject property is located at 6580 Columbus
8 Pike, Lewis Center, OH 43035 and having parcel number 318-220-02-019-002.
9

10 Mr. Beard presented the Staff Report and presentation. The property is located on the west side of
11 Columbus Pike north of Home Road. The sign will be located west of Columbus Pike. Surrounding
12 areas to the north is Planned Commercial and Office District, south is Farm Residential and Planned
13 Commercial and Office Districts, east is Planned Commercial and Office District, west is Farm
14 Residential District. Per Variance Case 15030, the sign will be located 12' from the right-of-way line of
15 Route 23, 4' tall and 8' wide, 32 square feet per side and maximum of 64 square feet. The applicant has
16 requested to allow the construction of a monument sign at the previously approved setback with a larger
17 square footage allowed per side of 64 square feet of display area for a total of 128 square feet for the
18 side. A 32 square foot variance per side is requested.
19

20 Mr. Trefz: Just to let everyone know, I attend this church. I will participate in the discussion but I will
21 recuse myself from voting.
22

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

24
25 Kerry Beerman, 5757 Olentangy Boulevard, Worthington, Ohio, I am a church member and have led this
26 committee for the last couple years. I think we have a real problem getting a message out. Most churches
27 put messages on signs and they change. We came before you in 2018 to request an electronic message
28 board and we understand and I felt we needed to be much lower in tone with an electronic board than was
29 understood, but we are coming back with a manually managed message board. Our current sign uses 4"
30 letters that are not legible from the highway under any circumstances. We're about 80' from the
31 centerline of southbound 23; the center of the viewer line of sight approaching the sign comes to about
32 130'. It's complicated in terms of what legibility factors are but for there seems to be a consensus that to
33 read a message, the letters have to be between 6" and 8". To get a message that size on our current
34 location would be impossible; it would require a message board far too large to comply. Our current
35 sign's front face is 64 square feet and that includes structure but that doesn't come across as structure; it
36 comes across as what faces the driver passing by at the moment and we feel it would be beneficial to
37 place a new sign in that same space. It's been there 18 years and possibly a landmark for Lewis Center
38 Road as well, and we're approaching this with as much sensitivity to dignity, lighting, message. I know
39 you can't just say we promise to do these things but as a church we do promise to take the sign with a
40 good deal of dignity. We appreciate the current sign location, but it's time to replace it. We request that
41 you seriously give us consideration for the approach we're taking.
42

43 Mr. Miller: In looking at the drawing you provided, the letters All Shepherds are 3-7/8" tall. Below it,
44 where it's Worship at 5:30 PM, the letters are 8" tall which is basically double the size.
45

46 Mr. Oster: But it doesn't appear that way.
47

48 Mr. Miller: That space is 1' which is 12".
49

50 Mr. Beerman: I apologize for those errors. We've sent this information out in various formats
51 electronically. We have done no mediums in person and a wrong submission was made on my part to Jeff

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52 and I just discovered that but not in time to get it to you. The exact dimensions of those letters are the
53 church logo is 7-3/4", Lutheran Church is 3-3/4", the address numbers below will be 7-3/4", and then we
54 want the opportunity to make the best determination as to whether a 6" or 8" letter is the best use of our
55 manual sign.

56

57 Mr. Miller: Even that doesn't equate because if you're going to have 7-3/4" letters where it's Worship at
58 5P, that space is 12", so how can you have that?

59

60 Mr. Beerman: The space is 2' to accommodate those letters and meet sign requirements for the message
61 board. There was an error in the information that was attached to that.

62

63 Mr. Oster: So is the overall height going to change to 8'6" because if you add 2' in there for your increase
64 in letters....

65

66 Sheridan Norton, Morrison Sign Company, 2757 Scioto Parkway, Columbus, Ohio 43221, I've been
67 working with All Shepherds on this sign, and the 8' high, 9'10" wide measurements are correct.
68 Somehow in translation the guts of the sign were basically scaled at half scale, so 3-7/8" really should be
69 7-3/4", Lutheran Church bumps up to 3-3/4", that changeable copy center should be 2', 8" letter height is
70 correct and the address below is doubled as well. I don't know how that happened, but the overall sign
71 size is correct.

72

73 Mr. Oster: At 8'?

74

75 Mr. Norton: Correct.

76

77 Mr. Oster: It still doesn't look like it's possible to me; all the measurements are wrong.

78

79 Mr. Beerman: That 2' is inclusive of the 6.6". You're adding 1.6" for the base for a total of 8'. The width
80 of the sign is 9'10" for a total of 63.89 square feet and there is confusion on the letters; we request only
81 three letters and two typefaces can be used; we understand that.

82

83 Mr. Norton: It's drawn to scale, however the numbers are incorrect, so as you look at the copy, the scale
84 is appropriate to the overall sign size.

85

86 Mr. Miller: But it's still double the size of the sign that was approved.

87

88 Mr. Beerman: That is correct. Our thought on that is that the current sign fascia is exactly the same as the
89 new one. It's our hope that we can get that sign closer than the 27' Code. It's hard enough now to read our
90 message where it is and we're just trying to hold onto that real estate we've used to present our message,
91 realizing you're making a big variance there. We also realize that the Code is 15' and not 12'. We came in
92 at 12' 18 years ago; we'd be just as happy with 15'. We're just trying to keep the sign at that readable,
93 legible distance from the road.

94

95 Mr. Miller: Doubling the size of the sign would completely take you out of the sheer limitations of our
96 zoning.

97

98 Mr. Beerman: We understand and we're simply trying to grandfather our current space and overall size.

99

100 Mr. Miller: You're grandfathering it but you're doubling the size of the sign.

101

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102 Mr. Shipley: What you're doubling is the display area which is actually what the Township Code
103 addresses, so I understand when you explain that the full size of the sign is no larger than the existing sign
104 but the display area of the sign is much larger.

105
106 Mr. Beerman: We understand that and are trying to be flexible on this; we're just trying to get a message
107 out and we appreciate our request for variance is asking for a large variance. When you look at the old
108 sign, I know that's not the display area of the sign but it is the overall dimension of what people see
109 currently. We feel that overall dimension would not change, however by definition the display area of the
110 sign does double as does our ability to double the size of the type face at that distance of 80'.

