

1 BEFORE THE ORANGE TOWNSHIP
2 BOARD OF ZONING APPEALS
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4 :
5 In the Matter of: :
6 Public Hearing - :
7 Conditional Use :
8 Applications, :
9 Variance Applications. :
10 :
11 - - -
12 PROCEEDINGS
13 before Members of the Orange Township Board of
14 Zoning Members; Chairman Kelvin Trefz,
15 Vice-Chair Sue D. Ross, Stacey Neff, Joe Pax
16 and Nikolas McCoy, held at Orange Township
17 Hall, Moffett Room, 1680 East Orange Road,
18 Lewis Center, Ohio, called at 6:00 p.m. on
19 Thursday, April 17, 2025.
20 Also Present:
21 Eric Gayetsky,
22 Senior Zoning Officer,
23 Philip Ambler,
24 Zoning Compliance Officer.
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2 P R O C E E D I N G S

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4 CHAIRMAN TREFZ: All right. I'll
5 call the meeting to order. Anyone who intends
6 to testify, please raise your right hand and
7 be sworn.

8 Do you solemnly swear that the
9 testimony you shall give shall be the truth,
10 the whole truth and nothing but the truth; if
11 so, state "I do". And then when you come up
12 and you're trying to offer testimony, please
13 state your full name, address, and affirm that
14 you've been sworn.

15 WITNESSES: "I do."

16 CHAIRMAN TREFZ: Thank you.

17 MR. GAYETSKY: All right. I'll
18 take it away.

19 So good evening, Members of the
20 Board of Zoning Appeals. Before you tonight
21 are two items of New Business. And then we
22 have following those a second part to the
23 legal training that you first heard back in
24 the January meeting. So tonight with us is

1 our legal counsel, Julie Donnan with Brosius,
2 Johnson and Griggs, and she will be leading
3 the training, but before that, she will also
4 step in accordingly and help with the cases
5 before us and any of your questions.

6 I'm just going to go forth into
7 the Staff Report. For the second -- so this
8 evening both of the applicants agreed to
9 switch the order so the case numbers are just
10 going to be reversed, and we will be starting
11 with Variance Case VA-CU-25-05. This would be
12 an application for the Pizza Cottage by the
13 Applicant Stan Young with Branham Sign Company
14 on behalf of the owner Affinity 9 Realty.
15 Pizza Cottage is located at 8753 Owenfield
16 Drive. It's in Powell, Ohio, zip code 43065.
17 The parcel here is a 1.53 acre lot, and the
18 zoning district is Planned Commercial Office
19 District.

20 So the applicant tonight is
21 requesting -- Pizza Cottage is requesting
22 approval of a Conditional Use under Section
23 22.04 of the Orange Township Zoning Resolution
24 to permit the installation of a monument style

1 sign on the subject property. In addition,
2 the applicant is requesting one Area Variance
3 from the development standards established
4 under Rezoning Case 8946, which currently
5 prohibits monument signage on the site.

6 The proposed sign will be a
7 double-faced, internally illuminated monument
8 sign measuring 8 feet in height and containing
9 a total display area of 50 square feet per
10 side. The sign is proposed to be located 25
11 feet from the right-of-way line of U.S. 23.

12 Township Staff has reviewed the
13 submittal and notes that the proposed signage
14 had included -- previously included a red LED
15 accent strip. I have given to all of you the
16 updated plans which remove that accent strip,
17 so there is no variance for that item, as it's
18 been removed.

19 The subject property, as stated,
20 is located at 8753 Owenfield Drive, and has
21 Parcel No. 318-324-11-003-000.

22 For the surrounding area, the
23 directions, firstly to the north, the zoning
24 district is Planned Commercial and Office.

1 And in fact, in all four directions the zoning
2 district is Planned Commercial and Office. To
3 the north, the land uses include Subway
4 restaurant, Roosters Men's Grooming Center and
5 Chipotle, as well as some other restaurants.
6 To the south is the Del Taco parcel. To the
7 east is U.S. 23 right-of-way, Wings and Rings,
8 Bank of America and the NorthPointe Plaza
9 Shopping Center. And then to the west is land
10 uses for Home Depot and a car wash.

11 So there's the zoomed-in aerial,
12 relatively new, I believe is 2024's. And the
13 zoomed-out aerial right -- this parcel again
14 right along U.S. 23 and also with Owenfield
15 Drive parallel to U.S. 23 on the west border.

16 So, I have all of the Conditional
17 Use criteria written, or copied, rather, in
18 the Staff Report before you, and I'm going to
19 jump down to the sections that we provide the
20 responses to.

21 So to begin, Section 3, so a)3),
22 this is a determination that the proposed sign
23 meets the following requirements. In Section
24 3) a., The sign is a monument style

1 freestanding sign. Yes, the applicant is
2 proposing monument style freestanding sign as
3 shown in Exhibit 1 following.

4 For b., The maximum height of such
5 sign does not exceed 8 feet above the average
6 grade of the site and the sign is located at
7 the distance from any straight right-of-way
8 line, as required. According to Exhibit 1,
9 the proposed sign will be 8 feet and 0 inches
10 above grade. The sign is proposed to be set
11 back 25 five feet from the property adjoining
12 U.S. 23. According to Section 22.04(a)(3)(e),
13 the minimum setback and area permitted is 24
14 feet from the right-of-way, so the sign meets
15 the standard.

16 For c., the sign does not have
17 more than two sides or surfaces. The sign as
18 proposed will have two sides as shown, which
19 meets this meets the standard. For d., the
20 display area of any one side or surface does
21 not exceed one-half the total display area
22 permitted. The single sign face totals
23 approximately 50 square feet, while 56 square
24 feet per face is permitted. The proposed sign

1 meets this standard. For e., The total
2 display area of all surfaces does not exceed
3 the 32 square feet, or maximum of 16 square
4 feet per side or surface when the sign is
5 located 15 feet from the primary frontage
6 street right-of-way line. for each additional
7 one-foot setback from the street right-of-way
8 line, an additional 8 square feet of total
9 display area, or maximum of 4 square feet per
10 side or surface, will be permitted up to a
11 maximum of 128 square feet of total display
12 area, or maximum of 64 square feet per side or
13 surface, as permitted. The proposed two sided
14 sign will total approximately 100 square feet.

15 The sign will be set back 25 feet from the
16 right-of-way of U.S. 23, so 112 square feet
17 total would be permitted. And the sign meets
18 this standard. For f., Not more than five
19 colors are used for the purposes of this
20 section, black and white shall not be
21 considered colors. The proposed sign meets
22 this standard. I believe for the next one, no
23 part of such sign will be closer to any street
24 right-of-way line than 15 feet, nor closer to

1 any property line than the applicable building
2 setback line, if the adjoining property is in
3 a Residential District. The proposed sign
4 will be set back 25 feet from the street
5 right-of-way, which meets this standard.

6 All right. And those conclude our
7 Staff responses to the Code and evaluation of
8 the sign per the Conditional Use Criteria, as
9 referenced. There are a couple Exhibits,
10 which are taken from the applicant's
11 materials. This is the updated drawing, which
12 shows the sign with no LED-type lighting.
13 Tubular lighting has been removed. Again,
14 it's an eight-foot tall sign, which meets the
15 size requirements for 25 feet setback.

16 The next Exhibit is the location
17 on the lot, and you can see that 25 feet
18 setback. We do have a couple closer in
19 Exhibits, Exhibit 3, just the different -- it
20 has the aerial instead of the more schematic
21 site plan. And then the final one is the,
22 again, the previous site plan just zoomed in
23 showing that we were able to validate the 25
24 foot is an accurate measurement. And those

1 two arrows are Staff's measurement with the
2 engineering software.

3 The last part of the Staff Report
4 covers the Variance Request, and that comes
5 from the rezoning text, which is Rezoning No.
6 8946. This is from Section II(c)(2), no
7 freestanding graphics shall be permitted on
8 any outlot. So, the proposed sign is not
9 permitted, as per the above-referenced
10 Development Text. A variance is being
11 requested to add the freestanding monument
12 sign on the outlot parcel, which is indicated
13 with the red outline, which is shown as you
14 can see in Exhibit 5.

15 All right. The rest of the Staff
16 Report just summarizes the Conditional Use
17 Board Analysis, example or proposed
18 resolutions, as well as the Area Variance,
19 Board Analysis and proposed resolutions. If
20 you have any questions, please let us know.

21 VICE-CHAIR ROSS: May I ask a
22 question, Eric. I just want to make sure I'm
23 understanding. The footer, is that above
24 ground or is that footer below ground space.

1 MR. GAYETSKY: It's below,
2 correct.

3 VICE-CHAIR ROSS: Okay.

4 MR. GAYETSKY: And the base is the
5 same color as the surrounding display area. I
6 believe that's an all black, but the applicant
7 can clarify for you.

8 VICE-CHAIR ROSS: Okay. Thank
9 you.

10 CHAIRMAN TREFZ: Let's hear from
11 the applicant, whoever is going to speak.
12 Identify yourself.

13 MR. YOUNG: Good evening. Stanley
14 W. Young, III, with Brown Sign Company, 127
15 Cypress Street, Reynoldsburg, Ohio, 43068.
16 And yes, I have been sworn.

17 CHAIRMAN TREFZ: Thank you.

18 MR. YOUNG: Thank you.

19 CHAIRMAN TREFZ: What would you
20 like to tell us about this sign?

21 MR. YOUNG: Well, I think first
22 and foremost, this request is pretty
23 consistent with what has been considered
24 appropriate signage for Conditional Uses for

1 this, not only this location, but other
2 locations within that district. Del Taco
3 being one example. I think Broken Egg being
4 another. So it's pretty consistent. The
5 reasoning and the hardship here for us is that
6 the building sits back far, far away from the
7 right-of-way. So when people are driving,
8 instead of looking left to right to locate the
9 business that they want to be at, it would be
10 nice just to be able to drive, look out the
11 corner of your eye and see a monument sign.
12 So, that's the idea behind this one. And I'm
13 sure same consensus with the other ones that
14 have been previously approved.

15 I think Staff did a great job
16 putting this together. And I don't know that
17 I have any questions. If you have any
18 questions for me, I'd be happy to answer
19 those.

20 CHAIRMAN TREFZ: Questions?

21 VICE-CHAIR ROSS: Can you tell us
22 about the lighting on the sign.

23 MR. YOUNG: Sure. The overall --
24 do you have a good color --

1 VICE-CHAIR ROSS: I do.

2 MR. YOUNG: Okay. Because I
3 brought some copies here, if you didn't. The
4 overall construction of this sign is basically
5 made of eighth-inch aluminum. And then what
6 they do is they put the sign faced flat and
7 the computer out, the lettering out, and they
8 back that up with Plexiglas, decorate it with
9 vinyl. And then inside for illumination would
10 be LED strips, instead of the old HO lamp
11 switch. They are very maintenance intensive
12 and they are expensive to use. LED is much
13 more energy friendly and much, much less
14 maintenance-wise.

15 CHAIRMAN TREFZ: Does it dim with
16 the fading light?

17 MR. YOUNG: Not really. No. The
18 LED is pretty consistent. The majority of
19 it's going to be muted anyways, because all
20 the black area background doesn't illuminate.
21 The only thing that really illuminates is the
22 coked-out letters. Now, the only thing that
23 does not illuminate, that little tagline down
24 below. That's just high-performance vinyl, is

1 all that is, that doesn't light up at all.
2 It's just the Pizza Cottage portion of it that
3 will actually illuminate. So it's not going
4 to be -- it's not going to be overwhelming at
5 all.

6 CHAIRMAN TREFZ: Okay.

7 VICE-CHAIR ROSS: And the lights
8 are out when it's closed?

9 MR. YOUNG: I believe so, yes. We
10 have a gentleman here, Mr. Chris Ramsey, who
11 represents Pizza Cottage, so I would let him
12 answer that question for you, if you would
13 like to.

14 MR. RAMSEY: Do you want me to go
15 there and name and address?

16 CHAIRMAN TREFZ: Yes, please.

17 MR. RAMSEY: Christopher Ramsey,
18 5542 Seclusion Drive, Westerville, Ohio,
19 43081. And I've been sworn.

20 CHAIRMAN TREFZ: Thank you.

21 MR. RAMSEY: Typically, there are
22 timers on these lights, so they go on and off,
23 depending on hours of operation and/or time of
24 year.

1 MR. MCCOY: I only have one
2 question. It's not about the sign. It's
3 about the poor, confused soul that had this
4 picture made with this little Michigan
5 Wolverine. I just want to know who did this.
6 (Laughter.)

