

## Board of Zoning Appeals

1 **Application #'s VA-20-15, CU-20-16, CU-20-17, CU-20-18, CU/VA-20-19**

September 17, 2020

### LEGAL NOTICE

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4  
5 Notice is hereby given that the Orange Township Board of Zoning Appeals will hold a public  
6 hearing on Thursday, September 17, 2020, beginning at 6:00 p.m. to consider the following  
7 application/s:

8  
9 **Variance Application #VA-20-15 Kevin Kling.** Seeking an area Variance from Rezoning  
10 Case 12451 Estates of Glen Oak to allow for a swimming pool to encroach in the rear yard  
11 setback. The subject property is located at 1632 Impatiens Way, Lewis Center, OH 43035 and  
12 having parcel number 318-240-33-007-0000.

13  
14 **Conditional Use Application #CU-20-16 Aimee Tout.** Seeking a Conditional Use from Section 24.03 of  
15 the Orange Township Zoning Resolution to construct an addition on a legal non-conforming use. The  
16 subject property is located at 1385 Franklin St., Lewis Center, OH 43035 and having parcel number 318-  
17 213-04-015-0000.

18  
19 **Conditional Use Application #CU-20-17 Steve Moore.** Seeking a Conditional Use from Rezoning Case  
20 #2091 Campus at Hidden Ravines and the Orange Township Zoning Resolution to permit a monument  
21 style freestanding sign. The subject property located at 86 & 90 Hidden Ravines Dr., Powell, OH 43065  
22 and having parcel number 318-321-02-008-501 & 318-321-02-008-500.

23  
24 **Conditional Use Application #CU-20-18 Sign Vision Co. Inc.** Seeking a conditional use from the  
25 Orange Township Zoning Resolution to permit a monument style freestanding sign. The subject property  
26 located at 7500 Green Meadows Dr., Lewis Center, OH 43035 and having parcel number 318-230-01-  
27 011-016.

28  
29 **Conditional Use / Variance Application #CU-VA-20-19 North Unitarian Universalist**  
30 **Congregation.** Seeking a Conditional Use and Variance for a church along with variance from the  
31 setback regulations of the road right-of-way. The subject property located at 1574 Franklin St., Lewis  
32 Center, OH 43035 and having parcel number 318-213-10-001-000.

33  
34 The hearing will be held virtually using electronic means and can be accessed by the public on the  
35 internet on the Zoom application at  
36 <https://us02web.zoom.us/j/83030459479?pwd=cXN4ZjVsY2tPd3hyMXJ1a0pGTFZnZz09>.

37  
38 During the hearing the public may submit questions and comments to the Board by sending messages  
39 to Zoning Inspector, Jeff Beard via the Zoom meeting chat room.

40  
41 The application and plans are available for inspection for a period of at least 10 days prior to the  
42 hearing by e mailing Jeff Beard at [jbeard@orangetwp.org](mailto:jbeard@orangetwp.org). The Zoning Office is closed to the public  
43 during the public health emergency, however zoning staff is available by email during normal business  
44 hours of Monday through Friday, 8 a.m. to 4:30 p.m., except legal holidays.

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

48  
49 The person responsible for the publication of this notice is Jeff Beard, Orange Township Zoning  
50 Department.

## Board of Zoning Appeals

*Rick Oster, Chairman*  
*Jeff Beard, Orange Township Zoning Department*

*Please publish one time, on or before Saturday, September 5, 2020 in The Delaware Gazette*

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

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

Township Officials Also Present: Jeff Beard, Zoning Enforcement Officer

### **OLD BUSINESS**

Mr. Beard: Turkey Hill is asking to withdraw their applications which are #VA-19-07 and #CU-19-08.

### **MOTION TO ACCEPT THE WITHDRAWAL OF APPLICATION #VA-19-07 AND #CU-19-08**

Mr. Miller made a motion to accept the withdrawal of Variance Application #VA-19-07 and Conditional Use Application #CU19-08, East Powell Road, LLC; seconded by Mr. Oster.

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

**Variance Application #VA-20-15 Kevin Kling**, Seeking an area Variance from Rezoning Case 12451 Estates of Glen Oak to allow for a swimming pool to encroach in the rear yard setback. The subject property is located at 1632 Impatiens Way, Lewis Center, OH 43035 and having parcel number 318-240-33-007-0000.

Mr. Beard presented the Staff Report and presentation. Property is located on the south side of Impatiens Way. Surrounding area north, south, east and west are all Single Family Planned Residential Districts, single family homes. Rear yard setback is 45' and the swimming pool would encroach the rear yard setback 17-1/2', so a 17-1/2' variance is being requested.

Mr. Oster: Anyone who intends to testify, please raise your right hand to be sworn. Do you solemnly swear that the testimony that you are about to give is the truth, the whole truth and nothing but the truth, and state I do. And when it's your turn to offer testimony, please state your full name, address and affirm that you've been sworn in. Anyone who intends to offer comments or testimony through the online chat room function also needs to be sworn in remotely. Before your initial comment, please type in your name, address and the words "I affirm" to indicate you solemnly swear that the testimony that you are offering is the truth, the whole truth and nothing but the truth.

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

Kevin Kling, 1632 Impatiens Way, Lewis Center, Ohio 43035, and I affirm. We built the house in 2007 and we have a very shallow back yard. If you look at the zoomed out, by comparison the neighbor's behind us have a very large yard as they are in the back of the cul-de-sac, so over the years we built a lot of landscaping around it so there's privacy on all three sides of our house. We're looking to put in a standard pool. It's something we made a decision on instead of moving out. We really like the area, we'd like to stay in it and put in a pool. With COVID and the pools being closed, we thought this made the most sense. Right now, as our plot lays out, our pool would basically have to be adjacent to our house

## Board of Zoning Appeals

101 which would not make sense that our diving board was our backdoor metaphorically speaking, so we  
102 wanted to put a standard layout in the backyard.

103  
104 Mr. Miller: What is the pool size going to be?

105  
106 Mr. Kling: Width is 15', length is 32'.

107  
108 Mr. Shipley: It is my understanding this requires a 17.5' variance; is that what you're asking?

109  
110 Mr. Kling: Correct. It allows a little space for us to put in the concrete for a patio and then the pool.

111  
112 Mr. Shipley: Your HOA has no issue with this?

113  
114 Mr. Kling: Correct.

115  
116 Mr. Shipley: And there appears there have been notifications from all of your neighbors.

117  
118 Mr. Kling: Yes, we provided letters from all of our neighbors that they are in support of it.

119  
120 Mr. Miller: On the Google map it shows a number of trees all the way around the back and side yard. Is it  
121 your intent to remove some of these or how are you going to apply your safety fencing to it, and what size  
122 fencing would it be?

123  
124 Mr. Kling: Our neighborhood requires a standard one style of fence which I believe is the 6' black  
125 aluminum fencing, so we would be applying the exact same fence required by the neighborhood and it  
126 would be just to the outside of the tree lines as everything we've planted is within our property lines in  
127 order to encompass it all and then it would come along the side of the house. As you look on both sides it  
128 would come in front of those trees and come over to the house and connect.

129  
130 Mr. Miller: Is there going to be an access along this fencing?

131  
132 Mr. Kling: There will be one on each side of the house and right now we're still waiting on the fence  
133 company to figure this. Initially we were not planning an access in the rear, just the two on the sides  
134 unless there was something contingent.

135  
136 Mr. Miller: The bottom right hand corner, is that a hot tub or something of that nature?

137  
138 Mr. Kling: That is a trampoline in the neighbor's yard.

139  
140 Holly Kling, 1632 Impatiens Way, and I affirm, and in our yard, that's just a clubhouse swing set that will  
141 be removed.

142  
143 Ms. Sundar: What is on the right side closer to the trampoline; is that a shed?

144  
145 Mr. Kling: The right hand side of the neighbor's yard, the tan is their patio. To the left of the blue-ish  
146 purple trampoline, in our yard is a kid's playhouse/swing set, clubhouse; there are no sheds back there  
147 around any of it. Directly off the back of our house is a paver patio with a pergola. That would be  
148 removed and replaced with the concrete patio part of the pool.

149  
150 Mr. Trefz: What is the distance between the existing patio pergola and the back fence?

151

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152 Mr. Kling: I believe our patio is 16' deep and the back of our yard is 35', so the difference would be 19'.

153

154 Mr. Trefz: So the current is within the setback?

155

156 Mr. Kling: Yes.

157

158 Ms. Kling: The current patio is 16' deep but we have 50-some feet from the patio to the back of the  
159 property currently.

160

161 Mr. Trefz: So it's not within the 35' setback?

162

163 Ms. Kling: That's correct.

164

165 Mr. Kling: If we were to put a pool at the back of the paver patio as it stands today, we would be over. In  
166 the plan, our concrete patio would be shallower than the paver patio as we were trying to minimize the  
167 request of the variance.

168

169 Mr. Trefz: But still you're asking for 50% of the easement to be a variance.

170

171 Mr. Kling: Right now the pool would be 14' away from the back of the house with the proposed plan. The  
172 concern is the closer you come it, it seems less practical as far as walking out the back of the house and  
173 being directly in the pool more or less.

174

175 Mr. Trefz: And there's no plan to have the fence just around the pool itself? You fenced in your yard as  
176 your safety fence.