111
112 Mr. Miller: The challenge if someone else wants to build and they come to the BZA and say we want to
113 put a sign up, and All Shepherds' sign is double the size of zoning requirements, we want the same thing,
114 and it just starts to mushroom. I understand the importance especially the message you're trying to put out
115 but it puts us in a quandary.

116
117 Mr. Beerman: We're appealing this for the second time because we're trying to win some land to be able
118 to display it but I also understand the dilemma it puts you in, so we're coming to you with that in mind
119 and if this is something you can't agree to, we have some fall back.

120
121 Mr. Beard: I'd like to bring up a couple comments we've had from residents in the area. Robyn McComb
122 of 6710 Falls Brook Trail, Delaware, Ohio 43015, speaking on behalf of the residents of Olentangy
123 Crossings neighborhood, we would like to maintain existing zoning requirements in regard to minimal
124 signage and non-use of monument signs, particularly on commercial properties that front our neighbor-
125 hood and other neighborhoods in the Township. We encourage that something please be done to maintain
126 minimal impact to the homeowners of the Township. The church currently has signage that seems
127 significant enough to represent the establishment. We have another comment from Wayne who lives at
128 255 Olentangy Crossings West, Delaware, Ohio 43015. He says he passes the sign everyday on his way
129 to drop his kids off at daycare; he can read all parts of the current sign without issue. As it is obvious from
130 a distance that the property is a church, if anyone is interested in reading it, they could slow down. I agree
131 and request that the variance not be approved.

132
133 Mr. Shipley: Most of us do drive by that sign several times a day and certainly understand the desire to
134 update that, but it's a large variance to double the size of the display area.

135
136 Mr. Beerman: I think we all respect where this group might take that, so without conceding, I understand
137 your point. I am concerned that there is a desire not to have monument signs which is my understanding
138 from the one letter. Our situation is unique. We have a lot of land around us and folks in the residential
139 area can't possibly see our sign from where they live, and our sign can't possibly compete with the
140 brightness or the messages of the gas station. We're trying to place ourselves in a competitive
141 environment, not because the church wants to compete but attention is a valuable commodity and we'd
142 like to grab that attention. You're probably going to face the same issue with LifePoint; I understand you
143 have a precedent that you have to consider with anything that you do with us and with LifePoint. There
144 are very few churches on Highway 23 that I'm aware of in Orange Township but churches have the unique
145 situation or commitment to provide messages that are different than gas prices; they're messages of hope.
146 We're just trying to get that message as close to the driver as possible in a situation where we have busier,
147 faster and older drivers, so legibility has become an issue, so that's why we come to you tonight to present
148 that case. We'll respect whatever decision you have.

149
150 Mr. Miller: I think what the letter is referring to is some of the people have been very active in wanting to
151 know the future development of 23, and with more and more businesses opening up on 23, that means

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152 more and more signage. The blessing though will be that new lights are going in and it's going to slow
153 people down, so they'll be able to see the message that you're trying to present.

154

155 Mr. Oster: Looking at their new sign, I think they would be able to get the square footage down a lot if
156 they didn't have the new logo on here and it just said All Shepherds across the top and then used the
157 remainder of the bottom portion for their larger lettered sign. It would be very close to the size of the
158 square footage of the old sign. It would shrink down the top and increase the bottom if the message is
159 your main point.

160

161 Mr. Beerman: Our message is and the logo is new; we're actively bringing that to attention.

162

163 Mr. Miller: If you moved the words All Shepherds to the right closer to the edge, that would allow you to
164 bring your symbol across dramatically over. Based on the size of the overall signage, that could drop 20-
165 25 square feet and still have your base which is an important part of your message.

166

167 Mr. Beerman: We have put a lot of effort into the design of the sign and sensitivity to negative space,
168 positive space, the logo, the message itself, the address, and we're not being stubborn but as a designer, I
169 would not go for that. I think logos are terribly important, and you can see them up and down 23. I think
170 one reason organizations, restaurants, etc. go for smaller signs out front is they have bigger signs on their
171 buildings. Wendy's Home Depot, Kroger; their monument sign is relatively small, but their Kroger sign is
172 massive.

173

174 Mr. Miller: The signs on the side of the building are part of the signage that also need to be approved by
175 the BZA. I've got 50+ years of graphics and signage background, and Rick and I are trying to give you
176 some guidance that can help you have your message but yet be substantially closer to compliance in lieu
177 of doubling the existing standards.

178

179 Mr. Oster: Obviously your four color logo is important to you but you also already have a huge cross in
180 the ground that is probably a larger logo than most have, so you've already got a huge marker right there
181 even without the monument sign, and I do believe you have one on the side of the church.

182

183 Mr. Beerman: Yes we do. I think the way to take this is to go to our second choice which is just to have
184 our setback. I'd love it not to be 27', but I think it is clear that we're not going to replace the current sign
185 in its current location. I think we can do the best for everybody concerned for the church sign itself which
186 has been in design over the last two years with a lot of input, I think it qualifies for the setback further
187 back, and I ask that we move on to that.

188

189 Mr. Beard: We have another comment. Robyn McComb stated that a precedent should not be set to allow
190 expanded signage uses or size limits, or all commercial businesses will line up immediately to request
191 similar variances. This isn't directed toward the church rather toward all commercial properties. Then to
192 speak to Mr. Beerman's statement, the second part of this is the Conditional Use Application, so if the
193 variance was denied, he could request a change to his Conditional Use Application which at 27' setback
194 from the right-of-way, the square footage is allowed, 64 square feet per side, so he could just ask for the
195 ability to modify his application to that difference.

196

197 Mr. Shipley: As I understand, that's what you're interested in?

198

199 Mr. Beerman: Yes. My sense is this isn't going to pass, and I fully understand your role and the precedent
200 that you want or not want to set, so I have nothing but respect for what you guys are doing.

201

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202 Mr. Shipley: The issue now then, if the sign was moved back to 27', that increases the ability of the
203 display area and that meets the display area you have on that sign.

204
205 Mr. Beard: Correct.