7 MR. RAMSEY: Yeah, I can't tell
8 you.

9 MR. MCCOY: That is an old
10 Michigan Wolverine emblem.

11 MR. RAMSEY: I don't know who's
12 responsible for that.

13 MR. MCCOY: That's alright.
14 (Laughter.)

15 CHAIRMAN TREFZ: Okay, thank you.

16 MR. RAMSEY: Thank you.

17 MR. PAX: Based on the factors
18 presented this evening, I move to approve Case
19 No. VA-CU-25-05.

20 CHAIRMAN TREFZ: I'm sorry, public
21 comment. Sometimes we get ahead of ourselves.

22 MR. THIEDE: I live at 6726 Fall
23 Brook Trail. And I was sworn in earlier as
24 well. I only rise because this is something

1 that has come up numerous times to the Board,
2 and numerous times they have been denied, not
3 specifically this one, but other locations.
4 And we do have another one tonight that we'll
5 be talking about. I mean, the zoning that's
6 there says that you can't have the signs. And
7 I'm confused myself of why these keep coming
8 up. They were denied in the past. They come
9 again, and it sounds like that's a vote to go
10 ahead and approve it, since Joe started to say
11 that. And you don't need to answer that
12 question for us, for the homeowners, because
13 what I don't want to see is 23 become looking
14 like Morse Road, where you've got all
15 different signs because different Boards come
16 up with different ideas of what it can be and
17 what's okay, what's not okay. When is it
18 going to stop? Is what I would ask. okay.
19 So that would be my question.

20 And I don't believe the sign needs
21 to be there. I can drive by, I see Pizza
22 Cottage on the sign on the building that's
23 bigger than what the sign that they're doing
24 here. Why can you not see that further back

1 than what you see from right there? I don't
2 quite get it. I don't quite understand it.
3 If they're wanting to spend money, I don't see
4 how that the return on investment is actually
5 occurring for them, but that's me. That's
6 where I'm at. I think it should be denied.
7 That's just where I'm at on it. Thank you.

8 MS. DONNAN: Board, would you like
9 me to -- I might be able to give just some
10 global, legal information about that would be
11 directed towards this gentleman's question.
12 My name is Julie Donnan. I'm an attorney with
13 Brosius, Johnson and Griggs. Our office
14 represents the Township.

15 I think part of your question, it
16 deals with the fundamental purpose of what
17 this Board is charged with doing. Obviously,
18 your zoning, you have your zoning resolution,
19 which includes standards and that type of
20 thing. But the Law requires that you also
21 have a Board of Zoning Appeals, which
22 specifically hears situations that request for
23 variances, things that, well, it doesn't meet
24 the, you know, it doesn't meet the standards

1 of the Zoning Resolution and so there's a
2 process, procedure. That's why you folks
3 always hear something that's not consistent
4 with the Zoning Resolution. That's just by
5 nature of law. And obviously there are
6 standards that have to be met in order for the
7 Board to approve an application. But as the
8 gentleman said, you folks have approved some,
9 you've denied some, and that's just part of
10 the overall process.

11 What I can say is the -- if
12 residents are not aware, the Township is in
13 the middle of the Zoning Resolution rewrite,
14 and I know that signage has been a big thing
15 for this Board, and I know that signage is a
16 big thing with the zoning rewrite as well. So
17 again, not specific to this application, but
18 just in general. I hope that that's some
19 helpful background information on how you
20 folks end up hearing some of these signage
21 issues.

22 MR. PAX: I guess the other thing
23 that I wanted to stated on the record. As I
24 evaluated the site plan and the condition of

1 the building where it's located, there's an
2 adjacent commercial property to its north,
3 which shields that building quite
4 significantly for vehicles that are driving
5 down -- actually, I'm looking at the plan so I
6 can tell that it does, so that was that
7 factored into the decision. Also, I would say
8 this property is significantly different than
9 the case you're going to be hearing later,
10 which has adjacent residential property much
11 closer, and that factors into our reasoning
12 and decision. So, when I consider the
13 property that's here with a Home Depot parking
14 lot behind it and the setback, I find it
15 warrants the sign and that it can be a value,
16 but primarily because I do believe vehicles
17 traveling south on the highway will not be
18 seeing that building nearly as clearly as it
19 would if it were further south. So the sign
20 does have some value in that regard, in my
21 opinion.

22 VICE-CHAIR ROSS: And I'd also
23 like to just clarify, every case that comes
24 before us has different circumstances. And

1 that is why this is a quasi judicial meeting
2 and a Board who hears -- we hear testimony.
3 And we can only -- we are not allowed to
4 consider any testimonies not presented to us
5 this evening. Is that correct?

6 MS. DONNAN: Correct.

7 VICE-CHAIR ROSS: So each -- there
8 is no precedent. We're only making our
9 decision based on the testimony we hear this
10 evening on this current property.

11 MR. THIEDE: I have a follow-up
12 question for Joe.

13 CHAIRMAN TREFZ: Come to the
14 microphone, please.

15 MR. THIEDE: So can you show me on
16 the board where the setback for their building
17 is different from the setback of the adjoining
18 building to it? Because when we look at it on
19 Maps, it looks exactly the same setback. And
20 what that is is just their building, so.

21 MR. GAYETSKY: You could also go
22 to the Auditor's website. I did open that on
23 the internet.

24 MR. THIEDE: So I'm -- that was a

1 perfect view, if you zoomed in on that. Okay.
2 When I look at that, that's the setback of the
3 buildings, I see both buildings there. The
4 building to the north of it is where there is
5 Hot Chicken Takeover, if it's still there,
6 excuse me, if it's not, I think there's a
7 Roosters in there. There is a Subway and
8 something else. I can't remember exactly.
9 The next building is a Chipotle. The next
10 building up north is a bank. So I look at all
11 of those that are there, when I see all those
12 buildings, I see them being the same distance
13 from the roadway. So, how is that a
14 different -- it's blocking their building from
15 being seen as they go south. so I'm asking,
16 Joe, how do you see that? I don't.

17 MR. PAX: Well, I mean --

18 CHAIRMAN TREFZ: Remember this,
19 it's on an angle.

20 MR. THIEDE: No, no, no. I'm
21 looking at the zoning of the front of the
22 buildings to the distance to the property
23 line, to the distance to the white line that's
24 there, which I would assume is the middle of

1 23. So how is any of the buildings up to the
2 north of that blocking the view to that
3 building there?

4 MR. PAX: Primarily just from the
5 standpoint of the proximity of the commercial
6 property to the north of the subject property,
7 it's very close. So, when you got vehicles
8 traveling south, again on 23, the ability to
9 see that is --

10 MR. THIEDE: When's the last time,
11 Joe, you drove down that way?

12 MR. PAX: I've just never driven
13 down 23 --

14 MR. THIEDE: So you don't know?

15 MR. PAX: I go to Home Depot more
16 than my wife wants me to, so I've been on that
17 road in those areas much -- many times.

18 MR. THIEDE: Your comment was just
19 a moment ago saying that the building -- his
20 building is set back so far from the adjacent
21 building that you can't see his building.
22 It's not.

23 MR. PAX: The north side of the
24 property would be blocked by that -- you won't

1 see it. I mean, you can't see it. Physically
2 it's blocked, I guess, is what I mean,
3 visually from a car, in a vehicle. So, that's
4 the point that I'm making there. So whether
5 they have signage on that side of the
6 building, that's --

7 MR. THIEDE: Well, they don't have
8 signage on the north side of the building.

9 MR. PAX: Right.

10 MR. THIEDE: So the signage that
11 they have, which is quite large, is on the
12 east side of the building facing 23.

13 MR. PAX: Yes.

14 MR. THIEDE: Okay. So I still ask
15 again, nobody along that whole road has any
16 signage on that north side of their buildings
17 because the buildings are too close to each
18 other.

19 MR. PAX: There's definitely some
20 more space, I guess is what I'm saying, from
21 the other ones, especially on Chipotle, from
22 the Huntington, but that's the only point that
23 was giving my analysis of was that proximity.
24 I thought that it warranted a decent defense

1 of that building, and the fact that it's close
2 on the north side of the property, not further
3 down south. That's just my opinion on it.

4 Now, I'll make a Motion that may
5 get overruled by the other Board Members.
6 That's just my take on it.

7 MR. THIEDE: I get that. But
8 you're -- it's the important part that I see
9 you as having -- making factual comments or
10 they're true and correct to what you've seen
11 here. And I think what you said is not true
12 whatsoever. I'm sorry, Joe.

13 MS. DONNAN: So a few things.
14 Pardon me. Sir, the Board can consider
15 testimony. So if you would like to provide
16 factual information and evidence, you are
17 welcome to do so.

18 MR. THIEDE: The evidence is
19 there.

20 MS. DONNAN: And so you have said
21 your opinion; however, you've provided your
22 testimony, but going back and forth with a
23 Board Member in terms of statements and that
24 type of thing, that's outside the bounds of

1 what the Board can consider.

2 MS. NEFF: I just want to say for
3 the record, I do live back in this area, and I
4 drive by here probably three or five times a
5 day. I would agree with Mr. Pax that this
6 does sit back significantly. And I mean, it's
7 why I personally have voted to approve the
8 sign set at the other places nearby, the taco
9 place and the breakfast place over the last
10 several months. I can see why that they want
11 the sign for visibility purposes.

12 CHAIRMAN TREFZ: Ma'am.

13 MS. MCCOMB: I'm not sworn in yet,
14 so I don't know what I need to do.

15 CHAIRMAN TREFZ: Do you solemnly
16 swear to tell the truth and nothing but the
17 truth in your testimony that you're about to
18 give? Please state your name, address and the
19 fact that you've been this morning.

20 MS. MCCOMB: Robin McComb, 6710
21 Fall Brook Trail. And I have been sworn in.

22 CHAIRMAN TREFZ: Thank you. I
23 want to go back to one of the comments he said
24 in presenting. Is that, you know, we

1 purchased this lot and it didn't have a sign,
2 and it's basically affecting the business.
3 They purchased the lot knowing there was no
4 sign and knowing the zoning didn't allow it.
5 So, that kind of -- you know, they learned
6 because of business that maybe that's not the
7 best location for the business, but it's --
8 they knew what they were buying, so that's
9 point one.

10 Point two, agreed, if you look at
11 the map, like, they are in a row, and if you
12 see, Chipotle is not hurting and they all
13 throw up additional signage out there, and
14 what it's becoming to look like. I've lived
15 in this Township since 2000. I moved here pre
16 kids. I put my kids all through the schools.
17 I have pride in the community and am trying to
18 maintain that community, the esthetics and
19 everything. All the way down to like, yes,
20 this is more of an industrial area, but it's
21 that slippery slope, right. We throw this
22 sign in, then the next one and the next one
23 and the next one. And right now your zoning
24 has done a very good job for our neighborhood

1 because that's additional, you know, where
2 there's homes. There has been more discussion
3 and we value that, but I also fear that a
4 little bit at a time everybody's going to
5 have, and I know we've talked about precedent
6 does not get set. It's an individual case
7 basis. Appreciate that. But the weight of
8 your decision is more than one property. And
9 it's -- we drive there. We live there. We
10 see it. We don't want it to look like Morse
11 Road. I've lived here since before Morse
12 Road, and it blew up and then it fell down.
13 And it's ugly now and it's sign-ridden, and
14 nobody's going to take those signs down. Once
15 they're up, they're up.

16 And so I'd ask you to consider the
17 weight of your decisions here and the impact.
18 And let's consider if you lived right up the
19 street or right behind it. What if you lived
20 -- I mean, people that live behind Home Depot,
21 they have a real problem with all of it. So,
22 I ask you just to consider the weight of that
23 and the -- even though each case is a single
24 case, it still is what we see every day

1 driving to and from home all these signs
2 popping up. They don't even know if it's
3 going to be lit at night, so they're going to
4 maybe get it passed, maybe it's gonna be lit
5 at night, maybe not. We don't know. So, you
6 know, I ask that you, one, find that out
7 first, and two, consider the impact on people
8 that live in the Township.

9 MS. NEFF: So, the first time I do
10 want to say is I do live behind Home Depot.
11 And we're actually -- I mean, no one is here
12 from our neighborhood tonight to object to
13 this. But anyway, I think he did answer the
14 question that it will not be lit while it's
15 closed. It will be --

16 MS. MCCOMB: Well, it sounded like
17 he wasn't sure.

18 MS. NEFF: I didn't feel that way.

19 MS. MCCOMB: Okay. But I'll let
20 him speak to that.

21 VICE-CHAIR ROSS: Could you please
22 clarify that for us?

23 MR. RAMSEY: Yeah, I'm not -- I
24 operate the business. I don't design the

1 sign, so typically, there is -- every sign in
2 the 35 years that I've been doing this has a
3 timer that you turn it on, you turn it off
4 when you want to turn it off. It's typically
5 a timer that just gets adjusted based on the
6 light of the business. So we close at, you
7 know, 10:00 or 11:00 p.m. depending on the
8 day, so the sign would generally go off at
9 10:00 or 11:00 p.m. when the business closes.

10 MR. PAX: I do think that that's a
11 valid question from the resident. The
12 lighting, if you're not in an operation on
13 your hours, I would -- then it seems logical
14 that the light or the signage would not have
15 to be illuminated. There's some concerns that
16 we see a lot of residents about light
17 pollution, just any glare that's caused by
18 signage that wouldn't necessarily even need to
19 be on and that helps with habitat and
20 everything else. So, in one way I don't know
21 as a condition of the approval that that be a
22 -- that be stated as a condition that it's
23 illuminated only during business operating
24 hours.