177

178 Mr. Kling: That would be our intent unless there's some contingency as part of this, if there's something  
179 we're missing there. The safety to us is fencing in the back of the yard; we thought it would be safer than  
180 just the pool.

181

182 Mr. Miller: Do you plan on having any type of pool cover?

183

184 Mr. Kling: Pool cover, yes, but not any type of automatic cover. Our neighborhood does not allow that, so  
185 we substituted the fence. We intend to have a manual cover.

186

187 Mr. Miller: Is the manual cover of a polypropylene or woven type material or is it rigid?

188

189 Mr. Kling: I need to look at that but it is more of a permanent cover with tie downs around the pool as  
190 opposed to a plastic free floating.

191

192 Mr. Oster: So more of a hard cover?

193

194 Mr. Kling: Correct.

195

196 Mr. Trefz: How many other pools are there in your area?

197

198 Ms. Kling: There are four in our neighborhood.

199

200 Mr. Trefz: And are they of the approximate size you're asking to put in?

201

202 Ms. Kling: They are.

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203 Ms. Sundar: Could you tell me, not the exact address, but which street?  
204

205 Ms. Kling: There's one on Primrose, two in Greenspire Court and I believe one on Orangelake, a cul-de-  
206 sac.  
207

208 Mr Shipley: Your HOA addressed the fact when you talked about your fence before, that there are other  
209 pools in the neighborhood because they said the fence has to match the other pools in the neighborhood  
210 and, of course, it's a pool fence; there are also rules you have to comply with for that also.  
211

212 Mr. Trefz: In the picture we're currently seeing, your house has a yellow band around it. The house to the  
213 right of that, I'm assuming that has the same 35' setback?  
214

215 Mr. Kling: I don't know for sure, but I would assume; it's very similar in size.  
216

217 Mr. Trefz: Jeff, is that a standard setback for most of the development?  
218

219 Mr. Beard: It depends on the development. Some development plans are more lenient on setbacks. Some  
220 of the newer ones are fairly standard at 35' but there are some that allow up to 5'.  
221

222 Mr. Shipley: Mr. Kling, there are two properties that come up in the back and meet at your property at an  
223 angle, correct?  
224

225 Mr. Kling: Correct.  
226

227 Mr. Shipley: Do both of those properties have letters of support in your packet?  
228

229 Mr. Kling: For sure the one that comes in at the corner on the right. The one that is straight back, we tried  
230 to contact them and they wouldn't answer the door and we left it in their mailbox and they chose not to  
231 respond to i, so we took a lack of a couple tries of acknowledging it that they just weren't interested.  
232

233 Mr. Beard: They did reach out. They emailed us when they got my letter and they didn't seem to have any  
234 issues since everything was on their property.  
235

236 Mr. Miller: You said you're going to be putting a fence all the way around. From what I can see, there are  
237 very little trees to the back. Is that correct?  
238

239 Mr. Oster: I thought there was an updated photo that has older trees.  
240

241 Mr. Kling: I thought there was in the packet, I thought we took it from all three sides from the neighbors'  
242 looking into our yard. It might give you a better idea. We have a large maple in both corners and a total of  
243 four additional trees in the middle along with some forsythia.  
244

245 Mr. Miller: The photos that are with the packet show either black and yellow dotted around or a black  
246 around it would be showing the fence line. It really doesn't show the tree lines to the back. You're asking  
247 for 17.5' from the edge of the pool to your property line and with those trees, it's going to be almost on  
248 top of your pool.  
249

250 Mr. Oster: That could be why there's only 3' of concrete on that end. According to the drawing it looks  
251 like there's basically 3' around both sides in the rear.  
252

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253 Mr. Kling: Yes, we were trying to limit the amount, more just a walkway around it. Really it would be  
254 between the house and the pool, where people would sit and we were trying not to extend too far. We  
255 know what we're asking for, we're trying to be practical as opposed to stretching it all the way and still  
256 leaving some grass space.

257

258 Mr. Shipley: That still leaves you 17.5' between the pool and the back fence.

259

### **MOTION TO APPROVE VARIANCE APPLICATION #VA-20-15**

260

261 Mr. Shipley made a motion to approve Variance Application #VA-20-15, Kevin Kling, based on the  
262 HOA and neighbors approving of this request; seconded by Mr. Oster.

263

264 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes  
265 Motion carried

266

267 Hearing continued with Conditional Use Case #CU-20-16

268

269 Minutes prepared by Cindy Davis, Zoning Secretary

270

271 On November 12, 2020, Mr. Oster made a motion to approve the meeting minutes of the Orange  
272 Township Board of Zoning Appeals dated September 17, 2020 for Variance Application #VA-20-15,  
273 Kevin Kling, with the following corrections:

274

- 275 • Lines 10 and 75: change "rear-yard" to "rear yard"
- 276 • Lines 42 and 43: change "e-mail" to "email"
- 277 • Line 96 should read: "...have a very large yard...."
- 278 • Line 210 should read "...rules you have to comply with..."

279

280 Seconded by Mr. Trefz.

281

282 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes  
283 Motion carried

284

285

## Board of Zoning Appeals

1 **Application #CU-20-16**

**September 17, 2020**

2  
3  
4 **Conditional Use Application #CU-20-16 Aimee Tout,** Seeking a Conditional Use from Section 24.03 of  
5 the Orange Township Zoning Resolution to construct an addition on a legal non-conforming use. The  
6 subject property is located at 1385 Franklin St., Lewis Center, OH 43035 and having parcel number 318-  
7 213-04-015-0000.

8  
9 Mr. Beard presented the Staff Report and presentation. The property is located north of  
10 Franklin Street at the corner of First Street. The applicants are seeking to remove a 138 square  
11 foot existing porch to construct a 600 square foot enclosed addition and 108 square foot rear  
12 porch to the current house. Surrounding areas are all Farm Residential District with single  
13 family homes. Per Section 24.03, Subsection c, the Board shall have the power to permit  
14 changes and extensions of non-conforming uses as follows: the alteration or reconstruction of a  
15 non-conforming use, structure or sign for building provided that such will make non-  
16 conforming use substantially more in character with the surroundings. A non-conforming use  
17 shall not be extended by more than 50% of the size of the non-conforming use that existed at  
18 the time of passage of this Zoning Resolution. The addition will be approximately 37% of the  
19 current square footage on that parcel.

20 ,  
21 Mr. Oster administered the oath to those wishing to speak.

### 22 **APPLICANT PRESENTATION/BOARD QUESTIONS & COMMENTS**

23  
24  
25 Bob Tout, 1385 Franklin Street, and I affirm. We would like to add onto our house a great room, mud  
26 room and extra bathroom to give our family a bit more space. It would also be adding a basement. We  
27 currently don't have a basement or any type of tornado shelter, and it was pretty scary a couple weeks ago  
28 when there was a tornado warning; we would have appreciated having a place to flee to.

29  
30 Mr. Trefz: Where exactly would that basement be?

31  
32 Mr. Tout: The full bottom of the 600 square foot extension would be a basement.

33  
34 Mr. Miller: Mr. Beard, do you have any photos of the surrounding houses?

35  
36 Mr. Trefz: Is that the only non-conforming one?

37  
38 Mr. Beard: No, pretty much in Old Lewis Center....

39  
40 Mr. Oster: Everybody is.

41  
42 Mr. Beard: And just to make it clear, this came up with one of our later applications about the extending  
43 the 50%, and talking to legal counsel it was determined that pretty much any addition or anything on most  
44 of these lots would have to go through a Conditional Use to be allowed just based on our non-conforming  
45 use section of our Code and how it is written.

46  
47 Mr. Miller: Have you received any letters or emails in support or opposition?

48  
49 Mr. Beard: I received an email from the neighbor to the west and they are in favor of it, and I have not  
50 had any opposition to the request.

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51 Mr. Miller: I noticed that you have a pet business that's part of your area. Are you planning on expanding  
52 any of that or is this strictly going to be for your home?

53

54 Aimee Tout, 1385 Franklin Street, and I affirm. The addition is just for our home.

55

56 Mr. Trefz: From the drawings it appears the addition is coming out to the same level as the existing  
57 house.

58

59 Mr. Tout: To the west it is the same, to the east it's slightly shorter, and it's roughly the same north/south  
60 dimension as the existing house.

61

### 62 **MOTION TO APPROVE CONDITIONAL USE APPLICATION #CU-20-16**

63

64 Mr. Miller made a motion to approve Conditional Use Application #CU-20-16, Aimee Tout; seconded by  
65 Mr. Trefz.

66

67 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes  
68 Motion carried

69

70 Hearing continued with Conditional Use Case #CU-20-17.

71

72 Minutes prepared by Cindy Davis, Zoning Secretary

73

74 On November 12, 2020, Mr. Oster made a motion to approve the meeting minutes of the Orange  
75 Township Board of Zoning Appeals dated September 17, 2020 for Conditional Use Application #CU-20-  
76 16, Aimee Tout, as written; seconded by Mr. Trefz.