206
207 Mr. Shipley: Is it my understanding also that that walnut tree has to come down if you do that?
208

209 Mr. Beerman: Yes, and maybe some of the sign because the line of sight changes enough that we might
210 have to take down other trees and I don't like doing that.

211
212 Mr. Shipley: If we're going to move in that direction, do we have to take care of the first variance
213 application?

214
215 Mr. Beard: Yes, either the Board take action or the applicant withdraw it if they don't want to pursue it.
216

217 Mr. Beerman: I would like to get this resolved tonight so we can just move on.

218
219 Mr. Miller: So just to confirm, you are requesting to withdraw the original application of VA-20-11.
220

221 Mr. Beerman: That's the variance?

222
223 Mr. Miller: Yes.

224
225 Mr. Beerman: Then there's a second part of this meeting which addresses the Conditional Use.
226

MOTION TO ACCEPT WITHDRAWAL OF VARIANCE APPLICATION #VA-20-11

227
228
229 Mr. Miller made a motion to accept the applicant's withdrawal of Variance Application #VA-20-11, All
230 Shepherds Lutheran Church, regarding the overall size of the monument sign; seconded by Mr. Shipley.

231
232 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-abstain, Ms. Sundar-yes
233 Motion carried

234
235 Mr. Beard: That takes us to the second part of the application which is the Conditional Use from Section
236 22.04 a) of the Orange Township Zoning Resolution. Just for the record, Mr. Beerman, you want to
237 modify this application for the setback to go to 27' from the right-of-way, correct?
238

239 Mr. Beerman: Correct.

240
241 Mr. Beard: For the Staff Review, the sign is a monument style freestanding sign. The maximum height of
242 such sign does not exceed 8' above the average grade of the site and the sign is located at a distance from
243 any street right-of-way line as required. The proposed sign will be 8' above grade and be at 27' from the
244 right-of-way of Columbus Pike. According to the Township Resolution, a sign setback at 27' is allowed
245 to have 64 square feet per side for a total of 128 square feet. The sign does not have more than two sides
246 or surfaces, and the sign is proposed to have two sides as shown. The sign totals roughly 128 square feet,
247 64 square feet per side and will be setback 27' from the street right-of-way of Columbus Pike. The
248 proposed sign will have five colors; four shades of green and gray.

249
250 Mr. Trefz: It says 27' from Columbus Pike but going north and south, there's no restriction, right?
251

252 Mr. Beard: No because the street north....

Board of Zoning Appeals

253 Mr. Trefz: You couldn't get too close to that. So you could go within 27' of the street north of the church
254 but south, there's no restriction until you hit the woods actually.

255
256 Mr. Beard: Correct.

257
258 Mr. Shipley: The thought process that you just brought up there would be that you wouldn't necessarily
259 have to go straight back to the existing sign. There might be some other options there if you're trying to
260 save some of those trees.

261
262 Mr. Beerman: That's an excellent point and I was always of the mindset that we'd just back it up but I
263 really hadn't considered other options using the same 27' right-of-way factor.

264
265 Mr. Beard: The only issue with it is the zoning for Farm Residential District is no building or structure
266 shall be located closer than 25' from any side lot line, so it would have to be at least 25' from the side
267 line.

268
269 Mr. Shipley: But you have a very large lot.

270
271 Mr. Trefz: And part of it is in woods, so I don't think the south side is the problem; it's 25' or 27' from
272 the road just north.

273
274 Mr. Shipley: There may be some other options there and still maintain the 27' if that is approved.

275
276 Mr. Beerman: If we change the location north and south, do we need to come back for any other
277 approval?

278
279 Mr. Miller: No, you'd be in compliance.

280
281 Mr. Oster: That blue dot that's on one of your drawings with an x in the middle of it, is that the proposed
282 setback for the 27'? I couldn't tell if that's the box that's behind the current sign at 12 or is it the blue x
283 dot?

284
285 Mr. Beerman: I don't remember a blue x but the two boxes are roughly indicative of the location of the
286 current sign and the sign at 27', the space that it would take.

287
288 Mr. Oster: I was just asking. I see some stakes beside the other two but it just looks like it's in between
289 the tree and the sign and it's not adding 15'.

290
291 Mr. Beerman: Those stakes were there as kind of a thought process, they were not put there by a surveyor.
292 There has been a surveyor out at this site for cable, water, gas for some reason just at that sign. I don't
293 know if that's common when we put a request in but for some reason they've done that there.

294
295 Mr. Shipley: The end result is, if it's approved, it must meet the 27' setback from the right-of-way, not
296 from Columbus Pike necessarily, but from the right-of-way.

297
298 Mr. Beerman: And the right-of-way has been defined by the telephone pole by what I can tell. We fully
299 understand and will comply.

300
301 **MOTION TO APPROVE CONDITIONAL USE APPLICATION CU-20-11**

302

Board of Zoning Appeals

303 Mr. Miller made a motion to approve Conditional Use Application CU-20-11. All Shepherds Lutheran
304 Church, with the condition the sign will meet the Code requirements of 27' from right-of-way and 25'
305 from the side lot line; seconded by Mr. Oster.

306
307 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-abstain, Ms. Sundar-yes
308 Motion carried

309
310 Hearing continued with Variance and Conditional Use Application #VA-CU-20-12

311
312 Minutes prepared by Cindy Davis, Zoning

313
314 On September 17, 2020, Mr. Oster made a motion to approve the July 16, 2020 meeting minutes of the
315 Orange Township Board of Zoning Appeals for Conditional Use/Variance Application #CU/VA-20-11,
316 All Shepherds Lutheran Church, with the following correction:

317
318 • Line 44 should read: "...where it's Worship at 5:00 PM, the letters are 8" tall...."

319
320 Seconded by Mr. Shipley

321
322 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Shipley-yes
323 Motion carried

324

Board of Zoning Appeals

1 **Application # VA-CU-20-012**

July 16, 2020

2

3 **Variance Application #VA-CU-20-12 Sign Vision Co. INC.,**

4 Seeking two area variances and a conditional use from Rezoning Case 15785 Olentangy Crossings PC to
5 allow for a second monument sign to be located on one parcel, a wall sign to exceed the maximum
6 height requirement and the conditional use for the construction of a monument sign. The subject
7 property is located at 6284 Pullman Drive, Lewis Center, OH 43035 and having parcel number 318-220-
8 01-058-036.