1 MR. GAYETSKY: I'll let Julie
2 confirm for sure, but it is something within
3 the realm of signage that we could do.

4 MR. PAX: That would be good. I'd
5 like to as a condition, at least I'll provide
6 that make a Motion based on that open
7 testimony earlier from the owner, so that does
8 address the residents' concerns.

9 MR. RAMSEY: The signage that
10 exists already on the building does have a
11 timer. This would be designed the same way,
12 and that does turn off. The only time it
13 doesn't Daylight Savings Time. If timers get
14 wonky for a few days, you've got to readjust
15 it, but it does typically turn off when we
16 close.

17 MS. NEFF: Appreciate that. Thank
18 you.

19 CHAIRMAN TREFZ: Anything else?
20 Any other comments? Alright.

21 MR. PAX: Okay. Based on the
22 factors presented by the applicant, as well as
23 residents, I move to approve Case No.
24 VA-CU-25-05 for the property located 8753

1 Owenfield Drive, Powell, Ohio, seeking a
2 Conditional Use from Orange Township Zoning
3 Residential 22.04(a) to allow for the
4 construction of a monument sign in an area
5 zoned Planned Commercial and Office District
6 (PC).

7 MS. NEFF: Second.

8 MR. GAYETSKY: And you did want --

9 MR. PAX: Yeah. And also subject
10 to the lighting being on controls, operating
11 only during business hours.

12 MR. GAYETSKY: Okay.

13 MS. NEFF: Second.

14 MR. GAYETSKY: A Motion made by
15 Mr. Pax, seconded by Ms. Neff. Those voting:

16 Mr. Trefz.

17 CHAIRMAN TREFZ: Yes.

18 MR. GAYETSKY: Ms. Ross.

19 VICE-CHAIR ROSS: Yes.

20 MR. GAYETSKY: Mr. Pax.

21 MR. PAX: Yes.

22 MR. GAYETSKY: Ms. Neff.

23 MS. NEFF: Now yes.

24 MR. GAYETSKY: And Mr. McCoy.

1 MR. MCCOY: Yes.

2 MR. GAYETSKY: Alright. So that
3 was the Conditional Use. And I want to have
4 the Board turn the page to the Area Variance.

5 CHAIRMAN TREFZ: Procedural
6 question. Why was the order was in this
7 order? Because if we do the first one and
8 then do --

9 MS. NEFF: There's no location.

10 CHAIRMAN TREFZ: There's no
11 location for it, so procedurally, shouldn't we
12 have said that the location is okay?

13 MR. GAYETSKY: So you are asking
14 if we should have done Area Variance --

15 CHAIRMAN TREFZ: And that's just
16 for me, so.

17 MR. GAYETSKY: What do you think,
18 Julie?

19 MS. DONNAN: I think it's okay.
20 That's a fair point. You're not wrong.
21 You're not wrong. But theoretically there
22 could have been --

23 CHAIRMAN TREFZ: They're received
24 together, but yeah.

1 MS. DONNAN: I think it's okay
2 since it was basically heard on as one
3 application. So that's a fair question.

4 MR. GAYETSKY: Order of
5 operations.

6 CHAIRMAN TREFZ: Any comments from
7 the citizens? Anything the applicant wants to
8 say?

9 MR. YOUNG: No, I'm fine.

10 CHAIRMAN TREFZ: Okay. Thank you.

11 MS. NEFF: I'll make a Motion to
12 approve. Based on these factors, I've move to
13 approve Case No. VA-25-05 for the property
14 located 8753 Owenfield Drive, Powell, Ohio,
15 seeking an Area Variance from Township
16 Rezoning Case No. 8946 to allow for the
17 construction of the monument sign on the
18 outlot identified in Exhibit 5 of this report
19 in an area zoned Planned Commercial and Office
20 District (PC).

21 VICE-CHAIR ROSS: I'll second.

22 MR. GAYETSKY: Motion made by Ms.
23 Neff, second by Ms. Ross. Those voting:
24 Mr. Trefz.

1 CHAIRMAN TREFZ: Yes.

2 MR. GAYETSKY: Ms. Ross.

3 VICE-CHAIR ROSS: Yes.

4 MR. GAYETSKY: Mr. Pax.

5 MR. PAX: Yes.

6 MR. GAYETSKY: Ms. Neff.

7 MS. NEFF: Yes.

8 MR. GAYETSKY: And Mr. McCoy.

9 MR. MCCOY: Yes.

10 MR. GAYETSKY: Motion carries.

11 - - -

12 MR. GAYETSKY: Okay. Well, we

13 will go along into our second item of new

14 business for this evening. This is the case

15 with the lower number VA-CU-25-04.

16 So, this case is being requested

17 by McDonald's. The applicant being Rebecca

18 Green with Zoning Resources. The site here,

19 the address is 6691 Artesian Run, Lewis

20 Center, Ohio, zip code 43035. This parcel

21 size is 2.35 acre lot, and its zoning is

22 Planned Commercial and Office District.

23 So, going to the Summary now. The

24 applicant is requesting two Area Variances,

1 one from Rezoning Case No. 18517 Olentangy
2 Crossings South to allow a monument sign along
3 U.S. 23 where it is prohibited. And the other
4 variance request is from Section 22.05(b) of
5 the Orange Township Zoning Resolution to allow
6 for an electronic message center type sign,
7 which will be abbreviated EMC.

8 The monument sign will be
9 two-faced standing 80 inches tall by 99.5
10 inches wide. That's the overall dimensions of
11 the sign. Including an electronic message
12 board cabinet area with dimensions 36 inches
13 by 99.5 inches atop a masonry base, and the
14 total display area with dimensions of 56
15 inches by 99.5 inches, totaling 38.7 square
16 feet of display area on each side. The sign
17 will be set back 58 feet 11 inches from the
18 right-of-way edge of U.S. 23, or Columbus
19 Pike.

20 In addition, the applicant is
21 seeking a Conditional Use from the Orange
22 Township Zoning Resolution to allow for a
23 proposed monument sign.

24 Previously, the property owner had

1 requested a standard (non-EMC) monument sign,
2 which was 8 feet by 6 foot 3 inches wide, at
3 roughly the same location along Columbus Pike
4 as the one currently proposed, which was first
5 heard by the BZA November 16th, 2023 through
6 Variance and Conditional Use Case VA-CU-23-24.
7 The BZA approved a continuance for the
8 application, which included the monument sign
9 and other variances to the December BZA
10 hearing, and the application was withdrawn
11 prior to that meeting.

12 The subject site, again, located
13 at 6691 Artesian Run, which is located on the
14 west side of Columbus Pike, U.S. 23 and the
15 north side of Point Bluff Drive. The site is
16 currently owned by McDonald's Corporation.

17 So this aerial, even though it was
18 from last year, this does -- oh, I think I
19 need to make sure I go through the surrounding
20 area.

21 So, towards the north the zoning
22 district is Planned Commercial and Office
23 District, and that land use includes a gas
24 station with a convenience store. To the

1 south is Farm Residential District. Those
2 land uses include All Shepherds Lutheran
3 Church, as well as the Point Bluff Drive
4 private roadway. To the east the zoning is
5 Planned Commercial and Office District. And
6 land uses include the Olentangy Crossing
7 Shopping Center, as well as Panda Express
8 Restaurant on the corner. And then to the
9 west the zoning is Single Family Planned
10 Residential and the land use is the Olentangy
11 Crossing Subdivision.

12 Okay. So now the aerial is from
13 last year is just ahead of when construction
14 was started. Understand that the construction
15 was finished towards the end of 2024. So, for
16 the context, we'll move into the zoomed-out
17 aerial. You can see that location on the west
18 side of 23, just south of Lewis Center Road.

19 I believe I stuck the Exhibits
20 first so you have a good understanding of the
21 sign being proposed. As it was described, the
22 sign has that inset for an EMC, an Electronic
23 Message Center. The top portion is solid,
24 non-EMC display area for McDonald's, including

1 the logo, as it's depicted.

2 This first Area Variance is from
3 the Rezoning Case 18517, and specifically from
4 Section 14.07(n), which states, no ground
5 monument signs will be permitted along U.S.
6 23. So, the monument EMC sign is proposed to
7 be constructed 58 feet from the right-of-way
8 line of Columbus Pike, and having a display
9 area of approximately 38.7 square feet per
10 side. A monument sign at the setback of 58
11 feet is allowed to have display area of 64
12 square feet per side, for a total of 128
13 square feet total on both sides; therefore the
14 monument sign meets the allowable area as per
15 the Code requirement.

16 So for the other Area Variance,
17 that's from the Zoning Code Section 22.05(b),
18 which states signs not otherwise specifically
19 authorized by this resolution. The monument
20 EMC sign is not a specifically authorized sign
21 type by the Zoning Resolution; therefore, a
22 variance is required for the EMC to be
23 permitted.

24 Moving into Exhibit 2. This gives

1 you more of a straight view understanding of
2 what the sign would look like at the location
3 being proposed.

4 And then following Exhibit 2 is
5 the Conditional Use Criteria, similar to the
6 last Staff Report. So I will go ahead and
7 read through the portions that Staff are
8 provided the responses to. So, for a, this is
9 a monument style freestanding sign. The
10 applicant is proposing the construction of a
11 monument sign. Conditional Use authorization
12 is needed for a monument sign.

13 And Exhibit 3 that shows a little
14 bit more clearly the view of where the
15 restaurant is located and then the location of
16 the proposed monument sign. Staff took our
17 own measurement just to establish the exact
18 setback distance, and 58 feet and 11 inches is
19 the measurement that Staff obtained.

20 Exhibit 4 is from the Rezoning
21 Text. This gives you a specific idea of the
22 location of McDonald's, which is the eastern
23 most area and the Planned Commercial and
24 Office District for Rezoning 18517. And the

1 following text in next Exhibit is the text
2 pertaining to the signage, which I had
3 previously referred to, but I just wanted to
4 make sure that that was included in the Staff
5 Report for you to refer to.

6 I think we are through with this
7 Staff Review and Analysis Portion. The
8 remainder is the Criteria for Consideration
9 for the Area Variance. Make sure that we have
10 it in the appropriate order. So yes, the Area
11 Variance Criteria and then the Conditional Use
12 Criteria.

13 And then the last portion is the
14 Resolutions for your reference, starting with
15 the Variance Request. Number 1 being the
16 monument sign, which is not allowed per the
17 Development Text. Variance Request No. 2
18 being the Rezoning Text Section 22.05(b) for
19 the EMC Sign Type. And then lastly, the
20 Conditional Use Request for the monument sign
21 itself.

22 CHAIRMAN TREFZ: Does the
23 applicant want to address the Board?

24 MR. MCFARLAND: Yes, I do.

1 CHAIRMAN TREFZ: Please state your
2 name, address and that you've been sworn in.

3 MS. MCFARLAND: James McFarland,
4 on behalf of Sign Lite Sale and Service, 84
5 Skyline Drive, Ashville. and I have been
6 sworn in.

7 CHAIRMAN TREFZ: Thank you. Tell
8 us about this monument sign.

9 MR. MCFARLAND: Well, this is a
10 sequel to the earlier approach to the Board, I
11 believe, about a year-and-a-half ago. And
12 technologies continue to go faster and faster,
13 and the ability for graphics to be able to
14 keep up is, let alone Zoning Texts, is quite
15 challenging. But we feel that the spirit and
16 intent of the Code will be honored and
17 recognized through your consideration of
18 approval of this variance.

19 Next slide, please. This is just
20 a basic rendering, again, that was in the
21 Staff Report of some examples of what the sign
22 will look like.

23 Next slide. We're requesting to
24 have a monument sign along U.S. 23 where it is

1 prohibited. And then in Section 22.05(b), the
2 Zoning Resolution to allow for an Electronic
3 Message Center type. And then, as well,
4 seeking a Conditional Use from the resolution
5 to have the monument sign. One of the things
6 I thought was important is just to look at
7 how much this area has changed since the early
8 on in 2003 through 2023. I've kind of circled
9 approximately where this is it today, in terms
10 of its proximity to 23. It was a very much a
11 rural, agricultural area and in 20 years it's
12 become, as you all have been experiencing,
13 more and more commercialized with different
14 kinds of businesses.

15 Next slide. One of the things
16 that I was really intrigued by is the reasons
17 for prohibitions and the rationale. Because
18 for me, as the zoning person, everything is
19 about intent. It's all about intent. You
20 know, what do you really want to do? And I
21 believe that when at the time years ago in
22 2008 when this prohibition was in place, I was
23 curious what the intent was behind it. And
24 there are a couple of individuals that

1 commented to this question as well at the last
2 hearing that I thought were noteworthy.

