

MINUTES

REYNOLDSBURG BOARD OF ZONING AND BUILDING APPEALS JANUARY 15, 2009 6:30 P.M.

A. CALL TO ORDER

1. ROLL CALL

Members Present:	Mr. Lucas Haire Mr. Duane White Mr. Chris Long Mr. Norman Brusk Mr. Patrick Feeney
Others Present	Mr. Aaron Domini, Planning Administrator

2. APPROVAL OF MINUTES

Chairman Feeney: Approve the minutes of the November 20th meeting. Are there any changes or deletions on this? (No response.) If not, they will stand approved.

3. APPROVAL OF AGENDA

Mr. Feeney: Are there any changes to the agenda?

Mr. Domini: I guess the one change I would propose is that we vote on the variance first as opposed to Special Exception. I think the agenda was written in reverse at one point. I don't know which version you have but—

Mr. Haire: I think we all got the—

Mr. Feeney: Ours says—

Mr. Haire: --the correct version.

Mr. Domini: We'll vote on the variance first.

Mr. Feeney: Yeah, okay.

Mr. Domini: And I also passed out two letters which are in addition to the packet which you should have all received.

Mr. Feeney: Everyone got the letters that were—

Mr. Brusk : Um-um.

Mr. Feeney: All right. Thank you.

4. SWEARING IN OF SPEAKERS (Mr. Feeney administers oath.)

5. PUBLIC COMMENT

Mr. Feeney: Is there any public comment other than what's going to be brought before us tonight? We have no Unfinished Business, so will you go ahead and read Item C1, please.

C. NEW BUSINESS

1. VARIANCE APPLICATION, 7305 E. MAIN STREET, REYNOLDSBURG, OHIO: REQUESTING A VARIANCE FROM SECTION 1145.10(E) OF THE REYNOLDSBURG PLANNING AND ZONING CODE TO ALLOW A TATTOO ESTABLISHMENT TO LOCATE WITHIN 1,000 FEET OF A PUBLIC PARK, SCHOOL, DAY CARE AND CHURCH. CONTACT: RICHARD MORRISON (40-ZV).

Mr. Domini: Would you like to review C2 since we might review these simultaneously?

Mr. Haire: Just wait.

Mr. Feeney: We'll go ahead and-- Did you said wait? Okay, we'll wait. So, Mr. Morrison, you want to explain what you want to do in front of the Board and then we'll have staff present.

Mr. Richard Morrison: I have a slide presentation.

Mr. Domini: Okay, you can do that first then.

Mr. Morrison: Well, I have to. I mean, it's going to make everybody—

Mr. Domini: They all have monitors.

Mr. Haire: We've all got monitors so we're good.

Mr. Morrison: Oh, you guys have monitors? Okay. How do I – if I move them are you just going to keep it going? All right.

Mr. Haire: Is there a remote?

Mr. Domini: No.

Mr. Morrison: Okay. Good evening. Thanks for coming tonight. I appreciate it. My name is Rich Morrison. I have been a tattoo artist for the last 19 years. I've constantly strived to not only produce award-winning tattoos and artwork, but I have worked diligently to educate the public about professional tattooing. I have accomplished what some consider to be historic strides in the art and the business of tattooing. I am the former owner of Stained Skin Tattoo Studios for 14 years, being voted Columbus' best tattoo studio for the last seven years of my ownership by the readers of the Columbus Alive paper. My experience with tattooing in the tattoo industry have been extensive, having dozens of internationally published articles on myself and my former studio, Stained Skin; winning dozens of awards for the quality of my work and having been a member of the Board of Tattoo Artists that are responsible for creating many of the laws now governing tattoo artists here in Ohio. I also organized one of the country's largest, most reputable tattoo conventions going on today. I have owned my home here in Reynoldsburg for the last nine years and have grown fond of the families and friends that I've grown to know personally. I love living in Reynoldsburg. It has all the convenience located within reach and is growing and expanding daily. The recent improvements that the City has made to its streets and lighting says tons for the progress Reynoldsburg has achieved.

On another note, one very recognizable aspect of this area is the amount of empty storefronts and buildings right now. I believe that the community could use more modern businesses that will ultimately bring other new businesses to the City. I am looking to open one of those modern businesses, a fine art gallery and private tattoo studio. I am currently looking to open Red Tree Tattoo & Art Gallery, at 7305 E. Main Street. This location will provide the people of Reynoldsburg with the highest quality custom, sterile tattooing and have a rotating fine art gallery every month as well as carrying unique apparel, jewelry and care products. I believe that the community will benefit greatly from world class tattooing and the appreciation of the art form.

Tattooing is the 6th fastest growing retail business in the United States today. It is finally recognized as a legitimate business and art form, having overcome many of the stigmas once associated with it. It is a subject of many museums and art galleries across the United States. The cultural status of tattooing has steadily evolved from that of a misfit activity in the 60's to that of a trendy fashion statement in the 90's and is growing even more accepted as we speak. Tattooing has weathered various cycles of popularity and judgment over the years, but has never disappeared or fallen from the public's imagination and lifestyle. Tattoos have long been associated with sailors and military personnel. Nowadays you see all kinds of tattooed celebrities, both men and women, tattooed rock stars, movie stars, professional sports stars like David Beckham, and super models proudly displaying their body art, and other public figures. Even King George V was tattooed. It's on television, it's in the movies, they sell them in gumball machines, they come with children's toys, they make clothing with tattoo artwork on it. It's literally everywhere nowadays. Anyone who has taken even a slightest glance at the mainstream media during the last decade could easily see the current popularity and interest in tattoos. Today, tattooing has continued to take on an increasingly larger, even more visible roll in today's mainstream culture. A recent study done by the

American Academy of Dermatology found that 24% of Americans between 18 to 50 are tattooed. That's one in four people.

We at Red Tree want to be there for that percentage of people that want the best tattoo they can get, performed in the safest environment possible. Our aim with Red Tree Tattoo & Art Gallery is to bring safe, professional artistic tattooing to the City of Reynoldsburg, featuring state-of-the-art sterile practices as well as providing the people of Reynoldsburg an educated insight into the art and history of tattooing. Red Tree will be considered a tattoo art studio featuring custom fine art and top notch tattooing, with the ambiance of an upscale beauty salon. We'll have marketing campaigns aimed at professionals that will have by-appointment services only. Today's fine art tattoo studio draws the same kind of clientele as hair salons, tanning salons, gyms, nail salons, fashion boutiques, and custom jewelry stores. Upon entering, clients will be greeted at the counter by a friendly, educated receptionist. A plush waiting room will be available while clients relax before their appointment. They will be able to view portfolios of each artist allowing them to choose from a variety of styles, study the history of the art form and watch an educational film while they wait.

