

Board of Zoning Appeals

1 **Application #'s VA-CU-20-28 & CU-21-01**

February 18, 2021

LEGAL NOTICE

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4
5 Notice is hereby given that the Orange Township Board of Zoning Appeals will hold a public hearing on Thursday,
6 February 18, 2021, beginning at 6:00 p.m. to consider the following application/s:

7
8 **Variance/Conditional Use Application #VA/CU-20-28 Lifepoint Church (continued),**

9 Seeking variances from the Orange Township Zoning Resolution Article 22 for multiple signs including wall signs,
10 monument signs and vehicular signs. They are also seeking a conditional use for the monument signs. The subject
11 property is located at 7404 Graphics Way Lewis Center, OH 43035 and having parcel number 318-230-01-008-001.
12

13 **Conditional Use Application #CU-21-01 Read Properties LLC,**

14 Seeking a Conditional Use from Section 22.04 of the Orange Township Zoning Resolution for a monument sign in
15 an area zoned Planned Commercial. The subject property is located at 7844 Green Meadows Dr Lewis Center, OH
16 43035 and having parcel number 318-312-03-003-554.
17

18 The hearing will be held virtually using electronic means and can be accessed by the public on the internet on the
19 Zoom application at <https://us02web.zoom.us/j/84788307533?pwd=OG9ONTlxVTQyVFU5cFdQQzNiVXNrdz09>
20

21 During the hearing the public may submit questions and comments to the Board by sending messages to Senior
22 Zoning Officer, Jeff Beard via the Zoom meeting chat room.

23
24 The application and plans are available for inspection for a period of at least 10 days prior to the hearing by e-
25 mailing Jeff Beard at jbeard@orangetwp.org. The Zoning Office is closed to the public during the public health
26 emergency, however zoning staff is available by e-mail during normal business hours of Monday through Friday,
27 8 a.m. to 4:30 p.m., except legal holidays.

28 Following this hearing the Board may meet for general purposes to consider such business as may properly come
29 before it including, but not limited to, consideration and/or approval of minutes, scheduling future hearing dates
30 for this or other applications, and like matters.
31

32 The person responsible for the publication of this notice is Jeff Beard, Orange Township Zoning Department.
33

34 *Jerry Miller, Chairman*
35 *Jeff Beard, Orange Township Zoning Department*
36
37

38 *Please publish one time, on or before Saturday, February 6, 2021 in The Delaware Gazette*

39
40 *Please publish one time, on or before Saturday, January 9, 2021 in The Delaware Gazette*
41

42 Mr. Miller called the hearing to order at 6:00 p.m.
43

44 Roll Call: Aaron Shipley, Punitha Sundar-absent, Rick Oster, Jerry Miller, Kelvin Trefz
45

46 Township Officials Also Present: Jeff Beard, Senior Zoning Officer
47 Michele Boni, Development and Zoning Director
48

49 Mr. Miller administered the oath to those speaking: Anyone who intends to testify, please raise your right
50 hand to be sworn. Do you solemnly swear that the testimony that you are about to give is the truth, the
51 whole truth and nothing but the truth, and state I do. And when it's your turn to offer testimony, please
52 state your full name, address and affirm that you've been sworn in. Anyone who intends to offer
53 comments or testimony through the online chat room function also needs to be sworn in remotely. Before

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54 your initial comment, please type in your name, address and the words “I affirm” to indicate you
55 solemnly swear that the testimony that you are offering is the truth, the whole truth and nothing but the
56 truth.

57

58 **Conditional Use Application #CU-21-01 Read Properties LLC.**

59 Seeking a Conditional Use from Section 22.04 of the Orange Township Zoning Resolution for a monument sign in
60 an area zoned Planned Commercial. The subject property is located at 7844 Green Meadows Dr Lewis Center, OH
61 43035 and having parcel number 318-312-03-003-554.

62

63 Mr. Beard presented the Staff Report and presentation. The applicant is asking for a Conditional Use for the
64 construction of a monument sign. The property is located on the west side of Green Meadows Drive and the south
65 side of Orange Road. North of the site is Planned Industrial District, south is Multi-Family Planned Residential
66 District, east and west is Planned Commercial and Office District. The proposed sign is to be 7’ above grade and
67 located 22’ from the street right-of-way of Orange Road. The sign as proposed will have 2 sides, with sign area of
68 approximately 30-3/10 square feet per side for a total of 60-6/10 square feet. The proposed sign will total
69 approximately 30-3/10 square feet and be setback 22’ from the right-of-way. A sign setback at this distance is
70 permitted 44 square feet per side. The proposed sign will have 3 colors consisting of red, silver and dark gray.

71

72 **APPLICANT PRESENTATION/BOARD QUESTIONS & COMMENT**

73

74 Ginny Robertson, 8469 Payson Drive, Lewis Center, Ohio 43035.

75

76 Mr. Miller: How you’re going to illuminate it; I assume rom internally.

77

78 Ms. Robertson: Correct.

79

80 Mr. Miller: Do you know the lighting color?

81

82 Mr. Oster: One sheet says between 2700 and 3300 Kelvin, and we don’t allow you to go over 3,000.
83 I think everything else meets except for that.

84

85 Mr. Miller: I agree. The red and gray, the color would not be as applicable if it was a white background
86 but that white area still will show through if the Kelvin is too high, and if it’s approved, it would have to
87 be 3,000 Kelvin or below.

88

89 Ms. Robertson: That would not be a problem.

90

91 Mr. Shipley: This seems to meet every requirement that we have with the exception of the 3,300 Kelvin.

92

93 Mr. Miller: It’s a good looking sign. Are there any comments from chat?

94

95 Mr. Oster: I don’t see anything in chat.

96

97 **MOTION TO APPROVE CONDITIONAL USE APPLICATION #CU-21-01**

98

99 Mr. Oster made a motion to approve Conditional Use Application #CU-21-01, Read Properties LLC, with
100 the condition that the color temperature remain between 2,700 and 3,000 Kelvin; seconded by Mr. Trefz.