3 One of those is from Mr. Farahay,
4 that his belief was that the restriction was
5 put in place for the aesthetic reasons, such
6 as keeping the appearance of the area
7 uncluttered, which is very admirable. I think
8 that a blight and clutter from graphics can
9 happen if it's not managed, particularly if
10 violations aren't being issued early when
11 there are violations, whether they're
12 co-compliant or variance approved or not.

13 Secondly, Mr. Brickner made a
14 comment that the project would have a, he
15 called it a soft, business look and not appear
16 heavily commercial. So those are two
17 individuals that had an interpretation of what
18 the reason for having a prohibition for
19 monument signs at all. Like the last case,
20 the prohibition is in a different context than
21 ours, but nonetheless, there's a need for a
22 desire to try to control, not constrain, but
23 to manage the intentional, planned growth for
24 a community that doesn't over-encumber the

1 rural, the openness, the aesthetic feel. And
2 I totally appreciate that as a code person
3 that it must be, you know, tried and adhered
4 to.

5 I going to read a few things from
6 the attempts in the past that we've had. This
7 view from the southeast, since we haven't had
8 the pleasure of Elon Musk and Google or
9 whomever to get the thing updated so we can
10 see what the area looks like cleanly. This is
11 a real example of what we have now. And this
12 wasn't available the last time we had this
13 hearing. We didn't have a context of what
14 will this building look like if we approve it,
15 which you did. And so you can see this is,
16 you know, what it looks like from one of the
17 -- from the southeast side.

18 The next slide shows the example
19 of approximately where the signs can be
20 placed. And you know, it's not there now, but
21 it's going to be in line with where the church
22 is mine and sign is. That's one of the
23 adjustment that McDonald's wanted to make is
24 to have the signs aligned. It's an area for

1 commercial, for groceries and services and
2 it's connected to the high school and middle
3 school and a primary school.

4 Next slide. And one of the other
5 things I've found intriguing in the divergence
6 text that was done and updated to your Code a
7 few years ago was the intent to try to
8 encourage buildings that were taller to be
9 able to utilize more wall signs that could be
10 placed higher rather than monument signs. And
11 they were trying to put it on the highest
12 place on the building to provide better
13 visibility for drivers on U.S. 23 and Columbus
14 Pike, which are traveling at a higher speed.
15 And that was also an interesting observation.
16 Because of the need for the McDonald's
17 building to be set back over 100 feet from the
18 road, when you have buildings farther away
19 from the road, for some reason people feel
20 like they can drive faster. Rather than when
21 buildings are closer to the road, there's a
22 tendency to feel like you need to slow down
23 because your perspective of how quick you're
24 going is changed when things are closer to you

1 than when they're far away. And
2 unfortunately, in a way, McDonald's kind of
3 had to trade off that height for design.
4 Because of the way that the building is
5 constructed, they can only -- they don't have
6 room to put the name McDonald's up. If they
7 could, it would only be about 6 feet high
8 because the building is low and it's
9 completely covered by vehicles for the
10 drive-thru.

11 Next slide. The largest graphic
12 that's on it right now, it's not even a sign,
13 it's a graphic, it's just the letter M.
14 Unfortunately, most people know what that
15 letter M is, but it's not necessarily noticed
16 clearly from over 100 feet off of Route 23 and
17 neither is there really room to put a legible
18 McDonald's name on the building from either
19 side.

20 Next slide. And so the, you know,
21 what we were hoping for was to be able to
22 have, you know, a bigger building to put a
23 sign up to 24 feet, but because of that, we
24 were restricted to just 15 feet of height,

1 which is just barely at eye level because the
2 site sits down a little bit to the road, so we
3 don't have that luxury. What the divergence
4 intent was, which was to allow for more wall
5 signs that are higher up. McDonald's was
6 forced to pick a logo and be 15 feet off the
7 ground.

8 Next slide. Here's an example of
9 the way that the sign will look for folks that
10 are coming in. I know at the last hearing
11 there was a lot of discussion about safety and
12 turn radiuses and being able to identify where
13 we're going to turn. And fortunately, we've
14 had time to see how that's actually been
15 impacted. And the sign -- the speed limit is
16 55. Close to this area it's 45. So we have
17 what's getting harder to capture people that
18 are probably going 60 to 65 now, if they catch
19 the light drain at the intersection, and we
20 think that the sign will certainly help to
21 catch that glimpse as they're driving down.
22 And this is a rendering of the perspective of
23 what the sign will look like as it's lined up
24 in the same way as the church's monument sign,

1 which has changeable copy as well.

2 So our Variance, and this is from
3 Staff Report as well, that no ground sign is
4 permitted along U.S. 23, but if, because the
5 Development Text of the restrictions in place,
6 but if this was just looked as a straight --
7 based on basic Code; therefore, the monument
8 sign does meet the allowable area as per the
9 Code requirement. And along we have one per
10 business establishment, and one of the things
11 that we've noticed is there's other business
12 establishments of different types of business
13 services that do have monuments, some of which
14 may have been restricted or have received
15 variances as well, as you just gave one to
16 another business -- another restaurant just
17 down the street just before our hearing.

18 And these are some illustrations
19 of other graphics and other ground signs that
20 are in the close proximity. This is the
21 original ground sign from 2023, just to give a
22 perspective. The one that we're proposing is
23 shorter and includes the EMC.

24 Next slide. And the sign was

1 going to be 78 feet, but because of keeping it
2 more aligned with the existing sign of the
3 church, we had to move it up to about 58 feet.
4 And the Code allows for 64 feet per side, and
5 rather than go for a lot -- go for what we
6 might be able to get approved, we thought it
7 was better to be sensitive to the size and
8 keep it lower and keep it smaller to just a 40
9 square foot EMC area.

10 So before we talk about the EMC, I
11 wanted to just address some of the Decision
12 Criteria that we wanted to just bring to your
13 attention. I mentioned having the sign in
14 line with the church to be more compatible to
15 what's already there. We also wanted to
16 recognize that in 2008 the Board approved a
17 monument style sign with a setback of about 40
18 feet from right-of-way where the Kroger gas
19 station is, and it also included automatic
20 changeable copy. The second justification for
21 the Variance in terms of the special
22 conditions, Number 2 for your Decision
23 Criteria, we think that the sign is justified
24 for not just the safe travel for folks turning

1 on the Point Bluff Drive and on this site, but
2 we also think that it's important to be able
3 to be competitive with the market. This
4 particular McDonald's is not keeping up with
5 other McDonald's that are like demographic and
6 the customer base, and not just because of the
7 location being set far from the road, but
8 there's the word McDonald's isn't anywhere to
9 be seen. It's just a beautiful building --
10 it's a beautiful building, but it's -- and
11 it's very attractive, but it's something that
12 I think is important that the word McDonald's
13 is part of the business that it needs to be
14 seen.

15 We think that the spirit of the
16 Resolution will be observed in substantial
17 justice done by allowing the McDonald's
18 monument to be improved. And that there are
19 some literal enforcement might result some
20 practical difficulties that are just making it
21 more difficult for people to make the turn in
22 or to notice that the McDonald's is there. It
23 just needs a little more type of a monument
24 like this for people to see.

1 And as I mentioned, the revenue
2 standards, I spoke to someone from McDonald's
3 before this and just asked about how the store
4 is comparing with others in the market. They
5 said it is not where it would be at this point
6 in terms of its age and how long it's been in
7 existence. And there's a person here from
8 McDonald's as well that might be able to, just
9 to clarify some of that.

10 The variances are not substantial
11 I think that a monument sign is a pretty
12 typical thing. Particularly it's such a large
13 front that this building has. If this
14 building is really close to the road, it'd be
15 harder for me to make an argument for the need
16 for a graphic that close, But there's a lot of
17 open space there that would be well-used to
18 have the monument at that place. We don't
19 think the variance is substantial. We think
20 that the sign is just over 6 feet in height,
21 as opposed to 8 feet. And we think that it
22 would be important to be viewed because
23 there's not a sign that's high enough up on
24 the side of the building to be able to see it.

1 Items No. 4, a through f, the
2 essential character of the neighborhood will
3 not be substantially altered, and the
4 neighboring owners will not have a substantial
5 detriment. One of the things I'm really
6 pleased with was, is having people come from
7 the neighborhoods to express their
8 observations and concerns of what is and what
9 could happen. And one thing that was really
10 kind of heartwarming was to see the landscape
11 kind of negotiations about putting some
12 screening between the back of the McDonald's
13 and making that a little bit more buffer to
14 the residential area. And fortunately, the
15 monument sign out front will not be really
16 noticeable unless you're driving over there on
17 that side of the street.

18 And we do know that the property
19 -- we did know that there was a zoning
20 restriction, but it was just a matter of
21 trying to decide the best -- highest and best
22 use for the lot when McDonald's decided to
23 build a building after owning it for ten years
24 before developing it.

1 And there's not another option to
2 be alleviated other than a variance. And I
3 believe that the Board should consider
4 permitting this as a monument sign as well as
5 EMC because that is -- not because the intent
6 of the prohibition was abstract and
7 subjective, but I think it's becoming more
8 obsolete because of the technologies that are
9 changing.

10 The evidence of nine additional
11 businesses in line with monument signs along
12 23 within two miles of this one kind of
13 reflect that. The next slide sort of shows
14 some of those. We also have some information
15 here about the, from the Federal Highway
16 Administration, about the EMC portion. These
17 are three questions that the Federal Highway
18 Administration asked in terms of visual
19 impairment from an EMC for the messaging part
20 itself. Will it distract drivers from the
21 roadway? Do glances to this occur that would
22 suggest a decrease in safety and do they look
23 at these electronic messages more than a
24 billboard? The next slide, the conclusion

1 from their summary is that the directed -- for
2 people who were in the study, that the
3 majority of their visual attention to areas of
4 the roadway that were relevant to the task at
5 hand. So like what Stan had said, in terms of
6 Pizza Cottage, you don't need a huge sign.
7 You just need something that catches your eye.
8 Now I've got to get ready for a turn, there it
9 is. And that's the intent for these messaging
10 centers, is just to catch real quick, oh,
11 there's that spot in McDonald's, turn. Must
12 be where that sign is sitting. I might see
13 the building back there, but I'm not sure it's
14 McDonald's, but I'm not sure which road it is
15 because there's no directional at that point.

16 Another study showed, from next
17 slide from the hill, the ODOT study finds
18 digital billboards don't distract drivers. On
19 average drivers in the study between 73 and
20 85% of their attention to the road it was
21 ahead of them. The range is consistent with
22 early field research. And the presence of
23 these electronic message centers don't appear
24 to be related to a decrease in looking toward

1 the road ahead. Keep your hands at 10 and 2,
2 looking ahead. It doesn't seem to impact
3 that.

4 And the International Sign
5 Association is extremely engaged with making
6 sure that graphics are effective but not
7 causing danger. Digital signs don't make
8 drivers look away so that they may be
9 dangerously distracted. And I have a witness
10 here from the manufacturer of the Agency who
11 is going to share some more of the specifics
12 of that. He will be able to answer your
13 questions better than I can.

14 The next slide. And just to let
15 you -- just kind of comparing apples to
16 apples, in our opinion, you were, you know,
17 this is a great example of before it's time,
18 our firm does all of the Sheetz stores and we
19 do all the graphics for Sheetz and they use
20 EMCs and digital a lot for terms of all the
21 graphic approvals. And we think that it's
22 important because the price of gas is critical
23 to people making a decision about whether they
24 want to pull in there for that service. But

1 equally so, next slide, I think that a price
2 of food is also critical to make a decision if
3 you want to go in and get something to eat.
4 So, whether it's gas or food, the intent of
5 the message is to get your attention and let
6 you know there is something here. And it's
7 not just about food, it could be employment.
8 It could be community services. There are
9 other things that this EMC will be utilized
10 for than just a McDonald's McMuffin.

11 There are other graphics that are
12 in the area that are closer to the road than
13 what ours is. They're on smaller lots than
14 the one ours is. I don't know if there's been
15 a violation for that flag sign or not, but
16 there probably aren't.

17 MR. GAYETSKY: There was and they
18 did remove it.

19 MR. MCFARLAND: Okay. Alright.
20 Just checking.

21 MS. NEFF: What was the flag one?

22 CHAIRMAN TREFZ: The flag was
23 open.

24 MR. MCFARLAND: The flag signs.

1 Those things creep everywhere.

2 Finally, just to let you know, I
3 mean, we went through the checklist and we
4 think we meet every one of your criteria for
5 the Variance. Next page. You know, Items 4
6 through 4c, all of these decisions that we
7 have to make and you have to make as a Board
8 for rationale for your decision, we think we
9 meet all of those. The same thing with the
10 Conditional Use Criteria, We meet all of
11 those. So maybe someday under your Code
12 rewrite, there'll be an address to monuments a
13 little more specifically, rather than
14 expressly prohibited, that may be some
15 standards that would make that more allowable.
16 And take this out of your hands, so that Staff
17 would have some standards that would allow
18 them to do something that's tasteful and
19 reflects the best practices of the industry,
20 which we think that EMC is.