Recently, I visited local business owners and have found them in favor of an art gallery and custom private tattoo studio. The art gallery will feature new artist showings monthly with opening receptions and artist meet-and-greets. The art gallery will give local artists the opportunity to display and exhibit their work to their local community, all while expanding the artistic community here in Reynoldsburg. The tattooing part of the studio is handicap accessible and will provide four private tattoo rooms that are upstairs, separate from the art gallery portion of the business. We want every client to be comfortable, giving him or her a personal private experience when they are getting tattooed. We hope to finish the basement of the building so that may be used for painting workshops and other artist areas and a place to teach art and photography classes. Tattooing is a historic art form. The building we are looking at 7305 is historic as well. We are looking to retain that historic feel to the building, but will add a new landscape that will please everyone that takes notice of the location. We would like to redo the flooring in the hall of the upstairs and install nice hardwood flooring upstairs to keep the sterility of each room our major focus. The parking situation is perfect as well. The eight-spot parking lot behind the studio is large enough to hold all the clients and workers' vehicles. We would like to clean up the back yard a bit to be more appealing to clients upon first impressions before they enter the gallery. The back yard will have nice benches and a relaxation garden to kick up their feet and enjoy a good book before their appointment.

When one walks into Red Tree Tattoo & Art Gallery they will see an incredibly clean, artistic studio ran by friendly, educated staff. The studio will be open Monday through Saturday between the hours and 1:00 P.M. until 9:00 P.M., opening later for special events like art gallery show openings and painting and photography classes. Red Tree will operate under strict health codes complying with today's standards and above. I have worked closely in the past with the Columbus Health Department to help revise the Ohio Code on tattooing and to make sure every operation of my studios are

above standard. Each client looking for service at Red Tree must also have a valid state photo ID, and a driver's license stating their age and address. All clients must sign legal consent forms prior to getting tattooed and are given intense instructions on how to properly heal and take care of their tattoos.

I hope the Board and citizens of Reynoldsburg see the benefits of Red Tree Tattoo & Art Gallery, the benefits that we will bring to the City of Reynoldsburg. I thank you all for your time this evening and welcome any questions. Hope that wasn't too long.

Mr. Domini: Do you want to go through the presentation?

Mr. Morrison: I'm sorry.

Mr. Domini: Do you want to go through the slideshow?

Mr. Morrison: Yeah. I had it going with key points, but mainly you can see some of the tattoo, the quality of tattoos that we're doing. There's me tattooing and working again. That's a back piece. So these are examples of some of the artistic tattooing that I do. So you see we're not going to be doing anything bad out of there as far as artistically at all. That's a painting of mine. That's in a magazine -- this is one of the articles that I've been featured in. There's another cover for one. Me skydiving. That's how many people we bring into the tattoo convention. We get about 8,000 people over the three days that we have it. It's at the Hyatt Regency downtown and we also do the show in Phoenix, Arizona at the Biltmore Resort & Spa.

Mr. Haire: How many people attend that typically?

Mr. Morrison: About 8,000, too. We've done it in Phoenix one year. We're actually going back Labor Day weekend. We're having it there again, so hopefully it'll be bigger. Huge body modification community out there.

Mr. White: Do you have other locations in the Columbus area?

Mr. Morrison: I'm sorry?

Mr. White: Do you have other locations in the Columbus area?

Mr. Morrison: As far as the convention goes?

Mr. White: Yeah-- No, just tattooing.

Mr. Morrison: I worked out of Stained Skin and I owned that for 14 years and I tattooed at a High Street tattoo for a little while after I sold that and then I did work privately, I travel to different conventions and guest spots.

Mr. White: Okay.

Mr. Morrison: That's just talking about the popularity of tattooing, how it's on television right now. I'm sure you guys have all heard of LA Ink and Inked and all that stuff. There she is.

Mr. Feeney: That's the gal from L.A. Ink.

Mr. Morrison: Angelina Jolie, David Beckham, that logo. And as I'm sure you guys have seen the location there, it's a beautiful location. Front doors, and there's where we're going to have the – that's going to be the fine art gallery part of the business right there. There's enough wall space to hang a lot of nice paintings and stuff. Better view. And this is the art gallery at Stained Skin Tattoo Studio we had. And there's just some of the art crowd coming in to check it out and more crowd. There's the handicap accessibility. I plan on tattooing up in that upper window that overlooks the parking lot, too, so that's already hardwood floored up there. Here's one of the rooms that we want to patch holes in walls, redo the flooring, put in some really nice hardwood flooring. That's the room that I'll be tattooing out of hopefully with the hardwood flooring. Parking lot. The back yard – we really want to clean that back yard up a little bit. There's a lot of stones that seemed to have fallen over time. It'd be nice to kind of re-create that wall, a little cleaner and put some benches out there for people to relax before their appointment. And there's the logo.

Mr. Feeney: Well, okay. Thanks. _____ that's very important with us. I'm sure Board members have questions.

Mr. Brusk: I guess I don't have any questions. I do have a statement. I think that the type of establishment, the quality of what you're presenting is ideal for Reynoldsburg, but not at the location at this time. I think you're in the wrong venue to get this done. My feeling is that there is a regulation that we have that says this type cannot be within a thousand feet of schools.

Mr. Morrison: What is that type?

Mr. Brusk: Well, this group, and I'll give you the group. Pawnbrokers, bookmaking, betting scheme, game of chance, massage establishment, tattoo establishments, body piercing establishments, adult bookstore, adult motion theater, and adult video store. They are grouped as a group. The problem is you're in that group. Anything we do, I feel, to allow a member of that group to have a variance, opens up precedent for all of these and we don't want all of these in Reynoldsburg. The second problem is we have a problem with tattoo parlors in general. Yours is absolutely the type that should be.

Mr. Morrison: Yeah.

Mr. Brusk: And I have no qualms about that. What I do have qualms about are the tattoo parlors I see in various locations throughout Columbus. They, again, would not be and the precedent now is even more set. So the change should be legislative. We're not a legislative body, we're quasi-judicial, which means not actually a judgeship but when we make judge-like decisions on it. My feeling is that you need to petition our Council and have them make a change in the ordinance. I can't see doing the variance which, in effect, would negate an ordinance that's longstanding in the City, and I can't be the judge of what the legislative body would want or wants.

Mr. Morrison: Does this govern the lady doing cosmetic tattooing two doors down? There is actually a lady doing cosmetic tattooing right above the chiropractor with a sign and everything right out front.

Mr. Domini: If I may, I have some points that I think would be helpful before this discussion goes any further. There are establishments right now that require special exceptions. So, Mr. Morrison is correct when he brings that forward to us.

Mr. Morrison: There's also Liquid Visions, another studio—

Mr. Domini: Liquid Visions does have an occupancy permit.