101

102 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes

103 Motion carried

104

105

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106 Hearing continued with Variance-Conditional Use Application #VA-CU-20-28 Lifepoint Church

107

108 Minutes prepared by Cindy Davis, Zoning Secretary

109

110 On March 18, 2021, Mr. Miller made a motion to approve the February 18, 2021 meeting minutes of the

111 Orange Township Board of Zoning Appeals for Conditional Use Application #CU-21—01, Read

112 Properties,, LLC with the following corrections:

113

- Change the applicant's name to Ginny Robertson throughout the document

114

115 Seconded by Mr. Trefz

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

117 Motion carried

118

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1 **Application #VA-CU-20-28**

February 18, 2021

2
3 **Variance/Conditional Use Application #VA/CU-20-28 Lifepoint Church (continued),**

4 Seeking variances from the Orange Township Zoning Resolution Article 22 for multiple signs including wall signs,
5 monument signs and vehicular signs. They are also seeking a conditional use for the monument signs. The subject
6 property is located at 7404 Graphics Way Lewis Center, OH 43035 and having parcel number 318-230-01-008-001.
7

8 Mr. Beard; Next case is Variance Case #VA-20-28 and like last month I'll go through all the requests, then we can
9 discuss each sign and we'll have to make a motion on each sign after that. Presented Staff Report and presentation.
10 The site is located on the east side of Columbus Pike and west side of Graphics Way. North, south and west of the
11 site are Planned Commercial and Office District, and east is Farm Residential. Sign A is a wall sign on the east
12 elevation. Permitted height is 15' above finished grade; the applicant is proposing 18'2", so a variance of 3'2" is
13 requested. There is no change for this from the previous meeting. Sign B is on the west elevation and are also asking
14 for a variance from the height requirement of 15' from finished grade. This sign will be at 15'2", so a variance of 2"
15 is requested. This also did not change from the previous request. Sign C is on the south elevation and is also a
16 request from the height requirement of 15' from the finished grade. The sign will be placed at a height of 34'6"; a
17 variance of 19'6" is requested. This also did not change from the previous request. Sign D is on the north elevation
18 and is similar to the south elevation. It will be placed at 34'6", so a variance of 19'6" is requested. Sign E will be 4
19 vehicular signs; these signs did change and they're asking for 2 variances. The applicant is proposing the signs to be
20 8.625 square feet per side, a variance of 5.625 square feet per side is requested. This sign changed from 9.6 square
21 feet per side in the original request to 8.625 square feet per side. For sign height, the applicant is proposing Signs E
22 be 6' in height; a variance of 3' is requested. This sign changed in height from 6'4" in the first request to 6' in this
23 request. Sign F is the monument sign along Columbus Pike. For display area, the applicant is proposing to construct
24 the monument sign roughly 18' from the right-of-way of Columbus Pike with a display area of 97-1/2 square feet
25 per side, so a variance of 69-1/2 square feet is requested per side. The square footage per side went from 107-1/2
26 square feet in the original request to 97-1/2 square feet of the new proposed sign for a total of 195 square feet for the
27 sign, so the variance request went from 79-1/2 square feet to 69-1/2 square feet. In the previous request this sign was
28 8'8" and was brought down to 8' to come into compliance with the Code. Also, they had a second monument sign
29 along Graphics Way in the previous request, and they have removed that sign from the request with the updated
30 materials. The applicant is on here and she has a presentation that she would like to go over.
31

32 **APPLICANT PRESENTATION/BOARD QUESTIONS & COMMENT**

33
34 Rebecca Green, Zoning Resources, 74 Glenn Drive, Worthington, Ohio 43085. This is our newly
35 constructed Lifepoint Church and we are excited to bring forth signage that is appropriate for both the
36 Township and this particular designed structure, and to provide some safe ingress, egress and access
37 points to this structure. As Jeff mentioned, our 4 wall signs are the same, so we are not making any
38 modifications to our original request, and we believe it is appropriate for this particular design. We did
39 modify our way finding signs. We are concerned about making sure our site is safe for all the congregants
40 and visitors and we made some modifications to these way finding signs that are labeled Signs E and
41 there are 4 of them. We were concerned about aggregate sign area and also trying to be a little more in
42 tune to the constraints of the Code. We brought this sign down in height 4" so it is now 6' and we reduced
43 the sign area a little so we could stay within the aggregate area as determined by staff. We also removed
44 from our request our second monument sign which was labeled at that time Sign G, and we're just going
45 forward with the primary monument sign on Columbus Pike. We reduced the sign height to 8' and also
46 reduced the overall sign area. We're trying to move the sign area within the aggregate area allowed as
47 determined by staff while still providing the access and safety we need for this site. (Showed where sign
48 would be placed) We have some hardships with respect to light poles, utility boxes, and on the other side
49 of the construction fence there's a retention pond. Summary of changes: Signs A through D, we did not
50 modify our original request. Signs E we reduced the height and overall sign area. We removed Sign G
51 which was the secondary monument sign and reduced the area on Sign F which is our primary monument
52 sign by reducing the height. We moved the aggregate sign area for this site below the 645 that was

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53 allowed. We ask for these variances to be allowed and that a Conditional Use Permit be allowed for the
54 primary monument sign along Columbus Pike.

55
56 Mr. Miller: The way finding signs will be placed in different areas where they are viewed by people who
57 are driving their vehicles, correct?

58
59 Ms. Green: Correct. We have 4 way finding signs, 3 near the access points of the parking for the
60 structure, one tucked in the back where one might become confused of which way to get out of this
61 extensive parking area, so they're helpful in circling the locations. You're in your car driving trying to get
62 to the part of the building related to your use and we're concerned about vehicles moving safely around
63 the site and about our pedestrians. We have a wide variety of pedestrians, children, folks with
64 accessibility issues, so we want to make sure the site is safely navigated, people knowing where they're
65 going, not wandering about, so that's the purpose of these signs.

