

Board of Zoning Appeals

1 **Application #'s VA-20-26, CU-20-27 and VA-CU-20-28**

January 21, 2021

LEGAL NOTICE

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5 Notice is hereby given that the Orange Township Board of Zoning Appeals will hold a public hearing on
6 Thursday, January 21, 2021, beginning at 6:00 p.m. to consider the following application/s:

7
8 **Variance Application #VA-20-26 Marwan J. Deek & Lora A. Deek,**

9 Seeking a variance from Rezoning Case 17677 Wilshire East SF to install an in-ground fiberglass
10 swimming pool with concrete and paver decking that will fail to meet the minimum rear yard setback.
11 The subject property is located at 7526 Hill Gail Ct. Lewis Center, OH 43035 and having parcel number
12 318-421-02-021-000.

13
14 **Conditional Use Application #CU-20-27 Fischer Homes,**

15 Seeking a Conditional Use for a model home under the rezoning text for Rezoning Case ZON-17-10
16 Grand Pointe at North Orange. The subject property is located at 107 Corduroy Rd. Delaware, OH
17 43015 and having parcel number 318-230-19-001-000.

18
19 **Variance/Conditional Use Application #VA/CU-20-28 Lifepoint Church,**

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

24
25 The hearing will be held virtually using electronic means and can be accessed by the public on the
26 internet on the Zoom application at

27 <https://us02web.zoom.us/j/88268483490?pwd=TmFCWXoreTFGd0xHTEwrVHpEc2J6dz09>
28

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

31
32 The application and plans are available for inspection for a period of at least 10 days prior to the
33 hearing by emailing Jeff Beard at jbeard@orangetwp.org. The Zoning Office is closed to the public
34 during the public health emergency, however zoning staff is available by e-mail during normal business
35 hours of Monday through Friday, 8 a.m. to 4:30 p.m., except legal holidays.

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

39
40 The person responsible for the publication of this notice is Jeff Beard, Orange Township Zoning
41 Department.

42
43 *Rick Oster, Chairman*
44 *Jeff Beard, Orange Township Zoning Department*

45
46
47 *Please publish one time, on or before Saturday, January 9, 2021 in The Delaware Gazette*

48
49 Mr. Beard called the hearing to order at 6:00 p.m.

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51 Roll Call: Rick Oster, Aaron Shipley, Punitha Sundar, Jerry Miller, Kelvin Trefz
52 Township Officials Also Present: Jeff Beard, Zoning Enforcement Officer
53 Brett Wiekem, Intern
54

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

63
64 **Variance Application #VA-20-26 Marwan J. Deek & Lora A. Deek,**

65 Seeking a variance from Rezoning Case 17677 Wilshire East SF to install an in-ground fiberglass
66 swimming pool with concrete and paver decking that will fail to meet the minimum rear yard setback.
67 318-421-02-021-000.
68

69 Mr. Beard presented the Staff Report and presentation. The applicant is seeking a 15' variance from the
70 current rear yard setback of 35' for more room for the pool and safety measures. Subject property is
71 located on the west side of Hill Gail Court. The surrounding areas are all zoned Single Family Planned
72 Residential District. To the north, south and west are all single family homes; east is a Wilshire HOA
73 owned empty lot. Exhibit 1 is a site plan showing the dimensions and rear setback encroachments on the
74 west side of the property. Have a digital image showing what the pool would look like. Have site photos,
75 a street view from Google maps shown from the front of the house and one from above. Also have photos
76 from on the site, and the cone is where the setback would go to; it would be where the retaining wall is.
77 Pretty close to the property line are trees.
78

79 Mr. Oster: So the concrete on the side would come over to that?
80

81 Mr. Oster: The back of the retaining wall would come over to that which would end the impervious piece
82 on that. Looks pretty egregious.
83

84 Mr. Trefz: What would be the height of that retaining wall?
85

86 Mr. Beard: I don't know the height. The applicants are on the call, so we can open the floor up to them to
87 speak first and then you can ask questions after, and we do have some residents...
88

89 Mr. Trefz: You have something that you have with the report that you haven't told us?
90

91 Mr. Beard: Yes, we have some letters, some in support and some that have some concerns. Most of the
92 concerns dealt with landscaping for the 2 houses that would be affected behind the property, which they
93 submitted an updated plan showing the new landscaping. Another concern is drainage. Apparently there
94 are drainage issues throughout most of those properties, so that is a concern from nearby residents of how
95 that drainage will be affected.
96

97 Mr. Miller: Mr. Deek, how are you preventing flooding presently since the yard slopes considerably right
98 back into your back deck area and then toward the back of your house?
99

100 **APPLICANT PRESENTATION/BOARD QUESTIONS & COMMEN**
101

Board of Zoning Appeals

102 Marwan Deek and I have been sworn in. 7526 Hill Gail Court, Lewis Center, Ohio 43035, we've had
103 extensive problems; it's actually hard to hear we're not the only people with drainage issues. The
104 drainage situation is what got us to look at redoing the backyard. We've already had to fix our lower level
105 walls a couple of times because the water wasn't draining and coming through the lower level concrete
106 walls at a massive expense. A couple times we had flooding come down there, so I don't know what the
107 grading was like when they first had this area built. We called Delaware County to come out and take a
108 look a few months back, prior to even looking at this project, to see what we can do to alleviate some of
109 the water issues. When we looked at taking on this project, one of our biggest concerns was the drainage
110 because it just seems like we fix it and it just keeps coming back. There are currently French drains; I
111 don't know that they're very effective, but we were going to have drainage at the top of either retaining
112 wall. Since our property slopes so much, I thought it was mainly us that had the problem with the water
113 drainage. Because we have such a slope, it's almost like a river going underneath the lawn during the
114 spring or any time it rains, and when we looked at putting this pool in, one of the biggest things we
115 wanted to address was the drainage. It would be counter to our own interest if we didn't address the
116 drainage because that's one of the prime issues we're dealing with right now.

117

118 Mr. Miller: French drains are very effective if installed correctly and as much water as you're saying is
119 coming in now, you may want to have one put on each side of your house whether you have the pool
120 issue move forward or not. That will help a lot of that flooding.

121

122 Mr. Deek: I know we have one on the south side and another on the north side, and they still haven't done
123 enough, so we're tearing everything up looking at putting in some really heavy duty drainage. Whatever's
124 there now, your point of maybe not have been installed correctly, it was put in by the builder when the
125 house was built, but it really has not been effective for us.

126

127 Mr. Miller: In regard to a French drain, and I'm not an engineer but I have a good understanding of them
128 because I've encountered that same type of issue, you've got to make sure that you've got enough crushed
129 stone, screens and the perforation and pipe itself is large enough to accommodate high volumes of water
130 and make sure your screens are set so they're not going to get easily clogged or they won't do you any
131 good.

132

133 Mr. Deek: Delaware County mentioned the same thing and he actually inspected them, and really
134 couldn't give us any solutions at the time short of digging everything out and look at what we have going
135 on. Even with our backyard which was put in roughly 10 years ago, the current hardscape we have going
136 on back there, the yard itself for a good part of the year is unusable because you can't walk around the
137 house because of the amount of water that is usually sitting or causing the lawn to turn into a muddy
138 mess, so mowing the grass is an issue with that property.

139

140 Mr. Oster: That's what the 2 letters said from the neighbors also.

141

142 Mr. Deek: It's pretty horrendous and I'm assuming the people who have a similar issue are people that are
143 on the same level that we're at and we just happen to be on that down slope. And the purpose of that
144 retaining wall is to be able to put the drainage in and also hold back the soil from coming through because
145 our current hardscape over time has basically been shifted and pushed over because of the amount of
146 water that flows through, so definitely it's something that's not even an option for us to address. That's
147 first and foremost, the drainage.