21 So with that, I'm going to invite
22 Chris Rose to come up and he is with Watchfire
23 and he will talk to you and answer your
24 questions about the EMC unit.

1 MR. ROSE: Thank you, all. Chris
2 Rose, 650 Lyton Court, Gahanna, Ohio. And I
3 have been sworn in.

4 CHAIRMAN TREFZ: Thank you.

5 MR. ROSE: I'm happy to address
6 any questions that the Board may have. I am
7 the manufacturer representative for Watchfire.
8 We are a premier manufacturer of electronic
9 message centers and displays. And we have
10 case studies that have not been put on by us
11 or funded by us, but from the Department of
12 Transportation and the Federal Highway Safety
13 Administration. And I would just love to try
14 to address any questions that you all have.

15 CHAIRMAN TREFZ: I have one on the
16 rate of change. How often or how often could
17 the sign be updated?

18 MR. ROSE: That's a great
19 question. And the software that we produce
20 that is proprietary to our signs has full
21 control from an end user perspective. There
22 is an administrative account that can detail
23 all of those; however, we've been in this for
24 93 years. We started as Time-O-Matic, but the

1 bank flash, you know, time and temperature,
2 and so we understand that there are
3 municipalities, things that we need to adhere
4 to. We have set -- we can preset rate of
5 change minimums with our displays, and that's
6 all based on your guidance and what agreement
7 we can come to. For instance, the City of
8 Columbus says every eight seconds. I'm not
9 sure if it's fully defined in your Code, but
10 we have gone 30 minutes for some. We can
11 preset that default time that is not
12 controllable then. It is set by your
13 documentation or discretion.

14 CHAIRMAN TREFZ: And how is
15 animation control?

16 MR. ROSE: In the same sense, we
17 can eliminate, from the manufacturer's side,
18 the ability to have flashing, moving, chasing
19 type. We're very sensitive and appreciative
20 of the fact that we do not want to put
21 something out there that is going to distract
22 drivers, that is going to be nuisance to the
23 community. And 93 years, I mean, it's our
24 business model to act in the best efforts, and

1 so we fully will cooperate with your guys'
2 direction, but that is all very much
3 dictateable and controlled on the
4 manufacturing end.

5 CHAIRMAN TREFZ: And what's the
6 diagonal size for comparison to TVs? Would it
7 be 102 inches?

8 MR. ROSE: So that's a great
9 question. What is the actual size of this?
10 Can you zoom in for me?

11 CHAIRMAN TREFZ: 36 by 9.9, right?

12

13 MR. ROSE: So, 3 by 9?

14 MR. MCFARLAND: 3 by 8.

15 MR. ROSE: 3 by 8, okay. So, the
16 aspect ratio that computers, TVs, everything
17 works on 16 to 9, which is really close to two
18 to one. It's 1.77. And so, our
19 recommendation professionally is to try to get
20 close at aspect ratio so you can show visuals
21 pictures. You can upload community messages.
22 Our signs work with IPAWS and FEMA and so they
23 are more, as Jim stated, than just
24 advertising. They can be a staple for the

1 community. If there's an Amber Alert, we have
2 an option with the software that allows that
3 to immediately display. Tornadoes, whatever
4 we had, winter storm warnings, that sign can
5 dictate that. But in this state -- or in this
6 case, at 3 by 8, I can't -- I'm not really
7 good at math so I can't tell you what the
8 diagonal is, but that is a professionally
9 recommended aspect ratio there.

10 MS. NEFF: Does McDonald's use
11 their signs like this for Amber Alerts or
12 tornado warnings or anything?

13 MR. ROSE: They do. McDonald's is
14 one of our corporate clients. We have 70,000
15 of these signs out in the United States, and
16 McDonald's does occupy a large percent of
17 that. And we have probably, we have 12
18 official corporate clients, McDonald's,
19 Wendy's, Bojangles. I can go on. And they do
20 opt in. It depends on if it is a
21 franchise-owned property and/or a proper
22 McDonald's property. But again, that option
23 is there for them to utilize.

24 MR. MCFARLAND: It's approximately

1 114 inches exactly.

2 MR. NEFF: I have a question.

3 When you guys came through the last time, I
4 believe the monument sign that we were looking
5 at was a static, just a big sign. It was
6 really big, though. What is the shift from
7 the static M versus going to this digital?
8 What was the thinking there?

9 MR. ROSE: I'm going to plead the
10 5th on this.

11 MS. NEFF: Because I know it was
12 really big, but I'm just curious what the --
13 if they're all like this.

14 MR. ROSE: Spitballing, I would
15 say that McDonald's and the constituents I'm
16 working with are very sensitive to what Orange
17 Township is doing and do not want to detract
18 from what this community is. And in that
19 sense saying we'd like to play ball and say,
20 you know, let's give something that actually
21 meets your guys' Code and that works and then
22 we're not asking for, you know, that's huge.

23 MS. NEFF: (inaudible.)

24 MS. MCFARLAND: That's also the

1 flexibility of having -- utilizing the
2 technology that they didn't really think they
3 would need or want to here. And now that the
4 store is open, and they've had a lot of
5 community feedback, that just this is a
6 natural next step for them to be more engaged
7 with the community to provide more information
8 out front than just the letter M.

9 VICE-CHAIR ROSS: So actually,
10 more of an advertising sign than a way-finding
11 sign.

12 MR. ROSE: I would say there's a
13 combination of both. I mean, I've been with
14 signage for 15 years. I've been in front of
15 you guys before. I mean, signs really serve
16 two purposes. One of them is only locational.
17 It's for emergency services. It's to make
18 sure that the address is displayed. It's to
19 make sure that people can see the name of the
20 business. The EMC allows more than just
21 advertising. It does allow it to be a message
22 center for the community. I mean, depending
23 on -- again, I cover Ohio, right. And so
24 there's all sorts of different sign Codes and

1 municipalities that exist and you know, I'm
2 happy to talk to everyone. But the majority
3 of these users who are employing and -- or end
4 users who are utilizing the EMC, it's not just
5 let me blast you with everything that you can
6 see on the biggest strip. It really is
7 something that allows people to have a sense
8 of, you know, what's happening. I mean,
9 graduation comes up. You know, there's
10 whatever, Easter events, like, you know, this
11 EMC offers those possibilities for them, as
12 long as that, you know, we make sure that
13 we're not changing the message too quickly and
14 abiding by your guys' direction.

15 MS. NEFF: But we don't know if
16 this -- is this a franchise? We don't know if
17 this franchise is going to opt into Amber
18 Alerts and tornado warnings and all that
19 stuff?

20 MR. ROSE: No, but I'm sure that
21 that point could be --

22 MS. NEFF: Could be.

23 MR. ROSE: Yes. If IPAWS -- I
24 have documentation from -- can I give you guys

1 just some of the resources here, in terms of
2 specifications, and everything that the sign
3 can do with the EMC is included in this
4 information. But it's basically them clicking
5 the button that says yeah, let it work.

6 MR. GAYETSKY: Sure. You can
7 review materials and we can also enter it
8 later on our system. So to save a copy, yes.

9 MR. MCFARLAND: Chris. She said
10 that, yeah, that I mean, they want value in
11 that, the community to have that, they would
12 certainly make copies.

13 MR. ROSE: So, based on my
14 colleague's direction here, we would be
15 willing to definitely accept the Amber Alert
16 and IPAWS information to be displayed on the
17 signs.

18 MS. NEFF: Thank you.

19 MR. ROSE: You're welcome.

20 CHAIRMAN TREFZ: Other questions?

21 MR. MCCOY: What's the intensity
22 of the illumination on that?

23 MR. ROSE: Great question. It
24 depends on the resolution; however, the max is

1 10,000 minutes, which is different than foot
2 candle lumens. That's at a 16 millimeter
3 resolution, which means the negative space
4 between the LED pixels are 16 millimeters
5 apart. At 10 or 8 it drops down to 10,000
6 minutes and that's the maximum brightness,
7 which our signs have louvers on them to direct
8 sunlight and visually help see the imaging.

9 They are, again, through the
10 software automatically dimmed down to 20% of
11 that during the evening hours. Basically it's
12 all cloud-based, so when the sunsets here in
13 Columbus, it's going to dim down. The end
14 user and/or a sign code can dictate that and
15 be orchestrated again on the front end by the
16 manufacturer to say, if you want it down to
17 15% of that, if you want it down to 10% of
18 that, all that is controlled, as well as the
19 hours of operation.

20 MS. NEFF: Yeah, and this is a
21 24/7 McDonald's, right, so I assume it will be
22 going 24/7?

23 MR. ROSE: Unless you say, hey,
24 let's turn that off at midnight and on a 4:00,

1 yeah.

2 MR. MCFARLAND: But to the Board,
3 I mean, you guys are always doing the right
4 thing and acting in the best interest. And so
5 I think everyone's just, you know, trying to
6 find a middle ground here where business and
7 community can, you know, evolve with what
8 technology is doing. And we're very much
9 acceptable to your recommendation.

10 CHAIRMAN TREFZ: Okay. Thanks.

11 Other people from the --

12 MR. GAYETSKY: Before, Mr.
13 Chairman, before the Members of the public
14 speak, I do want to make note for the record
15 that we had received some email
16 correspondence. I wanted to convey -- put on
17 the record the fact that we passed along all
18 six of those comments to you digitally, as
19 well as some hard copies before you. So,
20 hopefully you had a chance to preview the
21 residents' comments.

22 CHAIRMAN TREFZ: Okay.

23 MS. NEFF: Yes.

24 MR. PAX: Yes.

1 CHAIRMAN TREFZ: Thank you.

2 MR. GAY: Thank you. I'm Larry
3 Gay, 169 Long Branch Run, Delaware, 43015. I
4 live in the Olentangy Crossings subdivision.
5 I've seen all the development. I've lived
6 there for seven or eight years now, so I've
7 seen them rapid development and I'm not naive
8 enough to think there's not going to be any
9 development. I know that. I think for the
10 most part, the Township has been very good
11 about controlling development. Okay.

12 But it's hard for me not to be
13 skeptical about the gentlemen from McDonald's.
14 All the positive benefits they claim this,
15 excuse me, ugly sign is going to provide is
16 not what's important to them. What's
17 important to them is the bottom line they
18 think will help to increase their profit. I
19 understand, okay. And I do appreciate the
20 landscaping around that, the structure of the
21 building and the landscaping, I think that was
22 well done. This is going beyond the pay bill,
23 okay.

24 You may know or may not know that

1 church right next door applied for a sign
2 similar to this two or three years ago,
3 denied. I heard earlier that precedence, that
4 this didn't have nothing to do with
5 precedence, but you understand if this is
6 okay, you're going to have the church. I know
7 you're going to have the bank. Okay. And
8 probably a number of other businesses try to
9 get the same thing. Okay. So this is not
10 about slowing down traffic. This is not about
11 putting up signs about tornadoes or, this is
12 about profit. Okay.

13 And I like McDonald's, okay, but I
14 don't like what their response to what they
15 think they're going to do to our neighborhood.

16 It's not going to destroy our neighborhood,
17 but this -- that's not going to help it. And
18 that doesn't fit in the original zoning
19 restrictions. Okay. And nothing they've said
20 justifies violating those previous and
21 existing zoning laws. Okay.

22 So I don't know -- I don't know
23 how you can okay this in good conscience and
24 not understand this is just going to be the

1 beginning of Morse Road. Okay. I'm sorry to
2 be kind of cynical here, but I've seen this
3 happen and I'm afraid it's going to happen
4 again. And I ask you not to let it happen
5 again. Okay. Thank you very much.

6 MR. MCCOY: Can I ask you a
7 question, sir?

8 MR. GAY: Yeah, sure.

9 MR. MCCOY: Are you opposed to any
10 type of sign there or this type of sign? If
11 you're not opposed to any type of sign --

12 MR. GAY: You know, I don't know.
13 I'd have to -- this thing is -- no.

14 MR. MCCOY: So if you're taking
15 about the first sign --

16 MR. GAY: This thing, absolutely
17 not. I'd have to see the other -- I don't
18 want a gigantic M, obviously. But if the
19 church is not allowed to change their sign,
20 okay, I'm not sure why they should be allowed
21 to do this.

22 MR. MCCOY: Do you object to the
23 church sign?

24 MR. GAY: I don't care if it's

1 exactly like a church sign or not. I'm just
2 saying that they requested a monument sign
3 that had -- I don't know how to explain it,
4 but they were denied. I don't understand why
5 this is any different. It's a lot uglier,
6 actually than what the church wanted. Okay.

7 And recently there's been a coffee
8 shop that was built and they wanted some sign
9 zoning variances, and they weren't allowed.
10 And I know during that presentation somebody
11 from the bank said, if you allow this, we're
12 going to want the same thing. So I just, I
13 mean, you know, you're not naive. You know
14 what's going to happen. Okay. And I'd just
15 like you to consider that. And again, I'm not
16 against McDonald's. Okay. It's just, I'm
17 against this type of development.