66
67 Mr. Miller: On your first drawing, W1 as an example, one side of the sign is the south entrance, offices,
68 deliveries with an arrow and the north entrance with an arrow. The other side is "Drawing life from God
69 and pointing others to Him". Way finding signs to me are directional; "Drawing Life from God" is not
70 directional. Is that part of your intent and since there is a height limitation with these and people will be
71 driving in their cars, you've got a lot of space, less than half of it is used. Why not have the ability to
72 lower your heights?

73
74 Ms. Green: It is my understanding that the exact language that's going to be placed on these directional
75 signs has not yet been finalized. They are intended to be directional, making sure people are safely
76 navigating the site, but I could have the sign company, Mr. Rose, elaborate on that.

77
78 Chris Rose, 650 Lyden Court, Gahanna, Ohio, I have been sworn in. We are doing our best to nail down
79 the actual language that will be utilized on both faces of these signs. We believe these will primarily be
80 directional indicators for people leaving and coming into the campus. We just wanted to show a potential
81 example. The "Drawing Life from God and Pointing Others to Him" may be some copy that would be
82 represented there would most likely be some exit type information as well. The language has not been
83 100% set in stone yet. For the height of the signs, our concern was for legibility and visibility when
84 you're in a car where your eyes could remain at a reasonable road level or slightly elevated rather than
85 looking down. These signs are not illuminated and there will be events that occur when we don't have
86 sunlight to illuminate them and in our studies and expertise, we thought the signs would catch the
87 headlights at this height.

88
89 Mr. Miller: Are the signs themselves going to be a satin or a matte type of surface?

90
91 Mr. Rose: A painted aluminum and probably a satin finish.

92
93 Mr. Miller: If it was a matte surface it would help with glare from the headlights but to my original
94 question, when you start with south entrance, offices, deliveries, etc., once you have north entrance and
95 that arrow, you've got a big blank area on each one of these that by lowering them 1' for example would
96 bring you much better in line with Code because you do have a lot of empty area to that sign.

97
98 Mr. Rose: Again, we haven't finalized the actual empty area. These are a few examples of the
99 directionals. I believe more information will populate that, potentially two more lines, so there would be
100 four types of directional information so you could have a south entrance, north entrance and east entrance
101 per se would be below that with an arrow and potentially an exit type piece of information, so lowering
102 that would not allow us to have that ability to populate the copy with some more information. It was our
103 understanding that we were showing the size of the sign and doing everything we could to help get the

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104 aggregate area to where it was while we lowered it and also brought it in width in order to meet our
105 overall allotted aggregate sign area. I think we're going to populate that with information that will help
106 direct traffic and pedestrians that we have not yet covered within the property and the flow of traffic, not
107 knowing what might be needed there to safely move people throughout the campus.

108
109 Mr. Miller: With being the BZA for zoning that is responsible for approval of signage, etc., we have to go
110 by the physical documents, drawings, etc. because we're not allowed to go out and view a site, so we
111 have to go with what's presented to us in writing, drawings, etc., and by the drawings it's basically
112 showing that the lower half of that is empty.

113
114 Mr. Rose: That is our fault in not presenting that with filled information as it was still in limbo as to what
115 that would be.

116
117 Mr. Miller: The other part is if you put too much verbiage in, that could present a safety issue as well so
118 the larger the block with the font size, etc., the easier it is for people to quickly read and understand where
119 they're going.

120
121 Mr. Rose: I think that's part of the reason there was reluctance to finalize all the copy in that area field.
122 That may be able to come up an inch or so in letter height to give us more legibility and quicker visibility
123 for when we're in a vehicular situation.

124
125 Mr. Trefz: The top of all the signs is about 1' in height advertising where they already are. You're
126 wasting a foot of your height in terms of trying to get any directional signage in there and when the height
127 is supposed to be 3' and you're at 6' and it looks like you're not using 2' on the bottom and a 1' on the
128 top, that means you could really use a 3' sign.

129
130 Mr. Oster: I like their signs and I think they should use it for directional signs totally, but you could take
131 that Lifepoint off of the top and put it on the bottom of the sign and we could decrease this by 1'.

132
133 Mr. Trefz: I'm just worried about the height.

134
135 Mr. Rose: The height is in question and the Lifepoint logo can be moved somewhere else. If you're in a
136 vehicle and you're driving around, where are you approximately sitting while you're driving? Maybe 4'
137 or 4-1/2', so I believe we're going to need a variance for the overall height of these signs regardless of the
138 final actual height and because of that non-illuminated factor, because the headlights of the vehicle would
139 be striking the sign and the best visibility. Even ADA signs installed in the interior for better accessibility
140 have to be 48" and 60" to center, so that's where we attempted putting all the copy on the signs for better
141 visibility for both pedestrians and vehicular traffic.

142
143 Mr. Trefz: I understand and appreciate that, but we have to go with what's written in the Code. We might
144 have Code changes later on and we might be behind the times, but you're asking for 200% of what the
145 original sign was designed. That's a huge jump.

146
147 Mr. Rose: I believed the total aggregate square feet was holding us up.

148
149 Mr. Trefz: That was part of it but you still have to have the signs within the regulations. I think you could
150 reduce the height of this just by taking the Lifepoint off and that gets you at 5' rather than 6'; you're
151 coming closer. You probably have good studies, but I also have to look at what's written in our Code.

152
153 Mr. Miller: If you're in a car, you're typically sitting at 3-1/2' to 4' up. When you're driving a car, you
154 should be looking forward from a safety standpoint. The more you look up and away, the less safe it is, so

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155 I go with Mr. Trefz completely, the top you could easily put down. You could actually move it a good 6"
156 to 12" lower than that and have what you're referring to as slight upward. More importantly, that's a lot
157 of wasted area on each one of them.