Mr. Morrison: Cause they're right next door to the bar.

Mr. Domini: Well, I want to go through what my findings are on this. This may help the Board with their conversation on the variance. That previous slide, I just want to point out, if you're not familiar with the businesses next door, you have the animal hospital to the west and United Tax Accounting located to the east. This property is zoned CC as you're aware, which special exception's permitted. It's also within the historic overlay district. We do permit special exceptions in the historic overlay district and that is written in the new overlay that we recently adopted. As you know, according to 1145.10(e), we do require a thousand foot buffer for uses that are inclusive of tattoo parlors and we have met with Mr. Morrison, obviously, and discussed this prior to his application. This is the property in question. I think it's important to note and I don't know if it's been said, and if you haven't read Mr. Morrison's documents, that he is planning on purchasing this property, obviously, from what he's implied with his presentation, but contingent upon zoning. I did contact the current person listing the property and got some history on this. I know it's been on the market/off the market for some time. The owner/agent indicated it's been vacant since 2005 to present, so approximately 3-4 years with one tenant being in that space within that time period, who was in there for approximately a duration of eight months. As Mr. Morrison said, this would operate between the hours of 1:00 p.m. and 9:00 p.m., aside from special events, which should, given the nature of the business and hours of operation, should not adversely affect the adjacent properties. It's compatible with the district, that type of hours of use. I think Mr. Morrison stated that this type of use would not have any more impact than other types of business service in terms of traffic, signage, deliveries, and anything of that nature. As you can see, the primary access here would be via Water

Street and I have another shot of that showing the adjacent properties. There are 8 paved spaces back there now. I think there's availability for 10, as well as on-street parking which is permitted on Main Street in this district. On the bottom right here you can see, that's looking from the alley back towards Main Street. That would be Water Street. You have the Automotive Technicians – that shot there is to the left, and the veterinary clinic to the right, and then a shot of the parking area. The applicant's noted most of the tattooing, if not all, will occur upstairs and the first floor will be retained for a retail art gallery. He has submitted a sketch plan to us as to what that will look like and, as you see there, you have the art gallery and waiting area on the first floor. I think these are bathrooms in the back, stairs going up to what would be the area for tattooing. So the first floor would be retained for retail, which would be office compatible, which is what the vision is for that district.

In looking at 1145.10(e), the 1000 foot buffer, I did do an analysis on this and found four properties, which include Hannah Ashton Middle School, JFK and Huber Park, the Presbyterian Church and the New Antioch Bible Fellowship to be within that 1000 foot buffer, which you can see there. That hatched area would be the 1000 feet, so it does include everything from the edge of the Municipal Building over to past Jackson Avenue. I know we haven't gotten to the Special Exception yet, but I can come back to this slide later. What I wanted to point out, Mr. Brusk, I think this is applicable to what you're bringing up, the regulations that we have in place now under 1145 which require the variance for that 1000 foot buffer – I'm just going to jump ahead here. This is talking about the hardship. What I did was I ran a query in our GIS on that 1000 foot buffer, because I wanted to see where we could approve this type of activity – it's a special exception in the code – and try to find a location that would not require a variance in the City. Everything in hatched is within 1000 feet of one of those uses, a church, daycare, school, establishment that sells alcohol or a park. I found two locations, and this was a cursory analysis. I just do what I know is on the street in terms of gas stations, schools, it does not include everything. But I think this would identify two locations that would permit this type of activity. This is the first one, which is on Main Street, and what I'm showing here is in that zoning district that would permit the special exception, you have the Green Tree field and to the south is the cemetery. So at this location there is really no available real estate that would accommodate this type of use. And the second is on Brice, where on one side of the street you have a residential/commercial area and on the other side you have an established business center, and a couple of established businesses. This is approximate. The businesses that I'm showing on that image on Brice Road, it is not exact, just an approximate area, but it is limited. What I found was that when I looked at all this, I came up with less than .25% of the total land area that was available for this type of use. So when we talk about trying to find another location, I just wanted the Board to be aware of the current situation that we have at hand in terms of what space would – could be available if it was on the market, that would not require a variance. I did not look at Broad Street. I didn't feel as though we had subdivided land up there in any nature that would accommodate a small retail use like this. It's big box in nature and a couple of outlots. But Broad Street, as you know, is littered with gas stations that sell alcohol, and I didn't

even do the analysis, but I would bet that would be within 1000 feet of the Meijer, or Target, or gas stations that sell alcohol, so I ruled that out as well.

What I did want to say in addition to that, is when we look at a case – a situation like this, we're looking at what that hardship may be and we have a set of standards that we're supposed to review. It's 1147.05 for the record. Two of those I've pulled in here which I thought spoke most closely to this application. The first is that a variance, when granting, should be in accord with the general purpose and intent of the regulations imposed by this code for the district. The second is that there is proof of hardship or practical difficulty created by the strict application of the code. When I did this analysis, that second one, D, was what I thought most closely related to this application in terms of the strict application of the code creating the hardship. If this Board thought that a hardship, in fact, did exist, I thought the nexus might be closely related to this situation. That would be up for you to make a determination on, but I wanted to provide you with all the information you needed to make a decision on whether or not you felt that that variance should be granted on any of those standards. Ultimately it's your job to look at them all closely, but I didn't see how you could have made a determination without seeing this graphic. I don't think it's been done to date. I don't think this type of analysis has been done or portrayed to the Board when looking at something in terms of that 1000 feet, so I thought it was important for you to see that.

That's all I have on the variance. I had some points on the special exception that I'll bring up after we get there, but I'll turn it back over to the Board now.

Mr. Brusk: I just want to make one quick response. I appreciate what you've said. I have reviewed everything that you did do, because that was in one of the best packages I've ever seen, I mean as far as completeness. Everybody, all the letters that you had. I have no objection to what you want to do, but I can't – I still have the problem that it sets a precedent that I believe we should not set. And, because of that, I'm voting no, but I'm making the strong suggestion you bring this forward before Council and see if you can get them to agree to make the legislative changes that is required by my reckoning – that I feel is required, let me put it that way, to get – whether it be that they pull the tattooing out of this code and reclassify it, or they make less restrictive changes to the code. I would absolutely go forward with this if it wasn't for the precedent of allowing everything else. To me, it's opening a door that I don't want to see opened. So I want you to know—

Mr. Morrison: Sometimes you have to open doors to move forward, though.

Mr. Brusk: I understand.

Mr. Morrison: We think it's going to be a great fit for the community here. We're going to be tattooing primarily upstairs.

Mr. Brusk: I think this would be ideal for the City, I truly do. I just don't know how to do it in this forum. That's my problem. And, with that, I'll let you know that that's where I'm coming from.