148

149 Mr. Miller: If you've got a heavy amount of rain that typically comes in the spring, how are you going to
150 keep your pool from effectively not flooding as well and just causing it to be worse?

151

152 Mr. Deek: I assume you're referencing when the pool is open.

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153 Mr. Miller: Unless you've got a hard cover or a very good cover that's going to prevent any moisture
154 penetration, with heavy rains, you're going to get water in your pool.

155
156 Mr. Deek: I'm assuming any overflow should be addressed in the drainage because if there is overflow,
157 the drainage that we currently have that needs to be looked at would be in front of the pool, so the water
158 flowing down would go into those drains. We also will have an automatic pool cover, it's a hard cover for
159 safety purposes alongside the fence, so we are going to have an automatic pool cover.

160
161 Mr. Trefz: I'm going to start with my original question about the height of the retaining wall; to the
162 nearest foot would be fine. It looks like it's almost 4' high in the one picture.

163
164 Mr. Deek: I'm not sure I have that data. The fence is 54" high but as far as the retaining wall, do we have
165 any data on that?

166
167 Mrs. Deek: I don't.

168
169 Mr. Deek: I assume the height of the retaining wall would have to be brought up high enough to meet the
170 ground level above it. I don't foresee the retaining wall exceeding the ground level just because of the
171 slope above it.

172
173 Mr. Trefz: I agree with that but I'm looking at the artist's illustration of what your backyard is going to
174 look like with the pool, and it's drawn on a flat piece of ground and I saw the hillside you're sitting
175 down, so is the fence going to be on top of the retaining wall or inside the retaining wall?

176
177 Mr. Oster: Behind it, behind the shrubbery there.

178
179 Mr. Shipley: Someone earlier also referred to that retaining wall as a sitting wall.

180
181 Mr. Beard: I said that wrong; it's a retaining wall. Depending on how the retaining wall is built, it could
182 affect what we're seeking here tonight.

183
184 Mr. Deek: And I did just get feedback from the contractors saying that it's in the ballpark of 20" or so.

185
186 Mr. Miller: The retaining wall will be 20"?

187
188 Mr. Oster: Yes, you can sit on it according to the pictures. It's higher than the seats that are there in the
189 pictures.

190
191 Mr. Beard: Mr. Deek, do you know if the retaining wall will have footers?

192
193 Mr. Deek: I don't know but we can find out. I would hope so.

194
195 Mr. Beard: If it doesn't have footers, then that changes the variance request. You'd have less of a variance
196 if it doesn't have footers but with your hill, I believe it probably should have footers.

197
198 Mr. Deek: I'd love to say we don't need footers, but given the situation we're dealing with. We've got
199 stones back there that probably weigh multiple tons apiece that have been shifted over by the water
200 coming through.

201
202 Mr. Miller: And if you don't have footers, your retaining wall will not be in its normal position very long.

203

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204 Mr. Deek: It would defeat the purpose of a retaining wall. I was just told they are going to put a footer to
205 the frost line.

206
207 Mr. Miller: That's 3' down.

208
209 Mr. Oster: The nature of water can be hydraulic, it's going to want to push this pool out of the ground, so
210 you already have a water problem; it is going to try to push this pool out of the ground.

211
212 Mr. Miller: Especially with fiberglass.

213
214 Mr. Deek: Did you say push the pool out of the ground?

215
216 Mr. Oster: Hydraulically water is always trying to push whatever is in the ground out of the ground when
217 it gets soaked like that.

218
219 Mr. Trefz: So unless you can drain at the bottom of the pool level.

220
221 Mr. Oster: You're going to have trouble.

222
223 Mr. Trefz: That's up to you but when we look at this, I disagree with your architect or whoever it is if
224 that's 20" on the picture, that's still well below the top of your ground at your lot line, so you've got a lot
225 of fall just to get to that retaining wall. The water's going to pool up around the retaining wall unless
226 there's a drain at the retaining wall, and that drain has to take it out to wherever. I assume your lowest
227 point is your driveway at the street?

228
229 Mr. Deek: Yes. It's just a continuous slope and we will have a lot of drainage up top; that's where we
230 don't have any drainage right now.

231
232 Mr. Miller: The draining issue you're encountering now could get worse even with the French drains
233 unless you have 12" French drains.

234
235 Mr. Trefz: 12" tiles. I was talking about you're going to need 6-8" tile and at least a 12" opening; I would
236 go probably 24.

237
238 Mr. Miller: Then you're going to need 6-8" if not more of stone all the way around that, so if you've got a
239 6" drain plus your tile and 6-8" of stone all the way around it, now you're looking at 2'. We're not trying
240 to scare you off; based on our experience, we're trying to give you some sound advice.

241
242 Mr. Deek: I'm looking for a pool, not a headache. I appreciate all the feedback you're giving because I
243 know you guys have imminently more experience with this stuff than I have ever had. From our
244 perspective, we just wanted to get something in there for the kids and given the situation the past year, it's
245 been a little difficult for them but at the same time, we really need to know what we're getting into versus
246 having to deal with more costly problems down the road. So any feedback, any experience you guys are
247 imparting is appreciated.

248
249 Mr. Oster: You've already had trouble with your basement; you're going to have the same thing with this
250 because your basement is in the same situation as below ground, and any time you have massive water
251 that's below ground, it is hydraulic force against everything that's in the ground. Take an empty cup and
252 fill your sink with water and push that cup down into the water. When it is empty, it naturally pushes it
253 right back up and out.

254

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255 Mr. Miller: Have you had more than one pool company come out and talk to you about this?
256

257 Lora Deek, 7526 Hill Gail Court, I have been sworn in. I had one pool company come out and then I
258 talked to another company where I went to them, and then they just based everything off of our satellite.
259

260 Mr. Oster: And were they aware of the water problem?
261

262 Mr. Deek: They were aware of the water problem; I'm not sure I got the kind of expertise from them that
263 I'm getting in terms of the potential pitfalls we have there. And the water problem is, as the other
264 neighbors have commented, a major concern; we haven't really figured out a way around it.
265

266 Mr. Oster: They said they couldn't even keep grass in the yard it's so wet.
267

268 Mr. Deek: Every time they mow, it just tears everything up. It's pretty bad.
269

270 Mr. Miller, Mr. Oster, I would be willing to put forward a motion to table this and allow the Deeks to
271 come back after they have had an additional pool company come out and discuss the flooding issue of
272 today, the French drains, etc. They can get a fair shot that way and not have to reapply for another permit
273 fee, Mr. Deek, if that's the direction you would like to go. We would need you to request to have this
274 tabled until you can do some additional research.
275

276 Mr. Deek: Yes, I would appreciate if you can table this until we do get more data on this.
277

278 Mr. Oster: I would really pin them down on what kind of guarantee am I going to get, here's the issues
279 I've got with water before you go throwing a bunch of money into something that in two years is all
280 broken up, shifted and moved.
281

MOTION TO TABLE VARIANCE APPLICATION #VA-20-26

282
283
284 Mr. Miller made a motion to table Variance Application #VA-20-26, Marwan J. Deek and Lora A. Deek,
285 until they can do some additional research; seconded by Mr. Oster.
286

287 Mr. Beard: Before we do go with a vote, we had some comments on YouTube and they are neighbors a
288 few houses north of the property, and they had 4 French drains and a drainage system put in, cost them
289 over \$7,000 and they still have issues, they still have standing water. When they purchased the house,
290 they were told there'd be no houses behind them and then Hill Gail Court got developed, it caused the
291 drainage issues. They've been working with M/I, Delaware County, Del-Co trying to get it resolved, so
292 it's pretty much all along down there, and I don't know if you guys contacted Matt Lanum (Delaware Soil
293 & Water).
294

295 Ms. Deek: I have.
296

297 Mr. Beard: And he will come out. I don't know if you can get your HOA to jump on board to help figure
298 out a solution if all the homeowners want to get together if maybe they have to put something big in.
299

300 Mr. Shipley: I've dealt quite a bit with drainage and water doesn't go away; the same amount of water is
301 going to be there, so where is it going and if it's designed to go to a certain spot, how's it going to get
302 there. There's companies, whether it's the drainage company or your landscape company, ought to be
303 able to tell you where that water's going.
304

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305 Mr. Deek: And that's what's a little perplexing; across the street from our house is a nice, massive
306 retention pond.