158

159 Mr. Trefz: And it's not so much the area I'm concerned with at this point, it is the height of the sign.

160

161 Mr. Oster: I think automotive standards for headlights are between 2' and 4' on most cars, so that's going
162 to put the driver over the hood, I would think in good shape at the 5' high level also of sitting in a vehicle.

163

164 Mr. Rose: I would be willing to make the concession to remove the header portion of the signs if that got
165 us all into agreement of the overall height with the reduction of 12".

166

167 Mr. Miller: The applicant, Lifepoint, is asking for "x" and the Board should not be negotiating per se. It's
168 based on what the applicant is requesting. If they were to request a reduction of "x", it's more applicable
169 than us trying to tell you what to do or advise you what to do.

170

171 Ms. Green: I think we would be willing to modify our request. Can that be done during the hearing
172 process itself?

173

174 Mr. Miller: Yes.

175

176 Ms. Green: We verbally ask during this hearing to modify the request that Sign E be at the 5' level. Is that
177 the kind of request we can make?

178

179 Mr. Oster: Yes.

180

181 Mr. Miller: Please keep in mind we have to do it on a sign by sign basis, so whatever changes you would
182 like to make, those have to be done separately and we have to vote on them individually.

183

184 Ms. Green: Yes. My understanding is that there needs to be a motion for each of the signs and we can
185 make those requests to modify at the time we make the motions?

186

187 Mr. Trefz: Before.

188

189 Mr. Oster: Because we'll have to state the variance and how much we're approving.

190

191 Mr. Trefz: The other thing we have to be concerned with is we approve your sign at whatever height it is
192 above the Code and the next person coming to us wants something that's 9' high. You just approved one
193 that's 7' high so it just goes on and on, so we have to be very careful to be consistent.

194

195 Ms. Green: I understand, and our goal with these Signs E is to make sure we have the safe circulation of
196 people on our site, realizing we have an exception and hardship here that we want to work with the Board
197 on. We have over 200 congregants coming in at one time, at several different times during the week, so
198 we have a lot of folks coming all at once as opposed to the Menards where people come a little bit at a
199 time, so it is our belief that this is a hardship because of how this property is going to be used because we
200 want to make sure our congregants and visitors are safe.

201

202 Mr. Miller: Keep in mind the less verbiage in a sign, the safer it is; the less to read, the less to digest. Any
203 other comments or questions from the Board regarding any of the signs?

204

205 Mr. Trefz: On the monument sign, Sign F, there is a pretty wide variance on this sign.

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206 Mr. Oster: They originally wanted 107-1/2 square feet per side.

207

208 Mr. Trefz: I think that went down to 97 square feet.

209

210 Mr. Oster: 97-1/2.

211

212 Mr. Trefz: Still half again as much as what it's supposed to be at that distance. Sign F is still wildly bigger
213 than what should be approved directly without any variance.

214

215 Mr. Shipley: You're still looking at a variance of 69.5 square feet.

216

217 Mr. Trefz: And if the whole sign is 97 square feet, it's pretty high there. I really expected when you came
218 back that this sign would be closer to the prescribed areas for each side.

219

220 Mr. Rose: We did bring it down to the 8' maximum.

221

222 Mr. Trefz: You dropped it 4".

223

224 Mr. Rose: We also brought it in slightly to keep the ratio the same. What we didn't go over again in this
225 presentation was the original presentation which showed some of the other monument signs on the stretch
226 on 23 that had similar sizing that had previously had variances granted. The hardships that are preventing
227 some of the visibility here again is we want people to turn in off 23 and be able to see the property the
228 best they can while not having visual obstructions from the light poles, electric boxes and other things
229 located on the corner. We felt that would give us the best viewing angle for vehicular direction and traffic
230 flow. We have 650 current parking spots and approved expansion to 850 vehicles with 3 services coming
231 in heavily at different times on Sundays as well as other events throughout the week and to best aid, it's
232 not always congregant members and there's always new congregant members, we felt that utilizing this
233 size would give the best vehicular visibility to anyone there. We also moved it back to 18' which places
234 us in the best visual place that we could be between the easements for the water and the retention pond.

235

236 Mr. Oster: As I recall you couldn't go back any further or you'd be in the pond, correct?

237

238 Mr. Rose: Absolutely. We were limited by those easements as shown.

239

240 Mr. Miller: The challenge we have, and if you do a comparison to other entities, their setbacks are further
241 back and some of them designed the graphics themselves as less, but the other part of that is because you
242 are closer to 23. Your existing membership are going to know where to turn in. 69 square feet over what
243 we have in our guidelines which were known when your project started is a bit of a challenge. I'm more
244 than willing to give credence because it is a good church but when it's double, that's a challenge.

245

246 Mr. Shipley: And that's 69.5 square feet is per side. That's a 195 square feet total for the variance.

247

248 Mr. Trefz; Same percentage though.

249

250 Mr. Shipley: Same percentage, but it's substantial.

251

252 Mr. Rose: It is substantial and we humbly ask that you look at the actual footprint of the property as well
253 as the setback and the visual representation that the size of the building somewhat dictates a larger
254 monument sign. Some of the other entities on 23, I know Mt. Carmel was an example where we have a
255 near parallel setback to theirs and they had a sign that was approximately the same square footage per side
256 as well as height above grade as we had gone out and done a field study on that sign. I think in the last

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257 meeting we mentioned as well that the Nationwide sign also along 23 had a much larger sign than the
258 Code would currently allow.

259
260 Mr. Miller: If you do a comparison, the Nationwide sign is 70 square foot per side and they're at a 20'
261 setback so granted you may have topography limitations, but each 1' back does allow you to increase the
262 signage. On top of that, you've got large wall graphics that are almost double what Code allows, and I
263 don't mean to compare you to Menards, but you can see Menards' verbiage from 23 and that's further
264 back than what Lifepoint is going to be. You've got multiple signage on the side of the building as well as
265 the monument sign; that's a lot.