77

78 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes  
79 Motion carried

## Board of Zoning Appeals

1 **Application #CU-20-17**

**September 17, 2020**

2  
3  
4 **Conditional Use Application #CU-20-17 Steve Moore**, Seeking a Conditional Use from Rezoning Case  
5 #2091 Campus at Hidden Ravines and the Orange Township Zoning Resolution to permit a monument  
6 style freestanding sign. The subject property located at 86 & 90 Hidden Ravines Dr., Powell, OH 43065  
7 and having parcel number 318-321-02-008-501 & 318-321-02-008-500.  
8

9 Mr. Beard presented the Staff Report and presentation. The subject property is located north of  
10 Hidden Ravines Drive at the intersection of Owenfield Drive. To the north is Farm Residential  
11 (Kingwood Cemetery); remaining areas are all Planned Commercial and Office District.  
12 Section 2 of the Rezoning Case #2091 Campus at Hidden Ravines, the total area of the sign  
13 shall be 1 square foot per lineal foot of building frontage; however, in any case not to exceed  
14 80 square feet. Each side of the sign totals approximately 37.8 square feet for a total sign area  
15 of approximately 75.6 square feet. Width of sign is 5'8", height is 6'8". It also has to meet the  
16 Orange Township Zoning Resolution under Section 22.04 a). The maximum height of the sign  
17 does not exceed 8' above average grade of the site and setback 23' from the right-of-way of E.  
18 Hidden Ravines Drive. According to the Code, the sign setback at this distance is permitted a  
19 maximum sign area of 96 square feet. The sign is proposed to have two sides. The display area  
20 of the top sign is approximately 18.9 square feet and the bottom sign totals approximately 11.2  
21 square feet for a total sign area of approximately 30.1 square feet. The proposed sign will have  
22 four colors. The sign currently at this location will be removed.

23 ,  
24 Mr. Oster administered the oath to those wishing to speak.

### 25 **APPLICANT PRESENTATION/BOARD QUESTIONS & COMMENTS**

26  
27  
28 Mr. Oster: It looks like this sign is actually going to change direction.

29  
30 Steve Moore, Moore Signs, 6060 Westerville Road, Westerville, Ohio. I am the sign contractor that will  
31 be installing the sign, and I do affirm. We're going to redirect the orientation of the sign to be  
32 perpendicular to the street so we can get both directions of the traffic so they have a better opportunity to  
33 read it better than the single sided sign.

34  
35 Mr. Miller: Is this going to be a backlit sign?

36  
37 Mr. Moore: Internally illuminated, yes.

38  
39 Mr. Miller: Do you have the lumens spec on that?

40  
41 Mr. Moore: It will probably be around 4500 lumens.

42  
43 Mr. Trefz: At what temperature?

44  
45 Mr. Moore: I have no idea; no one has ever asked that before. I can get that to Jeff if it needs to be on  
46 record.

47  
48 Mr. Trefz: Yes, we'll need that.

49  
50 Mr. Moore: The background is going to be opaque on the upper half and almost completely opaque on the  
51 green, so the only thing that will really light up at night is the copy.

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52  
53 Mr. Miller: The reason why we're asking for color is because Lewis Center is considered part of dark  
54 skies. We keep our color range in the 3000 Kelvin range; we don't want the blue light.

55  
56 Mr. Moore: Lumens is the brightness and Kelvin is the color?

57  
58 Mr. Trefz: Yes.

59  
60 Mr. Moore: There are LED's available now; when LED's first came out they were all blue light but I can  
61 make sure they are the warm color LED's. There are a couple versions of that out now.

62  
63 Mr. Oster: This seems pretty cut and dry and in the motion we just include that it can't exceed 3000  
64 Kelvin.

### **MOTION TO APPROVE CONDITIONAL USE APPLICATION #CU-20-17**

65  
66  
67  
68 Mr. Miller made a motion to approve Conditional Use Application #CU-20-17, Steve Moore, with the  
69 condition that the lighting cannot exceed 3000 Kelvin; seconded by Mr. Trefz.

70  
71 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes  
72 Motion carried

73  
74 Hearing continued with Conditional Use Case #CU-20-18.

75  
76 Minutes prepared by Cindy Davis, Zoning Secretary

77  
78 On November 12, 2020, Mr. Oster made a motion to approve the meeting minutes of the Orange  
79 Township Board of Zoning Appeals dated September 17, 2020 for Conditional Use Application #CU-20-  
80 17, Steve Moore, as written; seconded by Mr. Trefz.

81  
82 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes  
83 Motion carried

84

**Board of Zoning Appeals**

**Application #CU-20-18**

**September 17, 2020**

**Conditional Use Application #CU-20-18 Sign Vision Co. Inc.**, Seeking a conditional use from the Orange Township Zoning Resolution to permit a monument style freestanding sign. The subject property located at 7500 Green Meadows Dr., Lewis Center, OH 43035 and having parcel number 318-230-01-011-016.

Mr. Beard presented the Staff Report and presentation. The subject property is located on the west side of Green Meadows Drive. All of the surrounding area is Planned Industrial District. The proposed sign will be 5’ above grade and setback 16’ from the right-of-way of Green Meadows Drive. The sign is proposed to have two sides with the top sign being approximately 4 square feet and the tenant space signs approximately 12.6 square feet for a total sign area of approximately 16.6 square feet. The proposed sign will have 5 colors. The tenants are unknown at this time, so those colors have not been included.

Mr. Oster administered the oath to those wishing to speak.

**APPLICANT PRESENTATION/BOARD QUESTIONS & COMMENTS**

Mr. Trefz: What is the lumens and color temperature of the signage?

Mr. Oster: And if it’s internally lit.

Darren Gray with Sign Vision, 987 Claycraft Road, Gahanna, Ohio, I affirm. I do not know. It is internally illuminated but with LED’s, we can use them per your specifications. The top section, the background is opaque, only the letters illuminate, and the bottom section, the background and tenant copy, we don’t know who those tenants will be yet, but those will illuminate as well.

Mr. Trefz: The tenants when they get their names on the sign will have to conform to the same five colors.

Mr. Oster: The sign itself, the middle section is bigger than the base, and I was under the impression that the base has to be the largest footprint of the sign. The base has to be at least as wide as any part of that sign.

Mr. Gray: That’s fine.

Mr. Oster: This is going to be internally lit and what is going to show through right where the tenant panels are?

Mr. Gray: In the top section, just the copy will illuminate. Once we apply vinyl, that will just be applied vinyl to the plastic faces, that will eventually illuminate, so basically the entire sign except for the base. And again, the background at the top is opaque.

**MOTION TO APPROVE CONDITIONAL USE APPLICATION #CU-20-18**

Mr. Oster made a motion to approve Conditional Use Application #CU-20-18, Vision Signs, with the condition that the base has to be equal to or the largest dimension of the sign overall and the lighting cannot exceed 3000 Kelvin; seconded by Ms. Sundar.

## Board of Zoning Appeals

52 Mr. Miller: Mr. Gray, are you okay with the conditions?

53

54 Mr. Gray: Yes.

55

56 Mr. Beard: Does the Board want to put any conditions on the tenant spaces?

57

58 Mr. Oster: They are going to have to abide by our Code.

59

60 Mr. Trefz: The five colors that exist.

61

62 Mr. Oster: Yes, they'll have to abide by those five colors if they're going to use colors which it's just  
63 white and black are not counted. So they'll have to conform to that.

64

65 Mr. Beard: If we added that third stipulation, we would need someone to second it with that third  
66 condition and make sure the applicant is okay with that condition.

67

68 Mr. Miller: I'll second that.

69

70 Mr. Gray: I'm okay with that.

71

72 Motion made by Mr. Oster to approve Conditional Use Application #CU-20-18, Vision Signs, with  
73 conditions that the base is equal to the sign or greater, the color temperature does not exceed 3000 Kelvin  
74 for the lighting, and the tenant colors cannot exceed what is already on there or use black or white for the  
75 tenant spaces; seconded by Mr. Miller.

76

77 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes  
78 Motion carried

79

80 Hearing continued with Variance and Conditional Use Case VA-CU-20-19

81

82 Minutes prepared by Cindy Davis, Zoning Secretary

83

84 On November 12, 2020, Mr. Oster made a motion to approve the meeting minutes of the Orange  
85 Township Board of Zoning Appeals dated September 17, 2020 for Conditional Use Application #CU-20-  
86 18, Sign Vision Co., Inc., as written; seconded by Mr. Trefz.