18 MS. NEFF: But to his question,
19 the sign of the church as is currently do you
20 have any concerns with that?

21 MR. GAY: I would say my way of
22 responding to that is, I'd kind of say it was
23 grandfathered. The church has been there for
24 a lot longer than a lot of that development.

1 Okay. That sign has been there for as long as
2 I remember driving up -- and I drive up 23 up
3 and down every day many times. Okay. That
4 church and that sign has been there long
5 before the development of my neighborhood.

6 Okay. I think even before Kroger's. Okay. I
7 think even before at one time there was a gas
8 station directly across the street, okay,
9 before that. So they've been there for a long
10 time. So it's not like they had no sign and
11 then they put up a sign. It's been there.

12 So, I mean, I don't particularly like the
13 sign, but, like I said, it's kind of my
14 concept of grandfathered in. They were there
15 first. I guess that's how I'd explain it.

16 And I don't know if any of the
17 others new developments along Artesian, the
18 Panera, all those different -- if they're
19 going to ask for the same type of sign or not.
20 I wouldn't be surprised. I understand the
21 need to draw business in, okay, but at the
22 same time, I thought the original zoning rules
23 were to respect the aesthetics of the
24 neighborhood, environmental impact, all those

1 things. Okay.

2 This is profit-motivated only.

3 It's not about we can put -- we can notify

4 tornadoes. We can put something about

5 graduation. That's not what they're talking

6 about. They want to increase their profit.

7 I'm sorry. I've said what I need to say.

8 Thank you very much.

9 MR. ROSE: No apologies needed. I
10 certainly appreciate your opinion. I don't
11 work for McDonald's. I'm not paid by
12 McDonald's. I have nothing to do with that.
13 I live in Gahanna. I'm here in Orange
14 Township. Opinions are opinions, and I
15 understand that. You guys reserve the right
16 to look at each case individually, and that's
17 where we certainly appreciate and concede to
18 this.

19 I do take offense to people saying
20 Morse Road is ugly. You know, my truck is the
21 color of FedEx purple. I think it's
22 beautiful. My wife hates it, right. But
23 that's neither here nor there. I mean, the
24 intent of the sign and what it can do is

1 something to consider. Sure, you can say it's
2 only to drive profits, but I truly believe
3 that these signs when you see them at
4 churches, houses of worship, other businesses,
5 banks, gas stations, I mean, they are
6 conveying information that is pertinent to the
7 public. We live in a world where business
8 does matter, and yes, that's part of it, but
9 that's not the end all. So, thank you.

10 MR. THIEDE: My name, again, is
11 John Thiede, 6726 Fall Brook Trail. And I was
12 sworn in earlier. I don't know if you had a
13 picture up there, but do you have an over
14 overhead picture of U.S. 23 there? Because I
15 want to point out something to you guys that
16 you may be aware, but I wanted to let you know
17 what the Ohio Department of Transportation is
18 proposing for this area. Okay. I think
19 that's right. Sorry, I got a big glare there.
20 Alright, that's fine.

21 So the plan for Ohio Department of
22 Transportation is planning from Home Road all
23 the way up to Shanahan making it to where
24 there is no left turns. If I'm going north, I

1 can't make a left turn. Okay. The plan is as
2 they'll end up being no light at Lewis Center
3 Road, so no one will be able to make a left
4 turn in front of oncoming traffic. What you
5 will end up having to do, okay, as I'm going
6 north, I will have to turn right on Lewis
7 Center Road, go up to either the light that
8 goes behind Mark Pies, is that what it's
9 called, or whatever that's there, or the next
10 road behind Kroger's, okay, to get all the way
11 over to Olentangy Crossings West. Okay.

12 Their plan is to put an underpass or overpass.
13 They don't know which one yet. I think it
14 will probably most likely be an underpass
15 because that takes less space that's there.

16 So, the whole big plan of all of
17 this is that's going to end up happening is
18 hopefully at one point Home Road will have a
19 continuation all the way to Lewis Center Road
20 at the second or large traffic circle.

21 So their hope is all that traffic
22 that's all up here to go south on 23. For
23 them to do that, they'll either have to go to
24 Home Road, if that's open at that time, or

1 they will all go up to Olentangy West Road,
2 okay, crossover, come back behind Panera Bread
3 and all that, come up to the first little
4 niche next to where Crimson Coffee is at right
5 there, yep, go to that road to get to go south
6 or come up to the what is Coal Bend, not Lewis
7 Center. When you cross 23, it becomes Coal
8 Bend. It's no longer Lewis Center Road, okay,
9 to be able to go south. Okay. Same thing
10 when I want to go north, I'll have to go up to
11 Olentangy West, cross over and make an exit to
12 get up to go north.

13 I don't know when this is going to
14 happen. I think it's one of the dumbest
15 things the Department of Transportation has
16 come up with to do that. I don't understand
17 the understanding of making a bunch of traffic
18 now flow into one area and then come to our
19 road, so. But why I'm pointing this out is
20 the amount of traffic that's going to throw
21 into the particular area that we have here.
22 Adding a monument sign, and I'm sorry, a
23 monument sign, its purpose is to advertise.
24 That's what the purpose is that. I mean, a

1 billboard, any sign you see, that's the
2 purpose of a sign is to Billboard. I'm here,
3 buy from me, okay.

4 The one question that I have
5 beyond this part of that, I just wanted to
6 point that out so that you know what the
7 future plans were, is my question really comes
8 down to one thing. Why are zoning
9 regulations, rules, provisions or whatever
10 created? Why? Okay. I think the reasons why
11 is so that you come with a planned community,
12 you have a plan, what you're planning to have
13 in a particular area so that you don't end up
14 with certain businesses, you don't end up with
15 certain -- just a hodgepodge of different
16 stuff that will end up being there.

17 We had Crimson Coffee ask for a
18 sign. They were denied. I know precedence
19 shouldn't matter, but it does matter. Okay.
20 At a point when I'm sitting here, if I was the
21 owner of Crimson Coffee, and you allow, when
22 you've denied me before, I'm going to come
23 back to you and say, I want it now, too, okay,
24 exact same type of sign, and you tell me no.

1 You've set a precedence by saying overrule the
2 rules that we have. And then if you don't
3 allow me, then I have a really good lawsuit,
4 if I have to say, good for him, but not for
5 me. So that's my biggest concern is that
6 we're going down here on a slippery slope.
7 It's going to continue to go down.

8 I own a home back behind there.
9 When I bought the home, it was very early on,
10 paid a very good price. It's appreciated to
11 double from what it was because of the homes
12 being sold now. And we've already had an
13 effect by all the different businesses that
14 have opened up there that we were told were
15 never going to be built there because of
16 what -- how it was zoned. That's just
17 salesman, not your fault. Okay.

18 I want to keep my property values
19 up. And I can tell you now I feel like since
20 McDonald's has been there, my property value
21 did go down. Okay. And everybody else's is
22 in there did go down. The sales prices came
23 down. We can say all kinds of other things
24 that's occurring. I would like to keep the

1 same look that we have already on 23.

2 McDonald's is not hidden, Joe, so
3 in case you come up with that argument, it's
4 not hidden. You can see that from Olentangy
5 West that there's a McDonald's up there. They
6 have signage on the north side of the building
7 that shows it the big M. And I'm sorry,
8 anytime anybody sees a big golden arch M, they
9 know what that is. They've advertised that
10 for -- is it close to 80 years McDonald's has
11 been with us?

12 MR. ROSE: I'm sorry, I don't
13 know.

14 MR. THIEDE: Okay. I don't know
15 how long, but we all know that that's what
16 that is. I would like to keep what we've had
17 and continue to keep on ask. So I implore you
18 to say no and follow what we have in the
19 zoning that says no monument signs, period.
20 If you wrote that and it was written in the
21 rules, why are we overcoming the rules? I
22 just don't understand that from anybody and on
23 this Board or any other part in Orange
24 Township why, well, let's just throw the rules

1 at the wall and say, hey, if you can come in
2 and ask and request and we'll give it to you.
3 And I just don't like that. I'm serious.

4 And it's getting to the point
5 where enough of these that I've come in and
6 seen is just saying the zoning rules just go
7 flying out the door and we just will change
8 things and we'll make it better, and bring
9 business in and so forth. It makes me want to
10 move and get away out of the Township, is what
11 it's making me do. And I'm going to say this
12 up front, if this is approved, okay, I am not
13 going to end with just this. I will fight
14 this. And if it takes me to Court a lawyer to
15 get this done, I am going to fight this.
16 Okay. I've had enough with the Board changing
17 and making different rules for different
18 people, different times, giving a Variance,
19 you know, to a rule that's there. I just
20 think it's unfair. I don't understand. We
21 put people in place to do this. I just
22 implore you not to approve it. Thank you.

23 CHAIRMAN TREFZ: Thank you.

24 MR. MCFARLAND: Thank you for

1 considering the neighbors and their opinions
2 because I was a Zoning Inspector for several
3 years down in Pickaway County, Scioto
4 Township, and I appreciate the passion the
5 neighbors have with their communities and all
6 the perspectives.

7 Nesa Rogers is with a McDonald's.
8 And there's a couple things that was said that
9 she wanted to clarify in terms of some of the
10 questions on the community and usage of the
11 EMC. So Nesa, you're welcome to come up here.

12 MS. ROGERS: Hi. I'm Nesa Rogers.
13 My address is 121 Keystoner Way, Delaware. I
14 was not sworn in earlier, so.

15 CHAIRMAN TREFZ: Anyone who
16 intends to testify, please raise your right
17 hand and be sworn. Do you solemnly swear that
18 the testimony you shall give shall be the
19 truth, the whole truth, and nothing but the
20 truth; state I do. And when it's your turn,
21 please state your full name address and affirm
22 that you've been sworn in.

23 MS. ROGERS: I do. Nesa Rogers,
24 121 Keystoner Way, Delaware, Ohio.

1 CHAIRMAN TREFZ: Thank you.

2 MS. ROGERS: I do just want to
3 make a comment about the advertising on the
4 sign.

5 MS. NEFF: I'm sorry, where are
6 you from?

7 MS. ROGERS: I'm with McDonald's.

8 MS. NEFF: You're franchise, yes.
9 Yes. Sorry.

10 MS. ROGERS: I do want to say that
11 we are proud to be a part of this community,
12 not just as a business but as neighbors, who
13 are deeply concerned and care about the people
14 that we serve. Our restaurants create jobs,
15 support local events and provide a welcoming
16 space for families every day.

17 So the electronic sign, yes, we
18 will be advertising menu items, limited time
19 offers, things like that, but it's more about
20 communication and in terms of the community as
21 well. So, we do like teachers nights, we do
22 dine and donates, and we want to be able to
23 advertise that to the community so they can
24 come and support. We did one in January with

1 the Olentangy High School, their DECA Program.
2 We helped them raise \$500 for Muscular
3 Dystrophy kids so they could attend a camp
4 that they wouldn't have been able to attend
5 otherwise. Back in October of last year, we
6 helped two of the Olentangy High Schools raise
7 over \$1,000 for their sports programs. So, we
8 want to be able to advertise, like I said,
9 yes, menu items, limited time offers, but we
10 want to be able to advertise job
11 opportunities, family-friendly promotions,
12 seasonal specials and community messages.
13 Like we said earlier, we would be willing to
14 put up Amber alerts, tornado warnings, stuff
15 like that, so. I just want to stress that,
16 yes, it is a business, but it's also about the
17 community as well.

18 CHAIRMAN TREFZ: Thank you.

19 MS. MCCOMB: Robyn McComb, 6710
20 Fall Brook Trail, Delaware. Hopefully I'm
21 your last comment. The first McDonald's
22 representative said sequel. This is insanity.
23 We just keep having this same conversation
24 over and over again and expect a different

1 answer, Conditional Variances over and over
2 again from monuments that are not allowed in
3 the zoning for those properties. And that,
4 fortunately, was written that way because
5 there was a neighborhood behind there. Those
6 lots were also supposed to be more boutique
7 like. Several of the businesses that have
8 gone in there are fairly nice, and
9 fortunately, like, First Watch closes at a
10 decent time so the impact on the neighborhood
11 has been minimal.

12 But high traffic through that area
13 is already dangerous. That is one of the most
14 dangerous intersections. If they do pass the
15 change of roadways, that speed limit may
16 actually increase because there will be no
17 lights there, so it's already very dangerous.
18 Children are getting crashed in major
19 intersection crashes there at that
20 intersection.

21 The graphics, the fact that he
22 brought up all the studies recognizes the fact
23 that that's dangerous. A fixed sign is one
24 thing, but when people were driving 55, and he

1 admitted are probably going 60, 65, and now
2 they're trying to read us a graphic that's
3 going to change possibly every eight seconds,
4 that is going to just increase obviously that
5 risk in that area.