266
267 Ms. Green: One of our concerns is navigating the very busy, congested 23 corridor. We have folks who
268 are turning right, folks turning left across busy lanes of traffic into the access road. Our concern is that we
269 are giving people appropriate visual cues that they know this is where they need to turn into this church
270 area, and we are inhibited from moving the sign further back because of the retention pond and the
271 various easements in existence on that corner. We feel these hardships plus our concern for the safety
272 along 23 to be those factors that require us to have this size of sign.

273
274 Mr. Miller: We do give credence to topography, so that's something that we comprehend and understand,
275 but again, you're almost 100 square feet on each side plus the huge wall signage that you're going to
276 have; people are going to know where to turn in.

277
278 Mr. Trefz: And where that sign is going to be, there's only going to be a right turn in, so no one should be
279 turning going south.

280
281 Mr. Oster: I think what she's saying is they're going to see that sign and know they're going to have to
282 negotiate over for a left hand turn down at the next entrance and come in the back side, so it's still a
283 visual.

284
285 Mr. Trefz: Yes, it's still a visual but that sign isn't the ultimate directional sign because one group has to
286 go down to the next street and the other one has to come in there and if they miss it, they have to go up to
287 the next street.

288
289 Ms. Green: We just have that concern of left hand turners negotiating 23. It's a very busy road with lots of
290 semi-trucks and what have you, and we just want to make sure that we get people safely to the site and
291 that is the point of having that particular size of sign.

292
293 Mr. Miller: Jeff, would you show the front area of 23 with the trees, etc.

294
295 Mr. Rose: If I could remind us all that per your Code, the aggregate area and square foot area that we're
296 looking at is underneath what it dictates, so that does speak to the large stature of the building and this
297 whole campus area, and that's what we're trying to focus on as well to make sure that we were in line
298 with that. This is a substantial building and we want to make sure people have the ability to make these
299 correct vehicular turns.

300
301 Mr. Miller: We understand but again please keep in mind that each one of these signs are all individual
302 that have to be looked at and voted on, so hypothetically, Sign B could be approved and Sign Q could not
303 be approved because we have to look at each individual.

304
305 Jeff showed slide that showed from 23.

306
307 Mr. Miller: This is going to be your right turn as you're heading north, correct?

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308 Mr. Rose: Correct.

309

310 Mr. Miller: So you're going to have a two-sided sign there that's going to be quite large as well as the
311 large wall signs that will be on the side of the building that are also way over.

312

313 Mr. Trefz: Jeff, there's a sign there now in relationship to where that sign is; where would the monument
314 sign be?

315

316 Mr. Beard: Based on where that's supposed to be set back, that's supposed to be 15' from the right-of-
317 way so it should be 3' back. It should be fairly close to where the back of that sign is.

318

319 Mr. Trefz: I think that would be viewable from the southbound traffic even though they can't turn there
320 and have to go down to make a left hand turn.

321

322 Mr. Miller: Especially since the monument sign will not have the future home of; it will be the entire
323 Lifepoint Church sign, so you've got even more exposure for Lifepoint Church on the monument sign.

324

325 Ms. Green: Correct and if you were coming from north to south and turn left at the appropriate left hand
326 turn area, you're trying to get yourself to the right location. The right hand turn lane also is taking up
327 space that would be a little more challenging for the southbound cars to see it. Because of this right hand
328 turn lane, it is pushed even further back from the main part of the road.

329

330 Mr. Miller: True, but you've got an extremely large campus with a large building that will have Lifepoint
331 all over it as well. Whether you're heading north or south, you're going to see a huge campus.

332

333 Ms. Green: It is a substantial building, but many of the buildings along this particular area are substantial
334 with large wall signs and monument signs, so it is fitting to the character of this area.

335 Mr. Shipley: I know there's a retention pond and you can't go back any farther, so there's no more leeway
336 to move that sign back. 10' gets you 80 more square feet on the sign, correct? I don't know if that's an
337 option, I don't know what's Plan B.

338

339 Mr. Rose: As we move closer we are encroaching on that easement as well as the slope on that retention
340 pond. That's why our footprint is limited. You can see the backs of that sign and where that sloping ends.
341 If there was not an easement there, we certainly would have the ability to move that slightly and it's kind
342 of put us in a tough situation as to where we can propose the location of this sign. We understand where
343 you're coming from and we appreciate your consideration for this new campus and new build. Can I ask
344 one clarifying question? If the wall signs on the building, we're not asking for a variance for the actual
345 aggregate square foot area, just a variance for the height on those, is that not correct?

346

347 Ms. Green: That's correct.

348

349 Mr. Rose: So previously, with the build out and with the appropriate architectural spacing for those signs
350 that was somewhat driving that, I understand some of the concerns on the monument sign but for the
351 actual traffic flow, visibility and topography that we're limited to, we tried to present the best solution for
352 all parties involved.

353

354 Mr. Miller: Looking at the Lifepoint on the south elevation for example, on Sign C, what you're asking
355 for is starting at 29'6" and up, so you're going to be 40' above ground level. From a distance, you can see
356 that quite a way, so I understand what you're saying in regard to safety and wanting to give complete
357 visibility for the campus itself but again, with the combined height of your wall signs and your monument
358 sign, I personally think your monument sign is going to be too large.

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359 Mr. Rose: I would ask the Board to recall some of the other examples as well of some of the signage and
360 some of the heights that were pointed out in the presentation a month ago. Menards and Mt. Carmel and
361 their overall height was kind of dictated by the architecture of the building and where the signage
362 evolved. We had some potential attraction that people thought this signage was appropriate for this site.
363 We tried to reduce some of the area and I appreciate the Board's position where they have to set some
364 standards and follow the Code and that is why we're asking for this variance to help us.

365
366 Mr. Oster: It won't be our largest sign.