9

10 Mr. Beard presented the Staff Report and presentation. Property is located at the intersection of Olentangy
11 Crossings East and Pullman Drive. The surrounding areas to the north is Multi-Family Planned
12 Residential District, to the south, east and west are all Planned Commercial and Office District. The
13 applicant is requesting a variance to allow for a second monument to be located on the parcel for the
14 pediatric dentist office. We will discuss the Variance first and then the Conditional Use Application.

15

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

17

18 Darren Gray with Sign Vision, 987 Claycraft Road, Gahanna, Ohio.

19

20 Mr. Trefz: The image that we have right now, there's a stop sign then Olentangy Commerce, Kroger
21 Marketplace and OSU Medical Center.

22

23 Mr. Oster: That's the Olentangy Crossing sign that's been there.

24

25 Mr. Trefz: But is that considered the first monument sign?

26

27 Mr. Beard: Yes.

28

29 Mr. Trefz: If that's the first one, can this business be added to that sign or is that something they're not
30 requesting?

31

32 Mr. Beard: This is the same entry sign that they have at the other locations with the same partners, so I'm
33 not sure how they determine what businesses were on there.

34

35 Mr. Oster: Because that sign had to change at some point because OSU came in later. I don't remember
36 that happening but obviously it did. I was trying to wrap my head around the location of their sign is
37 going to be a lot further up.

38

39 Mr. Beard: It's going to be on Olentangy Crossings East down toward the trees.

40

41 Mr. Trefz: It's essentially the other end of the building.

42

43 Mr. Beard: Yes.

44

45 Mr. Oster: Is that going to be the entrance for the dentistry, back off Orangewick Drive that kind of
46 crosses over but I don't think it's an actual street; it looks like it might just be a connector into the side of
47 Kroger.

48

49 Mr. Beard: It will be between Kiwi's and the little connector.

Board of Zoning Appeals

50
51 Mr. Oster: So it's going to be down on the outer corner of Olentangy Crossing; that's kind of a poor
52 illustration because it doesn't give us a good idea in relation to the drive that's already there, at least not
53 to me.
54
55 Mr. Trefz: Where is the drive coming into the dentistry building?
56
57 Mr. Oster: Is it coming in off Kroger's existing strip that goes out to Olentangy Crossing which might be
58 part of that Orangetown Drive?
59
60 Mr. Beard: There are two entrances; one coming off the little stub that goes into Kroger and the other one
61 is off Pullman. The entrance to the dentist is on the east side of the building, so it would be closer to
62 where the monument sign is.
63
64 Mr. Shipley: That's in between that daycare and their building?
65
66 Mr. Beard: Correct.
67
68 Mr. Trefz: And there's going to be more than one occupant for this building?
69
70 Mr. Beard: It's just Delaware Pediatric Dentistry. I'm not sure if they're going to have more than one
71 dentist; right now there's only one. They did get their final compliance for zoning yesterday and they are
72 open.
73
74 Mr. Trefz: And the issue is because of the monument for the entire thing is on the same parcel of land
75 where they want to put another monument sign, right?
76
77 Mr. Beard: Correct.
78
79 Mr. Shipley: The second monument.
80
81 Mr. Oster: The location on this sign seems like it's so far away from where you're going to enter their
82 building at. It looks like it's going to be in front of the next business.
83
84 Mr. Trefz: No, that's actually a parking lot.
85
86 Mr. Shipley: Really that sign's almost mid-center from Pullman Drive to the first access drive.
87
88 Mr. Trefz: It looks like the entrance is on the west side.
89
90 Mr. Oster: Yes.
91
92 Mr. Beard: There's an entrance at the private access drive toward Kroger and there's an entrance on
93 Pullman.
94
95 Mr. Trefz: Their entrance on the right side, is there a sign above that? Is that why the entrance is
96 highlighted?
97
98 Mr. Beard: Yes, that is what the next variance case is about.
99

Board of Zoning Appeals

100 Mr. Trefz: So the third sign for the dentist office is the one we're currently talking about is the second
101 monument sign on this parcel?
102

103 Mr. Beard: Yes, so there's three signs; one on the west side of the building, one on the east and then the
104 monument sign. along Olentangy Crossing East.
105

106 Mr. Shipley: Only two of them will be part of the dentist sign; the other is an Olentangy Crossing sign.
107

108 Mr. Trefz: On the two monument, that would be true, right?
109

110 Mr. Oster: We don't have to worry about the Kroger monument; that's done. We don't have to worry
111 about the one on the building, that's done, correct Jeff?
112

113 Mr. Beard: The one on the west side of the building.
114

115 Mr. Oster: All we have to do is the other monument sign that's halfway into the width of their parking lot
116 before you get to the private access drive on the other end.
117

118 Mr. Beard: That's for this application; the next application will be for the sign at the main entrance.
119

120 Mr. Trefz: How many other businesses are in this Olentangy Crossings area that aren't listed on any of
121 the monument signs that currently exist?
122

123 Mr. Beard: There's quite a few.
124

125 Mr. Trefz: That answers my question; that's all I need, confirmation. I thought there was a whole bunch
126 of them not on the monument sign.
127

128 Mr. Oster: There's almost everything along the strip with Kroger and then there's everything in front that
129 has pretty much gone before us for a lot of that stuff. That whole entire strip out in front of this one with
130 Starbucks and Scrambler Marie's and all that stuff. Then at the other end is the Valvoline Oil Change, the
131 car wash, all that stuff. The only two that got on Kroger's was Kroger and OSU, and it could be just
132 because they're the major players in that strip. So it's a matter of is another monument sign on this side
133 appropriate along with building signs.
134

135 Mr. Trefz: Personally for me, if he building signs are there; I'm not sure how much additional benefit the
136 second monument sign would be, and if we do a new monument sign for this parcel and then the next
137 parcel on the other end has the existing monument sign, would they then want a second monument sign
138 for that.
139

140 Mr. Miller: Precedence.
141

142 Mr. Oster: Because as it stands now, we only allow one, correct?
143

144 Mr. Beard: Correct. Showed other businesses and their signs, and they are separate rezoning cases that
145 specify what their signs will be.
146

147 Mr. Oster: I was thinking most of the stuff that came before us on the other side of that existing stuff
148 were just signs on the business.
149

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150 Mr. Beard: The stuff all within here is signs on the buildings but the stuff out front did allow monument
151 signs along Pullman.