87

88 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes  
89 Motion carried

90

## Board of Zoning Appeals

1 **Application #CU-VA-20-19**

**September 17, 2020**

2  
3  
4 **Conditional Use / Variance Application #CU-VA-20-19 North Unitarian Universalist**

5 **Congregation**, Seeking a Conditional Use and Variance for a church along with variance from the  
6 setback regulations of the road right-of-way. The subject property located at 1574 Franklin St., Lewis  
7 Center, OH 43035 and having parcel number 318-213-10-001-000.  
8

9 Mr. Beard presented the Staff Report and presentation. Applicant is requesting a Conditional  
10 Use to allow a church or other place of worship on a lot of not less than five acres and an Area  
11 Variance to allow the construction of a building that will fail to meet the required setback from  
12 the public road right-of-way. The property is located on the south side of Franklin Street on the  
13 east side of the railroad tracks. They are requesting to allow the side wall of an addition to  
14 encroach within the setback regulations for the public road right-of-way. All surrounding areas  
15 are zoned Farm Residential District. Two of the locations are single family homes; to the west  
16 is the railroad and to the south is Del-Co Water. We will discuss the Conditional Use portion.  
17 The Conditional Use from Section 7.04 c), churches or other places of worship provided they  
18 occupy a lot of not less than five acres plus one acre for each 100 permanent seats over 300 in  
19 the main assembly area. The applicant has requested for the consolidation of the church's  
20 functions into one location. We have our Legal Counsel, Assistant County Prosecutor Chris  
21 Betts, joining us.  
22

23 Christopher Betts, Assistant Prosecutor with the Delaware County Prosecutor's Office. I have  
24 provided you with a copy of a draft resolution to adopt and conclusions of fact and decision.  
25 These are two generic documents; they don't presume any conclusion out of this but they do  
26 provide some guidance through the process for the Board in considering both this Conditional  
27 Use and Variance Request. They have checkboxes and fill in the blanks throughout so the  
28 Board can make their decision and issue conclusions of fact and decision in that process. The  
29 checkboxes both allow you to accept and deny the applications, and give reasons for that. It's a  
30 tool and help to the Board. When considering these two applications, the Conditional Use is for  
31 the property as it sits today, not any future development of the property. I know there's future  
32 development proposed for the property, but it is not to be considered as part of the Conditional  
33 Use. You consider the criteria in the Zoning Code, and that criteria is either met or it's not. In  
34 this case you're looking at Section 7.04 c) of the Zoning Code, and Jeff laid that out as to  
35 what's in that and what's the criteria in terms of the five acre requirement of the property. The  
36 criteria for an Area Variance is set out in this document and has the 7 Duncan versus  
37 Middlefield factors which you'll find in your Zoning Code that are to be considered for an  
38 Area Variance. The Exhibit A, conclusions and fact of decision, also has a section called  
39 "Standards" that have the standards for both Conditional Use and Area Variance. Conditional  
40 Use as I said, you consider the criteria in your Zoning Resolution and for the Area Variance  
41 you consider practical difficulties. Again, this is just a tool to walk you through, a completely  
42 generic document, and if you have any questions as you go through it, I would be more than  
43 happy to address those.  
44

45 Mr. Oster administered the oath to those wishing to speak.  
46

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

48  
49 Susan Ritchie, 300 Lenappe Drive, Columbus, I affirm. We first came before this Board in June of last  
50 year and at that point we only held about 3.3 acres of land. It was this Board's recommendation that we  
51 approach Del-Co to purchase additional acreage. We were able to do that so now we hold in excess of the

## Board of Zoning Appeals

52 five acres. We own the house across the street from the main church and use that for Sunday School  
53 classes primarily. Our main goal with the expansion is to be able to sell that building, return it to its  
54 residential use and bring the children back across the street into the main building. When we discussed the  
55 use of that house with this panel, we also stated our intention was to use it temporarily until we could  
56 manage an expansion that would allow us to return the children back across the street. The expansion  
57 gives us more room throughout the building. We are not planning any particular expansion in terms of our  
58 rental use or any non-church activities but it does give us more flexibility. Currently one of the problems  
59 we have with the floor space of the building is it's just not usable by folks in wheelchairs. Also, the plan  
60 our architect designed for us improves safety features that we've been concerned about. Right now when  
61 children exit our building, they do so into an active driveway. This takes care of that issue and more. Here  
62 to help answer questions are Kay Onwukwe, our architect, and Tom Hennessy our attorney, and also  
63 members of our Board and Building Committee.

64  
65 Mr. Miller: How many permanent seats will there be in the assembly area?

66  
67 Ms. Ritchie: The seating will not be permanent. One of the advantages of this design is that we're all  
68 going to have flexible chairs. All chairs will be removed and set out at will. If all the chairs were set out at  
69 once, the capacity would be about 180 seats but, again, it's the flexibility we care the most about.

70  
71 Mr. Trefz: Apparently the current square footage is 3,812 and your addition is 5,526 square feet. One of  
72 the things we have to look at is the 50% rule, so this seems like it's quite a bit over that.

73  
74 Mr. Beard: As Mr. Betts stated, we are just looking at the land as it currently is with the building on it  
75 now.

76  
77 Mr. Trefz: Just the existing building, the existing parking lot and things like that?

78  
79 Mr. Beard: The Conditional Use is what we're looking at right now, just to seek to use a church or place  
80 of worship as outlined in Section 7.04 in our Resolution. The Variance pertains to the setback of the  
81 addition. At this time we're just dealing with the Conditional Use portion of it.

82  
83 Mr. Trefz: And it doesn't include the house they own across the street?

84  
85 Mr. Beard: Correct; that is a separate parcel.

86  
87 Mr. Trefz: On the existing building, the septic system is a leach bed?

88  
89 Bob Keith, 105 Yorkshire Road, Delaware, Ohio, I affirm. Yes.

90  
91 Mr. Oster: And it's going to stay a leach bed system?

92  
93 Mr. Keith: Yes, with some modification that's been worked out with the County Board of Health  
94 involving a dosing tank and a pump on a timer to spread liquids out over a period of a week.

95  
96 Mr. Trefz: The effluent from the church is going into a holding tank and then distributed into the leach  
97 bed?

98  
99 Mr. Keith: The proposed plan worked out with the Delaware County Health Board was to add what's  
100 called a dosing tank and then there would be a pump on a timer that would daily pump out only so much  
101 effluent over a period of a week.

102

## Board of Zoning Appeals

103 Mr. Trefz: So within a week, the dosing tank would empty?  
104

105 Mr. Keith: It's actually sized to handle two major services a week. Right now there's only one service, so  
106 it would double the capacity of what would be needed.  
107

108 Mr. Trefz: Say it was 1,000 gallons and you only used 500, that 500 would still be put out across the  
109 week's period of time rather than all at once?  
110

111 Mr. Keith: Exactly.  
112

113 James Johnson, 2668 Abbey Knoll Drive, Lewis Center, we're not planning to expand the congregation;  
114 we're building the church to satisfy our existing congregation. It would allow for expansion, but that's not  
115 our intent. As Susan mentioned, the flexibility. Right now we can't have a church dinner, we can't seat  
116 everybody, we have such a small area. With the flexible seating, we can actually have a holiday  
117 celebration where everyone can be seated for a meal.  
118

119 Tom Hennessey, attorney for the church, 7737 Olentangy River Road, Columbus, Ohio 43235, I affirm.  
120 The property has been a church since 1866, so for the past 154 years, there's been church activity there,  
121 and the North Universalist congregation has been there for about the last 20 years, so this is not a new  
122 operation on the property.  
123

124 Kay Onwukwe, the architect, HKI Associates, 4200 Regent Street, Columbus, Ohio, I affirm. One of the  
125 driving goals for designing this building in addition to flexibility is to consolidate the functions of the  
126 church that are currently in two different locations. By consolidating into one location, it helps reduce the  
127 vehicle traffic and the children crossing the street. For safety, that is very critical. And the location of the  
128 of the children in the new addition to the back of the church will prohibit the children from running out to  
129 the front of the building.  
130

131 Mr. Betts: As a reminder to the Board, this is a Conditional Use under your FR-1 District, Section 7.04.  
132 We're looking at the church as it currently exists. I know there are proposed changes and additions to the  
133 church, but, again, it's as the church currently exists and the criteria you're looking at is whether it's a  
134 church or place of worship that occupies a lot of not less than 5 acres plus 1 acre for each 100 permanent  
135 seats over 300 in the main assembly area. Those are the criteria you're looking for. Just a reminder of the  
136 criteria that needs to be considered for this Conditional Use.  
137

138 Mr. Miller: If you had everything for a Christmas dinner for example, how many people would be in the  
139 building?  
140

141 Mr. Onwukwe: Right now seating capacity in the sanctuary is 180 and that's why we have those loose  
142 seats, to allow that flexibility, so if you put up chairs in the fellowship hall, you would bring that up to  
143 200 to 220.  
144

145 Mr. Miller: I just wanted to make sure it was clear that we were within the guidelines.  
146

147 Mr. Oster: Right now we're at 180 based on the existing structure.  
148

149 Ms. Ritchie: The existing structure is not 180; that is the proposed expansion. The existing structure in the  
150 sanctuary area is pew seating, so it's not a fixed number of seats but it gets to be pretty crowded at about  
151 105. The fellowship hall space maxes out at about 80.  
152

153 Mr. Trefz: So roughly around 200 people if you add the fellowship hall and the sanctuary.

## Board of Zoning Appeals

154 Ms. Ritchie: Correct. We've never packed it that tight but I suppose that's hypothetically possible.  
155 We have about 148 adult members, maybe 77 family units.

156  
157 Mr. Betts: You've given the applicant an opportunity to speak. It sounds like the applicant has presented  
158 everything they want to present at this point; is that correct?

159  
160 Ms. Ritchie: Yes.

161  
162 Mr. Betts: You will also want to see if there's anyone who wants to present anything in opposition to the  
163 application as well.

164  
165 Jeri Dill, 1557 Franklin Street, I affirm. I would first like to confirm whether our 9 page submission from  
166 the neighbors was received and read by the BZA members.

167  
168 Mr. Oster: It was.

169  
170 Ms. Dill: I just want to make sure that I understand that what we're discussing at the moment is the  
171 Conditional Use for the building as it currently exists, nothing to do with the expansion.

