



**MINUTES REGULAR MEETING
REYNOLDSBURG PLANNING & ZONING BOARD
March 7, 2024**

CALL TO ORDER

ROLL CALL

PRESENT: Furst, Barnhart, Benner, Alabi, Kleckley
ABSENT:

APPROVAL OF MINUTES

Minutes stand approved

Planning & Zoning Board - Regular Meeting - 2/22/2024

Minutes stand approved

APPROVAL OF AGENDA

Agenda stands approved

SWEARING IN OF SPEAKERS

Speakers for the evening were sworn in by Mr. Furst.

PUBLIC COMMENT

UNFINISHED BUSINESS

NEW BUSINESS

**App# 2024-0052; 2220 Baltimore- Reynoldsburg Road; Kessler Sign Co.;
Variance**

Ms. Buathier read the staff report into the record.

Mr. Furst reminded the applicant that the factors for a variance must be met and that factors that are analyzed the most are three and four. Factor three is that there exist special circumstances or conditions applicable to the land or structure which are peculiar to the land or the structure and do not apply generally to land or structures in the area and such that would deprive the property owner of the reasonable use of the land or structure. There must be a deprivation of beneficial use as opposed to a mere loss in value. And factor four is that there's proof of hardship or practical difficulty created by strict application of the code, and that this hardship is not self-created, and it's not established on the basis of your purchase of the property, and that it results from the application of the code and is suffered directly by the property in question. Mr. Furst asked the applicant to speak about these matters.

Mr. Kessler explained that they are re-branding all the stores in the greater Columbus area. He explained that they are allowed 400 sq ft, and they are not at that amount. The small letters on the canopy will not be read from the road, and it's nothing more than branding of the stores and trying to keep the branding as much as possible. Mr. Furst asked if the applicant considered this accessory lettering versus a sign and the applicant said, yes.

Mr. Benner asked if they had run into any other difficulties with this throughout Central Ohio. Mr. Kessler said this project has just begun, but they have not had much push back, but they haven't been everywhere.

Mr. Benner explained that staff recommended several conditions to the application and asked if they had an issues meeting those. Mr. Kessler said absolutely not.

Mr. Benner asked the applicant to reiterate the hardship. Mr. Kessler explained the hardship is the branding of the store and making the stores look similar in nature. Mr. Furst asked if they could accomplish the same purpose with lettering on the windows instead of the canopy. (A conversation was had, but unable to be heard on the record). Mr. Kessler explained the way this building was constructed makes them not able to use the brick for signage. Mr. Kessler explained the hardship is that they would ruin the brand and that is important in doing business.

Mr. Furst explained that the board has previously denied applications on similar grounds and if Mr. Benner was inclined to make that argument, that would be consistent with previous findings. Mr. Benner explained that is his issues, it doesn't meet the code. If it doesn't meet the code, then the board is setting a precedent.

Mr. Kessler explained that these signs are for internal purposes, people on the property and not people driving up and down the road. He explained that these letters are four inches and you would have to be within 400ft to read them. The road is more than 400ft away.

Mr. Furst explained that the board typically rules a very strict application of the code and there aren't any restrictions in the code that would allow the board to make a judgment based on readability from the road or the size. The board has to weigh the factors the same for each variance whether it is size of lettering or another logo sign.

Mr Furst explained that he has not heard to his satisfaction, testimony that would support a hardship. Mr. Furst asked the applicant if they would be amenable to the board tabling the application to allow them to bring back additional information regarding the hardship.

Ms. Buathier wanted the board to be aware that the per the zoning ordinance the canopy falls under a wall sign. Due to there being two wall signs the applicant needs a variance. However, staff's position is that because the overall size is so small, it's not meant to be seen from the road, it's not meant to actually be a sign. It is only considered a sign based on how the ordinance is written, which is why staff recommends approval.

Mr. Furst explained it is not clear to him where in the code it permits the board to analyze based on that factor.

****Discussion was had, but not heard.**** I believe it was Mr. Leist asking about the drawings and existing signs.

Mr. Meyer explained that sign is depicted as going away because the applicant worked with staff to remove that or they would be asking for three signs and not two. Mr. Meyer explained it is an existing nonconforming sign.