152
153 Mr. Oster: Out front on the 23 side.

154
155 Mr. Trefz: Can you pull up the proposed second monument sign again?

156
157 Mr. Miller: If you didn't have any of the script below, you'd think that was a billboard sign.

158
159 Mr. Oster: I scrolled down to the next part of this and it shows the signs on the building and they've got
160 almost that same sign there on the end of the building, and then on the side that you enter, there's another
161 one that looks kind of high.

162
163 Mr. Trefz: That's the one on the next variance, right?

164
165 Mr. Oster: Yes, the variance for the other two signs which I'm not sure what the specs on those are but I
166 was just looking at how many of these pediatric dentistry signs we're going to have. They all look the
167 same; how many do you need?

168
169 Mr. Trefz: And the setback is 15' because that's 44 square feet.

170
171 Mr. Miller: Is the applicant or his representative still on the line?

172
173 Mr. Gray: Yes, I'm here.

174
175 Mr. Trefz: Jeff, there's a comment in the chat about the tower at the main entrance.

176
177 Mr. Oster: That's in the next section. This is actually going to end up with three signs.

178
179 Mr. Trefz: Two on the building and the monument.

180
181 Mr. Oster: Yes, one on the end, one by the entrance by that tower they're talking about that will come up
182 next on the buildings and then the monument is on the other street because the other one is going to be on
183 Pullman and it's kind of on the other corner rather than being on the outer corner of the building and I'm
184 not sure why they didn't put it on the other corner of the building and it would have eliminated the need
185 for this monument sign and it would have been higher to kind of overshadow Kroger's monument sign
186 out there on the corner.

187
188 Mr. Miller: I have the concern that it's almost overkill in signage.

189
190 Mr. Trefz: I would agree.

191
192 Mr. Shipley: I don't disagree but I think that's a pretty long stretch there on that side of Olentangy
193 Crossing East, it's a non-illuminated sign but that's a lot of signage.

194
195 Mr. Gray: The struggle is, and I don't know if you've seen the building itself, but I'm not on Zoom so I'm
196 not sure what you're seeing, but the building itself is a very cool looking building but there are a ton of
197 windows and there really aren't a lot of good spaces on the building for signage, so we kind of struggled
198 with, I know you mentioned, so we'll have the one on the west elevation of the building that was
199 approved.

200

Board of Zoning Appeals

201 Mr. Oster: The northwest corner?

202

203 Mr. Gray: It would be the southwest elevation currently. There will be a sign there, that sign was
204 approved, that sign is in construction, and that will be installed. That's if you look at the highlighted
205 section.

206

207 Mr. Oster: I was talking about the opposite corner, and that's what I said, the northwest.

208

209 Mr. Gray: The reason for that is we're getting real close to that monument box.

210

211 Mr. Oster: I thought it would be over that and it would be better served over that sign.

212

213 Mr. Gray: The other problem with that is it is a very small section of wall which is kind of the same issue
214 that I guess we would lead into the next variance but it's just where to place it and without it obviously
215 that sign on the west elevation is already off center; it's not a typical centered on the building type of sign,
216 but if you would put that even on the north. We looked at just putting something along Pullman there on
217 the north, we could squeeze something in but aesthetically. I think we could get a sign approved there, is
218 that correct, Jeff, as long as it faces the road we could put a wall sign there? It would just be on the very
219 end and it would look kind of cramped in so we felt that a monument would be better for the traffic up
220 and down Pullman, so that was kind of the reason for that, but I do understand having the two
221 monuments. We were actually involved with Kroger and I forget who owned it at the time but we were
222 involved of getting those signs approved and installed, but again, this monument would be, there's a
223 pretty good distance there. I don't have that measurement in front of me but it's not going to be right on
224 its heels. There would be enough space there.

225

226 Mr. Oster: So this monument would be positioned north to south so the faces will be visible from either
227 driving direction, is that correct?

228

229 Mr. Gray: Correct. That was the thought behind that but again, the sign on the north side of the building
230 so you're basically being parallel to Pullman, and I have some photos but I probably can't email them to
231 Jeff at this point, I think we can do that. Is that correct, Jeff, that we can have a sign on that elevation?

232

233 Mr. Beard: Yes,

234

235 Mr. Gray: Obviously we're limited to space because of the windows I mentioned we're willing to do that
236 but we thought aesthetically it's going to look kind of cramped between windows or at one corner of the
237 building, it's just not going to look as nice as a monument would but it's probably something we would
238 pursue if this isn't approved. And again, we understand the aspects of it but we also have to identify the
239 business of course and just try to figure that out and make it look good, not just plaster a sign up there.

240

241 Mr. Oster: I kind of agree with Mr. Shipley that it is quite long and I think your intent was to get this sign
242 down the road a little bit from the corner. I just wasn't getting the visualization from the documentation; it
243 looked like it was positioned the opposite way. It looked like the faces of the sign were going to be facing
244 north and south, and it's just not laid out well.

245

246 Mr. Gray: It will be perpendicular to Pullman.

247

248 Mr. Shipley: There are some unique, at least to talk about or discuss and be aware of, the building is
249 unique in it has four side visibility; from the parking lot at Kroger, from the Kiwi side where the drive is
250 going to be, from Olentangy Crossing or Pullman; there is four side exposure to this building. And as he
251 mentioned earlier, it is a neat looking building.

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252
253 Mr. Gray: It is with a lot of windows which make it look great and again, I believe we could have fitting
254 within the Code size-wise and the actual restricted space, I believe we could have signs on all four sides
255 but we just didn't really want to do that. We're already looking at two plus the monument but we didn't
256 really want to put signs on all four sides but at the same time you do have four side visibility as you're
257 coming from every direction it's kind of tough to see and again, the layout is difficult. It's cool from an
258 architectural standpoint but to identify their business makes it a challenge. That's just what we're working
259 with.