367
368 Mr. Miller: These are things that we have to go by as the BZA, the Duncan versus the Village of
369 Middlefield for area variance requirement and I'm going to point out two critical ones. One is is the
370 variance substantial. Substantial to some people may be 10% more, or 20% more or 40% more or 50%
371 more; that has to be part of the consideration. Number 5, whether the property owner purchased the
372 property with the knowledge of the zoning restrictions, so we have to go by things that are zoning
373 requirements, so when Lifepoint purchased this area and they sat down with their architects and engineers
374 to design the building, I'm sure they had to have a strong understanding of the type of signage you
375 wanted, whether it be the monument sign or the wall signage, and if our zoning is at 100 just for example,
376 is that reasonable for an applicant to come in and request something that's going to be 200? 100 versus
377 200 is a big difference. That's what we're running into.

378
379 Mr. Rose: I can't speak to Lifepoint's knowledge and in-depth consideration of the Sign Code when the
380 property was purchased. What I can speak to is doing signs for the last 10 years of my career. I don't
381 know the percentage, but an overall majority of owners have no idea about Sign Code. They are not at all
382 really aware of as I'm constantly explaining the limitations that they have. I'd like to think that educated
383 people would look into that prior to making substantial business decisions but I do know that I am
384 constantly educating people on what they can do and unfortunately for me, the signs are one of the last
385 things people think about.

386
387 Mr. Oster: We understand that but our guidelines are in the public domain and if they don't look at them,
388 that's their error, so we have to assume they did.

389
390 Pete Griggs, Township Legal Counsel, I want to point out to the Board that the Duncan v Middlefield
391 factors, you have to consider all of those and it's a balancing test, so they may meet some, they may not
392 meet others; you have to look at all those. Just because they do not meet a factor does not mean that your
393 analysis is over, so we need to look at all the factors and engage in a balancing test.

394
395 Mr. Miller: My point was that the variance is substantial for an example,

396
397 Mr. Griggs: Anything over 25% is considered substantial based on case law, so my point is that's a factor
398 that the Board needs to consider and you still need to consider the other factors.

399
400 Adam Wallace, Lifepoint Church, 7398 Holderman Street, Lewis Center, Ohio, and I've been sworn in. I
401 am the administrative pastor and project manager for Lifepoint for this project. We've been working on
402 this for several years, we purchased a piece of the property in 2017 and purchased the second part of this
403 property in 2019, and I can guarantee the last thing we were thinking about was how big our monument
404 sign was going to be. Our first priority was can we afford this and if it was available. There are a lot of
405 places in Lewis Center that don't have this much area on the frontage of 23. We could have gone back in
406 the woods somewhere and found a piece that was big enough but this is where we wanted to be in Lewis
407 Center and is about ½ mile from our current location. I understand the Code and all you guys have to
408 follow. As we requested a Conditional Use, it was granted by the Board to build a giant facility like this,
409 so I would just ask that you grant us these things that would match the size and intent of the facility

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410 because I feel that it's in line with some of the other things you've asked us to be like in terms of Mt.
411 Carmel. The landscaping in our Conditional Use, the heights of the building, all those things were in our
412 Conditional Use at the beginning, and we tried to honor those as much as possible. We have landscaping
413 across the front that the Board required and that also plays into the signage as well. I feel that shrinking
414 that monument sign and even trying to push it back, creates additional hardship and as you travel along
415 23, those signs are meant to be viewed from different angles, so I feel that the monument sign is going to
416 be very small if we have to reduce that. If you're coming from the north, these signs on the north side of
417 the building at the entrances, when the trees have leaves on them, those signs are hard to see from the
418 north, so having that monument sign is pretty vital for us to put a marker out on 23 so people know where
419 to go and that that is Lifepoint Church.

420
421 Mr. Miller: Any other questions or comments from any of the Board members?
422

423 Mr. Trefz: On the monument?
424

425 Mr. Miller: Yes.
426

427 None
428

429 Mr. Miller: Are there any questions or concerns about any of the other signs?
430

431 Mr. Trefz: The 19' on the Lifepoint, I know the height of the building is there and it looks good but it's
432 still 19' above where it should have been and even if your mind was on can we get the ground, an
433 architect should have checked all of this and said if you're going to put a sign there, that's not going to
434 work, and then you get here and we try to make allowances but if we make too many allowances, then the
435 next person coming in wants those allowances plus some more. We've already seen that. I fully
436 understand your building issue, I've built a few things myself, but the first thing I always do is check
437 what's Code, what are the rules, where is traffic coming from?
438

439 Mr. Wallace: And each project has its own hardships and its own sets of encumbrances that can be
440 considered, so I think we're trying to match what is existing in the community. That was our design intent
441 with the materials, the shape of the building, the look of the building, our paneling looks like the Orange
442 Library. I think that's what we were going for in the full extent of our project. I think as we look around
443 Lewis Center and Orange Township, we're trying to match exactly what the community already has in
444 play
445

446 Mr. Miller: But on the other side of the coin, you've directly compared to Nationwide and Nationwide or
447 anyone else, they're doing the same thing and what happens is if we allow one and it goes over by 10%,
448 then somebody else is going to want to do the same thing and it's going to be over 40% knowing they
449 may feel lucky if they can get 30% but that's still 30% over Code and it causes issues and a quagmire
450 that why not just let everybody do what they want to do without following guidelines but there's a reason
451 why the guidelines and Code are in place, and that's the quagmire we run into as a Board. I respect what
452 you're saying; it just presents a challenge for us.
453

454 Ms. Green: Our goal is to provide an attractive building and a safe structure, a safe access to what will be
455 a very busy area, and this is a structure that was designed to be attractive and something that is
456 appropriate for the best kinds of architecture found in Orange Township. I think you could compare it
457 favorable to some of the best things we see in Orange Township, and our goal is to provide the same kind
458 of attractive signage for this building.
459

460 Mr. Miller: Are there any questions or comments from the chat?

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461 Mr. Trefz: It's empty.