307

308 Mr. Shipley: So how do you get it there without tearing up your yard? That's the issue.

309

310 Mr. Miller: The retention pond is probably lower than your house is.

311

312 Mr. Trefz: It should be.

313

314 Mr. Deek: It's lower but for some reason for myself and other neighbors, the water's not making it there.

315

316 Mr. Miller: I made the motion, Mr. Oster, you seconded it; Mr. Beard, are you going to take a vote?

317

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

319

320 Motion carried.

321

322 Hearing continued with Conditional Use Application #CU-20-27

323 Minutes prepared by Cindy Davis, Zoning Secretary

324

325 On February 18, 2021, Mr. Miller made a motion to approve the minutes of the Orange Township Board
326 of Zoning Appeals for the meeting dated January 21, 2021 for Variance Application #VA-20-26, Marwan
327 J. Deek & Lora A. Deek, with the following corrections:

328

- 329 • Line 82: Mr. Shipley should read Mr. Oster
- 330 • Line 94: remove the extra ,s
- 331 • Line 219: remove "...” from the end of the sentence

332

333 Seconded by Mr. Trefz

334

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

336 Motion carried

337

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1 **Application # CU-20-27**

January 21, 2021

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4 **Conditional Use Application #CU-20-27 Fischer Homes,**

5 Seeking a Conditional Use for a model home under the rezoning text for Rezoning Case ZON-17-10
6 Grand Pointe at North Orange. The subject property is located at 107 Corduroy Rd. Delaware, OH
7 43015 and having parcel number 318-230-19-001-000.

8
9 Mr. Beard presented the Staff Report and presentation. The subject property is located on the south side
10 of Corduroy Road. To the north, south and east is Planned Commercial District; to the west is Single
11 Family Planned Residential, empty lots owned by Fischer Homes. The house is actually under
12 construction as it was approved as a regular residential permit but is now going to be turned into their
13 model home. Under Conditional Use, they will meet the hours of operation, lighting requirements,
14 parking requirements, screening of trash receptacles, and termination of use. Exhibit 1 shows the house
15 that was permitted, Exhibit 2 is the landscaping plan which shows the lighting and trash receptacle.

16
17 Mr. Miller: What is the parking lot size?

18
19 Mr. Beard: They don't have it specified.

20
21 Mr. Trefz: If the scale is up there 20', the driveway coming into that parking lot isn't 20'. I'd like to see
22 their drawing to see how they're getting four cars in there.

23
24 Mr. Oster: That's what's required, four?

25
26 Mr. Trefz: Six, two in the driveway, so four in the other lot.

27
28 Mr. Miller: Four on the street.

29
30 Mr. Oster: If you came in that drive and headed toward the house, you could definitely slot four in that.

31
32 Mr. Trefz: How wide is your car?

33
34 Mr. Miller: A typical driveway is 16' wide.

35
36 Mr. Trefz: So we need 32' in the area to the left toward the house in order to get four cars in there.

37
38 Mr. Miller: Yes, but I would say it's 40' wide.

39
40 Mr. Trefz: I used a ruler and it wasn't anywhere close to 40', so my first concern is there's not enough
41 parking.

42
43 Mr. Beard: You have roughly 32'.

44
45 Mr. Miller: That's just 16'.

46
47 Mr. Beard showed the sign they are proposing for the site.

48
49 Mr. Miller: Will there be any lighting on this sign?

50
51 Mr. Beard: Their applicant could speak to that but I do not believe there will be as I was in conversation

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52 with the individual who submitted the application.

53 APPLICANT PRESENTATION/BOARD QUESTIONS & COMMEN

54
55
56 Colleen Miedema, Fischer Homes, 7965 N. High Street, Columbus, Ohio 43235 and I have been sworn
57 in. As far as the driveway, I'm trying to look up right now; they did not give me the specific width. We
58 replicated this model home based on another home at Glade at Highland Lakes, so I'm trying to find that
59 parking lot as I believe we had that one where we could fit almost eight cars, so I imagine we would try
60 and do something similar but I will get that information for you. As far as the sign, there will be no
61 lighting.

62
63 Mr. Beard showed the plan showed the as-built submitted for the permit that also shows the model home
64 sign which is roughly 7' from the right-of-way. Had pictures of the exterior elevations and what the house
65 is proposed to look like.

66
67 Mr. Trefz: What is the distance that a sign like that has to be from the right-of-way?

68
69 Mr. Beard: We don't have any standards for model home signage.

70
71 Mr. Oster: That's because it's temporary and they're not allowed actually, so it is a conditional thing. It
72 will have to be removed as soon as it's turned over.

73
74 Mr. Trefz: They don't have to have the Conditional Use now?

75
76 Mr. Beard: They do have to have the Conditional Use the home as a model but the model home section in
77 our Code does not have signage standards and our Sign Code has no standards that regulate model home
78 signs.

79
80 Mr. Trefz: So anybody can put any sign they want in?

81
82 Mr. Beard: It would be up to the BZA to approve it as part of the Conditional Use.

83
84 Mr. Miller: Colleen, how many homes are you building in this entity?

85
86 Charles Romano, Fischer Homes, 7965 N. High Street, Columbus, Ohio 43235. I have been sworn in.
87 We're going to have 35 total homes counting the model. Eventually we will turn that parking area into
88 another home site.

89
90 Mr. Miller: Do you have signage to the front of the subdivision?

91
92 Mr. Romano: We have a community sign that was permitted around the backside of the model almost
93 onto the cross street, on the corner where our property line is.

94
95 Ms. Miedema: I was able to find dimensions for the model parking lot. This one is a little different. We
96 were building the exact same house but it looks like we had a bigger home site next door when we were
97 in Glade at Highland Lakes. This one is going to hold four spaces.

98
99 Mr. Oster: As long as it meets the requirements, that's the key.

100
101 Mr. Miller: Mr. Beard, the road width is 22' wide?