260
261 Mr. Miller: It's quite large though.

262
263 Mr. Oster: It's within Code. I was just kind of confused with the little yellow dash; it looked like the two
264 sign faces were going to be north and south instead of Olentangy Crossing and being visible from east to
265 west.

266
267 Mr. Gray: The picture is just indicating that's the area but it would be just like the Olentangy Crossing
268 sign, perpendicular.

269
270 Mr. Oster: That's what I needed to know.

271
272 Mr. Beard: And I do have the color elevations of what the building was approved at.

273
274 Mr. Shipley: Even though that other monument sign is on that property, that sign does not belong to the
275 Pediatric Dentistry business; it's Kroger's.

276
277 Mr. Gray: Kind of off premise.

278
279 Mr. Oster: I'm sure Kroger might have owned all this at one point.

280
281 Mr. Beard: Yes, they did own this property.

282
283 Mr. Oster: It's kind of like Menards; they owned all of that, they bought all that, put in their store and
284 now they're selling off lots to everybody.

285
286 Mr. Gray: Planned Communities is who I believe owned or developed some of this initially when Kroger
287 first built.

288
289 Mr. Oster: Yes, I think they had some of that stuff out front with the Starbucks.

MOTION TO APPROVE VARIANCE APPLICATION #VA-20-12

290
291
292
293 Mr. Oster made a motion to approve Variance Application #VA-20-12, Sign Vision Company, Inc., for
294 the monument sign; seconded by Mr. Shipley.

295
296 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-no, Ms. Sundar-yes
297 Motion carried

298
299 Mr. Beard: That takes us on to the second portion, the Conditional Use part of the application. The sign is
300 a monument style freestanding sign shown in Exhibit 4. The maximum height of the sign would be 8'
301 above grade. Exhibit 4, the proposed sign will be 5-1/2' above grade and proposed to be setback 21-1/2'
302 from the street right-of-way of Olentangy Crossings East. According to Section XXII, the sign is allowed

Board of Zoning Appeals

303 40 square feet per side at this setback, the sign does not have more than two sides; this sign is proposed to
304 have two sides as shown. The display area of any sign the surface does not exceed more than half the
305 display area. The sign totals approximately 60 square feet, 30 square feet per side. The setback of the sign
306 is proposed at 21' from the street right-of-way of Olentangy Crossings East and will total approximately
307 60 square feet. A sign setback at this proposed distance is allowed a total of 80 square feet. Not more
308 than five colors are used; the sign will have one color, gray as black and white are not considered colors.
309 No part of the sign shall be closer to the property line than 15'; the proposed sign will be setback at 21'
310 from the street right-of-way of Olentangy Crossings East.

311
312 Mr. Oster: So this is just the Conditional Use for the monument we already approved?

313
314 Mr. Beard: Yes, but it doesn't meet the Code.

315
316 **MOTION TO APPROVE CONDITIONAL USE APPLICATION CU-20-12**

317
318 Mr. Oster made a motion to approve Conditional Use Application #CU-20-12, Sign Vision Company,
319 Inc.; seconded by Ms. Sundar.

320
321 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes
322 Motion carried

323
324 Hearing continued with Variance Case VA-20-13

325
326 Minutes prepared by Cindy Davis, Zoning Secretary

327
328 On September 17, 2020, Mr. Oster made a motion to approve the July 16, 2020 meeting minutes of the
329 Orange Township Board of Zoning Appeals for Variance Application #VA-20-12, Sign Vision Co., Inc.
330 as written; seconded by Mr. Shipley

331
332 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Shipley-yes
333 Motion carried

334

Board of Zoning Appeals

1 **Application # VA-20-013**

July 16, 2020

2

3 **Variance Application #VA-20-13 Sign Vision Co. INC.,**

4 Seeking two area variances and a conditional use from Rezoning Case 15785 Olentangy Crossings PC to
5 allow for a second monument sign to be located on one parcel, a wall sign to exceed the maximum
6 height requirement and the conditional use for the construction of a monument sign. The subject
7 property is located at 6284 Pullman Drive, Lewis Center, OH 43035 and having parcel number 318-220-
8 01-058-036.

9

10 Mr. Beard presented the Staff Report and presentation. It's the same company, same property, The
11 applicant is seeking an Area Variance to allow for the construction of a wall sign that will exceed the
12 maximum height allowed in an area zoned Planned Commercial and Office District.

13

14 Mr. Oster: And this is the one that's over the entry door, correct?

15

16 Mr. Beard: Correct.

17

18 Mr. Trefz: On the tower.

19

20 Mr. Oster: It's definitely really high.

21

22 Mr. Beard: For commercial and industrial display signs, such signs shall be located on or along the wall
23 of such building which faces street and shall be located no more than 15' above finished grade or the
24 height of the ceiling of the first floor. The applicant is requesting a variance to allow for a wall sign to
25 exceed the maximum height of 15' and an area variance of 6-1/2' is requested.

26

27 Mr. Oster: This one should be real easy.

28

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

30

31 Mr. Shipley: I'm under the impression that the building is built.

32

33 Mr. Beard: Correct.

34

35 Mr. Shipley: So now the sign is above at 6-1/2' above the 15' limit above the door. What's Plan B if this
36 isn't approved?

37

38 Mr. Oster: The sign isn't up yet.

39

40 Mr. Shipley: The sign isn't up yet but the building is already built.

41

42 Mr. Gray: That's all there and really with the monument, this is their main entrance, again, just from the
43 standpoint of having something other than door vinyls or something like that, having something that says
44 come in this way, it's the only sign that's really around the entrance and people will probably figure that
45 out anyway, but with the monument, it's not as important for visibility from Olentangy Crossings East but
46 it is as you get into that center of the parking lot, it identifies the main entrance, so I think our Plan B
47 would just be, we really didn't want to put anything on, if you look to the far left and far right, to the left
48 and right of the windows on the two corners, so probably the southeast corner to the left of those
49 windows; Jeff, can we do anything, is there anything, like transom, windows above the doors, we attach a

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50 vinyl there that just directs people to that entrance or we could do something very small because the space
51 is limited in the corner there left of the windows would probably be Plan B. But from the road, it's not as
52 important now having the monument but still getting into that, walking up to the entrance, they feel there
53 needs to be something on that elevation.