Mr. Morrison: Our angle with this, too, is that when the general citizen of Reynoldsburg would walk into our establishment, they're not going to see anybody getting tattooed. They're going to walk into beautiful art, a friendly reception area.

Mr. Brusk: I have no problem with the business. It has nothing to do with that. It only has the fact that we would be allowing something to go in that sets a precedent for things that we don't want to go in and it would be very, very difficult to say no under similar circumstances by my reckoning. I may be wrong.

Mr. White: What actually prohibits this type of activity from being granted a variance if, in fact, there's a hardship that we determine that might exist? Given the fact that I think what's been pointed out is that given the possibilities of a business like this being located in Reynoldsburg are limited to, what, .2 – 5%?

Mr. Domini: Less than. That actually included Green Tree and the cemetery. So if you take that out, arguably you could say that that's not developable or accessible real estate. If you took that out, it would be significantly less than .25% because you could see that made up the bulk of what was available.

Mr. White: What I guess I'm wondering is I guess we go back to even our discussion in the last meeting is that what do we view our function as a Board to be and what is a hardship and does it allow us to actually make a determination on our part on the particular circumstances whether a hardship does exist, or are we restrained by the statute – the code -- in this case it says that no businesses of this type can be within 1000 feet of particular types of entities. Do we ever actually have an opportunity to deviate from that particular requirement at any point in time, or are we restrained always to say that that's strictly what is the case. We cannot ever actually determine if it's a hardship that we vary from that restriction of 1000 feet parameter. That's what I'm wondering at this point in time when you say we're restrained in our interpretation.

Mr. Haire: Mr. White, I agree with what you said there. I think that's exactly the role of this Board. One of our responsibilities is to make interpretations of the code, at 1139, which describes the Board of Zoning and Building Appeals, that is the role of this Board is to make an interpretation and one of the standards for a variance is that the strict application of this code creates a hardship. And, in this case, I think this is a perfect case for a variance, because the strict interpretation of this code allows virtually no area that a business of this nature can locate in. If a precedent is going to be set, we already have a tattoo business that is located in the same strip center as a bar in Reynoldsburg. That situation is created by the fact that we don't regulate alcohol establishments. So if we allow a tattoo establishment, an alcohol establishment can move right next door with no regulation on it. It makes no sense. A school can build right behind it, so we don't regulate it vice versa. I think that this is the perfect case for

a variance, because it meets the standards of a variance. The code is creating a hardship for this type of use.

Mr. Long: But, Mr. Haire, you could also make the same argument, or another individual could, who could be the nicest person in the world, just happens to market adult material, could walk in before this Board and because he is classed in with this group under this code, that I feel that I'm going to be establishing a reputable business, I do accept deliveries, I do provide a product for the public, I will be a viable business for the City of Reynoldsburg. So you, theoretically, could make the same argument for any one of the classifications of those businesses under that restriction.

Mr. Haire: You could under a variance standard, but you'd still have a special exception to grant and that still grants you the authority to consider those conditions and consider whether it's appropriate for that area. In an adult business you also have additional regulations that they're required to be 300 feet from a residential area. There's additional things on top of that. But just discussing the variance, you have that other step of a special exception which we've not discussed yet.

Mr. Long: I understand that. You bring up the other people that are operating in the City of Reynoldsburg who haven't come before us. That's a code issue. That's not our job. I do happen to agree with Mr. Brusk that I think that the proper way to take it would be to approach City Council, get legislative direction, and have tattoo establishments removed from that ordinance. If you're able to go ahead and marshal the code department behind you to be able to get these people in with you, and then approach City Council as a group, as opposed to just one individual, you now have a little bit more weight behind you as well. I received a rather thick packet. Letters of recommendation were glowing all over the place. Part of what concerned me is I didn't see a single letter from either one of the churches, parishioners who attended the church, the parents of the children who go to Hannah Ashton, or residents in the area. It was heavily weighted in one direction. We got no recommendation or opinion from the citizens in the area and, in my mind, that's one of the aspects of what we're looking for as well.

Mr. White: Let me ask you this. Did you have a sign that's required to be placed out there in front of the proposed site indicating that you were applying for a variance and an exception? Did you have a sign?

Mr. Domini: I posted the sign on Wednesday of last week, public notice was given to the newspaper.

Mr. Haire: I think we did receive letters from two businesses in the area in our packets.

Mr. Morrison: Yes, you did. Well, there was one in the packet, there's one here tonight. We tried to get letters from people that we dealt with professionally, mainly safety concerns. We've got the Board of Health, we've got David Veeter from Health

Educators. I mean we personally feel that this business is a perfect fit. You have the nail salon. We do a lot of business with the Frame Warehouse as far as artistically and he's looking at being one of the sponsors of the art gallery and bringing in local artists and stuff like that. Like I mentioned before, there's already somebody literally two doors down that I can look out and see a sign "cosmetic tattooing." I don't know if we're the only ones that actually had to come and jump through any kind of hoops to open—

Mr. Long: But, once again, that's a code enforcement issue.

Mr. Morrison: Yeah, I understand that, but my personal outlook on the situation is that it would be good for the community. It's not going to be—

Mr. Long: I agree with Mr. Brusk on that as well. I have no doubt in the world that you're going to run an upstanding business, you're going to have high class people in and out. But, once again, in my mind, this does establish a precedent to where an individual in what I would consider to be an undesirable business, would be able to approach us and would be able to claim that a precedent had been set.

Mr. Morrison: I think that if – say it would get granted to open – if the next people that came along, I mean we've established and presented a very good presentation for you guys. We've tried to meet every standard in a timely fashion. I just think that it would be good.

Mr. White: I raise a question. If, in fact, a variance is established based on hardship and an application's before us to request a variance because of hardship, then how does the code which basically tells us, "Okay, here's the criteria, but there's a variance to be made based on hardship," how do we ever make an interpretation of that particular application? I mean how do we view that application for a variance when we're actually saying the code restricts us from actually making that determination? Because the code says 1000 feet and the application is saying, "Well, give me a variance on that restriction." If the code predicates you can't have a variance because you can't have anything less than 1000 yards, what's our function?

Mr. Brusk: Yeah, that really isn't the issue that I brought forward. I don't mean to make it that way. But in the situation we have now, if we're saying that there's no place for this business because – which makes it a hardship and we grant the variance based on that as a hardship, we have to do that virtually for any other business/ establishment that's going to come in that meets any of these criteria. You're absolutely right that we have some restrictions that we can do, but there would be no way, as I see it, for a tattoo parlor like the one over on Livingston Avenue to not make that same argument and be anywhere in the City. That's what I – if everything else is met, because we can't say it's a health hazard, or a problem on morals, or anything else like that, because it's meeting virtually all the same criteria, even though the place may be one that you would say, "I don't want this in our City. I don't want this across the street from my school. I don't want this next to my church." That's where I'm coming from. I think I've made my point.