172  
173 Mr. Shipley: Correct.

174  
175 Mr. Betts: The Conditional Use is just for the use as a church on that property.

176  
177 Ms. Dill: I understand they need 5 acres to seek the Conditional Use. They technically and legally own 5  
178 acres or more but we question the suitability of the land in that it's a skinny flag lot running down the  
179 walking trail and not buildable. The far left portion juts around the trail; it's about a .2 acre section that is  
180 technically unbuildable and then just south of that runs way down the trail, they added about 2 acres, so  
181 they added about 2.2 acres to their existing 3.35 acres but did not materially change the buildability of  
182 the lot in which you would normally call a 5 acre lot. They meet the letter of the law but not the spirit of  
183 the law, and if you would take that into consideration of "5 acres".

184  
185 Mr. Hennessey: I appreciate what's being said here but the spirit of the law is not what's at issue. The  
186 ordinance says there needs to be 5 acres. If the legislature intended to look at buildable space or however  
187 the configured space is, then the ordinance would say that. The legal issue is is there at least 5 acres  
188 owned as a single parcel by the church, and that is satisfied here and it is one single parcel. I don't have  
189 the exact fractional number but it does exceed 5 acres.

190  
191 Mr. Trefz: What's on the screen now, there's a notch coming from left to right. It drops down and then  
192 back up to reasonable levels. What's in that notch? What don't they own right there?

193  
194 Ms. Ritchie: That is the extension of Third Street, so it's the Third Street right-of-way.

195  
196 Ms. Dill: Is this the appropriate time within the Conditional Use Permit to reconfirm Rev. Ritchie's  
197 assertion that there's no intention for expanded uses such as rentals, pre-school, etc. is in fact true and  
198 that's her assertion. This is not about expanding uses and activities but more about consolidating their  
199 existing use of the church.

200  
201 Ms. Ritchie: That is true.

202  
203 David Dill, 1557 Franklin Street, I affirm. My question is for Susan Ritchie that she is affirming that there  
204 will be no new activities added, no further load to the property, the parking, the building, the sewage, no

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205 plans for a Montessori school like there was for next door, no plan for daycare or kindergarten on a week  
206 day basis, that that would absolutely not be allowed under the Conditional Use if that's what she's  
207 affirming. Is that correct?

208  
209 Ms. Ritchie: It has been my testimony and it is my testimony that we have no intentions of doing a  
210 daycare or pre-school. We did explore the prospect of having a Montessori in our Nielsen house property  
211 but when we approached this Board, we were discouraged from that and we stopped pursuing that. I  
212 cannot testify that we will never add any activity but I can say we desire this expansion for our own  
213 purposes and have no idea of rental or for profit use at all.

214  
215 Mr. Dill: Regarding the attorney's assertion that the legislature could have said what they meant and  
216 meant what they said, I agree with that. What they should have said, and I think what our Zoning could  
217 say is that we do have a standard for what we think a 5 acre lot is that is suitable for building. The fact  
218 that that was not spelled out very clearly I think is an exception that really does a lot of harm in this case  
219 and if there's a way that our Zoning Board can review and clarify that and put that into this Code, that  
220 would be a very positive thing for everybody, not only now but going forward as well. A 5 acre lot should  
221 be a 5 acre lot; it shouldn't be cut up in ribbons and stripes and places where you have no access. You're  
222 not allowed to drive on that walking path, so access to that area can only be walking from Franklin Street.  
223 I think that that does make a difference in this case and if the law allows it, certainly doesn't mean that  
224 it's right, it simply means that that's the law, so if there is a way for Zoning to look deeper into this, and  
225 see to it that there's no justice involved in it, I would appreciate that.

226  
227 Mr. Oster: Are there any other views of exactly what it was before and then the addition that was just  
228 obtained to increase this to 5 acres? I'm not seeing that clearly spelled out either.

229  
230 Mr. Keith: If you look at the lower picture on the screen where the purple horizontal line goes between  
231 the extension, on the left you have Third Street right-of-way extends down. The original property was the  
232 purple line; that's the original .69 acres. There was an acquisition at 2.66 acres from Del-Co which is the  
233 piece south; the long strip on the right. The notch on the right side and coming back up to the purple line  
234 was part of that 2.66 acres added back in 1999. Most recently, the acquisition of .2 acres is that area on  
235 the left side where the bike trail is above the purple line, then the bike trail going south clear to the far  
236 south extension shown on the upper part of the drawing on the left, that's the 2 acres that was added in the  
237 4<sup>th</sup> quarter of 2019 which brings us up to a total of 5.77 acres.

238  
239 Mr. Miller: The conditions for this are that it has to be less than 300 permanent seats and greater than 5  
240 acres; that is the law that is written, so what we're debating here really is not applicable because it's  
241 already a Conditional Use based on the property they have; it is indeed greater than 5 acres. I don't mean  
242 to be argumentative or disrespectful; it's the law.

243  
244 **MOTION TO APPROVE CONDITIONAL USE APPLICATION #CU-20-19**

245  
246 Mr. Miller made a motion to approve Conditional Use Application #CU-20-19, North Unitarian  
247 Universalist Congregation, predicated by the fact they have the 5 acres and is less than 300 permanent  
248 seats; seconded by Mr. Shipley.

249  
250 Mr. Betts: Before we go any further, I would like to encourage the Board to use the conclusions of fact  
251 and decision to walk through the process. It has provisions about notice being provided; the conduct of  
252 the hearing via Zoom; it will need to have the BZA members inserted; it has the individuals listed as  
253 attending, including the Zoom sign in sheet. I would note that the original application or the original  
254 presentation presented to the Board had the incorrect parcel number in it. It's actually 31821310001000  
255 and that's listed in this document. The conclusions of fact and decision list the zoning as being FR-1 on

## Board of Zoning Appeals

256 the property compared against the standards that we talked about before for Conditional Use which is the  
257 criteria in the Zoning Code for the Conditional Use. Provide the section for you to enter the facts in there,  
258 the witnesses that spoke, any evidence that was presented and then it provides you the findings of facts  
259 and decision, the first one being Conditional Use has a check mark box for granted and a check mark box  
260 for denied. I hear that there was a motion made for the Conditional Use to be granted and there is some  
261 language for granting that Conditional Use on Page 5 if that's what the Board so chooses to do.

262

263 Mr. Miller: Mr. Betts, since this is recorded, both on Facebook plus we have a legal recording through  
264 Orange Township, can the filling in of the people's names, etc. be noted as part of the approval or denial  
265 process and filled in after the fact? I'm asking that because we're all remote.

266

267 Mr. Betts: Yes, it can be stated orally and then filled in later.

268

269 Mr. Miller: So we would have to have each person's name orally added?

270

271 Mr. Betts: The names of the BZA members that are attending the meeting at this point. I think you  
272 entered those previously but those could be inserted on Page 2; insert facts on Page 3; the names of the  
273 witnesses that provided testimony inserted or said on Page 4; any exhibits received can be inserted on  
274 Page 4, continuing onto Page 5; then Page 5 has the check mark for if it's to be granted which I'm hearing  
275 is what the Board wants to do, or at least that's the motion that's been made.

276

277 Mr. Oster: Should the motion be made with the conclusions of fact and decision that you have provided?

278

279 Mr. Betts: There is nothing in this document in terms of fact other than the property information, what's  
280 being requested in the application, and the rest is for you to fill in as far as facts are concerned. Again, it's  
281 a completely generic document.

282

283 Mr. Miller made a motion to approve Conditional Use Application #CU-20-19, North Unitarian  
284 Universalist Congregation, with the corrected parcel number and the names of the Board and witnesses  
285 that will be provided and filled in by Mr. Beard. We have gone through the facts, and those will be  
286 provided; seconded by Mr. Shipley.

287

288 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes  
289 Motion carried

290

291 Mr. Beard: That takes us to the Variance Application for #VA-20-19. This is from Section 21.09 of the  
292 Orange Township Zoning Resolution for setback regulations.

293

294 Mr. Betts: Jeff, have you been sworn in?

295

296 Mr. Beard: I have not.

297

298 Mr. Betts: You should be sworn in and it should be retroactive to the beginning of this hearing.

299

300 Mr. Trefz: Does that apply to the rest of the Board members?

301

302 Mr. Betts: It would only apply to Jeff as the Zoning Officer since he's providing facts and evidence

303

304 Mr. Oster administered the oath to Mr. Beard

305

## Board of Zoning Appeals

306 Mr. Beard: No building or use except signs or parking areas shall be closer to adjoining streets, roads,  
307 highways or approved private roadways than the distances set forth in the table or chart. The road in  
308 question is a Class D road, dead end road ending at a cul-de-sac or approved turnaround when a lot  
309 configuration or approved plan precludes future extension of said roadway or any branch there from to  
310 create a connecting street between two or more existing or future streets or roads. Under the zoning of  
311 Farm Residential District and the road Classification of Class D, the setback regulation would be 60' from  
312 the right-of-way. The applicant has requested an Area Variance to allow the addition to be 14' from the  
313 public road right-of-way. The addition would not be any closer to the property line than the existing  
314 church building that is legally non-conforming.