54

55 Mr. Shipley: I understand that but that's 6-1/2' above Code; that's why I was asking that.

56

57 Mr. Trefz: And if you put something on the window, you're an additional 3 or 4' above that.

58

59 Mr. Shipley: He's talking about the lower window

60

61 Mr. Gray: Yes, just above the door. That transom window just above the door just to have their name or
62 something there. Not on the tower itself; we wouldn't do that.

63

64 Mr. Trefz: I guess I'm not seeing a window above the door.

65

66 Mr. Gray: It's just between the two columns.

67

68 Mr. Trefz: That light there? That doesn't look like a window to me; that looks like a panel.

69

70 Mr. Oster: It looks that way to me too.

71

72 Mr. Miller: What if you put a graphic on both ends of the building that you could easily see in lieu of over
73 the door.

74

75 Mr. Gray: Do you mean on the wall space just to the left of the....

76

77 Mr. Miller: Yes.

78

79 Mr. Gray: We could do that. We probably wouldn't put one on each end; we felt it would be a little
80 unbalanced so we just kind of centered it there on the tower. We probably would just put something on
81 that far left side on the southeast corner. As you're looking at that tower, it would be on the far left in that
82 small section from the corner of the building to the windows. We could even put something above the
83 door. I know there's that light but we would be below our requirement I believe if we just did a 2 x
84 something panel above that door or something on that elevation or on that far left. We just didn't put it
85 there initially because we felt it looked unbalanced and we really didn't want to put one on the far right
86 but we could even do that to balance it out but I think above the door or in that other section would be
87 fine, especially now with the monument it's not as critical to have on the tower.

88

89 Mr. Miller: I think putting it above that entryway would be difficult to see.

90

91 Mr. Gray: Not really.

92

93 Mr. Oster: Maybe not from a car; it depends on what the use of that is. It sounds to me like he's saying
94 once somebody pulls into the lot, they want to be able to determine that is the entrance they want to go
95 through which I think is going to be a no brainer.

96

97 Mr. Trefz: Yes, I think that's pretty obvious.

98

99 Mr. Oster: All I know is Starbucks beat us up for one of those on their tower and we absolutely would not
100 let them do it and that is exactly why I'm not going to vote for this one because they're right behind them.

Board of Zoning Appeals

101
102 Mr. Miller: Again, precedence.

103
104 Ms. Sundar: I totally agree.

MOTION TO DENY VARIANCE APPLICATION VA-20-13

105
106
107
108 Mr. Oster made a motion to deny Variance Application #VA-20-13, Sign Vision Company, Inc.,
109 seconded by Mr. Trefz.

110
111 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes
112 Motion carried

113
114 Mr. Beard: Darren, for the wall signs, they have to be at least 18” from the edge of the building from the
115 corner there; that’s our standard there. There’s no walkway there, so that allows you to be below the 8’.

APPROVAL OF MEETING MINUTES

116
117
118
119 Mr. Miller made a motion to approve the May 21, 2020 minutes of the Orange Township Board of
120 Zoning Appeals for Variance and Conditional Use Application #VA-CU-19-15, North Unitarian
121 Universalist Congregation as written; seconded by Mr. Shipley.

122
123 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes
124 Motion carried

125
126 Mr. Miller made a motion to approve the May 21, 2020 minutes of the Orange Township Board of
127 Zoning Appeals for Variance Application #VA-20-06, Matthew Fiske, with the following correction:

- 128
129 • Line 30: “umute” should read “unmute”

130
131 Seconded by Mr. Shipley

132
133 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes
134 Motion carried

OTHER BUSINESS

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136
137
138 Mr. Miller: When the changes are going to be made within the Zoning Code and the guidelines and
139 regulations, I would urge the Trustees to allow the BZA to visit sites and look at sites. I think it would
140 make our jobs much easier, less confusing, and us having a better understanding of what the clients need
141 and how that would apply to the Codes.

142
143 Mr. Beard: I can do some digging on that and see what legally we’re allowed to do.

144
145 Mr. Oster: So you’re asking that we would actually be allowed to do some investigation so to speak.

146
147 Mr. Miller: Correct. I think in a situation as we just went through on the past applicant for example, to get
148 an understanding of what they’re wanting to do, to seek comparisons of other signage, etc. around what
149 an applicant wants to get comparisons, etc.

150

Board of Zoning Appeals

151 Mr. Oster: It would definitely help but I think the problem that would arise is if everybody went together
152 and you can't do that. If you went yourself, we all live up here and you think I've been by there before
153 and if you kind of wrap your head around it and do it all on your own.

154
155 Mr. Miller: But legally we can't even do that.

156
157 Mr. Oster: I do and they have no control over my mind. If I can visualize it in my mind, I have to do that
158 with everything and I don't see where there's really any harm either in what they're asking for and for
159 you to wrap your head around it if you say I'm going to give that a good look next time I go by it, I don't
160 think there's any harm in that either, but that's a good question.

161
162 Mr. Miller: My reason is to get a better understanding and to get a flavor for what is around things. The
163 discussion we had tonight, is too much signage too much signage. We can see the signage that's around
164 Kroger or whatever it may be, and my reason for asking for it was Mr. McCarthy was adamant that you
165 cannot do it. You will get yourself in trouble and the Township in trouble.

166
167 Mr. Oster: And I told him a few times if I go by there, I surely can look. You can't say that I can't look
168 and if I know it's coming up and I'm running it through my mind.

169
170 Mr. Miller: But Mr. McCarthy stated and he was very adamant, if anybody slips of the tongue that I drove
171 by there today or I went by there to see (blank).

172
173 Mr. Oster: Yes, an intentional investigation so to speak.

174
175 Mr. Miller: And I'm trying to prevent that but it's just as important that we have a better understanding of
176 what's going on.

177
178 Mr. Oster: I agree; I think it should be part of the process. I don't think it should not be allowed. I think
179 that's the whole task at hand in looking at every case and making a judgment on is it good, is it gaudy, is
180 it overdone?