Ms. Buathier: Part of the issue is that this canopy juts out. So it's not technically a part of the wall that the Duchess is on, because technically, if it was, that area could be counted as one sign if you count the whole square. At which point they would still meet that 400ft. So I think part of that reasoning is that because it juts out, it is a second sign, you can't count it all as one. You know, it's small. It's meant for internal. That's part of the reason why I agree in granting this variance. Because they're not asking for something excessive. They're requesting the minimum. It's not used for wayfinding, but it's still technically considered a design based on how our code is written.

Mr. Kessler asked if the awing was taken down if they could put the sign up and be in compliance. Staff agreed that would work. Mr. Kessler stated that doesn't work because when customers left the building they would get soaked if it was raining. Mr. Furst feels as if their hands are tied because staff has already determined that this canopy is not part of the building and it has to be a sign. Mr. Furst would like to table the application to our next meeting.

Ms. Buathier notified the board that the applicant would have to agree to table the application and that the applicant know that if the application was denied, there's a year waiting period.

Mr. Kessler: We will table the application.

Mr. Benner: I'll second.

RESULT:	Tabled
MOVER:	Furst
SECONDER:	Benner
AYES:	Alabi, Barnhart, Benner, Furst, Kleckley

App# 2023-5630; 441 Waggoner Road; Aurtec Designs LLC; Major Site Plan

Ms. Buathier read the staff report into the record.

Mr. Furst verified that the staff reports were referencing different submittal's and that they were both showing a number of concerns. Mr. Furst asked the applicant if they had anything to add.

Mr. Nwoke's client bought the property from the previous owner who had been working on the site for a while. Mr Nwoke explained this was still a work in progress, and they have made some headway in terms of the layout of utilities. The client had planned to cut and paste what was already presented to the board. Due to Covid, things have changed and things have overlapped. They are still committed to completing this project and getting the plans where they need to be. Originally, they proposed 12 homes, but they have now lost one home due to issues with the cul-de-sac and the fire truck clearance. Mr. Nwoke explained that they are willing to make this work, but will need more time due to going beyond the cut and paste they had originally planned. Mr. Nwoke explained that the lot has a lot of limitations with the 100ft power easement to the north and on the south there's a creek. By adding easements for the road, they have had some issues in terms of defining boundary lines, which is confusion on their end. They would like the opportunity to get this wrapped up and compliant.

Mr. Furst understands the applicant is making efforts to present a plan that the board can make some determination on. Mr. Furst is amenable to allowing additional time and asked the applicant if there was any objection to May 2nd, 2024 deadline.

Mr. Nwoke would like to work with the engineering team on ideas and believes they will need more time than that.

Mr. Furst explained that the board is required by law to render a decision. He suggested them withdrawing the application and when they resubmit, this would start the time over. Mr. Nwoke explained that is another fee that he is trying to avoid.

Mr. Meyer explained that this application has been going since November 2022 and the applicant hasn't been prompt with responses, so he would like a firm date to either move this project along or close it out.

Ms. Barnhart asked the applicant if they have engaged a civil engineer to help with laying out the utilities. Mr. Nwoke said, due to cost, they weren't going into the detail at first, but they do have a civil engineer. Ms. Barnhart explained that this proposal has a lot of things that need to be flushed out, including lot lines, coverage, etc.

Ms. Buathier explained that the applicant is held to this plan if it is approved. So, if something had to be changed, they could potentially have to come back to the board. They are held to this design 100%.

Mr. Furst explained that there's enough ambiguity that the board can't clearly approve this application yet. If they were to apply the code, this would be denied. This would mean the applicant would have to wait a year to come back. Mr. Furst would like to set a deadline and allow the applicant time to get a complete plan. The applicant would like a little more time than was originally noted. The applicant asked for six weeks. Ms. Barnhart proposed an April 25th deadline for the May 16th meeting. Mr. Nwoke agreed to the deadline.

Ms. Barnhart: I propose that we table this application with a deadline of re-submission by April 25th, 2024.

Mr. Furst: I second.

RESULT:	Tabled until the May 16th, 2024 meeting.
MOVER:	Barnhart
SECONDER:	Furst
AYES:	Alabi, Barnhart, Benner, Furst, Kleckley

OTHER BUSINESS

ADJOURNMENT



Planning and Zoning Administrator

Chairman