462

463 Mr. Miller: Is there anybody else who would like to speak on behalf of Lifepoint Church or those who
464 have other concerns?

465

466 Mr. Trefz: Jeff, did we get anything from the community on Lifepoint?

467

468 Mr. Beard: No. Menards inquired about it last month but they never responded back after I sent them the
469 plans.

470

471 Ms. Green: We believe the signage is appropriate for the site and that our goal here is to provide an
472 attractive structure with appropriate wall signage and we do have certain topography that is creating
473 hardships for us in the way of retention ponds, easements, the right turn lane. We are trying to provide the
474 appropriate monument sign, and this building and the signage we're requesting is similar to what's in that
475 area. We're not asking for something that we're not already seeing in that area.

476

477 Mr. Oster: One of our largest signs is 70 square foot per side and I believe Nationwide has that one. The
478 car wash is at 60. Would you be agreeable to scale yours down to 70 square foot per side at the setback
479 you're at, realizing that you have a hardship of the water retention pond from your 97.5?

480

481 Ms. Green: I would need to speak to Mr. Rose about that and the church itself.

482

483 Mr. Rose: That's difficult for me to give you an answer. Do we know what the square footage is for Mt.
484 Carmel?

485

486 Mr. Oster: Mt. Carmel has a large setback, so when you start looking at the setback of 4 square feet per
487 side...

488

489 Mr. Miller: 162 square foot per side at a setback of 25 feet.

490

491 Mr. Rose: You're saying the 26 versus the 18?

492

493 Mr. Miller: Right. And 70 square foot at a 20' setback.

494

495 Mr. Rose: So we're at the 18'.

496

497 Mr. Oster: That's why I was looking at that figure that was going to be close to the others.

498

499 Ms. Green: Of course we can't do the 26' setback because we'd be in the pond.

500

501 Mr. Griggs: Was there anything else other than the size of the monument sign that the Board wanted to
502 discuss?

503

504 Mr. Trefz: I brought up the height of the two on the north and south elevations and the vehicle signs.

505

506 Mr. Shipley: Was there anything in terms of lighting or anything else?

507

508 Mr. Oster: I don't really see any problems with anything else. I think the building dictates the Lifepoint
509 signs and where they're at, and I don't think they're egregious in size or unsightly.

510

511 Mr. Trefz: Or the light.

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512 Mr. Oster: And that's not a precedent; it's been done already, so with that in mind and I do like their
513 directional signs, especially since they have amended that to take 1' off the top and move that toward the
514 bottom.

515
516 Mr. Trefz: On the monument sign, what is the color temperature on the interior of that because you have
517 the halo and it looks bright white in the pictures and would be 2,000-3,000 Kelvin or higher.

518
519 Mr. Oster: I think we mentioned that last time.

520
521 Mr. Trefz: But I don't see it this time, so whatever we do, I want to make sure that's part of the motion.

522
523 Mr. Oster: Actually we could go through these and approve some of these signs and not the monument,
524 and they could return for the monument, correct?

525
526 Mr. Miller: Yes. With that in mind, Rebecca, if you need to go back to your board, and I can't or will not
527 tell you what to do but I think you know what I'm going to say so I don't need to say it so it would be a
528 simple scenario of requesting something if you remember the last two meetings that we had in that regard.

529
530 Ms. Green: Do we want to go forward on some of these signs tonight?

531
532 Mr. Miller: Yes we can.

533
534 Ms. Green: And then we can table the monument sign? Is that something we would want to do?

535
536 Mr. Miller: We've tabled this a couple of times; we can't keep tabling it but come to a final realization of
537 what's going to be approved and what's not.

538
539 Mr. Griggs: You have the ability if the applicant requests to continue the application but I do agree that if
540 we can remove some of these signs tonight, we should probably go ahead and do that.

541
542 Ms. Green: That would be fabulous if we could.

543
544 Mr. Miller: Sign A, the initial request, a variance of 3'2" is requested.

545
546 **MOTION TO APPROVE SIGN A FOR VARIANCE APPLICATION #VA-20-28**

547
548 Mr. Oster made a motion to approve Variance Application #VA-20-28, Lifepoint Church, for Sign A for
549 the east elevation for a variance of 3'2"; seconded by Mr. Shipley.

550
551 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes
552 Motion carried

553
554 **MOTION TO APPROVE SIGN B FOR VARIANCE APPLICATION #VA-20-28**

555
556 Mr. Oster made a motion to approve Variance Application #VA-20-28, Lifepoint Church, for Sign B for
557 the west elevation for a height from 15' to 15'2" for a variance of 2"; seconded by Mr. Shipley.

558
559 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes
560 Motion carried

561
562 **MOTION TO APPROVE SIGN C FOR VARIANCE APPLICATION #VA-20-28**

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563 Mr. Shipley made a motion to approve Variance Application #VA-20-28, Lifepoint Church, for Sign C
564 for the south elevation for a variance to allow a sign at 34'6" for a variance of 19'6"; seconded by Mr.
565 Oster.

566
567 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-no
568 Motion carried

569
570 Mr. Miller: Because of the topography and the size of the building that goes with this, I'll vote yes.

571
572 **MOTION TO APPROVE SIGN D FOR VARIANCE APPLICATION #VA-20-28**

573
574 Mr. Oster made a motion to approve Variance Application #VA-20-28, Lifepoint Church, for Sign D for
575 the north elevation for a variance to allow a sign at 34'6" for a variance of 19'6"; seconded by Mr.
576 Shipley.

577
578 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-no
579 Motion carried

580
581 Ms. Green: Mr. Beard, with respect to Signs E, should we proceed with the modified height?

582
583 Mr. Shipley: Yes.

584
585 Mr. Beard: It would be 3.625 square feet per side.

586
587 Ms. Green: And that's the variance math we're looking for?

588
589 Mr. Beard: Yes, that would be the variance amount; the square footage would be 6.625 per side.