Mr. Domini: At the last meeting we had with Lifeway Christian, we were talking about signage on the side of a building and we talked about not setting that precedent and allowing all businesses to have signage on the side of a building that didn't front a street. We had the same conversation about precedent, about allowing businesses to do the same thing. I think we should just be careful on how we speak on these issues and treat each application—

Mr. Haire: I don't see that precedent is an argument in this case when considering a variance. I mean you're considering this on its application and I understand that you don't want to set a precedence for other businesses that are listed in that category, but that is what the special exception's for, so that you can look at this on a case-by-case basis and look at the type of business, the type of application, the operation of that business, how it's going to run, and how it fits in with the character of the area. So I don't see that precedent is an argument in the variance consideration. We're not setting a precedent. I mean it could be and it could be if an adult business comes in we say the same thing. You know, they would deserve a variance. In my understanding of the code, this is a hardship. And any type of business that comes in under this question – and we do need to address this in the code. I agree. It's something that I'm going to have Aaron start working on immediately, because we need to address it.

Mr. Feeney: I agree. I think it's a great business. It's a great location, great building. I think you do great things. The only problem I have, and I don't have a problem with the variance except for the fact that there are four locations that fall inside this boundary: two churches, two parks and a school – five places. If we were talking about one or two, but we have so many that fall under this. You talk about the letters of recommendation, if there's a way that you could have gotten a letter from these establishments, if you would approach them, then we would have letters from these establishments saying, "Hey, we don't care," or "we're indifferent," or "we're excited about it," or "we don't want it," then we'd have something that we could really hang our hats on. I don't know if that's something you want to tackle.

Mr. Morrison: This is a totally different approach, because when I opened up Stained Skin back in 1994, the City of Columbus is obviously a lot more open. I think coming out here there's a lot more hoops to jump through and I think a lot of it is – I don't want to call it traditional thinking, but a lot of it all resides to the stigma that tattooing's had. I mean obviously that's the mindset of a lot of people these days, you know, they're bikers. We actually create a product out of skill. We don't sell something off the shelf. So it's not the typical business. I understand that.

Mr. Feeney: (Speaking off mic – inaudible) The industry has taken a great step forward and, again, I don't know that it needs to be classified in the same group that—

Mr. Morrison: Yeah, I don't like hearing the adult book store. It's not us.

Mr. Brusk: I agree that it should be changed. I don't have any problem with it. I just don't want to be the mechanism of changing it in effect because this is a widespread one. The rationale that would be used on this would be a rationale that now can be hung on almost every hat of every establishment that wants to come into this city; in effect, negating – totally negating the ordinance and that is not what I feel we should be doing. I feel we have a right to make exceptions; usually the exceptions are that we want to put something in a building in an area that you can't put the traditional buildings and have all the sides the right distance apart and so on, odd shaped lot, things of that nature. Sometimes it's – well, we do quite a few different types of variances. They want to put parking closer to the street or move the building closer to the street, mainly because there is no room, there's nothing left. It's because of the changes of that nature. This one is because of an ordinance we have created the hardship.

Mr. Morrison: A very old ordinance obviously.

Mr. Brusk: And that we don't have a right to change by my reckoning. That is to be changed by the people that write the ordinances. That is the ordinance itself.

Mr. Morrison: I wonder when the ordinance was written, how long ago?

Mr. Feeney: Let me ask Lucas and Aaron, they probably know it a lot better than me, you were kind of throwing this out to him about going to council and asking him to champion the cause about pulling this one thing out of the ordinance. Is that putting a hurdle that is too high?

Mr. Domini: Two things. That's a very difficult process with a hefty price tag to amend the code. There's a lot of paperwork involved, the fee's \$500.00 and I believe, Mr. Brusk, if I heard you right, you're saying the City's putting the burden on him. That's exactly what the code says in the strict interpretation of the code. The City's putting the burden on the applicant and we can't put ourselves in that position, because the applicant should not have the burden of changing the code because of its strict application.

Mr. Haire: That's for us to do.

Mr. Brusk: Excuse me. I don't mean to belabor this, but we don't have a right to change the ordinance and this, in effect, changes the ordinance. I do also want to caution that if this goes through and we do pass it, I believe Council will have their say on it and I don't know what Council's view is on it, but I would be concerned—

Mr. White: Do we know the exact footage of the area's businesses that are in close proximity to this particular business?

Mr. Domini: No.

Mr. White: So let me just throw out another proposition.

Mr. Domini: They're within 1000 feet.

Mr. White: Okay, they're within 1000 feet. So the modification we'd be asking Council to make, if we were to actually have a new code, would be possibly moving the distances maybe 500 feet from any particular location, and then possibly him meeting the requirements. Is that the modification we're talking about?

Mr. Feeney: No, the modification would be removing tattoo parlor from the actual code itself.

Mr. Haire: That wouldn't solve the issue for any of the other type of businesses that you're concerned about.

Mr. Feeney: I understand that, but I don't think that's necessarily what we're all sitting up here arguing about. The aspect is that we all think he will run a reputable business. Mr. Brusk and I are comfortable granting him a variance based upon the fact that in our minds that sets a precedent that another type of business that definitely should never ever be allowed within 1000 feet of a school, park—

Mr. Brusk: Including other tattoo parlors.

Mr. Domini: I just have a hard time with that, because why would we ever grant a variance for anything?

Mr. Feeney: What's that? I'm sorry?

Mr. Domini: You're saying that you're setting a precedence that any business that falls under Section (e) there, that we should grant them the same luxury, but that's to say any time we grant a variance we're granting the variance to somebody else that they can put the sign there, the parking there, or the building here and that's not the intention of this section of the code to function like that, and I think we've had this discussion before. That's why I brought it up, because I think we're missing the point. A variance does not necessarily set a precedent, it should be judged on a case by case basis.

Mr. Brusk: The last time we went through something like this was when they had the type of signs with the – what do they call those signs where you put the letters in? Yeah, changeable copy signs and now that's precedent.

Mr. Domini: We prohibited it.

Mr. Brusk: No, we didn't.

Mr. Haire: It is now, in certain areas.

Mr. Morrison: The look of the storefront, I don't know what you had pictured in your mind—

Mr. Brusk: I have no problem—

Mr. Feeney: I don't think anybody's questioning your business or what you're going to do with it at all. We're wrestling with it and I don't think we're winning right now.

Mr. Long: Again, I go back to – Norm says everybody has a reason, mine is that there's five establishments inside the circle and if we could get – it's up to you, but you can always request a table and come back next month if you want to go this route. I guess I, myself, don't have a problem with it. I'd love to see it actually.