6 Several of those other businesses,
7 including the one immediately attached to the
8 lot that McDonald's is on, has asked for these
9 same Variances. Thirteen of them were denied
10 just for Friendship that is in the attached
11 lot with graphics. And the reasoning, again,
12 was one, the impact of the neighborhood, and
13 two, the danger of people driving and trying
14 to read. They're already looking at the
15 phones while they're driving. Now they're
16 trying to read signs as they're driving.

17 So it's -- the danger is
18 exceptional. And it's disheartening when I'm
19 sitting in my house and I hear sirens and I
20 wonder if it's my kid or my neighbor, and I'm
21 checking to see who knows what car was
22 crashed, so it is a high-risk area. And I'm
23 not saying that just to be dramatic. I'm
24 saying that for a fact, there are accidents

1 there. It's a high-risk area. So that's my
2 concern with that.

3 To answer your question, I know it
4 wasn't directed at me about the church sign,
5 I, too, have lived in the area since that --
6 you know, I lived here when that church was
7 the only thing there. The church sign says
8 the hours of their services. The sign never
9 changes. It has the -- change that they made
10 was lights pointed at it so people could see
11 the service times. It doesn't change. It
12 stays the same, a 7:00 a.m., a 9:00 a.m. and a
13 11:11 a.m., is what it says. Actually, when I
14 drive by it, I don't mind it because 11:11
15 brings me joy. That's one of the times of
16 their services. So I know it's the same thing
17 every day. They don't change that sign, so it
18 doesn't bother me, but that's not the intent
19 of this sign. It's not going to be a service.
20 It's not going to be used for messaging. It
21 may be, but that's not the intent. The intent
22 is to up their business. They're a business.
23 It makes sense.

24 But, really, the reason that they

1 need to be concerned is not the sign. The
2 sign is not going to save their business. If
3 you read their reviews, they have comments
4 like 20 people in the lobby, no one at the
5 counter, they up charged me, five out of five
6 times, they've messed up my order, fries are
7 always cold, it's very slow, and it's the
8 worst McDonald's was the last review I read
9 before I came here. So, those are things that
10 should be considered by them. This sign isn't
11 their problem. Their problem is their
12 business. Thank you.

13 CHAIRMAN TREFZ: Thank you. Any
14 other comments? Questions from the Board?

15 VICE-CHAIR ROSS: I'd like to move
16 that we enter into Private Deliberations.

17 CHAIRMAN TREFZ: I'll second that.

18 MR. GAYETSKY: Motion to move into
19 Private Deliberations made by Ms. Ross,
20 seconded by Mr. Trefz. Those voting:

21 Mr. Trefz.

22 CHAIRMAN TREFZ: Yes.

23 MR. GAYETSKY: Ms. Ross.

24 VICE-CHAIR ROSS: Yes.

1 MR. GAYETSKY: Mr. Pax.

2 MR. PAX: Yes.

3 MR. GAYETSKY: Ms. Neff.

4 MS. NEFF: Yes.

5 MR. GAYETSKY: And Mr. McCoy.

6 MR. MCCOY: Yes.

7 MR. GAYETSKY: Move into Private

8 Deliberations.

9 (Entered Private Deliberations.)

10 - - -

11 VICE-CHAIR ROSS: I move we return

12 into regular session.

13 CHAIRMAN TREFZ: I'll second.

14 MR. GAYETSKY: Move to return into

15 regular session made by Ms. Ross, seconded by

16 Mr. Trefz. Those voting:

17 Mr. Trefz.

18 CHAIRMAN TREFZ: Yes.

19 MR. GAYETSKY: Ms. Ross.

20 VICE-CHAIR ROSS: Yes.

21 MR. GAYETSKY: Mr. Pax.

22 MR. PAX: Yes.

23 MR. GAYETSKY: Ms. Neff.

24 MS. NEFF: Yes.

1 MR. GAYETSKY: And Mr. McCoy.

2 MR. MCCOY: Yes.

3 VICE-CHAIR ROSS: After
4 considerable discussion, the Board has some
5 serious concerns regarding the application for
6 the EMC sign. We want to let you know that
7 you have the opportunity to ask for a
8 continuance of this application.

9 MR. MCFARLAND: And which of the
10 four Variance determination criteria are
11 affecting that recommendation?

12 MS. DONNAN: So perhaps, if I
13 could maybe give some information. I think
14 what Ms. Ross was indicating is that there's
15 some serious concerns about the electronic
16 nature of the sign, and obviously that is one
17 type of sign. And the Board, please correct
18 me if I'm wrong. Are there any other features
19 or any other type of proposals that McDonald's
20 might be willing to put in front of the Board
21 or revise its application?

22 MR. MCFARLAND: Hang on a second.
23 So just to be clear, in the Section 22.05(b),
24 signs not otherwise specifically authorized by

1 this Resolution, and this is the Staff Report,
2 the monument EMC sign is not a specifically
3 authorized sign type by the Zoning Resolution,
4 which is why we're asking for Variance. So
5 it's neither prohibited nor is it allowed in
6 any zoning district, correct?

7 MS. DONNAN: correct. So what the
8 Board is -- I believe the Board is struggling
9 with the request for an electronic sign. And
10 so, if there was a different style of sign,
11 you obviously need a variety of Variances as
12 well, as a Conditional Use. I think that's
13 the question that the Board is asking.

14 MR. MCFARLAND: It's hard to know
15 what decision criteria that we want to follow
16 because I'm just -- all I have to go with was
17 Area Variance determinations, Items 1 through
18 4, 4a through d -- or f, as well as the
19 Conditional Use Criteria. So, I don't know
20 how I can address the EMC problem because it's
21 not specifically defined in Code. Nor can I
22 find decision criteria that I can rely on, or
23 that the Board can rely on and make their
24 decision.

1 MS. DONNAN: So, instead of the
2 criteria -- you know, and you're looking
3 through the Zoning Resolution in terms of the
4 decision criteria and that type of thing, I
5 believe what the Board is concerned about is
6 the application itself. And so, in terms of
7 the features of the sign and, you know, can
8 the sign -- can your client submit updated
9 materials that create a sign that looks
10 different, that maybe doesn't have the EM --
11 or the electronic features, that type of
12 thing.

13 MR. MCFARLAND: So this will
14 continue to be a floating ship without
15 definition until the Code identifies the EMC.
16 And you're forcing us to have to go to a
17 different kind of product that McDonald's
18 doesn't want to ignore the technology that's
19 available that's used all over the place, and
20 get an inferior type of graphic that is not
21 current state-of-the-art; is that what you're
22 saying?

23 VICE-CHAIR ROSS: We're giving you
24 the opportunity to continue to another meeting

1 and come back with a different application, or
2 we can go ahead and vote.

3 MR. MCFARLAND: Is it possible
4 that we can have a conditional approval, or at
5 least a vote on the monument -- on a monument
6 sign tonight? I think --

7 VICE-CHAIR ROSS: The monument
8 sign that you have before us has that element
9 within it.

10 CHAIRMAN TREFZ: We can't --

11 VICE-CHAIR ROSS: And that's where
12 our concern lies.

13 MS. NEFF: So we would need
14 something to come back with the new --
15 something for us to look at to see what --

16 MR. MCFARLAND: I mean, I'm
17 worried that we're still going to be stuck
18 with -- we have to have -- I mean, we have to
19 have both a monument sign -- so what you're
20 basically saying is you want us to refile a
21 brand new application or amend our application
22 so we -- because right now the EMC is part of
23 our application filing.

24 MS. DONNAN: Correct. I believe,

1 in terms of a continuance, that would provide
2 you with the opportunity to come back at a
3 time date and certain with updated materials
4 and a different proposal, basically, so that
5 way a different style of monument sign, that
6 type of thing. Again, I think the directive
7 is struggling -- the Board is struggling with
8 the electronic nature of the sign, but
9 recognizing they can move forward with a
10 decision tonight or provide you with an
11 opportunity to provide a different sign style.

12 MR. MCFARLAND: Okay. Let me
13 confer with the McDonald's folks real quick
14 just before I -- can I do that?

15 CHAIRMAN TREFZ: Sure.

16 MR. MCFARLAND: Okay. Thank you.

17 (Discussion off record between
18 McDonald's Representatives.)

19 MR. THIEDE: So, again, my name is
20 John Thiede.

21 CHAIRMAN TREFZ: Can he --

22 MS. DONNAN: It's just public
23 comment.

24 MS. NEFF: Well, I know, but

1 they're not going to be able to hear it.

2 MR. THIEDE: Well, that's their
3 problem, not mine.

4 MS. DONNAN: Respectfully, and I
5 believe the Board has closed public comment as
6 well.

7 MR. THIEDE: So then why would
8 they get more public comment, because you
9 invited them up to give more public comment?

10 MS. DONNAN: They're the
11 applicant.

12 MR. THIEDE: but you invited them
13 to come up when the comments were closed at
14 that point.

15 MS. DONNAN: Correct. The
16 applicant had -- we're talking about their
17 application, sir, and they have the absolute
18 right to make decisions with respect to their
19 application.

20 MR. THIEDE: Okay. But they're
21 they've made a change in telling him that he
22 can make a change and you're not going to
23 allow public comment to allowing them to make
24 that change.

1 MS DONNAN: No, they didn't come
2 back.

3 CHAIRMAN TREFZ: They're coming
4 back --

5 MR. THIEDE: Make the change and
6 have a continuance --

7 MS. DONNAN: And so at that point
8 -- in the event this applicant comes back and
9 says that they would like a continuance and
10 they amend their material --

11 MR. THIEDE: But --

12 MS. DONNAN: Let me finish,
13 please, sir. Thank you. At that point, if
14 the Board continues the application and the
15 applicant comes back with updated materials,
16 there will be another opportunity and another
17 round for public comment and that type of
18 thing.

19 MR. THIEDE: Right. But you've
20 already rung the bell, okay, that you can't
21 unring it. Let me finish. Okay. As well.
22 You're ringing a bell to say, hey, you come
23 back -- come back to us with a different
24 application, okay, or a change to your

1 application, okay, and we're not allowed to
2 make a comment about --

3 MS. DONNAN: Correct.

4 MR. THIEDE: You need to make a
5 decision on this application.

6 MS. DONNAN: Correct.

7 MR. THIEDE: as stated, as
8 written, and make it yay or nay, is what --

9 MS. DONNAN: No -- that's okay
10 that those are your feelings, but that is not
11 correct. And again, the Board has the
12 authority to have discussions with the
13 applicant and make requests of the applicant
14 and make decisions with conditions and that
15 type of thing, so. Hear your opinion,
16 understand, but again, the Board has closed
17 public comments.

18 MR. THIEDE: Again, it's just
19 let's shut up the citizens and not let them
20 have any -- I'm sorry, that's exactly --

21 CHAIRMAN TREFZ: You're going to
22 have a chance if they come back.

23 MR. THIEDE: Kelvin, it doesn't --
24 the Board went out on private talk, came back

1 in and you made decisions back there to come
2 in --

3 MS. DONNAN: No, they did not --

4 CHAIRMAN TREFZ: We did not make a
5 decision.

6 MR. THIEDE: Let me please finish
7 what I'm saying and then you can comment back
8 to it. My feeling is because it's not -- it
9 was in a private setting, not in a public
10 setting, I don't know what was said. That's a
11 problem one for me, okay. Two, is that when
12 the first thing of his that's come out here is
13 that applicant, are you willing to make a
14 change to your application because we're not
15 comfortable with electronic sign, that's what
16 exactly was said.

17 UNKNOWN WOMAN: It's leading.

18 MR. THIEDE: It's leading -- it's
19 leading them to get them saying you go and
20 change it, then we might be giving more of an
21 approval. And I have a problem with that.

22 CHAIRMAN TREFZ: We have to say
23 something before we broke, because after we
24 broke, we can't offer that piece, the

1 continuance.

2 MS. NEFF: We're following the
3 process that's put forth in the quasi
4 judicial.

5 CHAIRMAN TREFZ: We're following
6 the process that's given to us.

7 MR. GAYETSKY: And this has been
8 followed before as well. We've had
9 continuances on a pretty recurrent basis, so.

10 MS. NEFF: It happens very often.

11 MR. GAYETSKY: And I think even
12 meetings that you've been to before.

13 MR. THIEDE: I've seen
14 continuance, and I agree with that, but never
15 have I ever seen the Board goes with the
16 lawyer outside and have a discussion about the
17 particular --

18 MS. NEFF: We do it all the time.

19 MR. THIEDE: Sorry, I've been here
20 -- the number of times that I've been here
21 over the last ten years that's never occurred.

22 CHAIRMAN TREFZ: I'm sorry.

23 (Inaudible - People talking over
24 each other.)

1 MR. THIEDE: We can't make any
2 comments. The public -- it doesn't matter the
3 public says.

4 MR. ROSE: I would beg to differ.
5 We are in a democracy and I appreciate the due
6 process that we are going through. Again,
7 Chris Rose, acting on behalf with no financial
8 investment here. I am just giving you guys an
9 education.

10 Speaking with my constituents and
11 the Board, we would certainly be open to
12 having a continuance on the said Variance
13 applications. We would like definition on
14 what the amended, changeable copy sign would
15 look like from your perspective.