315  
316 Mr. Miller: This building has been in existence for a long time and they've had this setback accordingly.  
317 Why would it be required to have another variance since it's already there and has been there for ages,  
318 and I'll go back to what we had in the previous applicant where things were non-conforming 50, 100  
319 years ago?

320  
321 Mr. Shipley: My understanding is the reason it is here is for the expansion. The new portion is not going  
322 to be more than 60' from the road, but the line is going to follow the same line of the existing church. It's  
323 not going to come any closer.

324  
325 Ms. Ritchie: Yes, it will follow the same line and something we were careful to do with this plan is to no  
326 longer use Fourth Street for our private driveway, so Fourth Street goes nowhere than to the back of the  
327 church right now, so by moving all traffic and all parking to the Third Street side of the building, there  
328 remains to be almost no use for Fourth Street. There is no other access to any building or property off of  
329 Fourth Street. We have some neighbors who occasionally park there but the only actual traffic on Fourth  
330 Street has been us, and that will cease if this plan is approved.

331  
332 Mr. Shipley: But Fourth Street is still a Class D road so it falls under the requirement.

333  
334 Ms. Ritchie: Correct. I just wanted to make it clear that part of our goal with the plan was to move all  
335 traffic to the other side.

336  
337 Mr. Trefz: Mr. Betts, if Fourth Street was abandoned, would the requirement still remain for 60'?

338  
339 Mr. Betts: As I understand it, the right-of-way, although it may not be approved, still exists at this point,  
340 so the Zoning Code would still be applicable in terms of the setback.

341  
342 Mr. Shipley: For clarification for me, no portion is going to come any closer than the current setback?

343  
344 Ms. Ritchie: Yes.

345  
346 Mr. Miller: Again, if there are no changes, why is this up for discussion since it's already there?

347  
348 Mr. Betts: This pertains to the proposed addition to the building. The current building is non-conforming,  
349 will remain non-conforming in terms of the setback, but this is purely for the addition. The considerations  
350 of the Board in granting this Area Variance are set out on Page 6 of the conclusion of facts and decision  
351 and the 7 Duncan versus Middlefield criteria that are looked at for an Area Variance. Again, the standard  
352 is practical difficulties, and these 7 items are the items to be considered in an Area Variance. We're only  
353 looking at the addition right now and the discussion is limited to the setback; it's not the rest of the  
354 addition or the rest of the plans. The rest of the plans would be considered at a future date when they file  
355 for a zoning permit.

356

## Board of Zoning Appeals

357 Mr. Trefz: This is only to give them the Conditional Use that they can go less than 60' for the new  
358 addition and they have not filed any building plans that we have seen in our packet.

359  
360 Mr. Shipley: I think what Mr. Betts was saying is our issue is not the building permits, the zoning piece  
361 with regard to the building permits; our issue is only the setback piece.

362  
363 Mr. Betts: That is correct; that's the only variance they've asked for.

364  
365 Mr. Johnson: Jeff, is that correct?

366  
367 Mr. Beard: Yes, the request is just the setback variance request. The parking, lighting, all that would be  
368 under review when you do your commercial permit for the addition when you submit the zoning permit,  
369 so that would just have to meet our general code and the development standards for that.

370  
371 Ms. Ritchie: Just to clarify, that would not require an additional appearance before this Board?

372  
373 Mr. Beard: Correct. This is just a variance. Other than that, if you meet the Code, it would go through and  
374 that's part of the Fire Department review. They would review and let us know during part of that process.

375  
376 Mr. Onwukwe: We have already received conditional approval from the Fire Department with the  
377 condition of zoning approving it.

378  
379 Mr. Trefz: Mr. Betts, we're to be looking at the 7 conditions here?

380  
381 Mr. Betts: Yes, the 7 requirements from the case of Duncan versus Middlefield are the criteria to be  
382 considered and the standard is practical difficulties. It's a lesser standard than Use Variance. And as Jeff  
383 said, going through the permitting process assuming the rest of the development meets the permits, there  
384 would be no need to come back before this Board. If there's anything else that they need a variance from  
385 as they go through it, they would have to apply for that and come back before this Board. Right now the  
386 only thing before the Board is the variance of the setback.

387  
388 Mr. Trefz: But in order to grant or deny that variance, we have to apply those 7 conditions.

389  
390 Mr. Betts: Correct.

391  
392 Mr. Miller: I don't mean to sound redundant, they're already using that setback.

393  
394 Mr. Oster: They're using it on the old so now we have to look at the new portion that they want to add.

395  
396 Mr. Trefz: And one of them is very substantial.

397  
398 Mr. Miller: But it's already there.

399  
400 Mr. Oster: For the old part.

401  
402 Mr. Trefz: But the new part is not there.

403  
404 Mr. Miller: Ms. Ritchie said they're not going to be using Fourth Street, they're going to be using Third,  
405 so to me that sounds like Third Street is going to be their main entrance.

406  
407 Mr. Oster: It will, but we can't ignore the other.

## Board of Zoning Appeals

408 Ms. Ritchie: Someone who knows the distances on the drawing we're looking at right now. Fourth Street  
409 ends at a place only a little bit into the addition; am I reading that correctly?

410  
411 Mr. Oster: Yes, that little line there.

412  
413 Mr. Ritchie: I wonder if that is really substantial. Are we talking about 10' there?

414  
415 Mr. Trefz: No, it's substantial. It's clear along the new addition. If Fourth Street ends there along any part  
416 of it, it is substantially closer to Fourth Street than it should be given it's 60'.

417  
418 Ms. Ritchie: I believe there's only 10 or 15' of the addition before the Fourth Street right-of-way runs  
419 out.

420  
421 Mr. Trefz: That's why I asked if the road was abandoned and as long as that road exists, any part of the  
422 building can't be closer than 60' to that road wherever that road is.

423  
424 Ms. Ritchie: But that's exactly why we're seeking the variance but we would be open to the conversation  
425 with the Township as well as our neighbors about potentially abandoning Fourth Street.

426  
427 Mr. Trefz: And what's the probability of you moving 36', the building offsetting it so it is 60' from the  
428 right-of-way?

429  
430 Ms. Ritchie: The difficulty with that is it destroys the flexibility we were speaking about previously by  
431 continuing the line, we put the sanctuary and the fellowship hall in alignment with each other.

432  
433 Mr. Trefz: But of the 7 things we're looking at, 1 of them is the variance substantial and we've got 60'  
434 and now we're down to 14'; that is substantial. We can still say it's substantial but we're approving it or  
435 we can say we're not approving it.

436  
437 Mr. Oster: Actually I think it's less than 14' by the time you got down to the new addition because the  
438 road hooks right in to the addition.

439  
440 Mr. Johnson: That's our gravel driveway. The road actually ends as it crosses our property line and the  
441 road goes outside of it's boundary.

442  
443 Ms. Ritchie: The gravel driveway was added by the church and that is not Fourth Street.

444  
445 Mr. Keith: The pavement leaves the right-of-way and comes into our property currently. If you look at the  
446 site plan drawing that shows the parking lot slots and all that, you'll be able to see the pavement and how  
447 it leaves the right-of-way.

448  
449 Mr. Betts: Under your Section 21.09 which is the setback regulations, where it talks about the road in  
450 there, it says roads are measured from the right-of-way line, so not necessarily the pavement; it's  
451 measured from the right-of-way line.

452  
453 Mr. Trefz: That's still there regardless whether the pavement ended or not.

454  
455 Mr. Betts: Correct. The road doesn't have to be approved for there to be a right-of-way.

456  
457 Mr. Johnson: But the right-of-way does end.

458

## Board of Zoning Appeals

459 Mr. Trefz: Not before your new building starts, right?

460

461 Mr. Johnson: On Exhibit 2, as pointed out, the road does hook a bit and then stops where that line is.  
462 That's gravel that we put in that we're going to take out and put trees and grass in but the road right-of-  
463 way is that little line that goes across right before the building.

464

465 Mr. Keith: It's not the dashed line; it's the line above it. It juts out on the right.

466

467 Mr. Trefz: But there's some pretty good footage of the proposed building that is not 60' from that right-  
468 of-way line.

469

470 Mr. Keith: That's correct.

471

472 Mr. Oster: What's the blue line?

473

474 Mr. Beard: That's the property line.

475

476 Mr. Trefz: Which is also the road?

477

478 Ms. Ritchie: The end of the right-of-way.

479

480 Mr. Betts: For the Board, looking at these criteria, you're looking at Number 2 which is the variance  
481 substantial, you want to look at all these criteria in their totality, not just get stuck on one.

482

483 Mr. Trefz: I wanted to start with substantial. Then Number 1, whether the property will yield a reasonable  
484 return or whether there can be any beneficial use of the property without the variance.

485

486 Mr. Oster: I would say that would be yes.

487

488 Mr. Trefz: I would also. There are other things you could do. Number 3, whether the essential character of  
489 the neighborhood would be substantially altered or whether the adjoining properties would suffer a  
490 substantial detriment of results of the variance. In the nine pages from the neighbors, I got the impression  
491 they thought it would be detrimental.

492

493 Ms. Ritchie: I didn't see anything from the neighbors speaking to the setback.

494

495 Mr. Trefz: No, I believe it was to the building itself which, you are correct. You said some neighbors  
496 were parking along Fourth Street. Is that the only use other than you guys driving out?