Mr. Morrison: I don't see how a daycare can really determine whether a tattoo studio can open. We're not going to be tattooing infants. I'm sure nobody from the church is going to come get a tattoo.

Mr. Haire: Are you tattooing on Sunday? Are you open on Sunday?

Mr. Morrison: No.

Mr. Haire: No, so they'll be closed on Sundays and I think we need to consider the physical barriers that are here as well. I mean there's a creek that separates the parks from this establishment. There's a bridge. I mean there's physical barriers there that define the areas and separate the areas. I don't know how many kids walk down at Lancaster and Main. I wouldn't feel safe sending a child to Lancaster and Main Street on that intersection.

Mr. Brusk: Now you've added something interesting.

Mr. Long: They're closed on Sundays, which the churches are open, so there's not a conflict there. I don't know what time school hours are, and you're more evenings. I think you said 1:00—

Mr. Haire: Yeah, 1-9. I know that the kids walk across the bridge that's back there behind Goshia's and they come down Jackson and walk across that bridge, but I've never personally seen them walk down to Lancaster and Main, maybe they do. Sometimes you see them in the summertime walking to the swimming pool or something like that, but there's not a lot of pedestrian traffic. It's something we'd love to change. I'd love to have it packed with pedestrian traffic in Olde Reynoldsburg. We're really trying to concentrate on bringing businesses down there and I thank you, Mr. Morrison, for coming back after you were denied last time and continuing to pursue locating in Reynoldsburg. I think it's the perfect type of business to help draw people into that area. It's the shot in the arm that Olde Reynoldsburg needs. If you could go into this building – it's difficult for a business to function in that building. It takes the right

type of business to function there and that's why it's been vacant for so long. It's a difficult building to sell obviously. The owner can probably tell you that. They've have it for sale since 2005 and it hasn't sold. I just hate to run off a business that I think would do wonders for the area.

Mr. White: Again, I believe that the only reason this variance is before us at this point in time is because of the question of them being 1000 feet from the other entities. If, in fact, the distance were – we don't know, because we don't know the different distances from the entities, but if the distance were, say for instance, from the church 900 feet, would we be having this kind of discussion? If the other businesses were that close? I think possibly we need more information. I think one suggestion was to maybe get some other businesses to indicate they have either a preference yea or nay, and maybe give us more information as to how far these businesses are. I think we need to actually examine the factual situation, how much impact this business would have on the various locations around. I think those are the kind of factors we should look at.

Mr. Morrison: That's were I questioned it. Like I understand churches, I grew up – and really the schools, pretty much until ninth grade and like never once did I ever think religion would affect tattooing or tattooing vice versa. I have a 13 year old son and I've had him in daycare out here, the Peter Pan, had him to the one off Broad there, I forget what the name of it is, a little bit further east on Broad. I don't really see where any of those things could actually govern whether a tattoo shop could go in or not, because it's a completely opposite thing. I could see if it really had something directly related to it, but there's nothing related between tattooing to daycare, to church, to a funeral home, any of that stuff. I don't really see where it's all linked together. I don't see how this ordinance – I don't know when this ordinance was drawn up, what the thinking was on tattooing at that point, but I don't see any kind of tie or any affect that it's going to have on any of those businesses whatsoever.

Mr. Long: (Inaudible – off mic)

Mr. Haire: The middle school's approximately 900 feet.

Mr. Morrison: But those kids aren't even of age to get – or even walk in the door.

Mr. Long: (Inaudible – off mic)

Mr. Haire: I just did a quick scale on the scale bar here and it looks like the park's about 400 feet – Huber Park would be about 400 feet away and Kennedy Park's about 700 feet away. A church is about 300, and another church is 800. The school's 900, just quickly scaling it off.

Mr. Long: (Inaudible – off mic). The park could be 1000.

Mr. Haire: Could be. I don't know if there's a ramp that goes down off the bridge to get the bike trail, because I'd assume that's how a kid would walk to the park is they'd run down that bike trail and go that way.

Male: Should we get out the old walking meter?

Mr. Haire: I think you have to take into consideration Blacklick Creek being there and that's kind of a dividing line and separator, plus the traffic has to be taken into consideration as well.

Mr. Morrison: I think you guys will be pleasantly surprised on what we're going to do. It's not going to be an eyesore. We're not going to have neon everywhere. It'll pretty much look the way it is.

Mr. Feeney: (Inaudible – off mic) Again, out of the facilities that are within the 1000 foot circle, two of them are churches and you're going to be closed on Sundays, so I don't see a conflict there. Those operations, again, you're right at the edge of the 1000 foot circle on the school. You're right on the edge of that.

Mr. Brusk: Your particular business, your specific business, I wouldn't care if it was right next to the school or in the park. That part doesn't bother me.

Mr. Morrison: You're afraid of this spreading like a wildfire and tons of shops.

Mr. Brusk: Yes, sir.

Mr. Morrison: Fortunately, on that topic, it's not like campus where you give anybody rent and you're in there. I don't want to say I like this process, but this is a good process and I think I'm coming before you guys – I'm well educated, I'm well established with tattooing. You're not going to be throwing – for lack of a better word, a biker in there that's scratching on people and doesn't know about cross-contamination. We're very, very professional.

Mr. Brusk: I don't think we have that, yeah, but what moves in next door to you.

Mr. Haire: I think that having his presence down there will prevent other shops from coming. I think that no one's going to compete, honestly. The following that he has, it's going to be hard for another tattoo shop to come in and try to compete. I think that's going to prevent other—

Mr. Morrison: I can see your concern as far as that, but I don't really see that happening. I think everybody should be – if we have to jump through this hoop, I think that everybody should have to jump through this hoop. If I had just started tattooing six months ago and I was trying to open up a shop – I think that would be a great concern even of mine. At that point – I've been tattooing 19 years. I started when I was 17 and I'm 36 now. I've got it down. I've got every aspect of it down and it's been recognized

not only internationally throughout the entire industry, but by the community, too. You ask anybody around here – I go by the nickname of “Durb”. You could say that to pretty much anybody in this town and they’d go, “Whoa!” I could see your concern, but I think everybody should somewhat have to go through these hoops and show how professional they are, show how much of an effort that want to put towards bringing a very good business to your city.

Mr. Brusk: I don’t disagree.

Mr. Long: The tattoo place, you say they offer – what is that?

Mr. Morrison: Cosmetic tattooing? Talking about two door down? They do tattooing around the eyes, lips—

Mr. Haire: Make-up.

Mr. Morrison: Which is actually more dangerous than what we do, working around mucous membranes.

Mr. Haire: Is it Grant Evans? Is it the chiropractor’s office?

Mr. Morrison: Yeah, right up above there. She’s a really nice lady. We went and spoke with her, cause when you have a studio, you get people that are looking for cosmetic tattooing, tattoo removal, so that would be a good referral, too, for local businesses. We tattoo – like the whole church thing, we do religious tattoos on people all the time.