102

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103 Mr. Beard: Where are you seeing that?
104
105 Mr. Miller: On Corduroy Road.
106
107 Mr. Beard: I'm not sure how wide that road is.
108
109 Mr. Miller: If I was reading that correctly, if you're going to have on street parking on both sides, that
110 might be a problem with the Fire Department getting through there.
111
112 Mr. Beard: Are you looking at the 22' on this plan at the entrance of the driveway?
113
114 Mr. Miller: Yes.
115
116 Mr. Beard: That's the width of the driveway. This shows to the edge of the road; it doesn't show the road.
117 There's 11' between the right-of-way and roadway.
118
119 Mr. Miller: If the driveway is 22' wide, that's considerably wider than normal because most driveways
120 are 16'.
121
122 Mr. Shipley: As long as they can put two cars in that driveway going into the parking lot, it meets the
123 requirements which would be our only concern.
124
125 Mr. Oster: Right.
126
127 Mr. Shipley: Is there anything that jumps out that does not meet our Township Conditional Use
128 requirement?
129
130 Mr. Beard: No, because we don't have any specific on the foot candles or anything like that in this area of
131 the Code. It doesn't make us look at the general development standards or any other areas.
132
133 Mr. Shipley: They do comply with the hours they could be open, the exterior lighting requirements, and
134 they specifically addressed all parking requirements, and it appears they intend to meet those
135 requirements.
136
137 Mr. Trefz: On converting the garage to the office, it looked like it was a little close for COVID right now
138 and what is the ventilation?
139
140 Ms. Miedema: I can't speak specifically for the ventilation, but it's treated just as part of the home right
141 now the way it's built, but as far as COVID requirements, our sales counselors are meeting virtually but
142 we're meeting at our model homes by appointment only, so we only allow I believe at max only two
143 adults with a sales counselor. We aren't allowing any children under the age of 16 into the model homes,
144 they're being sanitized daily, masks are required to enter the models, we actually lock the doors. We're
145 here to sell homes but we've turned people away if they have too many people with them. They even have
146 to call a phone number before they can come in because we ask the screen questions to assure everyone's
147 safety.
148
149 Mr. Oster: We're really not here for COVID concerns.
150
151 Mr. Trefz: No, but it was the distance that I was looking at.
152
153 Mr. Oster: It doesn't matter. It's a standard thing for them to do, they make the garage their sales office.

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154
155 Ms. Miedema: Just to clarify, we have not started construction of the model home. We do have the
156 approved zoning permit but we have not started yet. We were waiting for this hearing before we would
157 start the home.

158
159 Mr. Beard: Is that Number 3 that they're working on then?
160

161 Ms. Miedema: Yes.
162

MOTION TO APPROVE CONDITIONAL USE APPLICATION #CU-20-27

163
164
165 Mr. Shipley made a motion to approve Conditional Use Application #CU-20-27, Fischer Homes,
166 provided the parking meets the requirements; seconded by Mr. Oster.
167

168 Mr. Oster: I would also like to restate that that temporary sign would be allowed and will be removed
169 when it changes over to a regular home from the model.
170

171 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes
172 Motion carried
173

174 Hearing continued with Variance Application/Conditional Use Application #VA-CU-20-28
175

176 Minutes prepared by Cindy Davis, Zoning Secretary
177

178 On February 18, 2021, Mr. Miller made a motion to approve the minutes of the Orange Township Board
179 of Zoning Appeals for the meeting dated January 21, 2021 for Conditional Use Application #CU-20-27,
180 Fischer Homes, with the following corrections:
181

- 182 • Line 94: Ms. Needema should read Ms. Miedema
 - 183 • Line140: Ms. Neema should read Ms. Miedema
- 184

185 Seconded by Mr. Trefz
186

187 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes
188 Motion carried
189

Board of Zoning Appeals

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

January 21, 2021

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

4 Seeking variances from the Orange Township Zoning Resolution Article 22 for multiple signs including
5 wall signs, monument signs and vehicular signs. They are also seeking a conditional use for the
6 monument signs. The subject property is located at 7404 Graphics Way Lewis Center, OH 43035 and
7 having parcel number 318-230-01-008-001.
8

9 Mr. Beard: We'll start with the variance case; there's also a Conditional Use associated with this. The
10 subject site is located on the east side of Columbus Pike and west side of Graphics Way. To the north,
11 south and west is Planned Commercial District, to the east is Farm Residential. We are going to discuss
12 briefly each variance request and then the applicant has a presentation they would like to give. Once we
13 go through that and the presentation, we'll open it up to questions, comments and discussion. There are
14 four wall sign variances, a vehicular sign variance and monument sign variances. We'll start with
15 monument signs. I put this in order to discuss minor signs first. Originally the Staff Report was written
16 differently, so the numbers are a little off on this version. The first is a variance from Section 22.04,
17 Conditionally Permitted Signs. Not more than one monument style freestanding sign shall be authorized
18 for any one business establishment. The applicant is proposing the construction of two monument signs.
19 They're seeking a variance for two monument signs. Exhibit 7 shows the two monument sign locations.
20 Sign F is the monument sign along Columbus Pike. They're seeking an area variance from Section 22.04
21 (a)(3)(b). The maximum height of signs shall not exceed 8' above average grade of the site and the sign
22 location is distance from the right-of-way as indicated. The applicant is proposing a monument sign 8'8"
23 above grade; a variance of 8" is requested. Area variance from Section 22.04 (a)(3)(e), the total display
24 area of all surfaces does not exceed 32 square feet or a maximum of 16 square feet per side or surface.
25 The sign is located 15' from the primary frontage street right-of-way line. For each additional 1' setback
26 from the street right-of-way line an additional 8 square feet of total display area or a total of 4 square feet
27 per side or surface will be permitted up to a maximum of 128 square feet of total display area or
28 maximum of 64 square feet per side. The applicant is proposing a monument sign constructed roughly 18'
29 or 19' from the right-of-way of Columbus Pike. It's stated in the application they would be 23-1/2' away
30 from Columbus Pike, but based on the plans submitted, they were not measuring from the right-of-way
31 line; they were measuring from a waterline. Measuring from the right-of-way line, they're only 18' or 19'
32 from the right-of-way of Columbus Pike. They're proposing to have a display area of 107-1/2 square feet
33 per side. A monument sign at the setback of 19' is allowed to have a display area of 32 square feet per
34 side for a total of 64 square feet. A variance of 75-1/2 square feet is requested per side. Exhibit 8 is the
35 image of the sign that is being requested on Columbus Pike.
36

37 Mr. Trefz: This is the first monument, right?
38

39 Mr. Beard: Yes, the one along Columbus Pike. The bottom picture shows where they show the
40 measurements from where the right-of-way is highlighted. Sign G would be the second monument sign
41 they are requesting which is along Graphics Way. The Area Variance from Section 22.04 (a)(3)(e) which
42 is the same with the display area, the applicant is proposing the second monument sign to be constructed
43 6' from Graphics Way and not from the right-of-way. The sign proposed will have 55-8/10 square feet
44 display area per side. The minimum monument sign setback to allow this display is 25' from the public
45 right-of-way. A variance of 31' is requested to allow a sign of this size. However, after reviewing it a
46 little more, they stated in their application that the sign would be 6' from the right-of-way but the plan
47 showed 6' from the property line, and based on that appears the sign will not be outside of the right-of-
48 way. If the sign is determined to be inside the right-of-way, they would not be allowed because signs are
49 not permitted within the right-of-way. Our next variance would go toward the wall signs. Sign A is the
50 east elevation. Commercial and industrial display signs, all display signs shall be mounted on the building
51 which houses the business establishment advertised by such signs except as otherwise specifically