497

498 Ms. Ritchie: Correct. And the neighbors actually have a driveway off Franklin.

499

500 Mr. Trefz: Number 4, whether the variance would adversely affect the delivery of governmental services,  
501 i.e. water, sewage, garbage.

502

503 Mr. Oster: I'm assuming no. I'm thinking it's not going to be upgraded any time soon and that it is able to  
504 continue on with as all that is designed in there.

505

506 Mr. Trefz: With the existing leach bed and the new pumping/holding station that they talked about. Five,  
507 whether the applicants purchased the property with the knowledge of the zoning restrictions.

508

509 Mr. Oster: They should have; it's public record.

## Board of Zoning Appeals

510 Mr. Trefz: When you were here before we advised you to get some more land so you would at least have  
511 the five acres, so I know you knew about the restrictions at that point.

512  
513 Mr. Johnson: As I recall that discussion, the lawyer representing the Zoning Board said if you're going to  
514 let us go get the additional property, then you should also consider to vote no if you're having trouble  
515 with the setback and there were no "no" votes.

516  
517 Mr. Keith: But the setback at the June, 2019 hearing was not the roadway setback; it was the property line  
518 setback which is a different part of the Code. There was no mention at the hearing about roadway.

519  
520 Mr. Oster: I think it was mentioned but everyone was looking at it as just being an extension to the  
521 existing building, running along the same line and being non-conforming like just about everything that's  
522 in that area.

523  
524 Mr. Trefz: Number 6, whether the applicant's predicament feasibly can be obviated through some method  
525 other than the variance.

526  
527 Mr. Oster: I don't think so.

528  
529 Mr. Trefz: I don't think so either, not unless they move the building and 7, whether the spirit and intent  
530 behind the zoning requirements would be observed and substantial justice done by granting the variance.  
531 So that's what we need to consider.

532  
533 Mr. Betts: And when you're considering them, keep in mind don't let any single one of them be  
534 completely determinative; you need to look at the totality of all of these criteria.

535  
536 Mr. Trefz: To me the substantialness of it is the one that just kept jumping out at me. The rest of them  
537 seem like we could mitigate or agree that something else could be done or granting this variance would be  
538 okay, but that's just me.

539  
540 Mr. Oster: The last time we looked at this I think we were looking at the lot as it had been used since the  
541 inception of the small town of Lewis Center, the way all those parcels were sectioned out in there, and the  
542 way that the original building was set and used and there's nothing else really that's going to go in after  
543 this on the other end where the addition is going to go because that's still owned by Del-Co and they're  
544 not going to do anything with that. We looked at this for a long time as far as there's only one house to  
545 the east of it and it is north of the addition. There's nothing else down there that's going to be around the  
546 addition and would that be a good use to expand this building to a size that they want and need so they  
547 can vacate the other one that's across the street? In the whole scheme of things, they're looking to move it  
548 all to one building which if everything stays equal, that doesn't mean there's going to be more people,  
549 more cars, more traffic. It's pretty much going to remain the same at this point and it wasn't going to be  
550 rented out or anything to increase any of those points. The last time we looked at this, and that's why they  
551 looked at Del-Co for extra land to make them compliant with the 5 acres to make this church a bigger  
552 church and turn the other house back over to a regular residence to go back into the neighborhood. We  
553 looked at a lot of different factors as far as the safety of having that separated and coming across the street  
554 all the time versus is it reasonable to put on an addition on this lot that's all the way to the west pretty  
555 much right at the railroad tracks.

556  
557 Mr. Betts: The applicants have spoken; I don't know if they have anything else to say, but you also want  
558 to give an opportunity to anyone that may be opposed to the variance as well.

559

## Board of Zoning Appeals

560 Mr. Dill: I object. My wife and I and all of our neighbors; we already wrote our objections, we submitted  
561 them in a timely manner and if you read them, you should understand our objections are more than just a  
562 list of 7 items. I understand the right-of-way along the side of an old road that nobody drives on isn't  
563 necessarily the biggest deal, but if allowing a variance for that allows the church to expand to such a point  
564 that zoning now requires them to have a larger paved parking lot which adds to the water problems of the  
565 entire village, both sides of the tracks, that is a problem. These things don't just exist in a vacuum as 7  
566 little items that you have to check off the list. The church clearly knew the restrictions on that lot at the  
567 time they bought it. Some of their members were members of the old church and they know why they  
568 moved. Some of the problems this presents for us, a church is not what a church used to be. Nowadays a  
569 church is a school, a day care, etc., a number of things that have nothing at all to do with the Sunday  
570 morning fellowship. As a Sunday morning fellowship within a community in 1866, this wasn't a problem.  
571 It wasn't even much of a problem in 2019 on a Sunday morning in a little residential neighborhood.  
572 However, once you allow this to become a church in the modern sense of the word, knowing what all that  
573 entails, you are opening up a little neighborhood to a full possibility of an onslaught because if the NUUC  
574 decides next year they want to move to where most of our congregants are, we're going to put this  
575 property up for sale, you've just sold with proper zoning for a mega church to come in and do whatever  
576 they want to do, so we have to take a stand now to see to it that these 7 little items that are so simple to  
577 cross off a list are a collective whole and they stand in the way of something coming into our community  
578 that is noticeably different from what it's always been. If zoning doesn't stand for that, if zoning doesn't  
579 understand that the role of zoning has to be the protection of the neighborhood as it exists, then I don't  
580 know what they do. What we're asking is simply for the government entity that looks into this sort of  
581 thing to look at this and be reasonable. I assume all of you came out and walked the place, right?  
582

583 Mr. Oster: No, we're not allowed to do that.  
584

585 Mr. Dill: You're not allowed? It's a public street. Anybody's allowed to come to Lewis Center, walk the  
586 path, walk the streets, see how it's used, see how we come and go. I understand we don't do like most  
587 folks do in Orange Township; we're different here, we moved here specifically because we like it this  
588 way. We love living in the twilight zone. It's what we want. We shopped for places because of this. The  
589 folks who move here love it here because it is this way. We want to be different. We don't want curbs and  
590 sidewalks, bike paths, fire hydrants; we just want to be left alone, and this application simply does not  
591 fulfill any part of leaving Lewis Center alone. If this were a community group that grew out of the  
592 community that was populated by the community, the community might embrace this and make exception  
593 and say we are part of it, they listen to us when we bring up points and maybe this will be okay. But that  
594 isn't the case. The folks who go to church here don't live here. They come and then they go. They all  
595 know how we are here, they usually slow down for us if we're out walking and they've been pretty good  
596 about not driving all over our yards. Susan has done a good job of confronting people when they did that  
597 and asking them not to, but the frontage on Franklin Street is just as much an issue as on Fourth. I heard  
598 someone mention there's no immediate plan for change here, but I know there is plan for change. I know  
599 everybody wants to kind of clean up little Lewis Center and when that occurs, this is going to make a  
600 pretty good size street right between us and this church, and if the church is already there and there's no  
601 room to use the entire right-of-way going south, I have no doubt it will move north into my yard. This all  
602 has big consequences beyond 7 points in a list. I'm simply asking you to put yourself in our shoes. There  
603 is no law that you can quote, it's simply the law between right and wrong, the law of treating people the  
604 way you'd want to be treated. Come see if you really think this is appropriate because that's what zoning  
605 does in our eyes. If that's not what zoning does, okay, but that's what we count on you for. That's why we  
606 support a zoning department because we feel we need a voice in government to stand in where there is  
607 really no law and make a judgment and say okay or not okay. In this case I think we have the facts on our  
608 side that it is not okay. Also, just as a point, on the east side of the church and the addition, there are two  
609 residences, and one of them is very much affected. Everything in Lewis Center will be affected. We have  
610 a water problem here. Anything that changes in the Village affects our drainage. We get a wet basement,

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611 people's yards flood. The Lewis Center ditch that is supposed to carry all the water out of here, the tiles  
612 have been cut several times. The County or Township doesn't want the responsibility, and it's never been  
613 fixed. The railroad is usually the one holding the bag and they tried to do something to make water flow  
614 under the railroad to get it out of here, but a paved parking lot here is an absolute water problem starter.

615  
616 Ms. Richey: We are submitting a plan with a gravel parking lot.

617  
618 Mr. Dill: That's fine, but you're also putting in a leach bed that is big enough that if it floods, and it will;  
619 your back half is just all swampy.

620  
621 Ms. Ritchie: We are required to show a drainage plan that shows that we do not adversely affect drainage  
622 through the expansion and that's part of the ordinary process of this process.

623  
624 Mr. Dill: We know this and Evans Farm had to do that too but they still ruined our drainage. We really  
625 feel like we have a strong point and it's not being considered.

626  
627 Mr. Onwukwe: The parking lot is not asphalt; it is gravel base and it is designed to meet Code and the  
628 Code requires that any water generated on site has to be accounted for before being discharged, so we're  
629 not going to just be flooding the street or neighborhood with water. The County Engineer has regulations  
630 like the Ohio EPA which we are going to abide by.

631  
632 Ms. Dill: In the 2019 meeting that specific question came up, the plans were presented as asphalt and you,  
633 sir, are the one who told the Board that they want asphalt. I know these plans that have just been  
634 submitted show gravel, but we need clarification that gravel means gravel because asphalt was  
635 specifically brought up.