Mr. Long: I saw a few that the church wouldn’t appreciate, either.

Mr. Morrison: Yeah, I mean unfortunately—

Mr. Brusk: I did see a Jewish star in there.

Mr. Feeney: Well, I think we’ve talked a lot about this. We can vote on it or—

Mr. Haire: There’s public comment.

Mr. Michael Craig: Hello, everyone. My name’s Michael Craig. I’m the owner of the property at 7305 East Main. I think I can honestly represent the community, because I started a business – my wife and I started a business, Under the Arbor, at 7311 East Main Street in 2000. We prospered. We bought the building next door which is 7305 East Main Street. At the time it was a big, bright pink building. If you’ve been around you would know that. We made a lot of improvements to that building. Having owned the building since 2001, I think we’ve got a pretty good feel of the community down there and who does business down there. I think everyone who’s had an opportunity – who knows about this-- As he said, this has been posted out in front of

the building for over week. Anyone who was interested in finding out what the variance was about had the opportunity to come here and actually present themselves and they haven't taken that opportunity. But I think that, obviously, you don't have any conflict with this man's business and the type – you know, the way he conducts himself, I think it's a really good fit. I think that's why we have a variance, because you can make a decision as to what type of business you can grant an exception to and he's obviously proved a hardship. So I think it's a good fit. I think it's good for the community. It's an art gallery first, then a tattoo parlor. He's put that upstairs. I think that's real obvious, the way he presents himself and the way it would be presented on the outside, I don't see a conflict. I've been down there. I know. I've been there. And as was brought up earlier, it does take a very special kind of business to operate there. I think the concept of putting another gift shop in there, or another white collar type of 9-5 business, it's not going to work. It's a difficult location. This is a very, very good fit and I just wanted to show my support and I hope that you can see that it is your opportunity to grant the variance and that to take this in front of Council to remove tattoo parlors from the law, actually, in many ways, would open up a bigger can of worms than allowing you to grant an exception, because then tattoo parlors could be anywhere if you take tattoo parlors out of that language. I'm not an attorney but, to me, you have the opportunity to grant the exception. This man has clearly presented himself as an asset to the community. Thank you.

Mr. Feeney: Is there anybody else?

Mr. Tony Terrell: My name is Tony Terrell. I am Mr. Morrison's personal manager as well as the general manager of his business entity, and I would also oversee the day-to-day operations of this art gallery and tattoo studio. Obviously I want to thank you guys for coming out in the cold just to listen to our points here and vote on this.

Some of the things that have been brought up, I have a whole schpeil here that I'm not going to go through because so much of it will be redundant. But one of the things that I wanted to point out, and Mr. Craig was polite enough to do it before me, is that if we would want to move forward and try and remove tattoo and body piercing establishments from this code, that would allow a tattoo establishment to open up behind a bar, or next to a church without you guys having any say in it. We worked a long time ago, about 10 years ago, with the City of Columbus to make sure that these types of establishments weren't zoned as adult businesses in the same language as an adult book store, or pawnbroker. I think one of the other ones was a number runner or something which, to me, sounds like a mob deal. We don't do that. We run a legitimate business. We do a large volume of business not only through the tattooing, but through other ventures that we have as far as clothing lines. These 1000 feet, like Mr. Domini was good enough to do before this, is to point out that only .25% of Reynoldsburg is even open to an adult business. So any adult business that wants to open in Reynoldsburg has to come before the five of you. And Mr. Craig also pointed out that you five have the right to deny anyone, whether a precedent has been set or not. The hardship is here and when it comes to the Special Exception then you have that

opportunity to tell an adult business, be it a video store or a pawn broker, “Hey, now you’re balancing on morals and issues that are completely aside from what we’re trying to do.” I’d just like to point out to the Board that what we do is not detrimental to society. It doesn’t hurt people. We don’t advertise in a negative manner. Somebody down the street that goes to that church would never drive past our building and go, “You know, that’s an eyesore on our community and I really can’t believe that the City has allowed it to come in.” I think that anybody that drives past is going to be excited to see that that building is no longer empty, that the unfortunate incident across the street has been wiped out and there’s a new building there because young businesses have brought more traffic to that area. I think this can do nothing but good for the entire community. We’re going to be working closely with a company called Health Educators, as well as we’ve already been in contact with the State and County Board of Health to make sure that all regulations will be in place prior to us even opening the door. We’ve also spoken briefly with Mr. Haire about speaking with the Parks and Recreation Department after we open, possibly offering art classes to the general public, painting classes, what have you; whether it be at our establishment or at another location where we can offer the services of our professional tattoo artists and painters. Again, I thank you guys for coming out tonight and I’d be glad to answer any questions or concerns.

Mr. Long: You say you’re the business manager and so forth. Do you have a representation of what their signage is going to look like outside of the building? Will it be your company logo?

Mr. Haire: It’s the Red Tree, isn’t it?

Mr. Terrell: When he initially started the round logo, that would be – that’s the business plan logo for now. The ideal plan was to, on that logo once Mr. Domini gets it up, was to actually make the words “tattoo and art gallery” smaller near the bottom and bring the name “Red Tree” much larger. That would be – there’s already a round sign out there that’s about 4’ in diameter. Essentially what we’d do is just place this logo directly over top of it.

Mr. Long: So we’re not going to have the neon sign in the window, “tattoo”?

Mr. Terrell: The only neon sign would be an “open” sign.

Mr. Long: Okay. That’s on the record.

Mr. Haire: I have spoken to a few business owners in that area that did see the sign for the variance there and just wanted to know – because it’s hard to read when you’re driving by. They want to know what’s going in there. So when I discussed it with them, they were apprehensive at first with the tattoo, but when I explained what the potential is and that you intend on it being an art gallery with the tattoo upstairs, they were excited about that. They were excited that you’re going to clean up the front of the building and make it more attractive. I was asked about the signage and I said you were going to use the existing sign, nothing more than that, so it’ll fit in with the

character. And from the business owners that I spoke to – a few business owners on Main Street – are pleased that the building will be occupied again.

Mr. Terrell: One of the things that I had written in here is we do plan to keep as much history to the French House and add to the community. Most tattoo shops do need that flash and that neon to attract business to them and that's mainly the reason they started doing it, because when you have the neon and the flashing lights, people have a tendency to look. We're not depending on that person driving by and looking and seeing the word "tattoo" and go, "I'm going to go in there." His reputation and the reputation of what we've done in the past with tattoo studios well precedes what we do, and 99.9% of our clients are going to be coming in on an appointment basis, so we don't need that flash to attract the business. Hopefully they'll see the word art gallery and collectors from the area and around the state once the word spreads about what we're doing, will come to the area specifically for the art gallery, for the art shows to start collecting. It's possible you guys could stop in. We have a local painter in Reynoldsburg that's an undiscovered talent that you guys never knew existed, and you have to have that painting for above your fireplace.

