

MINUTES
REYNOLDSBURG BOARD OF ZONING
AND BUILDING APPEALS
APRIL 15, 2010
6:30 P.M.

A. CALL TO ORDER

1. ROLL CALL

Members Present:	Mr. Lucas Haire Mr. Patrick Feeney Mr. David Stoffel Mr. Norman Brusk Mr. Anthony Rettke
Others Present:	Mr. Matthew Hansen, Planning Administrator

2. APPROVAL OF MINUTES OF MARCH 18, 2009 MEETING

Chairman Brusk: The next order of business is the approval of minutes of March 18th. Is there any corrections or additions? (No response.) Hearing none, they'll stand as presented.

3. APPROVAL OF AGENDA

Mr. Brusk: The next is the approval of the agenda. Do we have any changes on the agenda tonight?

Mr. Hansen: No.

Mr. Brusk: That being said, we'll approve the agenda as written.

4. SWEARING IN OF SPEAKERS

(Mr. Brusk administers the oath.)

5. PUBLIC COMMENT

Mr. Brusk: Is there any public comment for items not on the agenda? Not having a whole bunch of public out there I assume not, which will bring us to Item – New Business, Item C.

B. UNFINISHED BUSINESS - NONE

C. NEW BUSINESS

Mr. Brusk: Would you please read Item 1C.

1. VARIANCE APPLICATION, 2413 TAYLOR SQUARE DRIVE, REYNOLDSBURG, OHIO: REQUESTING A VARIANCE FROM SECTION 1181.03(c)1 OF THE REYNOLDSBURG ZONING CODE TO ALLOW FOR A WALL SIGN TO BE LOCATED ON A WALL THAT IS NOT PARALLEL TO A STREET. CONTACT: PATRICK M. O'LEARY (66-ZV).

Mr. Brusk: All right. Do we have someone here? Would you please state your name and address.

Mr. Patrick O'Leary: Pat O'Leary. And you want the building address?

Mr. Brusk: Doesn't matter.

Mr. O'Leary: 2413 Taylor Square Drive.

Mr. Brusk: All right. Okay. Kind of fill us in on what it is you exactly want.

Mr. O'Leary: Additional building sign on the north side.

(recording failed temporarily, accurate notes of the meeting record are below).

Mr. O'Leary explained to the Board that they thought the wall sign placed on the north side of the building would have better visibility for those traveling south on S.R. 256. The monument would give enough visibility to those traveling north on the road. That is why the location on the north side of the building was chosen.

Mr. Haire said that the adjacent Olive Garden was given a variance to have a wall sign that is not parallel to a roadway. He did not see any particular concern for the variance since access to the site comes from the north on the rear private drive and there is no driveway access from S.R. 256.

Mr. Brusk asked if there were any further questions for the applicant and hearing none entertained a motion.

Mr. Stoffel made a motion to approve Item 1C to approve the variance 38-SE.

Mr. Haire seconded the motion.

(Mr. Hansen called the roll. Mr. Haire voted "yes." Mr. Feeney voted "yes." Mr. Stoffel voted "yes." Mr. Brusk voted "yes." Mr. Rettke voted "yes.")

2. SPECIAL EXCEPTION APPLICATION, 6240 EAST LIVINGSTON AVE., REYNOLDSBURG, OHIO: PRESENT ZONING, COMMUNITY COMMERCE (CC);

PRESENT OWNER'S NAME, VIVAN LLC; REQUESTING APPROVAL FOR A TRANSFER OF APPROVED SPECIAL EXCEPTION FOR A DRIVE THRU TO LESSEE HOAN VUU CO LLC ACCORDING TO SECTION 1145.08(c). CONTACT: J. DOUGLAS STEWART (38-SE).

Mr. Brusk: Please state your name and address.

Mr. J. Douglas Stewart: Good evening, all. My name is J. Douglas Stewart. I'm an attorney here in Reynoldsburg. Immediately to my left is Mrs. Chi Bui who is the current owner of Vivan, LLC and to my far left is Hoan Vu who is an individual who is purchasing the existing liquor store and carryout that actually has a Brice Road address. So the application really is submitted on behalf of Mr. Vu in his capacity as prospective tenant at, what we used to – what I've historically referred to as the old Key Bank building.

Mr. Brusk: Well, I'm a little confused on this. Was this the current wine carryout place on Brice Road?

Mr. Stewart: Correct.