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52 authorized by this resolution. Such signs shall be located on or along a wall of such building which faces
53 street, parking lot or service drive, and shall be located no more than 15' above finished grade or the
54 height of the ceiling of the first floor of the building, whichever is less. The applicant is proposing Sign A
55 on the east elevation be placed at 18'2" from finished grade, so a variance of 3'2" is requested. Sign B is
56 from the west elevation and the applicant is proposing this sign be placed at a height of 15'2" from
57 finished grade. A variance of 2" is requested. Sign C is from the south elevation is to be placed at a height
58 of 34'6" from finished grade. A variance of 19'6" is requested. Sign D is from the north elevation and the
59 applicant is proposing it to be placed at 34'6" from finished grade for a variance request of 19'6". The
60 next variance is Sign E which is four vehicular signs. Section 22.03, Permitted Signs for Vehicular Signs,
61 Directional or other Signs Incidental to Vehicular or Pedestrian Control on private property shall be
62 permitted provided said signs do not exceed 3 square feet of area per side. The applicant is proposing
63 Sign E to be 9-1/2 square feet per side; a variance of 6-1/2 square feet per side is requested. The vehicular
64 signs shall not exceed 3' in height. The applicant is proposing Sign E to be 6'4" from finished grade. A
65 variance of 3'4" is requested. The last variance is an Area Variance from Section 22.06 of the General
66 Regulations. The aggregate sign area or display of all exterior signs of every nature shall not exceed 3
67 square feet for each lineal foot of street frontage of such building up to a maximum of 1,200 square feet.
68 The applicant is proposing 10 signs for exterior of the property which all must be considered for
69 maximum display area allowed. The allowable square footage of display area for this site is based on the
70 frontage along Columbus Pike which is 215'. Based on the calculation of 3 square feet of display area per
71 lineal foot of street frontage, the allowable display area square footage is 645 which would be 215' x 3.
72 When you calculate the square footage for all signs, they equal 781.2 square feet of display area, so a
73 variance of 136.2 square feet is requested. This amount could change depending on approvals or denials
74 of variances before this variance is discussed.

APPLICANT PRESENTATION/BOARD QUESTIONS & COMMENT

75
76
77
78 Rebecca Green, Zoning Resources, 74 Glenn Drive, Worthington, Ohio, and I was sworn in. Lifepoint
79 Church currently has a location they are using off Graphics Way and they desire to expand their location
80 based on the number of their congregants. They desire to be an attractive part of Orange Township and
81 put appropriate signage on their building so it is an attractive and fitting design for the area and they are
82 also very concerned about site safety. They can have a large number of people at this location at one time,
83 so they're very concerned about safe site circulation as well as making sure adjacent streets and byways
84 do not become congested when they are having their larger services. They hired professionals, designed a
85 sign plan that could identify their structure in an attractive way and provide safe circulation in the site and
86 on adjacent byways. The Staff Report I received had the wall signs first, so my slides have those first and
87 not the monument signs; I am just going to continue in this manner. Sign A is the east, B is the west, C is
88 the south and D is the north. This church has a lot of different uses unlike Menards which is our neighbor
89 where you go inside, pick up what you need, pay for it and go back to your car. This building is used in a
90 much different way. There are many different entrances and many different uses in different parts of the
91 building, so it's our desire to make sure people can see the entrance they need and they can use those
92 portions of the building and safely get there; that is our goal. With respect to the north and south eleva-
93 tions, there's a lot of glass, a lot of window space on those elevations in order to provide natural light to
94 our atrium to maximize that natural ambience and illuminate the interior of the church. And that is driving
95 a lot of what is happening with these wall signs. The neighborhood we're in is a more commercial feeling
96 area. It is populated with large box stores as well as great parking lots and warehousing, our southern
97 neighbor is a self-storage area, Mt. Carmel is across the way on the other side of 23 and both the
98 Menards' and Mt. Carmel signs are higher up than the standard that was applied by the Sign Code. Sign E
99 on the east, we have a specific graphic identifier that is the name of our church and it is written in cursive.
100 As part of that identifying graphic, the tail of the letter p is drawn pretty far down and that challenges us
101 in this instance to put the graphic at that lower 15' level. I believe with this particular wall sign we're

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102 looking for a 3'2" variance and again, our desire is to keep that in an attractive location on this building
103 and we have someone here to discuss the materials.

104
105 Austin Poe, 8090 Olentangy River Road, and I have been sworn in. The materials are the ones we
106 discussed a couple years ago. A metal panel with faux wood which is the brown tone, and then there is a
107 fiber cement panel, the darker shade of the gray, which has a light on the underside which will wall wash
108 and soften the elevation which kind of underscores the signage.

109
110 Ms. Green: So the placement of this sign was shown to make sure this is an attractive part of the overall
111 design, including the lighting and the use of the materials here. Again, the long tail of this graphic pushes
112 it higher up in elevation.

113
114 Mr. Miller: This is the east elevation which would be pointing east and not west toward 23?

115
116 Ms. Green: This elevation points toward Graphics Way. One of our concerns is since we have a large
117 number of congregants that may be coming from the south or through the road that goes along Menards'
118 parking lot, so they would be accessing primarily from Graphics Way. We are expecting up to 500 cars
119 per service, so we need to make sure we're managing traffic along Graphics Way as well as along 23.

120
121 Mr. Poe: It is an interesting site, not to mention the power lines which threw a curve ball and needing the
122 site retainage which we worked through, but really facing 23, Creekside and Graphics Way truly is a
123 campus feel, making the large footprint along the three adjacent thoroughfares.

124
125 Ms. Green: That's Sign A on our eastern elevation. There is a similar sign on our west elevation. We've
126 kind of imposed it and this is where you're exiting on the right turn lane onto Creekside going north.

127
128 Mr. Miller: That Lifepoint on the one slide is superimposed strictly as an illustration, correct?

129
130 Ms. Green: Correct. In this instance we're asking for a very small variance of 2" and that would be
131 sufficient. The placement of this particular logo is on the faux wood, correct, Mr. Poe?

132
133 Mr. Poe: This is on the brick.

134
135 Ms. Green: The view from Graphics Way looking north, so this is the south elevation and the sign would
136 be placed where the red bar is over the window. The church desired to have a great amount of natural
137 light in their atrium, so where do we put the sign? The canopy as I understand was not designed for
138 signage but merely for rain/weather protection, so the best place for the sign on this elevation is over all
139 the windows near the top. On the north elevation, the red bar is just an indication of where that would be
140 located and similar conditions apply as the southern elevation; it's a very similar looking entrance with
141 the glass providing the natural light.

142
143 Mr. Poe: There's glass above the canopy and below the canopy as well; it's currently boarded up due to
144 construction progress.

145
146 Ms. Green: With respect to our wall signs, we have several concerns. One is we are attracting folks
147 driving along 23, Graphics Way and Creekside, and we would like to have a sign that identifies our
148 parking, so since we have streets bordering 3 sides of our site, we feel it is necessary to have these wall
149 graphics. We are concerned about traffic coming on 23 and want to make sure that we are strongly
150 identified to avoid any confusion that would cause congestion.

151

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152 Mr. Poe: I was looking through the US 23 Corridor strategic guide that's been produced by MKSK, and
153 they noted in 2018 36,000 to 88,000 average annual daily traffic along the 23 corridor and by 2040 they
154 expect it to be 45,000 to 100,000 average annual traffic with 1 in 9 vehicles as 18 wheeler semi trucks, so
155 as you traverse 23, knowing not only the pace of traffic for a Honda Civic but an 18 wheeler that's long,
156 as you come down making sure you don't miss your turn and cause congestion or an accident at worse.
157