16 CHAIRMAN TREFZ: We cannot design
17 it for you, nor give you a lot of -- any
18 direction in that. We're a judicial, and so
19 you bring us something, we react to it and
20 that's how it goes. Am I correct?

21 MS. NEFF: Can we give feedback on
22 our concern?

23 MS. DONNAN: Yeah.

24 CHAIRMAN TREFZ: Yeah.

1 MS. DONNAN: I would give in terms
2 of feedback on concerns, but obviously the
3 Board cannot provide directive with if you
4 come back with this, then this happens, but
5 absolutely in terms of feedback of that,
6 absolutely.

7 MS. NEFF: Yeah. And I mean,
8 sometimes someone is out on vacation and
9 you're not going to get these same people. So
10 what we give you as feedback is no guarantee
11 that anything is going to be approved.

12 MR. ROSE: Totally understood.
13 We're all good.

14 MS. NEFF: I will say personally,
15 I -- there were some concerns about the
16 digital nature of the sign. The size of it is
17 much more acceptable than the last version
18 that we looked at that was 9 feet or whatever.
19 But I think most of the concern from the Board
20 was around the digital nature of the sign.

21 VICE-CHAIR ROSS: My concern is
22 that the digital sign would be a detriment to
23 the area because it substantially alters how
24 that area looks.

1 MR. ROSE: Because of the
2 changeable nature of the digital sign?

3 VICE-CHAIR ROSS: And also what it
4 is.

5 MR. ROSE: And if hypothetically
6 speaking the changeable nature of the sign was
7 very much limited and dictated by your
8 discretion, would that be something that
9 possibly would be considered in a future
10 application? I'm asking this in layman's
11 terms because if a church sign has a
12 changeable copy and they can go out there and
13 have a gentleman change their service times,
14 let's just say every five seconds, if someone
15 is out there spinning a sign and doing what
16 they want to, I'm just saying that they're --
17 in as our world progresses, and we all had --
18 I grew up with a phone that I dialed, right.
19 It doesn't exist anymore. My son is not going
20 to have a rotary phone. If a message is
21 displayed statically for 30 minutes, three
22 days, regardless of the time, you're still
23 seeing a static message on the sign,
24 regardless if it's a plastic letter or it's a

1 digital representation of that.

2 We're just struggling with trying
3 to understand how we can present something
4 that would be potentially acceptable.

5 CHAIRMAN TREFZ: One thing, we
6 have a hold in the sense that this is not in
7 our current Code. The new Code is coming, but
8 it's not here yet. And even if it gets here,
9 I don't know how that would affect this type
10 of electronic sign, that the Trustees have to
11 approve the zoning, and that is up here about
12 nine pay grades above me. So, public comment
13 for the new Code and all that could change
14 until we get it -- what's the word, ratified?

15 MS. DONNA: Ratified, adopted.

16 CHAIRMAN TREFZ: Adopted. And
17 yes, I work in this digital technology daily,
18 hourly, so I am used to it, but no, the Code
19 isn't up to it and I'm not sure it's going to
20 be up to it. And if it is, we've got to have
21 a lot more input from the people that live in
22 the area.

23 MR. ROSE: Fully understood. It's
24 hard for both parties to come to some sense of

1 agreement here or a middle of the road due to
2 some of the nature of the Code that we are all
3 dealing with. And is there any determination
4 or estimation that, obviously we're on the
5 record, but still I can't hold anyone to it,
6 like, do we know when that potential Code is
7 being looked at?

8 MS. DONNAN: It's going to be some
9 time. I know that the Zoning Commission -- it
10 currently is at the Zoning Commission level
11 and they're working through it as soon as
12 possible. Hopefully, it will get to the
13 Trustees soon, but there's just a lot of
14 revisions and rounds and a lot of public
15 feedback, and so there's just no way of
16 estimating when that would be in place. And I
17 can't -- and again, as Kelvin said, I can't
18 speak to what the current draft says about
19 electronic signs, and certainly wouldn't know
20 in the future.

21 CHAIRMAN TREFZ: So, I can offer
22 no hope that --

23 MR. PAX: But I did want to
24 reiterate what Ms. Neff was saying regarding

1 the sign. From the previous sign to this sign
2 being reduced in scale is variable, the stone
3 that's added at the bottom of it vailed and
4 rounding it with that is nice also. I just
5 think when we're talking about hearing
6 concerns of residents and your goals and with
7 McDonald's goals, so we're trying to come to a
8 balance here, a fine balance and respecting
9 everyone's opinions and their goals ultimately
10 in that regard.

11 But the EMC basically not being a
12 static sign to me that -- when we're talking
13 about just the character along that corridor,
14 and there is a difference, there is a palpable
15 difference between a motionite sign that that
16 has motion and movement to it versus a static
17 sign, those that are -- it's just different.

18 VICE-CHAIR ROSS: And yeah, just
19 the electronic nature of it is completely
20 different.

21 MR. PAX: So, I mean, that it's a
22 subtle thing, but I think that's part of also
23 the residents were having here on that and why
24 that's been such a big issue for us

1 personally. We respect the fact that it's
2 different from the one that's presented a year
3 and a half ago.

4 MR. ROSE: Sure.

5 MR. PAX: But that's, I guess, if
6 you're looking respectfully to your question,
7 trying to understand of what we're thinking,
8 that's part of it.

9 MR. ROSE: I'm there with you
10 guys. And I totally understand the
11 difficulties that you have in front of you and
12 appreciate your opinion and guidance on this.

13 There are so many questions that
14 can be raised in terms of the nature of what
15 is dictated in the Codes and what has already
16 been ratified and approved. You know,
17 electronic signs, in general, like, until
18 there's a definition that's defined by Orange
19 Township, it is going to be difficult.
20 Because Pizza Cottage is a sign that is
21 static; however, it is illuminated with
22 electronics. LEDs are an electronic
23 component.

24 CHAIRMAN TREFZ: Sure.

1 MR. ROSE: And the EMC is direct
2 view LEDs. And based on, you know, some of
3 the controls that we as a manufacturer have
4 the ability to meet municipalities' rulings
5 based on their determination of how often that
6 can change.

7 I do understand that a manual copy
8 changeable sign falls into certain rhetoric
9 and language that allows you to make a
10 decision on that. I think here that the real
11 question is, what are Orange Township's
12 definition of an electronic sign, of a
13 changeable copy sign, of a timing associated
14 of the animation, the images? Because just
15 speaking in logic, even if it's an electronic
16 display and it's displaying a static image for
17 a certain amount of time, I would propose that
18 that is a static sign that is not being
19 changed, and that's where the gray area is.
20 And I appreciate your guys' consideration, and
21 that's my two cents.

22 MS. NEFF: And we appreciate --
23 you know, we're not giving you specifics. We
24 can't give you specifics. But I think it

1 sounds like you're asking us to put some
2 limitations on, you know, it can only change
3 every so often. And we are not knowledgeable
4 enough about these signs to know what that may
5 be look like to give you that kindness. So
6 it's just making it -- I appreciate -- it's
7 making it tricky for us to communicate about
8 exactly what is and is not okay.

9 MR. ROSE: I certainly get it, and
10 I understand that, Stacey, and thank you. And
11 that's where I just rely on, I guess, my
12 experience in past nature with other
13 municipalities that have adopted and ratified
14 some sort of baseline that helps define these
15 things.

16 And I think really at the core of
17 this issue, that's what we're trying to get
18 at. Like, you guys don't want to make a
19 decision that is going against anything that's
20 already there; however, you're understanding
21 that maybe some of the language and things
22 that are currently in process could use an
23 amendment, a constitution gets amended, you
24 know, sign Code gets amended. And as

1 technology and time changes, these things
2 happen. We don't know when that's going to
3 happen. We would assume that it may.

4 And you know, my mother-in-law and
5 my father-in-law live here, like, Orange
6 Township is great. I mean, this is where I
7 grew up and you guys have done a great job. I
8 just believe that without having a common
9 baseline, it's going to be very difficult to
10 determine how this plays out, understanding
11 that the community is your guys', as you know,
12 officials, your prerogative, but also the fact
13 that there are businesses with plenty of
14 background to say, is this something that is,
15 I guess, you know, questionably determined in
16 a different Court. Like, I don't know, like,
17 that's kind of where we are. Thank you,
18 again. I'll let Jim talk.

19 MR. MCFARLAND: Ms. Ross, I just
20 wanted to clarify. Your concern is the same
21 as others, it's not the electronic nature,
22 it's the digital nature; is that right?

23 VICE-CHAIR ROSS: I am not aware
24 of the difference between the wording, the

1 terms, but I don't -- the actual look of that
2 sign that is bright and draws attention away
3 from the road, rather than something -- if
4 you're actually looking for something that
5 tells your businesses there, I think that can
6 be accomplished with something that doesn't
7 change the nature of the area.

8 MR. MCFARLAND: Okay. So if we
9 come out with another proposal that has a need
10 for illumination that requires electricity --

11 VICE-CHAIR ROSS: I'm fine with
12 that.

13 MR. MCFARLAND: Okay. Because
14 that's electronic in nature.

15 VICE-CHAIR ROSS: Well, I'm -- I
16 can't tell you according to the -- I can only
17 go by the -- with what our Code says, what
18 they call that type of sign.

19 MR. MCFARLAND: Okay.

20 VICE-CHAIR ROSS: And what you've
21 proposed. I'll tell you what you've proposed,
22 I have a problem with.

23 MR. MCFARLAND: Just the EMC
24 portion?

1 VICE-CHAIR ROSS: I can't tell you
2 whether it's the EMC portion or not. I can
3 tell you the look of that sign does not fit
4 into that area.

5 MR. MCFARLAND: Does the word
6 McDonald's offend anyone?

7 UNKNOWN SPEAKER: No.

8 MR. MCFARLAND: Okay. What is the
9 next date, if we continue?

10 MR. GAYETSKY: That would be May
11 15th. And same room, 6:00 start. So that's
12 Thursday, May 15th. Alright.

13 Mr. McCoy, did you have any input?
14 I don't think we heard.

15 MR. MCCOY: No.

16 MR. MCFARLAND: Okay. Mr. Pax,
17 did you give input already?

18 MR. PAX: I'm good.

19 MR. MCFARLAND: Okay. Thank you
20 for the offer to continue. We will be back
21 May the 15th. Thank you.

22 CHAIRMAN TREFZ: Do we need a
23 Motion for that?

24 MR. GAYETSKY: Yes.

1 CHAIRMAN TREFZ: I move that we
2 continue this case until May 15th.

3 MS. NEFF: Do we have to say a
4 case number?

5 CHAIRMAN TREFZ: I just was
6 looking for the page. VA-CU-25-04 until May
7 15th.

8 VICE-CHAIR ROSS: Second.

9 MR. GAYETSKY: Motion to continue
10 the application to May 15th made by Mr. Trefz,
11 seconded by Ms. Ross. Those voting:

12 Mr. Trefz.

13 CHAIRMAN TREFZ: Yes.

14 MR. GAYETSKY: Ms. Ross.

15 VICE-CHAIR ROSS: Yes.

16 MR. GAYETSKY: Mr. Pax.

17 MR. PAX: Yes.

18 MR. GAYETSKY: Ms. Neff.

19 MS. NEFF: Yes.

20 MR. GAYETSKY: And Mr. McCoy.

21 MR. MCCOY: Yes.

22 - - -

23 CHAIRMAN TREFZ: We have some
24 business to approve minutes and go into

1 training. You're all welcome stay; however, I
2 don't think it will be entertaining.

3 (Recess taken.)

4 MS. NEFF: We're still on the
5 record.

6 MS. DONNAN: Yes. Just so you're
7 aware, there was a gentleman who gave some
8 comment, and as I was walking out, he was like
9 I don't want to interrupt the Board, but you
10 know, please tell them that I'm so -- you
11 know, that we residents say thank you and we
12 appreciate the hard work you're doing. And
13 so, yeah, so just wanted -- and he was like I
14 didn't want to interrupt, but I was like I'll
15 be sure to pass along the message.

16 MS. NEFF: Thank you.

17 VICE-CHAIR ROSS: Thank you.

18 (Training Part 2 was held.)

19 MS. NEFF: I make the Motion to
20 Adjourn.

21 VICE-CHAIR ROSS: Second.

22 MR. GAYETSKY: All in favor.

23 MEMBERS: Aye.

24 CHAIRMAN TREFZ: The meeting is

1 adjourned.

2 (Thereupon, the proceedings

3 adjourned.)

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CERTIFICATE

The undersigned do hereby certify that the foregoing proceedings were digitally recorded; and transcribed via audible playback, and that the foregoing transcript of such proceedings is a full, true and correct transcript of the proceedings, as so recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office on this 27th day of May 2025.



Sandra D. Kin,
Registered Professional Reporter,
Certified Digital Reporter,
Certified Digital Transcriber.
Notary Public - State of Ohio.

My Commission expires May 14, 2027.

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