Mr. Brusk: And that we, last month or month before approved moving it to Livingston, is that correct, with the new drive-thru.

Mr. Stewart: We previously submitted an application for a Special Use—

Mr. Brusk: Yeah.

Mr. Stewart: --on behalf of Chi Bui.

Mr. Brusk: Right.

Mr. Stewart: You know, as a condition of her actually acquiring of the property.

Mr. Brusk: Which, at this point in time, is being -- the drive-thru is just being completed.

Mr. Stewart: Correct.

Mr. Brusk: And that is going to be a beer and wine drive-thru.

Mr. Stewart: Correct.

Mr. Brusk: And what you want to do, as I understand it, is keep the other beer and wine on Brice Road.

Mr. Stewart: No, that's not correct. We're going to be closing down the location on Brice Road and the whole operation is then going to be moved to the Key Bank building.

Mr. Brusk: Is that correct?

Mr. Haire: Yeah. They're transferring lessees so it's a transfer of—

Mr. Brusk: (inaudible)

Mr. Haire: --a Special Exception to a new lessee.

Mr. Brusk: Okay. And that has to be approved by the police department also for—

Mr. Haire: Right. They've already applied to transfer the liquor license as well.

Mr. Brusk: And there hasn't been any problems?

Mr. Haire: No.

Mr. Feeney: So we're changing the name here.

Mr. Haire: Changing the operator. That's correct. So we, in July of last year, we approved the Special Exception for this location to allow a drive-thru to be located there. Anytime a Special Exception changes operators, they have to come back through to get transfer of the Special Exception. So, I mean, they've outlined in the packet what the hours of operation are going to be and days of operation and number of employees and all those things. I think it's very similar to what it's been in the past. It's just a new operator that's going to be operating there.

Mr. Brusk: And Hoan, you're going to be running it then? It'll be under your name? Have you done anything in this field before? Do you have a place now or—

Mr. Hoan Vu: (Inaudible)

Mr. Haire: Can you speak into the mic?

Mr. Brusk: You'll need to speak in the mic.

Mr. Vu: Well, in the past and recently I've been working with my friend and helping him out with the liquor store. There's one on Morse Road and helping out one of them in, um – there's one in Sawmill Road—

Mr. Brusk: Okay.

Mr. Vu: --and they are my friends and I've been helping them for a couple years.

Mr. Brusk: Right.

Mr. Vu: And I'm recently helping Chi Bui running the liquor store after hours in the evening and closing, so I have experience with running the liquor store.

Mr. Brusk: Okay. But you haven't owned a store before?

Mr. Vu: No.

Mr. Brusk: I appreciate that. Any other questions? I'm glad I got that cleared up. It had me very confused.

Mr. Haire: Now, the other location – when is the lease up at the other location?

Mr. Stewart: If I remember correctly it's up in October of this year.

Mr. Brusk: They won't be running simultaneously--

Mr. Stewart: No.

Mr. Brusk: --during any time period?

Mr. Haire: No.

Mr. Stewart: The liquor permit at the old location is going to be surrendered if we're successful in the transfer and getting the approval from City and all the other governmental organizations.

Mr. Brusk: With that being said, I will entertain a motion here.

Mr. Stoffel: I'll make a motion that we approve Item 2C for Special Exception 38-SE.

Mr. Rettke: Second.

(Mr. Hansen called the roll. Mr. Haire voted "yes." Mr. Feeney voted "yes." Mr. Stoffel voted "yes." Mr. Brusk voted "yes." Mr. Rettke voted "yes.")

Mr. Brusk: Okay. Thank you very much and very good luck with your endeavor. It looks like really nice work is being done on that building. Glad to see that. That corner with the new store moving in should start improving and we should start seeing a little bit better entranceway to Reynoldsburg.

Mr. Stewart: That's what we're all hoping for. Thank you very much.

D. OTHER BUSINESS

Mr. Brusk: Is there any Other Business to come before us today?

Mr. Hansen: I have none.

Mr. Brusk: No? With that, I guess I will call this meeting adjourned at 06:45:22.

E. ADJOURNMENT

The meeting was adjourned at 6:45 o'clock, p.m.

Norman Brusk, Chair

Matthew Hansen, AICP
Planning Administrator

This document was transcribed by:
Area East Secretarial Service
7668 Slate Ridge Blvd.
Reynoldsburg OH 40368