158 Ms. Green: These are our primary concerns. Again this signage plan was fine tuned for those kinds of
159 problems. The wayfinding signs, because this building works less like a Menards and more like a building
160 that is a campus, we felt it was important to have wayfinding signs, I believe your Code defines them as
161 vehicular signs, throughout the campus to make sure our cars, our drivers were able to get around the
162 parking lot, which is substantial, safely. We have positioned one at each of the three access points, the
163 north, northeast and southeast, and the idea is to get you to where you want to go, and just to keep the site
164 safe. Our congregants and visitors range in age, so making sure pedestrians are moving safely and drivers
165 are moving predictably throughout the site is a priority. The reason for the height of these signs is we
166 believe they are appropriate as you drive. They're appropriate for drivers to read with graphics on them
167 that indicate where people want to be and trying to figure out how to get to. These signs have different
168 kinds of information on them; how to get out, how to get to the north entrance, how to find the
169 classrooms. They're all important information and we want to make sure the lettering is sufficient enough
170 that one can see it clearly so you can make decisions without wandering the site perhaps causing other
171 problems. This information is a little more complicated than in, out or exit is being viewed by drivers so
172 they can make good choices. There is a fourth sign in the back corner of the site so if you're trying to get
173 out and can't figure it out, this is the sign that would help you get out of this kind of complicated campus
174 parking area. There is a retention pond in the southwest corner, a detention pond in the northwest corner,
175 trees along the north perimeter along Creekside on the east side of the north access way. This gives you a
176 feel for some of the barriers and problems with monument signs on the site. What's important about
177 monument signs on this site, we want people to see us coming north and south on 23 so people can make
178 good turns and responsible driving decisions. The primary monument sign on 23, we're asking for nearly
179 an 8" height variance but it is a larger area variance and again the reason for this is we are concerned in
180 having so many congregants, visitors coming to this place that would be used for services, weddings, in
181 service trainings and largely attended events where they're concerned about that turn to find what they're
182 looking for. We have a hardship with respect to this retention pond; it is a challenge. We could not put a
183 sign in that, so that pushes that sign closer to Columbus Pike than you would like us to have it. The
184 second sign is placed near an access point also and it is placed there because we have high tension wires
185 that go over our site at the northeast corner. Showed examples of other monument signs in the area; one is
186 10' tall. The primary monument sign is just a gray background with the logo.
187

188 Mr. Trefz: In one drawing of the primary monument sign, it looks like there's blue lighting underneath. Is
189 that actual lighting or is that just the artist?
190

191 Christopher Rose, 650 Lyden Court Gahanna, Ohio 43230, and I have been sworn in. The intention and
192 direction for the aesthetic of the sign did have LED down blue lighting that is represented in this
193 rendering and that is how we have it drawn as well.
194

195 Mr. Oster: How is the upper portion lit?
196

197 Mr. Rose: There is a halo affect by LED's on an interior cabinet where there are two pans that will sit on
198 the exterior side of that as well as the illumination of the Lifepoint Church.
199

200 Mr. Trefz: The Lifepoint Church has its own illumination separate from the halo?
201

202 Mr. Rose: Currently, yes.

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203 Mr. Miller: It's going to put out a lot of light.

204

205 Mr. Oster: I'd like to make note that your base is not as wide as the sign. The base has to be as wide or
206 wider than the sign.

207

208 Mr. Rose: As drawn at 15' wide as the cabinet, we do have the limestone cap in line with that but if the
209 actual brick structural base would need to be the same width, we could do that.

210

211 Mr. Oster: Yes, the base needs to be as wide or wider.

212

213 Mr. Miller: If approved.

214

215 Mr. Rose: This primary monument will not impede an egress leaving the property so some of the
216 positions and sight lines where we had it, it's there based on some of the already in place corridors by the
217 two other companies. Del-Co Water I believe and that was primarily where we had to land the sign
218 because of the retention pond.

219

220 Ms. Green: Slide showed the location for the primary monument sign. Not only do we have problems
221 with the retention pond pushing us closer to Columbus Pike, we also have this green utility sign and
222 utility poles and light poles, so it's important for us to have a large enough sign that can be seen through
223 some of these other items. Showed secondary monument sign rendering. There are some high tension
224 wires on the northeast corner of the site that provide additional problems with signage and general use of
225 the site, accompanied by many trees on the north side which will someday have foliage that will block the
226 view of some of our wall signs. We are trying to provide a sign plan that is appropriate for this building,
227 that enhances its design, is attractive for the residents of Orange Township that will provide safe site
228 circulation for our congregants that will keep the adjacent byways from being congested. Those are our
229 goals for the sign plan that we have proposed.

230

231 Mr. Miller: I'm very familiar with signage and graphics because that's been my entire background and
232 when a property is purchased and an architect starts working with a client, they're well aware of high
233 tension lines, trees, etc., and I understand the concern of safety, but some of this should be well known in
234 lieu of coming in with a request for basically double if not triple the size of signage that's in our existing
235 zoning. That is a little bit perplexing to me of why they would come in for signage requests when the
236 architect should be well aware of our zoning requirements. On one of your drawings it was listed as north,
237 south, east, west. If I'm not mistaken, one of them is listed as snorth; you may want to correct it because
238 it's a legal document. Mr. Beard, what is the size of the Menards', hospital signage, etc.? Part of my
239 reason for asking is the Menards' signage is considerably further back than Lifepoint's would be.

240

241 Mr. Beard: The Mt. Carmel and Menards signs were approved as part of the development text of the
242 rezoning. Mt. Carmel went through a signage amendment with the development text to get those signs
243 approved. The Mt. Carmel monument sign is 9'8" and 162 square feet. The Menards I believe the bottom
244 of the sign was approved at 24'.

245

246 Mr. Miller: Basically they're 100+ square feet for the signage where some of these are approaching 700
247 square feet and yet the signage on the church would be much closer to 23 than what Menards would be.

248

249 Ms. Green: I don't believe we have any single sign that is 700 square feet.

250

251 Mr. Beard: I just went on the monument sign for Mt. Carmel; I don't find the total square footage but may
252 be able to find it if you give me some time.

253

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254 Mr. Rose: It's approximately 20 x 10, 200 square feet on each side, so 400.

255

256 Mr. Shipley: The 700 square feet is the total signage.

257

258 Mr. Oster: I don't believe we've ever granted two monument signs to a single occupant.

259

260 Ms. Green: Our goal is to make sure folks approaching this both on Graphics Way and Columbus Pike
261 have good signage to make sure they can get to us safely.

262

263 Mr. Miller: The Graphics Way speed limit is 25. For somebody to pick up on a much smaller sign would
264 be much easier.

265

266 Mr. Rose: We know that according to the Code, there are some variances being requested. We would like
267 to work in conjunction with you to make this something that we feel would fit in this corridor and go
268 along with the rest of the feel of the signs that are represented by our neighbors. We also understand that
269 there's the undeveloped land off of Graphics Way that eventually may fill in and expand that could
270 potentially offer additional lineal footage as we're calculating all the math based on the Columbus Pike
271 lineal footage. We're not trying to make anything difficult, fully aware of the architectural constraints at
272 the beginning of the project, we just wanted this to be something that Orange Township could see and
273 recognize and with our current 650 parking spaces with an expansion of another 200, so 850 cars coming
274 in and out at certain times, the signage is important that people will be able to view those and lines of
275 sight, and not be making decisions at the last second as this will only have more cars and people coming
276 through here. We would like to take Staff's recommendations based on multiple monuments, we are
277 willing to have discussions of what we can do to make you guys appreciate this package as well.

278

279 Mr. Miller: I don't mean to sound flippant because it's not meant that way in way shape or form, but
280 when it's a scenario you bring to the Board x request and there's a minor deviation such as Sign B, a
281 variance of 2", that's minimal in comparison to some of the other requests that are nowhere close to that.
282 And that presents challenges because it's not a "negotiating" scenario that we are in.

283

284 Mr. Rose: Our apologies if that's what it feels like; that's not our intent at all. Again, safety and
285 recognition is what we're looking for and effective vehicular movement.

286

287 Mr. Miller: There's the red light in front of Menards but as Lifepoint comes on line, I'm sure that in a
288 short time there's going to be another red light put very close to your entity because of the increased
289 business and church traffic that's coming down not only 23 but also Graphics Way, so that's going to
290 slow traffic down which will make everything safer as well.