Mr. White: What kind of restriction will you have for people under a certain age to come into your building?

Mr. Terrell: Well, we do require a photo I.D. for any service – the process to be started, because the first thing we do-- Someone, a young kid could come in who's 16 or 17 years old, may not look 16 or 17, and ask for a tattoo. The first thing we say is, "We need your I.D." All those records have to be kept by the State of Ohio and Franklin County, so you have to keep records of identification, the sterilization procedures for at least three years. We still have those records from Stained Skin, the previous studio, for the last 14 years. We keep them all.

Mr. White: What I'm concerned with is, given that there's a school nearby and they may traverse along Main Street and see the sign art or tattoo, and you have the art down below and you're tattooing upstairs, would an interested student be able to come into the building at the time?

Mr. Terrell: That's a pretty fine line. We had that issue a lot when we had our studio on High Street. We would have a sign at the front of the building just like we did at the other studio, saying "unaccompanied minors not allowed." Any unaccompanied minors that did come in, if the school kids came by, we would just simply ask them to leave.

Mr. White: What would your age limit be for a minor?

Mr. Terrell: That would be 18, sir.

Mr. White: One further question in that regard. Say you have an art event and the public is welcome to come in, what kind of restrictions would you have to prevent minors coming into the building at that point in time.

Mr. Terrell: Well, the one preventative measure we would have is we would have some sort of barrier across the bottom of the stairs, be it a small chain or a velvet rope, saying "Private, Staff Only." All the tattooing would take place upstairs, so if there was an unaccompanied minor walking into our art gallery, it would be no different than them walking into Little Caesar's Pizza or to Frame Warehouse, or the coffee shop. There's not going to be anything downstairs that would be detrimental to the youth.

Mr. White: So that really wouldn't – I mean given that kind of cleansing area downstairs where there's actually nothing pertaining to tattooing going on at that location, then if a student were to be walking by and be interested and walk into the building, is there some reason you would restrict that student on that occasion as opposed to not restricting students who come in, or minors coming in when you have a larger event?

Mr. Terrell: Well, I would look at it this way. If a student's coming in by themselves, obviously it's much easier to approach them. At an event that we would have, whether it would be an art gallery opening, it would be a Saturday evening, 6-7 o'clock at night, I don't know how many unaccompanied minors are out walking around the streets of Reynoldsburg at 7 o'clock on a Saturday night, but a large volume of customers walking in, I can't say that we would be able to stop every minor that walked into the store unaccompanied.

(Person speaking off mic – inaudible)

(Woman speaking off mic – inaudible)

Mr. Domini: On the signage issue, Mr. Feeney, just for the record and so the applicant knows, the new overlay does not permit exterior interior-illuminated signage. So the "open" sign would not be allowed unless it's inside.

Mr. Terrell: So no exterior illuminated signs.

Mr. Haire: You could have spot lights, up lights and down lights and all that are fine.

Mr. Feeney: Well, does the Board have any other comments or questions? (No response.) If not, I'll entertain a motion.

Mr. Brusk: I'll so move that the variance application for C-1, 40-ZV, be approved. That's just making the motion, you understand.

Mr. Feeney: I'll second.

(Mr. Domini called the roll. Mr. White voted “yes.” Mr. Long voted “yes.” Mr. Brusk voted, “No, but I am glad to see that it’s going to probably go.” Mr. Feeney voted “Yes, based on the good conversations we’ve had and with the information we’ve gotten I feel very comfortable with this.” Mr. Haire voted, “Yes, based on the fact that I believe a hardship does exist that’s created by the strict application of this code.” Motion passes.)

Mr. Haire: We still have one more to go.

Mr. Brusk: I think we’ve discussed it.

Mr. Feeney: Please read Item C-2.

SPECIAL EXCEPTION APPLICATION, 7305 E. MAIN STREET, REYNOLDSBURG, OHIO, PRESENT ZONING CC – COMMUNITY COMMERCE; PRESENT OWNER MICHAEL CRAIG/MAIN STREET OF AMERICA LTD.; EXISTING USE, RETAIL, CURRENTLY VACANT; PROPOSED USE RETAIL TATTOO STUDIO AND ART GALLERY, VARIOUS MERCHANDISE. CONTACT: RICHARD MORRISON (7539-Z).

Mr. Feeney: Do you have anything additional? I know you said you have other information about this.

Mr. Domini: I don’t think it’s anything that we haven’t covered in the conversations.

Mr. Feeney: Does the Board have any other questions on this item? (No response.) If not, I’ll entertain a motion.

Mr. Long: I’d like to make a motion that we adopt C2, Special Exception 7539-Z for approval.

Mr. Haire: I’ll second that.

(Mr. Domini called the roll. Mr. Long voted “yes.” Mr. Brusk voted, “It meets all the qualifications for the Special Exception, so I don’t have any problem with that. I’ll vote ‘yes.’” Mr. Feeney voted “yes.” Mr. Haire voted “yes.” Mr. White voted “yes.” Motion passes.)

Mr. Domini: Just so you’re aware, the next step is whether or not this application will be introduced by Council. If it is not introduced, then it will stand approved. If it is, then there will be a hearing with Council on the application for the Special Exception. That will be discussed, but not the variance. The variance will not be moved to Council, so they’ll be discussing the Special Exception if this legislation – if they choose to introduce it. So I will let you know whether or not that happens.

(Gentleman speaking off mic)

D. OTHER BUSINESS

1. ELECTION OF NEW OFFICERS

Mr. Brusk: I'm going to move that Mr. Pat Feeney stay one more year.

Mr. Long: I'll second.

Mr. Haire: And we have a vice-chair as well, I believe, so do we just want to vote on them as a slate? I think Mr. White was the vice-chair this year.

Mr. Brusk: Would you like to remain vice-chair?

Mr. White: I don't think so.

Mr. Haire: I'll nominate Mr. Long as vice-chair.

Mr. Long: Okay.

Mr. Brusk: I'll second that.

Mr. Haire: We just need to do a roll call for the slate of Mr. Feeney chair, Mr. Long vice-chair.

(Mr. Domini called the roll. Mr. White voted "yes." Mr. Long voted "yes." Mr. Brusk voted "yes." Mr. Feeney voted "yes." Mr. Haire voted "yes.")

E. ADJOURNMENT.

The meeting was adjourned at _____ o'clock, p.m.

Patrick Feeney, Chair

Aaron Domini, Planning Administrator

This document was transcribed by:
Area East Secretarial Service
7668 Slate Ridge Blvd.
Reynoldsburg OH 43068