590
591 Ms. Green: Lifepoint Church would like to amend their request with respect to Signs E, all four of the
592 vehicular signs, in two ways. The first would be a variance request so that it would be 5' in height as
593 opposed to the 6' in height in our modified request and the second that there be a variance of sign area in
594 the amount of 3.625 square feet per side and ask that our request be amended for Sign E.

595
596 **MOTION TO APPROVE SIGNS E FOR VARIANCE APPLICATION #VA-20-28**

597
598 Mr. Trefz made a motion to approve Variance Application #VA-20-28, Lifepoint Church, for Signs E for
599 the vehicular signs as amended by the applicant for a maximum height of 5' and also with the square
600 footage of 6.625 square feet per side, for a variance of 2' for height and 3.625 square foot variance for
601 display area; seconded by Mr. Oster.

602
603 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes
604 Motion carried

605
606 Mr. Miller: Those are the ones that basically Lifepoint area is going to be removed from the whole sign.

607
608 Mr. Oster: From the top.

609
610 Mr. Miller: Reducing it down that amount.

611
612 Mr. Oster: I'm guessing they'll just shift it to the bottom.

613

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614 Mr. Trefz: All we're concerned with is the height.

615

616 Ms. Green: At this time I'd like to move to table the decision with respect to Sign F, primary monument
617 sign.

618

619 Mr. Griggs: So we're going to make a motion to continue both applications with respect to Sign F to the
620 next regularly scheduled Board meeting.

621

622 Ms. Green: Correct; for both the Conditional Use Permit.....

623

624 Mr. Griggs: And the Variance Request.

625

626 **MOTION TO CONTINUE VARIANCE APPLICATION/CONDITIONAL USE APPLICATION**
627 **#VA-CU-20-28**

628

629 Mr. Miller made a motion to continue Variance Application/Conditional Use Application #VA-CU-20-
630 28, Lifepoint Church, for Sign F until Thursday, March 18, 2021 at 6:00 p.m.; seconded by Mr. Shipley.

631

632 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes

633 Motion carried

634

635 Ms. Green: Mr. Beard, when do you need the modified materials by?

636

637 Mr. Beard: I'll send the packets out March 11th, so if we could have it the beginning of that week.

638

639 **OTHER BUSINESS**

640

641 **Approval of Meeting Minutes:**

642

643 Mr. Miller made a motion to approve the minutes of the Orange Township Board of Zoning Appeals for
644 the meeting dated January 21, 2021 for Variance Application #VA-20-26, Marwan J. Deek & Lora A.
645 Deek, with the following corrections:

646

- 647 • Line 82: Mr. Shipley should read Mr. Oster
- 648 • Line 94: remove the extra ,s
- 649 • Line 219: remove "... " from the end of the sentence

650

651 Seconded by Mr. Trefz

652

653 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes

654 Motion carried

655

656 Mr. Miller made a motion to approve the minutes of the Orange Township Board of Zoning Appeals for
657 the meeting dated January 21, 2021 for Conditional Use Application #CU-20-27, Fischer Homes, with the
658 following corrections:

659

- 660 • Line 94: Ms. Needema should read Ms. Miedema
- 661 • Line 140: Ms. Neema should read Ms. Miedema

662

663 Seconded by Mr. Trefz

664

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665 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes
666 Motion carried

667
668 Mr. Miller made a motion to approve the minutes of the Orange Township Board of Zoning Appeals for
669 the meeting dated January 21, 2021 for Variance Application/Conditional Use Application #VA-CU20-
670 28, Lifepoint Church, as written; seconded by Mr. Trefz

671
672 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes
673 Motion carried

674
675 **Miscellaneous:**

676
677 Ms. Boni: We scheduled a training for all the members on Thursday, March 4 at 6:00 p.m. We wanted to
678 do it on the regular meeting date but because of the application load, we thought it would be best to set
679 aside a special meeting for that, and Pete Griggs will be hosting and presenting that. Any questions that
680 you have, feel free to bring them up at the meeting, this will be a good time for dialogue, all my staff will
681 be there, so this will be a good opportunity for everybody. If you're not able to attend, we will have it
682 recorded on YouTube, so you can watch it at a later date. Also, from my understanding, the Trustees are
683 interested in having in person meetings starting the second quarter, so I wanted to get the temperature of
684 the Board if they were willing to starting that in April.

685
686 All Board members are okay with it.

687
688 Mr. Miller: How are they going to set up the 6' etc.?

689
690 Ms. Boni: I would want it set up with the 6'; I think that's the guidelines the governor has set up too.
691 We'll do our best to comply with all that. If we do have an application that we expect a high amount of
692 attendance, we might go back to virtual but if it's something we can be socially distanced at or we could
693 even have a virtual component just for the public to attend; we'll look into that too.

694
695 Mr. Oster: Is the governor still limiting it to 10?

696
697 Mr. Griggs: I don't know but we do have clients that are holding socially distanced in person hearings
698 now and we've had more than 10.

699
700 Ms. Boni: We'll make sure it's safe for all of us, so in the case that it's not, we won't have it.

701
702 Hearing adjourned at 7:55 p.m.

703
704 Minutes prepared by Cindy Davis, Zoning Secretary

705
706 On March 18, 2021 Mr. Miller made a motion to approve the February 18, 2021 meeting minutes of the
707 Orange Township Board of Zoning Appeals for Variance/Conditional Use Application #VA/CU-20-28,
708 Lifepoint Church, with the following corrections:

- 709
- 710 • Lines 89 and 93: "mat" should read "matte"
 - 711 • Line 104: remove the additional "in"
 - 712 • Line 389: correct the spelling of "Middlefield"
 - 713 • Line 459: "quad runner" should read "quagmire"
 - 714 • Line 635: "arterials" should read "materials"

715

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716 Seconded by Mr. Trefz
717 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes
718 Motion carried
719