291

292 Mr. Oster: They've got a right turn lane at that light, so it gets them off of 23 on the double lane.

293

294 Mr. Poe: Part of the future focus of the organized US 23 corridor strategic guide is to assist in the flow of
295 traffic, so I don't know if I believe there's going to be another light provided. The other thing about the 23
296 initiative is to update dated zoning along the 23 corridor, which dated zoning has Farm Residential along
297 the 23 corridor which is an obviously noted misstep that is trying to be approved upon, so I suggest that
298 we stay future focused and achieve the goals of the 23 corridor initiative.

299

300 Mr. Trefz: In terms of safety, have you considered painting the roadways inside 23? Kn the street
301 pavement markers are just as effective as up in the air signs in some cases.

302

303 Mr. Miller: And don't require zoning approval.

304

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305 Ms. Green: I believe it's called tattooing the street and is a common way of moving traffic along. The
306 problem with street tattooing is it doesn't work as well when there's a high traffic volume. It works
307 fabulous when it's an occasional person coming through or a moderate amount of traffic, but when you
308 have high traffic volume as we're anticipating on this site, it is important to have good wayfinding signs
309 that can assist drivers to move appropriately in a high concentrated area.

310
311 Mr. Oster: Jeff, if they were to eliminate the second monument sign by Graphics Way, would that pull
312 their total square footage within Code?

313
314 Mr. Beard: They would still be over a little bit. The square footage along Graphics Way is 55.8 per side
315 so that would be 111.6.

316
317 Ms. Green: So you're close but not quite there.

318
319 Mr. Poe: So we were over 100 and thirty something?

320
321 Mr. Beard: 136.2

322
323 Mr. Oster: So the main monument sign would need to shrink some too to pull us in.

324
325 Mr. Trefz: There's other signs you could play with, the Lifepoint script.

326
327 Mr. Oster: Looking at the way they had it laid out here, I thought their signage on the building fit the
328 building.

329
330 Mr. Trefz: Except its 19' higher than it should be.

331
332 Mr. Oster: I don't have a problem with that; it kind of fits the building.

333
334 Mr. Beard: Menards' total signage was 843 square feet for all their exterior signage. Based on the
335 frontage of their building, they were allowed to have 1200 square feet and they were almost 400 square
336 feet under.

337
338 Mr. Poe: The signage we have high above the 2 entry areas on the north and south, while they're higher
339 than the square foot of those, if you ask me they're undersize for the building.

340
341 Mr. Oster: I think it looks good, the way it's laid out.

342
343 Mr. Trefz: But that goes back to the design of the building.

344
345 Mr. Oster: And I think their signage for moving people around their parking lot is a little tall; they may
346 not need all that height. You could probably save some square footage there also. It looked like you only
347 had two lines of information. Is there any of those signs that are required to be that tall?

348
349 Mr. Rose: I would agree with you. I think the removal of the secondary monument sign and some height
350 reduction on the vehicular signs would get us within the maximum square foot code that is allowed. It
351 was kind of left open ended as the exact copy was not determined. Those signs are not illuminated, it's a
352 large campus and we wanted to catch the headlight beams as best as possible when people were driving
353 around at night. But, based on the math with the removal of the secondary monument sign and I believe a
354 reduction in height of some of the vehicular signs by about a foot or so would still keep us around that 5'
355 area.

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356 Mr. Oster: They just look like they're twice as tall as they need to be.

357

358 Mr. Shipley: Code wise they're more than double.

359

360 Mr. Rose: It will be a little bit short to be able to see while you're driving at 36" but I agree they look a
361 little tall and we should have a little room to reduce our square footage on those.

362

363 Mr. Miller: You could also reduce some of your square footage by reducing or eliminating the halo
364 around your main monument sign on 23. I have a concern of that halo effect along with the Lifepoint
365 which would be in white to be that bright on 23. The combination of the two could be blinding. From a
366 design standpoint, what is your maximum lumen or color temperature?

367

368 Mr. Rose: It varies in the cool blue phase of 4500 to 6000 Kelvin.

369

370 Mr. Miller: That's too bright; it's almost blinding. We request below 3000.

371

372 Mr. Rose: The color is the Kelvin, not the lumen, so if you're asking for the actual lumenation, then
373 below 3000 is achievable and would be speced in the LED.

374

375 Mr. Poe: Chris, correct me if I'm wrong, but the Lifepoint signage itself is a standard day/night sign that's
376 pretty typical on a lot of buildings, right?

377

378 Mr. Rose: Correct. It's a face illuminated sign, the same thing Menards is displaying, and it would be on a
379 photo cell and tied into a timer.

380

381 Mr. Miller: As long as it's under 3000 K, we're fine. The color is more critical than it being 500 watts or
382 200 watts. The color is what's so blinding.

383

384 Mr. Rose: The Kelvin temperature of 3000 is very achievable, so we'll have the diffusion of the white
385 acrylic as well.

386

387 Mr. Miller: Even with that being said, hat Lifepoint and the church and the symbol is going to be bright as
388 it is and you may want to consider eliminating the halo around it which would also reduce your sign size.
389 That halo all the way around on a sign this large is quite a few square feet.

390

391 Mr. Rose: We were taking direction from the client and the church body on the aesthetic and feel for that.
392 The 3000 Kelvin will be achievable. In terms of the square foot reduction, again the secondary monument
393 sign was reduced as well as some signs here. I feel we would get to where we need to be in terms of
394 overall area for the campus.

395

396 Mr. Beard: For the vehicular signs, we look at the display area, so for the square footage of the sign, we
397 only took the square footage from the 2' by this distance which is 4.75'.

398

399 Mr. Oster: If they made their bases higher, they could still be the same height overall but the surface
400 would be smaller, actually almost cut in half it appears from their pictures.

401

402 Mr. Shipley: And definitely still have a few lines on it.

403

404 Mr. Oster: Even if they just move the base up and reduce the sign face, eliminate the monument sign on
405 Graphics Way, I think we'd be good.

406

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407 Ms. Green: Are there other concerns?

408

409 Mr. Beard: Austin keeps bringing up the 23 study. Orange Township did pass a Route 23 Overlay
410 District. The signage allowed in that district is 20' for wall signs, so it increases a little bit but it doesn't
411 get up to the 34' height.

412

413 Mr. Poe: But the conversation about the neighboring facilities and the size of the campus still remains.

414

415 Mr. Miller: But you also have Menards for example that sits quite a bit further back from 23.

416

417 Mr. Rose: Agreed, but Mt. Carmel is approximately the same setback from Columbus Pike. I know you
418 have to make these suggestions, but is there a way with your suggestions on some of the reductions that
419 that we may be able to have a conditional approval now and resubmit the drawings to show the square
420 footage where you would like them and the removal of that secondary monument sign?

421

422 Pete Griggs, Township Legal Counsel, we have a lot of revisions going on and it would be my
423 recommendation that you continue the application to allow the applicant the ability to make some of the
424 suggested revisions and then bring it back, and that way we have all the dimensions and all the signage
425 and we know exactly what we're approving.

426

427 Mr. Miller: With that suggestion, Rebecca, that basically means that you request that we table this for
428 tonight and by requesting to table it for revision, you would not be recharged the application fee.

429

430 Mr. Oster: And go back and take a look at your vehicular signs, see exactly what you need there and what
431 you can do with your bases. Personally, I like your vehicular signs; they're a lot better than being on the
432 pavement, especially for older people. And then going to one monument sign; I just wish that could be
433 put at the 25' mark.