636  
637 Mr. Johnson: We didn't want asphalt but we thought there was a question from the Board and we asked  
638 them to table the asphalt. Subsequently, we can't afford asphalt; it adds another \$100,000 to our building  
639 cost but besides that, our congregation is very green and they preferred the gravel.

640  
641 Ms. Dill: It was specifically said that they want asphalt; that's why we're asking for clarification.

642  
643 Mr. Johnson: And you have the clarification.

644  
645 Mr. Dill: We're just representing our view and our view is that when we moved here we knew what was  
646 across the street and we made a decision accordingly. A lot of things have changed around Lewis Center,  
647 around Orange Township, but for the folks who live here, not everybody in Orange Township is okay  
648 with these changes. Not everybody likes the changes that were made between 23 and the Village, not  
649 everybody likes the development north of us, not everybody likes any of this. We have things that we  
650 can't control and those things have a great bearing. Right now there's discussion about closing our  
651 railroad crossing on Franklin Street; that's a big deal to us. This is a change that we've done everything  
652 we can to try and stop it but we don't know if we can. If we can't, it's going to turn Third Street, Franklin  
653 Street, Fourth Street into a cul-de-sac. When anything occurs on Lewis Center Road, they know this little  
654 crossing is over here so all that traffic pours through here. We don't really want to see that change and it's  
655 going to have an immense change on how things happen. The church is just simply going to add to that. I  
656 understand that in this phase of what you're deciding, they are not asking for expansion just yet of any of  
657 their programs, but if you build a building with an enhanced space, do they expect more people won't  
658 come? Of course we're going to have more traffic. You should be able to look at this and say we're  
659 having a major impact on these half dozen houses in Lewis Center. I understand if we're building a fire  
660 house and it's going to serve the entire community and the needs of these households have to take a bow  
661 to this greater community need, but we don't feel in this particular case that the greater community need

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662 is being served. We feel the greater community need is to preserve Old Lewis Center as it is for as long as  
663 humanly possible. That's what we're asking you to decide.

664

665 Mr. Betts: I know there's been a lot that's been discussed, but really the only thing that's on the table  
666 tonight is the Area Variance that's been requested so I just wanted to make sure we're getting back and  
667 staying on topic.

668

669 Mr. Hennessey: To address a little of what Mr. Dill said, I can see his concern that this is a change in the  
670 community but what's happening here is they're taking a building that's about 4000 square feet and  
671 taking it up to 9300 square feet for a congregation of about 200; that's the expanded number on a parcel  
672 for a church that's been there for decades and actually on a property that's been used for a church for  
673 more than a century. The congregation is doing its best to be a good community member and good  
674 neighbor and use what is a pretty small parcel to its best use and try not to overly impact the area. The  
675 comment about them leaving and another mega church coming in; if you understand mega churches,  
676 we're talking 50,000, 100,000 square feet, thousands of congregants and this isn't even a decimal point of  
677 that. What we have to come back to is what is the law, what is allowed by the Zoning Code and the fact  
678 that the church is trying it's best to serve its members and be a good member of the community. I hear the  
679 concerns but I think they're a little bit overblown.

680

681 Ms. Sundar: I totally agree with you and I highly recommend you talk with Jeff after tonight and we want  
682 you and the church people to understand we are here to develop the community and also recognize the  
683 church respects the law and the members working for the zoning discussion today. I recommend you talk  
684 with Jeff and see all the possibilities to afford the church as well as it is also our responsibility to take care  
685 of the community the right way and that's what we all are trying to do. I think that's the best way to do it.  
686 You really need to respect the people who want to make the right decision.

687

688 Mr. Oster: To clarify, Chris, the Conditional Use doesn't roll to a new owner, does it?

689

690 Mr. Betts: To it being a church?

691

692 Mr. Oster: Yes. If it's sold and somebody comes in and wants to keep it a church, will that Conditional  
693 Use follow?

694

695 Mr. Betts: I found your Conditional Use section and it does say unless the Conditional Use specifically  
696 provides that the grant be permanent and run with the land, sale or conveyance of the land or structure  
697 where the same is located or upon which the same is granted shall abandon the Conditional Use Permit  
698 and the subsequent owner or his agent will be required to reapply for a continuation or modification of  
699 such use to the Board of Zoning Appeals.

700

701 Mr. Oster: So you're saying if it is sold, then someone would have to come back and get a Conditional  
702 Use again for what they've got a Conditional Use for.

703

704 Mr. Betts: That's the way your Zoning Code reads, yes.

705

706 Lynn Savage, I'm on the Board and Building Committee at NUUC, I affirm. I just want to remind  
707 everyone again back to what we first talked about is that the whole purpose of building onto the church is  
708 for safety. It's to keep kids from having to walk back and forth across the street. It seems to me that that's  
709 more disruptive to the community than building onto our current building. We're not really expanding  
710 our blueprint that greatly. I don't know what the square footage of the Nielsen house is but we're selling  
711 that; it's going to go back into the community to be used as a community home and the church is going to

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712 be all on one site. I understand the concerns and the comments but I do think we need to circle back to the  
713 safety issue.

714

715 Mr. Onwukwe: By no longer using Fourth Street as an entrance to the church, it's going to consolidate the  
716 traffic into the parking lot on Fourth Street and in that case it will flow into the one side instead of as it is  
717 currently being used from Third and Fourth Street, so the safety is further enhanced by no longer using  
718 Fourth Street.

719

720 Mr. Dill: That sounds good as a plan, but what actually happens is the traffic coming off Lewis Center  
721 Road takes its choice of Third, Fourth or Fifth Street, all of which lead to Franklin Street which leads to  
722 the parking lot, and all of that traffic ends up on Franklin Street at one point or another. Even if you  
723 completely eliminated Fourth Street, you would still end up having traffic on Franklin Street, so I can  
724 understand how that might enhance safety but in reality it doesn't work that way.

725

726 Mr. Oster: I know we've reviewed this in detail. They did clarify they are doing gravel which is what I  
727 thought was presented the last time.

728

### **MOTION TO APPROVE VARIANCE APPLICATION #VA-20-19**

729

730  
731 Mr. Miller made a motion, predicated on the 7 Duncan versus Middlefield criteria provided, to approve  
732 Variance Application #VA-20-19, North Universalist Unitarian Church; seconded by Mr. Trefz.

733

734 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes  
735 Motion carried

736

737 Mr. Beard: I want to reiterate that the Zoning Permit will have to be applied for the addition. It cannot get  
738 closer than 14' to that right-of-way line; that was part of the application. Other than that, the lighting,  
739 parking lot, those standards must meet the Zoning Code Standards. As long as those are met, there will be  
740 an administrative review process once that application is filed for the Zoning Permit for the addition.

741

742 Mr. Onwukwe: Is the Zoning Permit to be applied for concurrent with the Building Permit application?

743

744 Mr. Beard: The Zoning Permit application is applied for before the Building Permit, then we talk with the  
745 Fire Department. The Building Permit would have to meet all the standards with Delaware County and  
746 that would include Soil and Water and the Health District.

747

### **APPROVAL OF MEETING MINUTES**

748

749  
750 Mr. Oster made a motion to approve the July 16, 2020 meeting minutes of the Orange Township Board of  
751 Zoning Appeals for Variance Application #VA-20-10, Michael Gruskiewicz, with the following  
752 corrections:

753

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

757

758 Seconded by Mr. Shipley

759

760 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Shipley-yes  
761 Motion carried

762

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

- 766
- 767 • Line 44 should read: "...where it's Worship at 5:00 PM, the letters are 8" tall...."
- 768

769 Seconded by Mr. Shipley

770

771 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Shipley-yes  
772 Motion carried

773

774 Mr. Oster made a motion to approve the July 16, 2020 meeting minutes of the Orange Township Board of  
775 Zoning Appeals for Variance/Conditional Use Application #VA-CU-20-12, Sign Vision Co., Inc. as  
776 written; seconded by Mr. Shipley

777

778 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Shipley-yes  
779 Motion carried

780

781 Mr. Oster made a motion to approve the July 16, 2020 meeting minutes of the Orange Township Board of  
782 Zoning Appeals for Conditional Use Application #CU-20-13, Sign Vision Co., Inc. with the following  
783 correction:

- 784
- 785 • Line 243: remove the backslash before the period at the end of the sentence
- 786

787 Seconded by Mr. Shipley

788

789 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Trefz-yes, Ms. Sundar-yes, Mr. Shipley-yes  
790 Motion carried

791

792 Hearing adjourned at 9:20 p.m.

793

794 Minutes prepared by Cindy Davis, Zoning Secretary

795

796 On November 12, 2020, Mr. Oster made a motion to approve the meeting minutes of the Orange  
797 Township Board of Zoning Appeals dated September 17, 2020 for Conditional Use/Variance Application  
798 #CU-VA-20-19, North Unitarian Universalist, with the following corrections:

- 799
- 800 • Change the spelling of "Ritchey" to "Ritchie" throughout the document
- 801 • Change the spelling of "Keefe" to "Keith through the document
- 802 • Line 583: Change semi-colon to comma
- 803 • Line 607 should read: "...and say okay or not okay
- 804

805 Seconded by Mr. Trefz.

806

807 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes  
808 Motion carried

809