181
182 Mr. Miller: And Mr. Beard, how do you want us to deal with the situation that as Board members we feel
183 that, lighting for an example, is not within the realm of what it should be? Example, if it's a monument
184 sign and you're driving by at night and you're just about blinded because the lights are out toward the
185 ends of the monument sign instead of in toward the center where the name of the establishment is or
186 whatever, how do you want something like that reported or do you?

187
188 Mr. Beard: You can report that to me. Send me an email with the location and what the issue is. I'm
189 definitely more than willing to look into it. Sometimes it depends on how it was approved. I know in
190 years past some of them have been approved that didn't necessarily meet Code, so if it was approved,
191 there's not much we can do about it. Sometimes it depends on what the Zoning Text says, what the
192 Development Text says. Some of them have strict lighting guidelines, some of them do not which takes
193 some power away from us. Right now I have a couple of properties, one commercial, one residential, that
194 we've had some discussion about lighting. It's hard right now because it gets dark so late, it's hard to see
195 that.

196
197 Mr. Oster: I went by one on 23 that was terribly bright and it was pretty dark out, and I was thinking that
198 that business said they were going to shut all that down after the close of business. I thought that's a lot of
199 light pollution to 23.

200

Board of Zoning Appeals

201 Mr. Miller: My reason for bringing it up is a safety issue, and in particular, a monument sign that was
202 approved within the past year and we approved it but the lights are pointing out to the edge that when
203 you're driving by, you're just about blinded. I'm bringing it up from a safety standpoint, but you're
204 bringing it up the way the Code is written or how the guidelines are written. When the Code is rewritten
205 or modified, I would hope whoever is writing this stuff up allows at least one of the Board members to be
206 a part of it to get an understanding of the flavor of it and if need be, give constructive feedback.

207
208 Mr. Oster: I've always thought where they do the double light deal where they do two of them at an angle
209 really is too much, that it should be just one so many inches from the sign, straight on to flood whatever
210 they can with light right there and that's it. And if it's not enough, too bad. It's night, you've got light, it's
211 visible, but when you get into the angles, there's always that one that the angle always catches somebody
212 in one of the directions.

213
214 Mr. Miller: And part of that is not all intersections are 90 degrees. We have one angle that might be 45,
215 another one that might be 110; they're not all perfect.

216
217 Mr. Beard: When we do do the Code update, we'll definitely have members' input and we'll have public
218 meetings, and we definitely want the Zoning Commission and BZA to be a part of it, like any of our Code
219 updates, like the Comprehensive Plan. We definitely know the signage portion of it is going to be a hot
220 topic, at least from our end, we definitely want to look at the signage portion of it and get some better
221 clarifications on some things and some standards. We definitely want the Board's input and residents'
222 input on these.

223
224 Mr. Miller: A perfect example, and I'm not shooting this against any of the schools, but how they can
225 have digital signs that's looping and yet nobody else can have digital signs that are moving from a safety
226 standpoint because people are going to be driving by trying to read the signs.

227
228 Mr. Oster: And I also kind of felt bad for Kelvin to tell his church because originally they wanted to do a
229 black and white digital and of course we're trying to keep all that stuff at bay, especially with that gas
230 station up there. And then I go by the school over here at night, and they've got the colored lit moving
231 and I wonder how did that happen?

232
233 Mr. Miller: That's not the only school that's got that.

234
235 Mr. Oster: That's BS. And that should be another thing, the Zoning Board should have to abide by these
236 rules because obviously there's a lot of where they don't and again you set that precedence and then you
237 feel kind of bad because you just shot down that guy who paid his money and that wasn't as bad as what I
238 just saw.

239
240 Mr. Beard: That went through the Board of Trustees years ago for the Orange High School.

241
242 Mr. Miller: It's not just Orange High School; go down Orange Road.

243
244 Mr. Trefz: It's Orange District, it's Berlin, it's all of them.

245
246 Mr. Miller: That's my point.

247
248 Mr. Oster: Are you talking about going up Old State?

249
250 Mr. Miller: Go down Old State if you're heading north and go right on Orange Road, go down about a
251 mile and a half where there's those two schools.

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252
253 Mr. Oster: That's what we're talking about.
254
255 Mr. Miller: But go up to the other side by Kroger on 23, I believe they have it too on Lewis Center Road.
256
257 Mr. Oster: That church wanted to do one and we shot it down.
258
259 Mr. Miller: And then go to Liberty High School, it's there again.
260
261 Mr. Oster: That's bad news and probably what happened is they went in there and said they got to do it,
262 why can't we? And then you kind of are stuck.
263
264 Mr. Miller: Jeff, in that regard, and I'm not shooting anybody as a Trustee making a decision on
265 something, but why would they give approval without Zoning approval?
266
267 Mr. Beard: I can't tell you that; that happened way before I was here.
268
269 Mr. Miller: I'm not asking that part; it's a general question.
270
271 Mr. Oster: Are you saying it wouldn't happen that way now that they would probably come to you?
272
273 Mr. Beard: I believe they would discuss it with us but ultimately it would be their decision, but Olentangy
274 High School does not have a digital sign; they have a manual message board and stone monument sign.
275
276 Mr. Miller: If I'm wrong, I'm wrong, and I apologize, but I know the one on Orange Road does and
277 Liberty does.
278
279 Mr. Beard: And Liberty is a different Township, so we don't have any control over that one.
280
281 Mr. Trefz: So is Berlin and they have it up there.
282
283 Mr. Miller: But it's all part of Olentangy School District too.
284
285 Mr. Trefz: That's why I think all of them have it; once it was granted for one
286
287 Hearing adjourned at 8:30 p.m.
288
289 Minutes prepared by Cindy Davis, Zoning Secretary
290
291 On September 17, 2020, Mr. Oster made a motion to approve the July 16, 2020 meeting minutes of the
292 Orange Township Board of Zoning Appeals for Conditional Use Application #CU-20-13, Sign Vision
293 Co., Inc. with the following correction:
294
295 • Line 243: remove the backslash before the period at the end of the sentence
296
297 Seconded by Mr. Shipley
298
299 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Shipley-yes
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