434

435 Ms. Green: That puts us in the retention pond.

436

437 Mr. Trefz: Can you move it north or south and get alongside the retention pond?

438

439 Mr. Poe: The issue is the parking to the south and then to the north it gets pretty ugly as far as power
440 poles, electrical boxes; it's congested with not the prettiest utility equipment, so we'd be right in the thick
441 of all that.

442

443 Mr. Rose: Especially for the southbound traffic on Columbus Pike, there's a line of sight hardship with
444 the aforementioned utility boxes and things on that corner. With the tabling, can I confirm a timing if we
445 do table it, when the next hearing would be and what the deadline would be for submitting our exhibits?

446

447 Mr. Beard: The next hearing is February 18th. We send out a packet a week in advance, so February 11th
448 would be when we send the packet out. If you have the materials in by that Monday, the 8th, or you can
449 get it to me sooner but I'm okay with it by the 8th. Right now I don't know when I'm in the office in
450 February, so we can figure that out too. If I'm in on the 9th, we can have it on the 9th then I can review it
451 and get everything done.

452

453 Mr. Oster: I think if you work on your square footage on your front monument sign, you might be able to
454 decrease that a little and the vehicular signs. Like I said, I like the way you have the building signage up.
455 You've got it on all four sides and it should be adequate for everybody to see. Hopefully you can get that
456 down a little smaller in the front monument sign. One of the largest ones I was thinking about was the
457 Nationwide Insurance down the street and I don't think it's even that big.

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458 Mr. Beard: Nationwide is 70 square feet per side and that's at 9'3", and that was done through their
459 zoning amendment to their development text as they came after Mt. Carmel did it.

460
461 Mr. Trefz: The other thing you need to remember is the base of that monument sign has to be bigger.
462

463 Mr. Oster: Just make it as big as your top blade and you'll be fine.
464

465 Mr. Shipley: On the vehicular signs we talked about reducing the sign face on them. Personally, I like the
466 way they set but if you reduce the face on that, you'd free up some square footage.
467

468 Mr. Beard: Pete, should we table this or do we just need to recess it?
469

470 Mr. Griggs: If you're going to continue the hearing to a time/date/place, so continue the hearing to
471 February 18th at 6:00 p.m. via Zoom.
472

473 Mr. Oster: Then they're going to redraw and refigure, and give us all new figures.
474

475 Mr. Griggs: They'll give you an amended application.
476

477 MOTION TO CONTINUE VARIANCE/CONDITIONAL USE APPLICATION #VA/CU-20-28

478
479 Mr. Oster made a motion to continue the hearing for Variance/Conditional Use Application #VA/CU-20-
480 28, Lifepoint Church, until February 18, 2020 at 6:00 p.m. via Zoom; seconded by Mr. Shipley.
481

482 Vote on Motion: Mr. Oster-yes Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes
483 Motion carried
484

485 Mr. Trefz: One thing I haven't seen in the Code, and maybe I've just missed it, but on vehicular signs, I
486 wonder if the size of the letter should be specified.
487

488 Mr. Miller: Typically it's the display size, not necessarily the letter.
489

490 Mr. Oster: You're not going to get too big of a letter on a 2' wide sign. Even if they shrink those down to
491 2 x2, they're going to have an arrow going this way.
492

493 Mr. Trefz: If you're going 25, 15 mph and you've got a 2" high letter, how visible is that?
494

495 Mr. Oster: A lot of hospitals use that and I think it makes it a lot easier to navigate; people just lock on the
496 arrows. They read sanctuary or whatever; they follow the arrows.
497

498 Mr. Shipley: It's a big area, a big campus, with multiple areas.
499

500 Mr. Oster: They're going all the way around that building. I think going to one monument sign and then
501 shrinking up those vehicular signs will get them into good square footage.
502

503 Mr. Shipley: And those vehicular signs are within the campus.
504

505 Mr. Oster: And their Lifepoint script that's up above the glass...
506

507 Mr. Trefz: They're going to see that long before they see that monument sign.
508

Board of Zoning Appeals

509 Mr. Oster: That's going to be a good spot for them because along with the architecture of the building, I
510 thought it looked quite presentable.

511
512 Mr. Miller: But that's what's irritating. The architects don't care what zoning requires. They do what they
513 want then beg for forgiveness or make us look bad to the client.

APPROVAL OF MEETING MINUTES

514
515
516
517 Mr. Shipley made a motion to approve the minutes of the Orange Township Board of Zoning Appeals
518 dated December 17, 2020 with the following amendments:

VA-20-24, Hong T. Tran & Tranh T. Le

- Line 89: remove the word "encroaches"
- Line 151: "it'd" should read "its"

VA-20-25, Benjamin & Susan Winfree

- Change Joe Schumach to Jim Schmauch throughout the document

529 Seconded by Mr. Trefz

530
531 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes
532 Motion carried

MOTION TO ELECT CHAIR OF THE ORANGE TOWNSHIP BOARD OF ZONING APPEALS FOR 2021

533
534
535
536
537 Mr. Shipley made a motion to elect Mr. Jerry Miller as Chair of the Orange Township Board of Zoning
538 Appeals for 2021; seconded by Ms. Sundar.

539
540 Vote on Motion: Mr. Oster-yes, Mr. Miller-abstain, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes
541 Motion carried

MOTION TO ELECT VICE-CHAIR OF THE ORANGE TOWNSHIP BOARD OF ZONING APPEALS FOR 2021

542
543
544
545
546 Mr. Miller made a motion to elect Mr. Rick Oster as Vice Chair of the Orange Township Board of Zoning
547 Appeals for 2021; seconded by Mr. Trefz.

548
549 Vote on Motion: Mr. Oster-yes, Mr. Miller-yes, Mr. Shipley-yes, Mr. Trefz-yes, Ms. Sundar-yes
550 Motion carried

551
552 Mr. Beard: We have Pete Griggs who is our outside legal counsel that we've contracted with to help us
553 with some situations. One of these days we'll set up a training some evening to go over items and fine
554 tune some things and try and get a more concrete process

555
556 Mr. Miller: You made reference a couple of times during the meeting about upcoming changes in zoning
557 guidelines or things under discussion. I know this was something that was brought up before. Are we
558 going to be part of that discussion?
559

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560 Mr. Beard: Eventually, whenever we do the zoning code update.

561

562 Mr. Miller: Before or after it's done?

563

564 Mr. Beard: Before; we haven't done any of the code update. All we've done is the Route 23 Corridor
565 Overlay District because we got approved to reach out, we'll have Pete look at our request for that and
566 we'll contract out to a consulting firm that will help us rewrite our whole zoning resolution.

567

568 Mr. Trefz: Is the 23 overlay available so we can see it?

569

570 Mr. Beard: It is and it is on our website as part of our zoning resolution. It's Article XX I believe. It
571 shows the maps and where it covers. If you have any questions for Pete, he's on here.

572

573 Mr. Miller: In that regard, are they going to put that overlay in the new 2021 booklets?

574

575 Mr. Beard: It's actually currently in the books.

576

577 Mr. Miller: How is it looking for next month?

578

579 Mr. Beard: Next month we have one application and then the church amending their application.

580

581 Hearing adjourned at 8:20 p.m.

582 Minutes prepared by Cindy Davis, Zoning Secretary

583

584 On February 18, 2021, Mr. Miller made a motion to approve the minutes of the Orange Township Board
585 of Zoning Appeals for the meeting dated January 21, 2021 for Variance Application/Conditional Use
586 Application #VA-CU20-28, Lifepoint Church, as written; seconded by Mr. Trefz

587

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

589 Motion carried